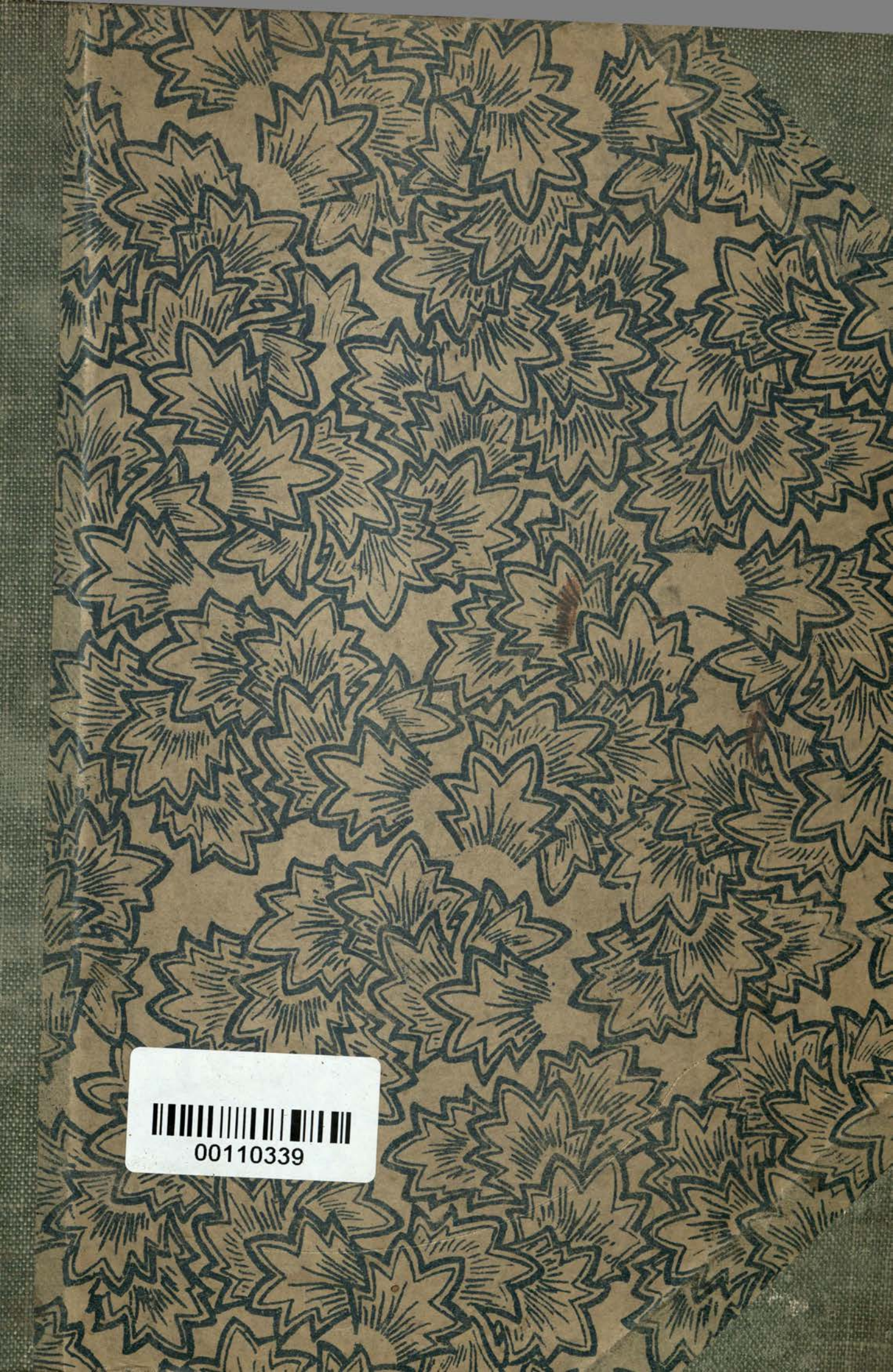
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THE

STATUTES

OF

THE UNITED KINGDOM

OF

GREAT BRITAIN AND IRELAND.

WITH

NOTES AND REFERENCES,

TABLES SHOWING THE EFFECT OF EACH YEAR'S LEGISLATION,

AND A COPIOUS INDEX.

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By GEORGE KETTILBY RICKARDS, Esq.,

OF THE INNER TEMPLE,

COUNSEL TO THE SPEAKER OF THE HOUSE OF COMMONS.

VOLUME THE TWENTY-FIFTH,

Containing the Acts

24 & 25 Victoria (1861); 25 & 26 Victoria (1862).

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TABLE

CONTAINING

THE TITLES OF ALL THE STATUTES

PASSED IN THE

THIRD SESSION OF THE EIGHTEENTH PARLIAMENT

OF

The United Kingdom of GREAT BRITAIN and IRELAND;

24° & 25° VICTORIÆ.

PUBLIC GENERAL ACTS.

1. AN Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for *England* and *Wales*. *Page* 1
2. An Act to apply the Sum of Four Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty-one. 2
3. An Act to make further Provision respecting certain Payments to and from the Bank of *England*, and to increase the Facilities for the Transfer of Stocks and Annuities, and for other Purposes. *Ibid.*
4. An Act for amending the *Red Sea* and *India* Telegraph Act, 1859. 4
5. An Act to amend the Law relating to Supply Exchequer Bills, and to charge the same on the Consolidated Fund. 5
6. An Act to apply the Sum of Three Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty-one. 8
7. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. *Ibid.*
8. An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore. 13
9. An Act to amend the Law relating to the Conveyance of Land for Charitable Uses. 18
10. An Act to extend the Jurisdiction and improve the Practice of the High Court of Admiralty. 19
11. An Act to afford Facilities for the better Ascertainment of the Law of Foreign Countries when pleaded in Courts within Her Majesty's Dominions. 22
12. An Act for the Abolition of Contributions by Counties for the Relief of Prisoners in the Queen's Prison, and for the Benefit of *Bethlem Hospital*. 23
13. An Act to enable the Admiralty to acquire Property for the Enlargement of the Royal Marine Barracks in the Parish of *East Stonehouse* in the County of *Devon*. 24
14. An Act to grant additional Facilities for depositing small Savings at Interest, with the Security of the Government for due Repayment thereof. *Page* 24
15. An Act to enable Her Majesty to settle an Annuity on Her Royal Highness the Princess *Alice Maud Mary*. 26
16. An Act to render valid Marriages heretofore solemnized in *Trinity* Church, *Rainow*, and in other Churches and Chapels. *Ibid.*
17. An Act to amend an Act of the Twentieth and Twenty-first Years of the Reign of Her Majesty, for the Abatement of the Nuisance arising from the Smoke of Furnaces in *Scotland*. 27
18. An Act to make Provision for the Dissolution of Combinations of Parishes in *Scotland* as to the Management of the Poor. *Ibid.*
19. An Act to apply the Sum of Ten Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty-one. 28
20. An Act to continue certain Duties of Customs and Inland Revenue for the Service of Her Majesty, and to alter and repeal certain other Duties. 29
21. An Act for granting to Her Majesty certain Duties of Excise and Stamps. 33
22. An Act for confirming a Scheme of the Charity Commissioners for certain Charities in the Town and Parish of *Burford* in the County of *Oxford*. 36
23. An Act for confirming a Scheme of the Charity Commissioners for certain Charities in the Borough of *Reading*. 28
24. An Act for confirming a Scheme of the Charity Commissioners for the Hospital of Lady *Katherine Leveson* at *Temple Balsall* in the County of *Warwick*. 41
25. An Act to enable the Secretary of State in Council of *India* to raise Money in the United Kingdom for the Service of the Government of *India*. 44

26. An Act to amend the *Dublin* Improvement Act, 1849. *Page* 45
27. An Act to declare the Limits within which increased Assessments are authorized to be raised in the City of *Edinburgh*, under the Provisions of the Act of the Twenty-third and Twenty-fourth Years of *Victoria*, Chapter Fifty. 47
28. An Act to relieve certain Trusts on the *Holyhead* Road from Debts. 48
29. An Act to authorize the Removal of the Infirmary for the County of *Cork* from the Town of *Mallow* to the City of *Cork*. *Ibid.*
30. An Act to declare the Validity of an Act passed by the General Assembly of *New Zealand*, intituled *An Act to provide for the Establishment of new Provinces in* New Zealand. 49
31. An Act for the Prevention and Punishment of Offences committed by Her Majesty's Subjects within certain Territories adjacent to the Colony of *Sierra Leone*. 50
32. An Act for confirming a Scheme of the Charity Commissioners for "The Hospital of the Blessed *Trinity*" at *Guildford* in the County of *Surrey*, and its subsidiary Endowments, with certain Alterations. *Ibid.*
33. An Act to enable the Commissioners of Her Majesty's Works to acquire additional Land for the Purposes of the Public Offices Extension Act of 1859. 53
34. An Act to extend the Provisions of the Acts to facilitate the Improvement of Landed Property in *Ireland*, and to further provide for the Erection of Dwellings for the Labouring Poor in *Ireland*. 57
35. An Act to increase the Facilities for the Transfer of Stocks and Annuities transferable at the Bank of *Ireland*, and to make further Provision respecting the mutual Transfer of Capital in certain Public Stocks or Funds transferable at the Banks of *England* and *Ireland* respectively, and for other Purposes. *Ibid.*
36. An Act to amend the Boundaries of Burghs Extension (*Scotland*) Act. 58
37. An Act to simplify the Mode of raising the Assessment for the Poor in *Scotland*. 59
38. An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners. *Ibid.*
39. An Act to confirm certain Provisional Orders under the Local Government Act (1858), relating to the Districts of *Brighton*, *East Cowes*, *Preston*, *Morpeth*, *Bromsgrove*, and *Durham*; and for other Purposes in relation thereto. 60
40. An Act to make further Provision for the Management of Her Majesty's Forest of *Dean*, and of the Mines and Quarries therein and in the Hundred of *Saint Briavels* in the County of *Gloucester*. 66
41. An Act to enable the Admiralty to acquire Property for the Enlargement of Her Majesty's Dockyard at *Chatham* in the County of *Kent*, and to embank Part of the River *Medway*; and for other Purposes connected therewith. 73
42. An Act to continue the Duties levied on Coal and Wine by the Corporation of *London*. 77
43. An Act to facilitate the Remedies on Bills of Exchange and Promissory Notes in *Ireland* by the Prevention of frivolous or fictitious Defences to Actions thereon. 79
44. An Act to remove Doubts respecting the Authority of the Legislature of *Queensland*, and to annex certain Territories to the Colony of *South Australia*, and for other Purposes. 80
45. An Act to facilitate the Formation, Management, and Maintenance of Piers and Harbours in *Great Britain* and *Ireland*. 82
46. An Act to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts, and to extend the Provisions of the said Act. *Page* 86
47. An Act to facilitate the Construction and Improvement of Harbours by authorizing Loans to Harbour Authorities; to abolish Passing Tolls; and for other Purposes. 87
48. An Act to provide for the Costs of certain Proceedings to be taken under the Landlord and Tenant Law Amendment (*Ireland*) Act (1860). 93
49. An Act to enable Justices in *Ireland* to commit to local Bridewells Persons convicted of Drunkenness. 99
50. An Act for facilitating the Transfer of Mortgages and Bonds granted by Railway Companies in *Scotland*. *Ibid.*
51. An Act for granting Pensions to some Officers and Men in the Metropolitan Police Force, and for other Purposes. *Ibid.*
52. An Act to empower the Governors of the several *Australian* Colonies to regulate the Number of Passengers to be carried in Vessels plying between Ports in those Colonies. 100
53. An Act to provide that Votes at Elections for the Universities may be recorded by means of Voting Papers. 101
54. An Act to confirm certain Appointments in *India*, and to amend the Law concerning the Civil Service there. 102
55. An Act to amend the Laws regarding the Removal of the Poor and the Contribution of Parishes to the Common Fund in Unions. 104
56. An Act to make Provision for Salaries for the Revising Barristers for the City of *Dublin*. 105
57. An Act to continue an Act of the Fifth and Sixth Years of Her Majesty relating to private Lunatic Asylums in *Ireland*. *Ibid.*
58. An Act to continue an Act of the Eleventh and Twelfth Years of Her Majesty relating to the Collection of County Cess in *Ireland*. *Ibid.*
59. An Act to facilitate Proceedings before Justices under the Acts relating to Vaccination. *Ibid.*
60. An Act to amend the Act of the Thirteenth and Fourteenth Years of Her Majesty, Chapter Sixty-nine, so far as relates to the Time thereby limited for the Publication of the Lists of Voters objected to in *Ireland*. 106
61. An Act to amend the Local Government Act. *Ibid.*
62. An Act to amend the Act of the Ninth Year of King *George* the Third, Chapter Sixteen, for quieting Possessions and Titles against the Crown, and also certain Acts for the like Object relating to Suits by the Duke of *Cornwall*. 111
63. An Act to enable Grand Juries in *Ireland* to increase the Remuneration of County Surveyors, and for other Purposes. 112
64. An Act to continue certain Turnpike Acts in *Great Britain*. 113
65. An Act to continue the Survey of *Great Britain*, *Berwick-upon-Tweed*, and the *Isle of Man*. 115
66. An Act to give Relief to Persons who may refuse or be unwilling, from alleged conscientious Motives, to be sworn in Criminal Proceedings. *Ibid.*
67. An Act to make better Provision for the Constitution of the Council of the Governor General of *India*, and for the Local Government of the several Presidencies and Provinces of *India*, and for the temporary Government of *India* in the event of a Vacancy in the Office of Governor General. 116
68. An Act to amend the Laws relating to Attorneys and Solicitors in *Ireland*. 123
69. An Act to provide for the Formation of Tramways on Turnpike and Statute Labour Roads in *Scotland*. 124

70. An Act for regulating the Use of Locomotives on Turnpike and other Roads, and the Tolls to be levied on such Locomotives and on the Waggons and Carriages drawn or propelled by the same. *Page* 127
71. An Act to provide for the Performance of Duties heretofore performed by the Paymaster of Civil Services in *Ireland* in relation to Advances and Repayments of Public Monies for Public Works. 130
72. An Act to make further Provision for the Regulation of the *British* White Herring Fishery in *Scotland*. 131
73. An Act to amend the Law relating to the Copyright of Designs. 132
74. An Act to render lawful the Enlistment of Persons transferred from the *Indian* to the General Forces of Her Majesty, and to provide in certain respects for the Rights of such Persons. 133
75. An Act for amending the Municipal Corporations Act. 134
76. An Act to amend the Law relating to the Removal of Poor Persons to *Ireland*. 135
77. An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively. 136
78. An Act to repeal certain Enactments relating to nominating and appointing the Householders of *Westminster* to serve as Annoyance Jurors, and to make other Provisions in lieu thereof. *Ibid.*
79. An Act to amend the Metropolis Gas Act. 138
80. An Act to authorize Advances of Money out of the Consolidated Fund for carrying on Public Works and Fisheries for Employment of the Poor, and for facilitating the Construction and Improvement of Harbours; and for other Purposes. 139
81. An Act to repeal the Provisions in certain Statutes relative to the Salary of the Lord Clerk Register in *Scotland*. 141
82. An Act for making Provision for the good Government and Extension of the University of *Durham*. 142
83. An Act to amend the Law regarding the Registration of County Voters in *Scotland*. 143
84. An Act to amend the Law in *Scotland* relative to the Resignation, Powers, and Liabilities of gratuitous Trustees. 152
85. An Act to authorize for a further Period the Application of Money for the Purposes of Loans for carrying on Public Works in *Ireland*. 153
86. An Act to amend the Law regarding Conjugal Rights in *Scotland*. 155
87. An Act to amend the Metropolitan Building Act (1855). 158
88. An Act to vest in the Commissioners of Her Majesty's Works and Public Buildings a Portion of *Saint James's Park* as a Site for Public Offices. *Ibid.*
89. An Act to increase the Amount payable out of the Revenues of *India* in respect of the Retiring Pay, Pensions, and other Expenses of that Nature, of Her Majesty's *British* Forces serving in *India*. 159
90. An Act to make Arrangements as to the Disposal and Management of Property belonging to the University of *Edinburgh*; and to regulate the Appropriation and Application of the Annuity of Two thousand five hundred Pounds payable from the Revenues of the Harbour and Docks of *Leith*, under the Authority of an Act passed in the First and Second Years of *Victoria*, Chapter Fifty-five. *Ibid.*
91. An Act to amend the Laws relating to the Inland Revenue. 161
92. An Act to amend the Law for the Collection of the Stamp Duties on Probates, Administrations, Inventories, Legacies, and Successions. *Page* 170
93. An Act to provide for the Preparation, Audit, and Presentation to Parliament of annual Accounts of the Appropriation of the Monies voted for the Revenue Departments. *Ibid.*
94. An Act to consolidate and amend the Statute Law of *England* and *Ireland* relating to Accessories to and Abettors of indictable Offences. 171
95. An Act to repeal certain Enactments which have been consolidated in several Acts of the present Session relating to indictable Offences and other Matters. 172
96. An Act to consolidate and amend the Statute Law of *England* and *Ireland* relating to Larceny and other similar Offences. 182
97. An Act to consolidate and amend the Statute Law of *England* and *Ireland* relating to Malicious Injuries to Property. 200
98. An Act to consolidate and amend the Statute Law of *England* and *Ireland* relating to indictable Offences by Forgery. 212
99. An Act to consolidate and amend the Statute Law of the United Kingdom against Offences relating to the Coin. 222
100. An Act to consolidate and amend the Statute Law of *England* and *Ireland* relating to Offences against the Person. 229
101. An Act for promoting the Revision of the Statute Law by repealing divers Acts and Parts of Acts which have ceased to be in force. 238
102. An Act to amend the Tramways (*Ireland*) Act (1860). 264
103. An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and sixty-one, and to appropriate the Supplies granted in this Session of Parliament. 265
104. An Act for establishing High Courts of Judicature in *India*. 271
105. An Act to prevent the future Grant by Copy of Court Roll and certain Leases of Lands and Hereditaments in *England* belonging to Ecclesiastical Benefices. 273
106. An Act to enable the Admiralty to close the Harbour of *Portpatrick* in *Scotland* during the Execution of certain Works in such Harbour sanctioned by Parliament. 274
107. An Act to alter and amend the Law relating to Parochial and Burgh Schools, and to the Test required to be taken by Schoolmasters in *Scotland*. 275
108. An Act to provide for the winding up the Naval Medical Supplemental Fund Society. 280
109. An Act to amend the Laws relating to Fisheries of Salmon in *England*. 281
110. An Act for regulating the Business of Dealers in old Metals. 290
111. An Act to amend "The Probates and Letters of Administration Act (*Ireland*), 1857." 293
112. An Act for the Appropriation of the Seats vacated by the Disfranchisement of the Boroughs of *Sudbury* and *Saint Alban*. 294
113. An Act for amending and consolidating the Law relating to Industrial Schools. 296
114. An Act to amend the Law with respect to Wills of Personal Estate made by *British* Subjects. 300
115. An Act for the Government of the Navy. *Ibid.*

116. An Act for the Appropriation in favour of the Military Knights and the Churches of *Windsor* of Two of the Canonries suspended in the Chapel of *Windsor*, and for making certain Provisions respecting the Naval Knights of *Windsor*. *Page* 312

117. An Act to place the Employment of Women, young Persons, Youths, and Children in Lace Factories under the Regulations of the Factories Act. 313

118. An Act to enable the Secretary of State in Council of *India* to raise Money in the United Kingdom for the Service of the Government of *India*. 314

119. An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland*; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia; and to authorize the Employment of the Non-commissioned Officers. 316

120. An Act to suspend the making of Lists and the Ballots for the Militia of the United Kingdom. *Ibid.*

121. An Act to amend the Law in relation to the Wills and Domicile of *British* Subjects dying whilst resident abroad, and of Foreign Subjects dying whilst resident within Her Majesty's Dominions. *Ibid.*

122. An Act to continue the Corrupt Practices Prevention Act (1854). 317

123. An Act to reduce and alter the Rate of Duty payable on Proceedings under the Statute of the Twenty-first and Twenty-second Years of *Victoria*, Chapter Seventy-two, Section Eighty-eight; and for other Purposes. *Ibid.*

124. An Act for amending the Law relating to the Receiver for the Metropolitan Police District; and for other Purposes. *Page* 318

125. An Act to enable Overseers in populous Parishes to provide Offices for the proper Discharge of Parochial Business. 320

126. An Act to exempt the Volunteer Forces of *Great Britain* from the Payment of Tolls. *Ibid.*

127. An Act for limiting and regulating the Treasury Chest Fund. 321

128. An Act to confirm certain Provisional Orders under the Local Government Act (1858), relating to the Districts of *Plymouth*, *Weston-super-Mare*, *Llanelly*, and *Llandilo*; and for other Purposes in relation thereto. 322

129. An Act to enable Her Majesty to accept the Services of Officers of the Merchant Service as Officers of Reserve to the Royal Navy. 329

130. An Act for amending an Act passed in the last Session of Parliament to amend the Law concerning the making, keeping, and Carriage of Gunpowder and Compositions of an explosive Nature, and concerning the Manufacture, Sale, and Use of Fireworks. 330

131. An Act to continue the Act concerning the Management of Episcopal and Capitular Estates in *England*, and further to amend certain Acts relating to the Ecclesiastical Commissioners for *England*. *Ibid.*

132. An Act for consolidating and amending the Law relating to Industrial Schools in *Scotland*. 331

133. An Act to amend the Law relating to the Drainage of Land for Agricultural Purposes. 336

134. An Act to amend the Law relating to Bankruptcy and Insolvency in *England*. 350

LOCAL ACTS.

i. AN Act to repeal the Act of the Third Year of the Reign of Her present Majesty, entitled *An Act for more effectually repairing and improving the Road from* Edenfield Chapel *to* Little Bolton, *and certain Branch Roads connected therewith, all in the County Palatine of* Lancaster; and to confer other Powers in lieu thereof. *Page* 383

ii. An Act to grant further Powers to the *Bristol and South Wales Union* Railway Company with reference to their Capital and Borrowing Powers; to extend the Periods limited for Completion of the Works; to amend the Act relating to the Company; and for other Purposes. *Ibid.*

iii. An Act to consolidate the Capital Stock or Shares of "The City of *Dublin* Steam Packet Company;" and for other Purposes. *Ibid.*

iv. An Act for conferring on the Local Board of Health for the District of *Wallasey* further Powers for raising Money; for the Acquisition of *Seacombe Ferry*; and for incorporating the said Board; and for other Purposes. *Ibid.*

v. An Act to continue the *Biddenden* Turnpike Trust in the County of *Kent*; and for other Purposes. 384

vi. An Act to repeal the Act for more effectually repairing and improving the Road from the West End of *Gainsburgh Bridge* to *East Retford* and to *Gringley-on-the-Hill* in the County of *Nottingham*, and to make other Provisions in lieu thereof. *Ibid.*

vii. An Act for authorizing the Corporation of the Borough of *Preston* to establish and regulate Markets and Fairs, to erect a Town Hall, an Exchange, and Public Offices, and make new Streets in *Preston*; and for other Purposes. *Page* 384

viii. An Act to authorize the Consolidation into One Undertaking of the *Inverness and Nairn* and *Inverness and Aberdeen Junction* Railways, and the Union into One Company of the Two Companies to which the said Railways respectively belong. 385

ix. An Act for making a Railway from *Blackpool* in the County of *Lancaster* to *Lytham* in the same County. 387

x. An Act to enable the *Brecon and Merthyr Tydfil Junction* Railway Company to raise additional Money; and for other Purposes. *Ibid.*

xi. An Act to enable the *Dublin, Wicklow, and Wexford* Railway Company to make a Deviation in their authorized Railway; and for other Purposes. 388

xii. An Act to enable the *South-eastern* Railway Company to raise a further Sum of Money, and to increase their Subscription to the Undertaking of the *Charing Cross* Railway Company. *Ibid.*

xiii. An Act to authorize the *Shrewsbury and Welchpool* Railway Company to widen their *Minsterley* Branch; and for other Purposes. 389

xiv. An Act to enable the Corporation of the City of *Bristol* to purchase *Durdham Down*, and to secure *Durdham Down* and *Clifton Down* as Places for Public Recreation. *Page* 389

xv. An Act for enabling the *Exeter and Exmouth* Railway Company to regulate their Capital, to raise further Capital; and for other Purposes connected with their Undertaking. 390

xvi. An Act to authorize the making of a Railway in *Scotland*, to be called the *Strathspey* Railway. *Ibid.*

xvii. An Act to enable the *Oswestry and Newtown* Railway Company to construct additional Lines of Railway to *Llanfyllin* and *Kerry* in the County of *Montgomery*; and for other Purposes. 391

xviii. An Act to enable the *Inverness and Aberdeen Junction* Railway Company to construct a Branch Railway from their *Alves* Station to the Town and Harbour of *Burghead*; to provide additional Station Accommodation at *Inverness*; and for other Purposes. *Ibid.*

xix. An Act to repeal an Act of the Eleventh Year of the Reign of King *George* the Fourth, for improving several Roads and making certain new Roads in the Counties of *Devon* and *Somerset* leading to and from the Town of *Tiverton*, and for amending an Act of His present Majesty for repairing several Roads leading from and through the Town of *Wiveliscombe*; and to make other Provisions in lieu thereof. *Ibid.*

xx. An Act to repeal an Act passed in the Tenth Year of the Reign of King *George* the Fourth, intituled *An Act for repairing, improving, and maintaining in repair the Road from* Brandlesome Moss Gate *in the Township of* Elton *to the* Duke of York *Public House in the Township of* Blackburn, *and a Branch Road therefrom, all in the County Palatine of* Lancaster; and to make other Provisions in lieu thereof. 392

xxi. An Act to enable the Borough of *Portsmouth* Waterworks Company to raise further Money; and for other Purposes. *Ibid.*

xxii. An Act to enable the *Witney* Railway Company to make a Road to their Station at *Witney*; and for other Purposes. *Ibid.*

xxiii. An Act to enable the Mayor, Aldermen, and Burgesses of *South Shields* to maintain a Quay there; and for other Purposes. *Ibid.*

xxiv. An Act for incorporating the *Clitheroe* Gaslight Company; for the Regulation of their Capital; and for other Purposes. 394

xxv. An Act to repeal *An Act for more effectually amending the Road from* Oldham *in the County of* Lancaster *to* Ripponden *in the County of* York, *and other Roads in the same Counties, and for making and maintaining a new Branch to communicate therewith*, and to make other Provisions in lieu thereof, so far as regards the said Road from *Oldham* to *Ripponden*, and the other Roads already made in connexion therewith. *Ibid.*

xxvi. An Act to repeal the Act of the 7th Year of His late Majesty King *George* III., Chapter 111., and to make better Provision for the managing of certain Lands in the County of *Westmoreland* called *Kendal Fell* Lands. *Ibid.*

xxvii. An Act for extending the Term and amending the Provisions of the Act relating to the *Kingston-upon-Thames and Leatherhead* Turnpike Road in the County of *Surrey*. 395

xxviii. An Act to empower the *Bradford, Wakefield, and Leeds* Railway Company to construct a Railway from *Ossett* to join the *London and North-western* Railway at or near *Batley*, all in the West Riding of the County of *York*; and for other Purposes. *Page* 395

xxix. An Act to divert certain Portions of the Railway from *Kilrush* to *Kilkee*, and to deepen and improve the Creek or Harbour of *Kilrush*. 396

xxx. An Act to enable the *Morayshire* Railway Company to extend their Railway to the *Strathspey* Railway; and for other Purposes. *Ibid.*

xxxi. An Act for authorizing the *Stratford-upon-Avon* Railway Company to raise additional Capital; and for other Purposes. 397

xxxii. An Act for making a Railway from *Wrexham* to *Minera*, and for other Purposes. *Ibid.*

xxxiii. An Act to amend "The *Dewsbury, Batley*, and *Heckmondwike* Waterworks Act, 1856;" and to authorize the Construction of new Works; and for other Purposes. *Ibid.*

xxxiv. An Act to enable the *Lancashire and Yorkshire* Railway Company to make a Railway from *Aintree* to *Bootle*, with certain Branch Railways, all in *Lancashire*; and for other Purposes relating to the same Company. *Ibid.*

xxxv. An Act to authorize the Construction of a Railway between *Garston* and *Liverpool*, and for other Purposes. 398

xxxvi. An Act to define and increase the Capital of the *Great Western* Railway Company, and for other Purposes. 402

xxxvii. An Act to enable the *Lancashire and Yorkshire* Railway Company to raise a further Sum of Money; and for other Purposes. 405

xxxviii. An Act to continue the existing Borrowing Power of *Price's* Patent Candle Company (Limited). 406

xxxix. An Act for lighting with Gas the Town and Neighbourhood of *Haslingden* in *Lancashire*. *Ibid.*

xl. An Act to amend an Act passed in the Session of Parliament holden in the 11th and 12th Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act for incorporating the* North of Scotland *Fire and Life Assurance Company, under the Name of the* Northern *Assurance Company; for enabling the said Company to sue and be sued, and to take, hold, and transfer Property; for confirming the Rules and Regulations of the said Company; and for other Purposes relating thereto*; and to vary, extend, and enlarge certain of the Powers of the said Company; and for other Purposes relating to the said Company. *Ibid.*

xli. An Act for better lighting with Gas the Borough of *Swansea* and the Neighbourhood thereof. 407

xlii. An Act for enabling the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool* to make new and widen existing Streets within the Borough; and for other Purposes. *Ibid.*

xliii. An Act to amend and extend the Acts relating to the *Newcastle-under-Lyme Marsh* Lands; to incorporate the Trustees under the said Acts; and for other Purposes. 408

xliv. An Act for making a Railway from the *London and North-western* Railway at *Nantwich* in the County of *Chester* to *Market Drayton* in the County of *Salop*. 409

xlv. An Act for better supplying with Water the Borough of *Neath* and the adjacent District in the County of *Glamorgan*. *Ibid.*

xlvi. An Act for authorizing the *Dartmouth and Torbay* Railway Company to raise further Monies; and for other Purposes. *Ibid.*

xlvii. An Act to incorporate the *Northampton* Waterworks Company; to enable them to better supply the Town of *Northampton* and the several Townships and Places adjacent thereto with Water; and for other Purposes. *Ibid.*

xlviii. An Act for the better Drainage and Improvement of certain Low Lands and Grounds, formerly Common, within

the Manors of *Baschurch, Hordley, Stanwardine-in-the-Wood, Weston Lullingfield,* and *Stanwardine-in-the-Fields,* and of certain other Lands adjoining or near thereto, all situate in the County of *Salop.* *Page* 410

xlix. An Act to authorize the Mayor, Aldermen, and Burgesses of *Kilkenny* to make a General Market in the City of *Kilkenny;* and for other Purposes. 412

l. An Act to enable the *Lancashire and Yorkshire* Railway Company to construct Branch Railways to *Dewsbury, Heckmondwike,* and *Meltham;* to purchase additional Lands at *Rochdale* and *Miles Platting;* and for other Purposes. 413

li. An Act for making a Railway from the *Taff Vale* Railway in the Parish of *Lantwit Vardre* in the County of *Glamorgan* to *Llantrissant* in the same County, with Branches therefrom, to be called "The *Llantrissant and Taff Vale Junction* Railway;" and for other Purposes. *Ibid.*

lii. An Act to abolish and dismarket *Newgate Market* in the City of *London,* and to facilitate the Removal of Shambles and Slaughter-houses and other Nuisances and Obstructions in the Vicinity of the said Market, and to authorize the Erection of Dwelling Houses or Shops or other Buildings on the Site thereof; and for other Purposes. *Ibid.*

liii. An Act to incorporate a Company for supplying Gas to *Uxbridge* and certain Places in the Neighbourhood of the same. 415

liv. An Act for enabling the *West Cornwall* Railway Company to create Debenture Stock; and for other Purposes. 416

lv. An Act for better supplying with Water *Sandown, Lake, Shanklin, Brading, Newchurch, Ryde,* and other Places in the Parishes of *Brading, Shanklin,* and *Newchurch,* and the several Parishes and Places adjacent thereto, in the *Isle of Wight* and County of *Southampton;* and for other Purposes. *Ibid.*

lvi. An Act for dissolving and re-incorporating the *Huddersfield* Registered Gaslight Company, and for conferring upon them further Powers for the Supply of Gas to the Borough of *Huddersfield,* and certain neighbouring Townships and Places. *Ibid.*

lvii. An Act to enable the *Midland* Railway Company to make new Railways; and for other Purposes. 418

lviii. An Act to enable the *Ryde* Commissioners to better supply with Water the Town of *Ryde* and the Places adjacent thereto, in the *Isle of Wight;* and for other Purposes. 419

lix. An Act for maintaining certain Roads and Bridges in the County of the Borough and Town of *Berwick-upon-Tweed* and Counties of *Northumberland* and *Berwick,* and for the Liquidation of the Debt due on the Security of the Tolls taken on the said Roads and Bridges. 421

lx. An Act to authorize the *Leeds, Bradford, and Halifax Junction* Railway Company to construct a Branch Railway to join the *Birstal* Branch of the *London and North-western* Railway at *Batley* in the West Riding of the County of *York;* and for other Purposes. *Ibid.*

lxi. An Act for incorporating the *Universal* Private Telegraph Company, and to enable the said Company to work certain Letters Patent. *Ibid.*

lxii. An Act to enable the *Whitehaven, Cleator, and Egremont* Railway Company to extend their Railway from *Frizington* to *Lamplugh* in the County of *Cumberland;* to widen and enlarge their present Railway and Works; to raise further Capital; and for other Purposes. 422

lxiii. An Act for authorizing the *Stockton and Darlington* Railway Company to make and maintain a new Branch Railway, and to abandon the making of one of their authorized Branch Railways; and for other Purposes. *Ibid.*

lxiv. An Act to authorize the entire Abandonment of the *Bangor* Branch of the *Belfast and County Down* Railway. *Page* 423

lxv. An Act to enable the *Mid-Wales* Railway Company to make a Deviation in their authorized Railway; and for other Purposes. *Ibid.*

lxvi. An Act for the Enlargement and Regulation of the *Manchester London Road* Station, and for other Purposes. 424

lxvii. An Act to enable the *Great Northern and Western* (*of Ireland*) Railway Company to extend their Railway to *Westport;* and for other Purposes. 426

lxviii. An Act for supplying with Gas the Township of *Elland-cum-Greetland* and adjacent Places in the Parish of *Halifax* in the West Riding of the County of *York,* and for other Purposes. 427

lxix. An Act to enable the *Portadown, Dungannon, and Omagh Junction* Railway Company to make a Branch Railway to *Aughnacloy* in the County of *Tyrone;* to amend the Acts relating to the Railway; and for other Purposes. *Ibid.*

lxx. An Act to vest in the *Great Northern* Railway Company the *Hertford, Luton, and Dunstable* Railway, and for other Purposes relating to the same Company. 428

lxxi. An Act to authorize the Construction of Bridges over Highways and Arches under a Turnpike Road and Highways in the Parishes of *Wolstanton* and *Audley* in the County of *Stafford,* and for other Purposes. 429

lxxii. An Act to authorize the making of a Railway from the *Stockton and Darlington* Railway at or near the *Frosterly* Station to *Newlandside* near *Stanhope,* with a Road Approach from *Stanhope,* all in the County of *Durham;* and for authorizing Working Arrangements with the *Stockton and Darlington* Railway Company; and for other Purposes. *Ibid.*

lxxiii. An Act for making a Railway from *Uxbridge* in the County of *Middlesex* to *Rickmansworth* in the County of *Hertford,* with a Branch to *Scott's Bridge Mill,* to be called "The *Uxbridge and Rickmansworth* Railway," and for other Purposes. 430

lxxiv. An Act for enabling the Company of Proprietors of the *Birmingham* Canal Navigations to raise further Money; and for other Purposes. *Ibid.*

lxxv. An Act for the *Manchester and Wilmslow* Turnpike Roads in the Counties Palatine of *Lancaster* and *Chester.* 432

lxxvi. An Act for making and maintaining of the *Henley-in-Arden* Railway, and for other Purposes. *Ibid.*

lxxvii. An Act to enable the Local Board of Health for the Township of *Darlington* to supply Gas and Water in the adjoining Townships of *Cockerton, Blackwell, Whessoe,* and *Haughton-le-Skerne;* to enlarge Market Place, erect a covered Market, make and improve Roads; to vest in the Local Board all the Powers of the Burial Board; to raise additional Money; to levy and alter Tolls and Rates; and amend Acts relating to the Local Board; and for other Purposes. *Ibid.*

lxxviii. An Act to make further Provision for the Draining, Warping, and Improvement of *Thorne Moor* in the West Riding of *Yorkshire.* 434

lxxix. An Act for authorizing the Dock Company at *Kingston-upon-Hull* to make and maintain an additional Dock at *Kingston-upon-Hull* (to be called the Western Dock), and a Railway to connect the same with the *Hull and Selby* Railway; to alter a Part of the Line of the *Hull and Selby* Railway, and to construct other Works at *Kingston-upon-Hull;* for amending the Acts relating to the Company; for granting more effectual Powers for the

Regulation and Management of their Docks; and for other Purposes. *Page* 434

lxxx. An Act for incorporating the *Sowerby Bridge* Gas Company; for enabling the Company to raise further Capital; for better supplying *Sowerby Bridge* and the Neighbourhood thereof with Gas; and for authorizing the Sale of the Undertaking of that Company, and also of the Rights and Powers of the *Sowerby Bridge* Gas Consumers Company (Limited); and for other Purposes. 437

lxxxi. An Act to grant further Powers to the *Victoria* Station and *Pimlico* Railway Company, with reference to their Share and Loan Capital; and to sanction certain Agreements with the *Great Western* and *London, Chatham, and Dover* Railway Companies; and for other Purposes. 438

lxxxii. An Act to authorize the Construction of a Bridge across the River *Clwyd*, to be called "The *Rhyl Bridge*." 439

lxxxiii. An Act to enable the Right Honourable *William* Earl of *Lonsdale* to make and maintain a Dock or Tidal Basin at *Workington* in the County of *Cumberland*, and a Railway therefrom to join the *Whitehaven Junction* Railway; and for other Purposes. 440

lxxxiv. An Act to enable the *Edinburgh and Glasgow* Railway Company to raise additional Capital. 441

lxxxv. An Act for incorporating the *Scottish* Widows Fund and Life Assurance Society, and for other Purposes relating thereto. *Ibid.*

lxxxvi. An Act to enable the *Manchester, Sheffield, and Lincolnshire* Railway Company to make new Railways in the Counties of *Derby* and *Lincoln*; to improve their Station at *Ardwick*; and for other Purposes. *Ibid.*

lxxxvii. An Act to authorize the *Wycombe* Railway Company to extend their Railway to *Aylesbury* and to *Oxford*; and for other Purposes. 442

lxxxviii. An Act to repeal an Act passed in the Seventh and Eighth Years of the Reign of His Majesty King *George* the Fourth, intituled *An Act for repairing the Road leading from* Ealand *to the Town of* Leeds *in the West Riding of the County of* York; and granting more effectual Powers in lieu thereof. 443

lxxxix. An Act for making a Railway from *Banbridge to Ballyroney*, with a Branch Railway therefrom to *Rathfriland*, to be called "The *Banbridge Extension* Railway," and for other Purposes. *Ibid.*

xc. An Act to revive the Powers for the Purchase of Lands, and to extend the Time for the Completion of Works authorized by the "*Llanidloes and Newtown* Railway (Canal Extension) Act, 1859," and to authorize the *Llanidloes and Newtown* Railway Company to raise additional Capital; and for other Purposes. *Ibid.*

xci. An Act to amend the Acts relating to the River *Tyne*; and to enable the *Tyne* Improvement Commissioners to construct Docks and other Works, and to remove and rebuild the Bridge of *Newcastle-upon-Tyne*; to make certain Alterations in the Rates charged by the Commissioners; and for other Purposes. *Ibid.*

xcii. An Act to empower *Bonelli's* Electric Telegraph Company (Limited) to acquire and work Letters Patent relating to Electric Telegraphs; and for other Purposes. 445

xciii. An Act for authorizing the *Charing Cross* Railway to make a Line of Railway from their authorized Line into the City of *London*, with an additional Line in *Southwark*, and to raise further Monies; and for other Purposes. *Ibid.*

xciv. An Act to extend the Limits of the *Dewsbury and Batley* Gas Company to Part of the Township of *Thornhill*; to authorize the said Company to raise more Money; to amend their Act; and for other Purposes. 446

xcv. An Act for the Incorporation of the *Burton-upon-Trent* Waterworks Company, and for authorizing them to supply with Water the Town of *Burton-upon-Trent* and the Township of *Barton-under-Needwood* and the Neighbourhoods thereof; and for other Purposes. *Page* 446

xcvi. An Act to enable the *Dunblane, Doune, and Callander* Railway Company to create Preference Shares; and for other Purposes. 447

xcvii. An Act for incorporating the *Whitworth Vale* Gas Company (Limited), and extending their Powers, and for other Purposes. *Ibid.*

xcviii. An Act to enable the *Blyth and Tyne* Railway Company to make a Railway from their Main Line of Railway to *Newcastle-upon-Tyne* and certain Branch Railways in the County of *Northumberland*; to grant further Powers to the Company; to amend the Acts relating to the Company; and for other Purposes. *Ibid.*

xcix. An Act to enable the *Limerick and Foynes* Railway Company to raise further Sums. 448

c. An Act for paving, draining, cleansing, lighting, and otherwise improving the District comprised within the Boundaries of the Township of *Middleton* in the Parish of *Middleton*, and the Township of *Tonge* in the Parish of *Prestwich-cum-Oldham*, both in the County of *Lancaster*; and for other Purposes. *Ibid.*

ci. An Act to enable the *Lancashire and Yorkshire* Railway Company to make a Railway between *Salford* and the *Victoria* Station at *Manchester*; and for other Purposes relating to the same Company. 449

cii. An Act for making a Railway from the *Hawick* Line of the *North British* Railway near *Galashiels* to *Peebles*, and for other Purposes. 450

ciii. An Act for making Railways from the *Oswestry and Newtown* Railway near *Montgomery* to *Bishops Castle* and other Places in the County of *Salop*. *Ibid.*

civ. An Act to enable the Burial Board of the Parish of *Liverpool* to acquire certain Lands at *Walton-on-the-Hill* in *Lancashire*. 451

cv. An Act to enable the *Kingstown* Waterworks Company to abandon a Portion of their authorized Works, and to construct and maintain other Works; and for other Purposes. *Ibid.*

cvi. An Act for enabling the *Midland* Railway Company to construct Works and to acquire additional Lands in the Counties of *Derby, Lancaster, Nottingham, Warwick*, and *Gloucester*, and the West Riding of the County of *York*; for vesting in them the Undertaking of the *Dursley and Midland Junction* Railway Company; and for other Purposes. *Ibid.*

cvii. An Act to authorize the *Cork and Youghal* Railway Company to extend their Railway in *Youghal*; and to amend the Acts relating to the Company. 452

cviii. An Act for incorporating "The *East India* Irrigation and Canal Company;" and for other Purposes connected therewith. 453

cix. An Act for better supplying with Gas the Townships of *Atherton, Bedford, Pennington, Tyldesley-cum-Shackerley, West Leigh*, and other Places in the County of *Lancaster*. 454

cx. An Act for enabling the *London and North-western* Railway Company to construct new Railways from near *Stockport* to *Northenden* Road near *Cheadle*, and from *Chelford* to *Knutsford*, with Branches therefrom respectively; and for other Purposes. *Ibid.*

cxi. An Act for making Railways between the *London and South-western* Railway at *Alton, Alresford*, and the Railway of the *London and South-western* Railway Company near to *Winchester*, and for other Purposes. 455

cxii. An Act for erecting a Suspension Bridge from *Clifton* in the City and County of *Bristol* to the Parish of *Long Ashton* in the County of *Somerset*. *Page* 455

cxiii. An Act for authorizing the *Cheshire Midland* Railway Company to make a Deviation of their authorized Line of Railway; and for authorizing Working and other Arrangements between them and the *Manchester, Sheffield, and Lincolnshire* Railway Company; and for other Purposes. 456

cxiv. An Act to provide for the leasing of the *Peebles* Railway to the *North British* Railway Company. 457

cxv. An Act for the building of a new Church in the Township of *Shireoaks* in the Parish of *Worksop* in the County of *Nottingham*; and for other Purposes. 458

cxvi. An Act for granting further Powers to the *Weston-super-Mare* Gaslight Company, and for extending their Limits for supplying Gas. 459

cxvii. An Act to incorporate a Company for making a new Bridge from *Lambeth* to *Westminster*. *Ibid.*

cxviii. An Act for transferring from the Grand Jury of the County of *Dublin* to the Commissioners of *Kingstown* the Management of the Roads and Bridges in the said Town, and for better improving the same. *Ibid.*

cxix. An Act for making and maintaining a Railway from *Wivenhoe* to *Brightlingsea*, both in the County of *Essex*, and for other Purposes. 460

cxx. An Act for making a Railway from the *London, Brighton, and South Coast* Railway in the Parish of *Eastergate* in the County of *Sussex* to *Bognor*; and for other Purposes. *Ibid.*

cxxi. An Act to increase the Capital and amend the Powers of the *Portsea Island* Gaslight Company. *Ibid.*

cxxii. An Act for making a Railway from the *Ulster* Railway near *Lisburn* to the *Belfast and Northern Counties* Railway at *Antrim*, to be called "The *Dublin and Antrim Junction* Railway," and for other Purposes. *Ibid.*

cxxiii. An Act for enabling the *London and North-western* Railway Company to acquire additional Lands in connexion with their *Chester and Holyhead* Railway; for renewing certain Powers as to Steamboats; and for other Purposes. 461

cxxiv. An Act to empower the *Penarth* Harbour, Dock, and Railway Company to raise a further Sum of Money; to make a Road between their Harbour and *Cardiff*; and for other Purposes. *Ibid.*

cxxv. An Act for authorizing the Abandonment of the *Thames Haven* Dock and the Dissolution of the Company, and for other Purposes. 462

cxxvi. An Act for altering the Constitution of the *Westminster* Improvement Commission; for the compulsory Purchase of Lands and the Completion of the Improvements; for facilitating the Sale, Exchange, and Lease of Lands discharged from Incumbrances; and for winding up the Affairs of the Commission; Borrowing Power; and for other Purposes. *Ibid.*

cxxvii. An Act to enable the *Sittingbourne and Sheerness* Railway Company to raise additional Capital; to alter, amend, and repeal some of the Provisions of the Acts relating to the Company; and for other Purposes. 467

cxxviii. An Act for enabling the *London and North-western* Railway Company to construct Railways from *Edgehill* to near *Bootle*, from *Winwick* to *Golborne*, and from *Aston* to *Ditton*, with a Branch to *Runcorn*; to enlarge their *Lime Street* and *Wapping* Stations at *Liverpool*; and for other Purposes. *Ibid.*

cxxix. An Act to authorize the Construction of a Railway in *Ireland*, to be called "The *Downpatrick and Newry* Railway." *Page* 468

cxxx. An Act for enabling the *London and North-western* Railway Company to construct Railways from *Eccles* through *Tyldesley* to *Wigan*, with a Branch to *Bedford* and *Leigh*; and for other Purposes. 469

cxxxi. An Act to authorize the *Fife and Kinross* Railway Company to raise additional Capital. *Ibid.*

cxxxii. An Act to empower the *North London* Railway Company to widen a Portion of their Railway; and for other Purposes. *Ibid.*

cxxxiii. An Act to authorize the *Metropolitan* Railway Company to make certain Improvements in their Communication with the *Great Northern* Railway and the *Metropolitan* Meat Market at *Smithfield*; to authorize the Purchase of additional Lands for Purposes connected with that Railway; to authorize Arrangements with the Corporation of *London*, and with certain Railway Companies; for amending the Acts relating to the Company; and for other Purposes. 470

cxxxiv. An Act for vesting the *Birkenhead* Railway in the *London and North-western* Railway Company and the *Great Western* Railway Company, and for other Purposes. *Ibid.*

cxxxv. An Act to enable the *North-eastern* Railway Company to construct a Branch Railway between the *North Yorkshire and Cleveland* Railway at *Castleton* and the *Whitby and Pickering* Railway; to make a Deviation in and abandon Part of the last-mentioned Railway; to acquire additional Lands; and for other Purposes. 472

cxxxvi. An Act to authorize the *South Staffordshire* Railway Company to raise additional Capital; and for other Purposes. *Ibid.*

cxxxvii. An Act for more effectually supplying Water to several Towns and Places in *Essex* by a Company to be called "*South Essex* Waterworks Company." 473

cxxxviii. An Act for making a Railway from the *Londonderry and Enniskillen* Railway in the County of *Tyrone* to the Town of *Bundoran* in the County of *Donegal*; and for other Purposes. *Ibid.*

cxxxix. An Act to enable the *Midland* Railway Company to make Railways from the *Leeds* and *Bradford* Line of their Railway to *Otley* and *Ilkley* in the West Riding of the County of *York*; and for other Purposes. *Ibid.*

cxl. An Act to provide for the future Election of Commissioners, to confirm certain Acts of the present Commissioners, and to consolidate in One Act the various Provisions for the Management and Regulation of the Port and Harbour of *New Ross* in the Counties of *Wexford* and *Kilkenny*. 474

cxli. An Act to enable the *North-eastern* Railway Company to construct Branch Railways between *Arthington*, *Otley*, and *Ilkley*; and for other Purposes. *Ibid.*

cxlii. An Act to authorize the Construction of a Railway from the *Great Southern and Western* Railway near *Parsonstown* to *Portumna Bridge* on the River *Shannon*; and for other Purposes. 475

cxliii. An Act for incorporating the *West Cheshire* Railway Company, and for authorizing them to make and maintain Railways from *Northwich* to *Helsby*; and for other Purposes. *Ibid.*

cxliv. An Act for reviving the Powers of the *Rhymney* Railway Company with respect to their *Bargoed Rhymney* Branch Railway, and for authorizing them to raise further Monies; and for other Purposes. *Ibid.*

cxlv. An Act to incorporate the City of *Glasgow* Life Assurance Company, and for other Purposes. 476

cxlvi. An Act to enable the *Staffordshire Potteries* Waterworks Company to extend their Works, and to raise additional Capital; and to amend the Act relating to the said Company. *Page* 476

cxlvii. An Act to enable the *Great Southern and Western* Railway Company to make a Railway from *Roscrea* in the County of *Tipperary* to *Birdhill* in the same County; and for other Purposes. 478

cxlviii. An Act to enable the *Great Southern and Western* Railway Company to raise further Sums; and to amend the Provisions of the Acts of that Company with respect to the Transfer of Stock; and to enable them to acquire certain Shares in the Undertaking of the *Limerick and Castle Connell* Railway Company, now held by the *Midland Great Western* Railway of *Ireland* Company, and to purchase additional Lands; and for other Purposes. *Ibid.*

cxlix. An Act for the better Drainage of the *Greetwell* District in the County of *Lincoln*. 479

cl. An Act to enable the *Manchester and Milford* Railway Company to construct a Branch Railway from the *Devil's Bridge* to *Aberystwith*; and for other Purposes. *Ibid.*

cli. An Act for extending the Limits within which the *Grand Junction* Waterworks Company may supply Water, and for other Purposes. 480

clii. An Act to confer additional Powers upon the *Wolverhampton* New Waterworks Company; and for other Purposes. *Ibid.*

cliii. An Act to enable the *Great North of Scotland* Railway Company to enlarge their Stations at *Kittybrewster* and at *Aberdeen*, and to alter the Line and Levels of their Dock Branch. *Ibid.*

cliv. An Act for incorporating the *Fylde* Waterworks Company; and for authorizing them to make and maintain Waterworks, and to supply Water at *Kirkham*, *Lytham*, *Blackpool*, *Fleetwood*, *Poulton*, *Rossall*, *Garstang*, *Southshore*, and *Bispham* in the County Palatine of *Lancaster*, and to Shipping at *Fleetwood* and *Lytham*. *Ibid.*

clv. An Act to make better Provision for supplying with Water the Town and Township of *Blackburn*, and the Townships of *Lower Darwen*, *Livesey*, *Witton*, *Oswaldtwistle*, and *Little Harwood*; and for other Purposes. 481

clvi. An Act to authorize the Construction in *Lincolnshire* of a Railway from the River *Trent* across the River *Ancholme* to the *Manchester*, *Sheffield*, *and Lincolnshire* Railway. 482

clvii. An Act for enabling the *Stockton and Darlington* Railway Company to raise additional Capital; and for other Purposes. *Ibid.*

clviii. An Act for the Amalgamation of the *Leven* and *East of Fife* Railway Companies. 483

clix. An Act to enable the *Leven* and *East of Fife* Railway Companies to extend the *East of Fife* Railway to *Anstruther*. 484

clx. An Act for the draining of Lands in *Airedale*, adjoining and near to the River *Aire*, in the West Riding of the County of *York*; and for other Purposes. *Ibid.*

clxi. An Act to enable the *Londonderry and Lough Swilly* Railway Company to extend their Railway to *Buncrana* in the County of *Donegal*. 485

clxii. An Act to authorize the *Swansea Vale* Railway Company to make certain new Railways; and for other Purposes. *Ibid.*

clxiii. An Act to enable the *Dumfries, Lochmaben, and Lockerby Junction* Railway Company to divert their authorized Line of Railway; and for other Purposes. 486

clxiv. An Act for making a Railway from the *Great Western* Railway to *Hammersmith*, to be called "The *Hammersmith and City* Railway," and for other Purposes. *Page* 486

clxv. An Act to authorize the Construction of a Railway in the West Riding of *Yorkshire*, to be called "The *Barnsley Coal* Railway." 487

clxvi. An Act for the Enlargement, Regulation, and Management of "The *Citadel* Station" at *Carlisle*, situate at the Junction of the *Lancaster and Carlisle* and the *Caledonian* Railways, and for other Purposes. *Ibid.*

clxvii. An Act to authorize the Construction of a Railway from the *Berks and Hants Extension* Railway to *Marlborough* in *Wiltshire*. 492

clxviii. An Act for making a Railway from the *Limerick and Foynes* Railway to the Town of *Newcastle* in the County of *Limerick*, to be called "The *Rathkeale and Newcastle Junction* Railway," and for other Purposes. *Ibid.*

clxix. An Act for the Extension of the *South Yorkshire* Railway across the *Trent* near *Readby* in *Lincolnshire*, and for granting further Powers to the *South Yorkshire* Railway and River *Dun* Company. *Ibid.*

clxx. An Act for better supplying with Gas the Borough of *Wigan* and other Places adjacent thereto in the County Palatine of *Lancaster*. 493

clxxi. An Act to grant further Powers to the *Waveney Valley* Railway Company as to their Capital. 494

clxxii. An Act to enable the Lord Mayor, Aldermen, and Burgesses of *Dublin* to construct additional Waterworks; and for other Purposes. *Ibid.*

clxxiii. An Act for the further Improvement of the Borough of *Bolton*, and for other Purposes. 496

clxxiv. An Act for making a Railway from the *London, Brighton, and South Coast* Railway at *Uckfield* in the County of *Sussex* to *Tunbridge Wells* in the County of *Kent*, and for other Purposes. *Ibid.*

clxxv. An Act for incorporating the *Stockport, Timperley, and Altrincham* Railway Company, and for authorizing them to make and maintain the *Stockport, Timperley, and Atrincham* Railway; and for other Purposes. *Ibid.*

clxxvi. An Act for altering and amending the Constitution of the Burgh of *Hawick*; extending the Boundaries thereof; maintaining an efficient System of Police therein; improving the said Burgh; and for other Purposes. 497

clxxvii. An Act to enable the *Kinross-shire* Railway Company to make certain Branch Railways; and for other Purposes. 498

clxxviii. An Act to authorize the Construction of a Railway from the *Eastern Counties* Railway to *Saffron Walden* in *Essex*. *Ibid.*

clxxix. An Act for enabling the *Conway and Llanrwst* Railway Company to make a Deviation and Alteration of their authorized Line of Railway; and for other Purposes. 499

clxxx. An Act to grant further Powers to the *East Suffolk* Railway Company; to authorize certain Arrangements with respect to their Share Capital; and to amend the Acts relating to the Company. *Ibid.*

clxxxi. An Act for making Railways from *Aberystwith* to various Places in the Counties of *Cardigan*, *Montgomery*, *Merioneth*, and *Carnarvon*, to be called "The *Aberystwith and Welsh Coast* Railways," and for other Purposes. 500

clxxxii. An Act for making a Railway from *Bishop Stortford* through *Dunmow* to *Braintree*, with a Branch therefrom, and for other Purposes. *Ibid.*

clxxxiii. An Act to enable the *Cleveland* Railway Company to extend their Railway from *Guisbrough* to the River *Tees*, with Branches connected with that Extension, and to make certain Deviations in the authorized Line of their Railway;

to confer certain Powers with reference to other Undertakings; to amend the Act relating to the *Cleveland* Railway; and for other Purposes. *Page* 500

clxxxiv. An Act to enable the *Forest of Dean Central* Railway Company to construct further Works; and for other Purposes connected with their Undertaking. 501

clxxxv. An Act to amend the *Hatfield Chase* Warping and Improvement Act, 1854. *Ibid.*

clxxxvi. An Act for making a Railway from *Forres* to *Birnam* near *Dunkeld*, with a Branch to *Aberfeldy*, to be called "The *Inverness and Perth Junction* Railway;" and for other Purposes. *Ibid.*

clxxxvii. An Act for making a Railway to be called "The *Ludlow and Clee Hill* Railway," and for other Purposes. 502

clxxxviii. An Act to enable the *Mersey* Docks and Harbour Board to purchase from the Corporation of *Liverpool* the Reversion in Fee of certain Leasehold Lands of the Board at *Birkenhead*; to extend the Period for the Completion of certain Works at *Birkenhead*; and to enable the Board to improve the working of the Docks and the loading and unloading of Vessels. *Ibid.*

clxxxix. An Act for making Railways from *Much Wenlock* to the *Shrewsbury and Hereford* Railway, and a Railway from the *Much Wenlock and Severn Junction* Railway into *Coalbrookdale*, with Branches and Works connected therewith; to authorize certain Arrangements with and confer certain Powers upon other Companies; and for other Purposes. 507

cxc. An Act for making a Railway to improve the Communication between *Salisbury* and the Southern Part of the County of *Dorset*, and for other Purposes. 508

cxci. An Act for conferring further Powers on the *South-eastern* Railway Company with respect to Steam Vessels; and for enabling that Company to make Byelaws for regulating the *London and Greenwich* Railway; and for amending some of the Acts relating to the *South-eastern* Railway Company with respect to the Accounts to be kept by them; and for other Purposes. *Ibid.*

cxcii. An Act to enable the *Vale of Clwyd* Railway Company to raise additional Capital. 509

cxciii. An Act to enable the *Ware, Hadham, and Buntingford* Railway Company to make a Deviation in the authorized Line of their Railway; and for other Purposes. *Ibid.*

cxciv. An Act to authorize the Construction of a Railway from *Holme* to *Ramsey* in the County of *Huntingdon*. 510

cxcv. An Act for making a Railway from the *Stirling and Dunfermline* Railway to the Town of *Alva*. *Ibid.*

cxcvi. An Act to empower the *North London* Railway Company to construct a Railway from *Liverpool Street* in the City of *London* to join their existing Railway at *Kingsland*; and for other Purposes. *Ibid.*

cxcvii. An Act for enabling the *Coleford, Monmouth, Usk, and Pontypool* Railway Company to lease their Undertaking to the *West Midland* Railway Company; and for other Purposes. 511

cxcviii. An Act for making a Railway from the *Glasgow, Dumbarton, and Helensburgh* Railway to *Milngavie*, and for other Purposes. *Ibid.*

cxcix. An Act for making a Railway from *Lynn* to *Hunstanton*, all in the County of *Norfolk*. 512

cc. An Act to confer on the *Devon Valley* Railway Company further Powers for the Completion of their Railway; and for other Purposes. *Ibid.*

cci. An Act to authorize the Amalgamation of the *Symington, Biggar, and Broughton* Railway Company with the *Caledonian* Railway Company; and for other Purposes. *Ibid.*

ccii. An Act to enable the *Caledonian* Railway Company to make a Branch Railway from *Rutherglen* to *Coatbridge*, with a Branch to *Whifflat*; and for other Purposes. *Page* 513

cciii. An Act for making a Railway from *Cockermouth* to *Keswick* and *Penrith*, with a Branch thereout, all in the County of *Cumberland*; and for other Purposes. *Ibid.*

cciv. An Act for enabling the *Great Western* Railway Company to make and maintain a Railway from *Lightmoor* to *Coalbrookdale*; and for other Purposes. *Ibid.*

ccv. An Act for making a Railway from *Kirkcudbright* to *Castle Douglas*, and for other Purposes. 514

ccvi. An Act to amend the *Birmingham* Improvement Act, 1851, and for other Purposes. 515

ccvii. An Act for making a Railway from the *Cork and Bandon* Railway near the City of *Cork* to the Town of *Macroom* in the County of *Cork*. 516

ccviii. An Act to empower the *London and North-western* Railway Company to make Railways at *Burton-upon-Trent*; to confer additional Powers upon them with reference to Parts of their Undertaking; and for other Purposes. 517

ccix. An Act for extending the Periods for the Purchase of Lands and the Execution of Works for the *Somerset Central* Railway Company's authorized Railway from *Glastonbury* to *Bruton*; for authorizing the *Somerset Central* Railway Company to raise further Monies; and for other Purposes. 518

ccx. An Act to enable the *South Wales Mineral* Railway Company to extend their Railway to the *Briton Ferry* Docks; and for other Purposes. *Ibid.*

ccxi. An Act for better supplying with Water the Borough of *Stockport* in the Counties of *Chester* and *Lancaster*, and the several Townships and Places adjacent or near thereto in those Counties; and for other Purposes. 519

ccxii. An Act for authorizing the Construction of Railways from the *Severn Valley* Railway to the *West Midland* Railway near *Kidderminster*, and the leasing of the *Wellington and Severn Junction* Railway by the *Great Western* and *West Midland* Railway Companies; and for other Purposes. *Ibid.*

ccxiii. An Act for making a Railway from the *West Midland* Railway at *Bransford Bridge* in the County of *Worcester* to the *Shrewsbury and Hereford* Railway near *Leominster* in the County of *Hereford*, and for other Purposes. *Ibid.*

ccxiv. An Act to enable the *Edinburgh, Perth, and Dundee* Railway Company to make Byelaws for their Piers, Basins, and Works at *Ferry-port-on-Craig* and *Broughty*, and the Ferry between *Ferry-port-on-Craig* and *Broughty*; to vest the *Burntisland and Granton* Ferry in the Company; to construct Siding Accommodations and Works for Supply of Water; to amalgamate the *Kinross-shire* Railway with their Undertaking; and for other Purposes. 520

ccxv. An Act to repeal and consolidate the several Acts relating to the *Cornwall* Railway Company; to empower them to make a Deviation Railway; to extend the Time for Completion of Parts of their Railway; and for other Purposes. *Ibid.*

ccxvi. An Act for granting further Powers to the *Victoria Docks* Gas Company. 524

ccxvii. An Act for authorizing the *Llanelly* Railway and Dock Company to make and maintain additional Lines of Railway, and to raise further Monies; and for other Purposes. *Ibid.*

ccxviii. An Act for authorizing the *Monmouthshire* Railway and Canal Company to make and maintain new Lines of Railway and Deviations, and to acquire other Railways, and for authorizing them to raise additional Capital; and for other Purposes. 526

ccxix. An Act for authorizing a Lease or Sale of the Railway of the *Saint George's* Harbour Company to the *London and North-western* Railway Company; and for reducing and regulating the Capital of the *Saint George's* Harbour Company; and for other Purposes. *Page* 527

ccxx. An Act for making a Railway between the *London and South-western* Railway at or near to that Railway at *Saint Denis* near *Southampton*, and the Military Hospital at *Netley*, and for other Purposes. 529

ccxxi. An Act for extending the *Stourbridge* Railway to the *Birmingham, Wolverhampton, and Stour Valley* Railway at *Smethwick*, and for making a Branch Railway in connexion with the *Stourbridge* Railway; for authorizing Arrangements with other Companies; and for other Purposes. *Ibid.*

ccxxii. An Act to enable the *Swansea* Harbour Trustees to raise a further Sum of Money for the Purposes of their Undertaking. 530

ccxxiii. An Act for making a Railway from the *Oswestry and Newtown* Railway at *Oswestry* to the *London and North-western* Railway at *Whitchurch* in the County of *Salop*, and for other Purposes. 531

ccxxiv. An Act to extend and deviate a Portion of the *Petersfield* Railway. *Ibid.*

ccxxv. An Act to enable the Society or Partnership called "The *Westminster* Society for Insurance of Lives and Survivorships and for granting Annuities" to make Provision for satisfying the Liabilities and Engagements of the said Society or Partnership; to confirm an Agreement entered into between the said Society or Partnership and the Society or Partnership called "The *Guardian* Fire and Life Assurance Company;" to dissolve the said *Westminster* Society; and to authorize the Distribution among the Members thereof of so much of the Capital of the said *Westminster* Society as shall not be required for the Purpose of satisfying the Liabilities and Engagements thereof. *Ibid.*

ccxxvi. An Act to amalgamate the *West of Fife Mineral* Railway Company and the *Charleston* Railway and Harbour Company. 532

ccxxvii. An Act for authorizing the *Rumney* Railway Company to alter the Line and Levels of their existing Railway, and to make and maintain new Railways in connexion therewith; and for other Purposes. *Ibid.*

ccxxviii. An Act to enable the *Caledonian* Railway Company to make a Branch Railway from their *Lesmahagow* Line to *Cot Castle* near *Stonehouse;* to extend the *Southfield* Branch of that Line; to enlarge their Station at *Symington;* and for other Purposes. 533

ccxxix. An Act to enable the *Caledonian* Railway Company to extend their *Cleland* Branch to *Morningside*, and to make Branch Railways to *Omoa* Iron Works, to *Drumbowie* and to *Lanridge*, all in the County of *Lanark*. 534

ccxxx. An Act to enable the *Forth and Clyde Junction* Railway Company to make a Branch Railway to *Dalmonach* Printworks in the County of *Dumbarton*, and to create additional Shares; and for other Purposes. *Ibid.*

ccxxxi. An Act to enable the *Eastern Counties* Railway Company to make new Lines of Railway; and for other Purposes. *Ibid.*

ccxxxii. An Act to enable the *Kilkenny Junction* Railway Company to abandon the Portion of their authorized Line between *Abbeyleix* and *Mountrath*, and instead thereof to make new Lines to the *Maryborough* Station and to the *Roscrea* Junction on the *Great Southern and Western* Railway; and for other Purposes. *Page* 538

ccxxxiii. An Act for extending the *Metropolitan* Railway from *Smithfield* to *Finsbury Circus*; to authorize Arrangements with other Companies; to amend the Acts relating to the *Metropolitan* Railway; and for other Purposes. *Ibid.*

ccxxxiv. An Act for increasing the Capital of and conferring further Powers on the *West London Extension* Railway Company; and for other Purposes. 540

ccxxxv. An Act to enable the *Brecon and Merthyr Tydfil Junction* Railway Company to make certain new Lines of Railway; and for other Purposes. 541

ccxxxvi. An Act for establishing a separate System of Pilotage for the several Ports of *Cardiff*, *Newport*, and *Gloucester*, in the *Bristol Channel*. *Ibid.*

ccxxxvii. An Act to increase the Capital of the *Colne Valley and Halstead* Railway Company, and for other Purposes. 544

ccxxxviii. An Act for providing and constructing Markets, Market Places, and Slaughter-houses, with all necessary Conveniences, within the Parishes of *Saint Mary* and *Saint Bridget* in the City of *Dublin*. *Ibid.*

ccxxxix. An Act to authorize a Lease of the *Margate* Railway to the *London, Chatham, and Dover* Railway Company, and for other Purposes. 545

ccxl. An Act to enable the *London, Chatham, and Dover* Railway Company to make certain Deviations and Junction Lines of Railway; and for other Purposes. 548

ccxli. An Act to enable the *Margate* Railway Company to extend their Railway to *Ramsgate*; to change their Name; and for other Purposes connected with their Undertaking. 550

ccxlii. An Act to authorize the Construction in the County of *Glamorgan* of a Railway from the *Vale of Neath* Railway to the *South Wales* Railway at *Swansea*, to be called "The *Swansea and Neath* Railway." 551

ccxliii. An Act for making a Railway to connect *Chard* and *Taunton* in the County of *Somerset*, and for other Purposes. *Ibid.*

ccxliv. An Act to regulate the mutual Facilities to be afforded to Traffic by the *West Hartlepool* Harbour and Railway Company and by the *Stockton and Darlington, South Durham and Lancashire Union*, and *Eden Valley* Railway Companies; to give further Powers to the *West Hartlepool* Harbour and Railway Company with reference to the Management of their Docks and Works; and for other Purposes. 552

ccxlv. An Act to authorize the Construction of a Railway from the *East Anglian* Railways at *Lynn* to the *Norwich and Spalding* Railway at *Sutton Bridge*, and for other Purposes. 554

ccxlvi. An Act for making Railways from *Clara* to *Meelick* in the *King's County, Ireland*, and for building a Bridge across the *Shannon* at *Meelick*. *Ibid.*

ccxlvii. An Act for making a Railway from the *Mold* Branch of the *Chester and Holyhead* Railway at *Mold* to the *Vale of Clwyd* Railway, to be called "The *Mold and Denbigh Junction* Railway;" and for other Purposes. *Ibid.*

ccxlviii. An Act for making a Railway from *Lennoxtown of Campsie* to *Strathblane*, with a Branch to *Lettermill* in the County of *Stirling*, and for other Purposes. *Ibid.*

ccxlix. An Act to enable the *West Hartlepool* Harbour and Railway Company to raise further Money; to amend the Acts relating to the Company; and for other Purposes. 555

The TITLES of the STATUTES.

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act to incorporate the Trustees of "The *Athinson Institution of Glasgow*," acting under the Will of *Thomas Athinson*, Bookseller and Stationer, of *Glasgow*, deceased, and to enlarge the Powers of such Trustees, the better to enable them to carry out the benevolent Designs of the said Testator. *Page* 557
2. An Act to extend the Powers of Leasing contained in the Will of the Right Honourable *John Savile Lumley Savile* Earl of *Scarbrough* deceased, with respect to certain Estates in the County of *York*, thereby devised, and therein called the *Savile York* Estates; and for other Purposes; and of which the Short Title is "*Savile* Estate (Leasing) Act, 1861." *Ibid.*
3. An Act for authorizing the Application for the Maintenance and Benefit of the Children of Sir *Beresford Burston M'Mahon* Baronet of certain Monies by the Will of Sir *William M'Mahon* Baronet, deceased, directed to be accumulated during the Life of Sir *Beresford Burston M'Mahon*. *Ibid.*
4. An Act to authorize the Most Noble *George Granville William* Duke and Earl of *Sutherland* and *Anne* Duchess of *Sutherland* to disentail the Estate of *Cromarty*, and to grant a new Entail thereof. *Ibid.*
5. An Act to enable the Trustees of the Will of the late Sir *William Fowle Fowle Middleton* to carry into effect certain Contracts affecting his Estates in *London* and *Middlesex*. *Page* 557
6. An Act for the Amendment of an Act of the Parliament of *Ireland* of the Session of the 19th and 20th Years of *George* the Third, incorporating the Trustees of the Hospital founded by *George Simspon* Esquire, and for confirming Leases granted by the Trustees. *Ibid.*
7. An Act for confirming Leases granted by Sir *Richard Godin Simeon* Baronet, deceased, and Sir *John Simeon* Baronet, respectively, of Parts of the *Saint John's* Estate in the Parish of *Saint Helens* in the *Isle of Wight*; and for other Purposes; and of which the Short Title is "Sir *John Simeon's* Leasing Act, 1861." *Ibid.*
8. An Act to simplify certain of the Trusts and Provisions in the Settlements of the *Vane Tempest* Estates, and for other Purposes connected therewith. *Ibid.*
9. An Act to authorize the granting of Building and Repairing Leases of Parts of the Estates devised and bequeathed by the Will of the Right Honourable *George* Earl of *Egremont* deceased, or become subject to the Trusts thereof; and for other Purposes. *Ibid.*
10. An Act for enabling Trustees to raise Money on Mortgage of the *Hemsworth* Estates in the Counties of *Suffolk* and *Norfolk*, and for giving Powers of Sale and Exchange over the same Estates. *Ibid.*

A

TABLE

CONTAINING

THE TITLES OF ALL THE STATUTES

PASSED IN THE

FOURTH SESSION OF THE EIGHTEENTH PARLIAMENT

OF

The United Kingdom of GREAT BRITAIN and IRELAND;

25° & 26° VICTORIÆ.

PUBLIC GENERAL ACTS.

1. AN Act to apply the Sum of Nine hundred and seventy-three thousand seven hundred and forty-seven Pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first Day of *March* One thousand eight hundred and sixty-two. *Page* 559
2. An Act to apply the Sum of Eighteen millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty-two. *Ibid.*
3. An Act to amend an Act, intituled *An Act to amend the Law relating to Supply Exchequer Bills, and to charge the same on the Consolidated Fund;* and to repeal all Provisions by which Authority is given to the Commissioners of Her Majesty's Treasury to fund Exchequer Bills. *Ibid.*
4. An Act to enable Her Majesty to issue Commissions to the Officers of Her Majesty's Land Forces and Royal Marines, and to Adjutants and Quartermasters of Her Militia and Volunteer Forces, without affixing Her Royal Sign Manual thereto. 560
5. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. *Ibid.*
6. An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore. 566
7. An Act to provide for the Registration and Transfer of *India* Stocks at the Bank of *Ireland*, and for the mutual Transfer of such Stocks from and to the Banks of *England* and *Ireland* respectively. 571
8. An Act to prevent the Employment of Women and Children during the Night in certain Operations connected with Bleaching by the open-air Process. 574
9. An Act to enable the Trustees of Sir *John Soane*'s Museum to send Works of Art to the International Exhibition, 1862. *Ibid.*
10. An Act for continuing for a further limited Time, and for extending the Operation of Orders made under "The Industrial Schools Act, 1861," and "The Industrial Schools (*Scotland*) Act, 1861." 575
11. An Act to explain an Act, intituled *An Act for the better Government of Her Majesty's* Australian *Colonies*. *Page* 575
12. An Act for the Protection of Inventions and Designs exhibited at the International Exhibition of Industry and Art for the Year One thousand eight hundred and sixty-two. 576
13. An Act for raising the Sum of One million Pounds by Exchequer Bonds for the Service of the Year One thousand eight hundred and sixty-two. *Ibid.*
14. An Act to extend to the *Isle of Man* the Provisions of the Act Eighteenth and Nineteenth *Victoria*, Chapter Ninety, as to the Payment of Costs to and by the Crown. *Ibid.*
15. An Act to define the Powers of the President and Fellows of the King and Queen's College of Physicians in *Ireland* with respect to the Election of its Fellows. 577
16. An Act for extinguishing certain Rights of Way through the *Netley Hospital* Estate in the Parish of *Hound* in the County of *Southampton*. *Ibid.*
17. An Act to extend the Time for making Enrolments under the Act passed in the last Session of Parliament, intituled *An Act to amend the Law relating to the Conveyance of Land for Charitable Uses*, and to explain and amend the said Act. 578
18. An Act to amend the Law as to the whipping of Juvenile and other Offenders. 579
19. An Act to amend The General Pier and Harbour Act, 1861. *Ibid.*
20. An Act respecting the Issue of Writs of Habeas corpus out of *England* into Her Majesty's Possessions abroad. 583
21. An Act to amend the Law relating to the Transfer of Stocks and Annuities transferable at the Bank of *Ireland*. *Ibid.*
22. An Act to continue certain Duties of Customs and Inland Revenue for the Service of Her Majesty, and to grant, alter, and repeal certain other Duties. 584
23. An Act to amend "The Summary Procedure on Bills of Exchange (*Ireland*) Act (1861)." 595

24. An Act to continue The Peace Preservation (*Ireland*) Act, 1856, as amended by the Act of the Twenty-third and Twenty-fourth Years of *Victoria*, Chapter One hundred and thirty-eight. *Page* 595
25. An Act to confirm certain Provisional Orders under the Local Government Act, 1858, relating to the Districts of *Hanley*, *Stroud*, *Ilfracombe*, *Longton*, *Halifax*, *Ipswich*, and *Sandown*. *Ibid.*
26. An Act to extend the Power of making Statutes possessed by the University of *Oxford*, and to make further Provision for the Administration of Justice in the Court of the Chancellor of the said University. 601
27. An Act to authorize Payments for a further Period out of the Revenues of *India* in respect of the Retiring Pay, Pensions, and other Expenses of that Nature of Her Majesty's *British* Forces serving in *India*. 602
28. An Act to alter and amend the Universities (*Scotland*) Act in so far as relates to the Bequest of the late Doctor *Alexander Murray* in the University of *Aberdeen*. 603
29. An Act to amend and enlarge the Acts for the Improvement of Landed Property in *Ireland*. *Ibid.*
30. An Act to amend an Act of the last Session for authorizing Advances of Money out of the Consolidated Fund for carrying on Public Works and Fisheries for Employment of the Poor, and for facilitating the Construction and Improvement of Harbours; and for other Purposes. 604
31. An Act to apply the Sum of Ten Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty-two. *Ibid.*
32. An Act to continue the Act of the Second and Third Years of *Victoria*, Chapter Seventy-four, for preventing the administering of unlawful Oaths in *Ireland*, as amended by an Act of the Eleventh and Twelfth Years of *Victoria*. 605
33. An Act for vesting in Her Majesty's Principal Secretary of State for the War Department the Lands of the Royal Military College at *Sandhurst*, and for completing certain Exchanges of Lands now or late of the said College. *Ibid.*
34. An Act for the Discontinuance of Portsdown Fair in the County of *Southampton*. 606
35. An Act to amend the Acts for the Regulation of Public Houses in *Scotland*. 607
36. An Act to appropriate certain Portions of Land lying between High and Low Water Mark, situate in the Parishes of *Shoebury* and *Wakering* in the County of *Essex*, as Ranges for the Use and Practice of Artillery. 620
37. An Act to remove Doubts concerning, and to amend the Law relating to, the private Estates of Her Majesty, Her Heirs and Successors. 621
38. An Act to amend the Laws relating to the Sale of Spirits. 625
39. An Act for enabling the Commissioners of Her Majesty's Treasury to make Arrangements with the *Red Sea* and *India* Telegraph Company. *Ibid.*
40. An Act to carry into effect the Treaty between Her Majesty and the United States of *America* for the Suppression of the *African* Slave Trade. 627
41. An Act for amending "The Rifle Volunteer Grounds Act, 1860." 640
42. An Act to regulate the Procedure in the High Court of Chancery and the Court of Chancery of the County Palatine of *Lancaster*. *Ibid.*
43. An Act to provide for the Education and Maintenance of Pauper Children in certain Schools and Institutions. 641
44. An Act to amend the Law relating to the giving of Aid to discharged Prisoners. 642
45. An Act to amend "The *West Indian* Incumbered Estates Acts, 1854 and 1858." 643
46. An Act for the better Regulation in certain Cases of the Procedure in the High Court of Chancery in *Ireland*. *Page* 644
47. An Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for *England* and *Wales*. *Page* 645
48. An Act respecting the Establishment and Government of Provinces in *New Zealand*, and to enable the Legislature of *New Zealand* to repeal the Seventy-third Section of an Act intituled *An Act to grant a Representative Constitution to the Colony of* New Zealand. *Ibid.*
49. An Act to authorize the Completion, after His Royal Highness *Albert Edward* Prince of *Wales* shall attain the Age of Twenty-one Years, of Arrangements commenced during His Minority, under the Provisions of an Act passed in the Session of Parliament held in the Seventh and Eighth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to enable the Council of His Royal Highness* Albert Edward *Prince of* Wales *to sell and exchange Lands and enfranchise Copyholds Parcel of the Possessions of the Duchy of* Cornwall, *to purchase other Lands; and for other Purposes*. 647
50. An Act to amend certain Provisions of the Acts of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapters Ninety-six, Ninety-seven, Nine-nine, and One hundred respectively, relating to Summary Jurisdiction in *Ireland*. *Ibid.*
51. An Act for confirming, with Amendments, certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act, 1861, and the General Pier and Harbour Act, 1861, Amendment Act, relating to *Carrickfergus*, *Deal*, *Oban*, *Saint Ives*, *Tobermory*, and *Hastings*. 649
52. An Act to amend an Act of the Twenty-fourth and Twenty-fifth Years of the Reign of Her Majesty, to prevent the future Grant by Copy of Court Roll and certain Leases of Lands and Hereditaments in *England* belonging to Ecclesiastical Benefices. 680
53. An Act to facilitate the Proof of Title to, and the Conveyance of, Real Estates. 681
54. An Act to make further Provision respecting Lunacy in *Scotland*. 696
55. An Act for the Settlement of a Loan due from the Island of *Jamaica* to the Imperial Government. 700
56. An Act to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts. 701
57. An Act to authorize the Sale of Her Majesty's Bakehouse in *Peascod Street*, *Windsor*, and the Application of the Proceeds in the Purchase of Land or Buildings to be held with *Windsor Castle*. 704
58. An Act to make further Provision with respect to the raising of Money for erecting and improving Parochial Buildings in *Scotland*. 705
59. An Act to render Owners of Dogs in *Ireland* liable for Injuries to Sheep. 706
60. An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively. *Ibid.*
61. An Act for the better Management of Highways in *England*. *Ibid.*
62. An Act to amend the Law relating to the Duration of contested Elections for Counties in *Ireland*, and for establishing additional Places for taking the Poll thereat. 717

63. An Act to amend "The Merchant Shipping Act, 1854," "The Merchant Shipping Act Amendment Act, 1855," and "The Customs Consolidation Act, 1853." *Page* 719
64. An Act for the better Protection of Her Majesty's Naval and Victualling Stores. 734
65. An Act for the more speedy Trial of certain Homicides committed by Persons subject to the Mutiny Act. 739
66. An Act for the Safe-keeping of Petroleum. 743
67. An Act for obtaining a Declaration of Title. 745
68. An Act for amending the Law relating to Copyright in Works of the Fine Arts, and for repressing the Commission of Fraud in the Production and Sale of such Works. 750
69. An Act for transferring from the Admiralty to the Board of Trade certain Powers and Duties relative to Harbours and Navigation under Local and other Acts; and for other Purposes. 752
70. An Act for giving effect to a Convention between Her Majesty and the King of *Denmark* for the mutual Surrender of Criminals. 756
71. An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and sixty-two, and to appropriate the Supplies granted in this Session of Parliament. 758
72. An Act to continue certain Turnpike Acts in *Great Britain*. 764
73. An Act for continuing the Copyhold, Inclosure, and Tithe Commission, and entitling the Commissioners to Superannuation Allowance. 767
74. An Act to enable the Commissioners of Her Majesty's Works to acquire additional Land for the Purposes of the "Public Offices Extension Act of 1859," by way of Exchange for Land already acquired but not wanted for the Purposes of the said Act. 768
75. An Act to revive and continue an Act for amending the Laws relating to Savings Banks in *Ireland*. 770
76. An Act to amend "The Weights and Measures (*Ireland*) Act, 1860;" to abolish local and customary Denominations of Weight, and to regulate the Mode of weighing Articles sold, in *Ireland*. *Ibid.*
77. An Act to suspend the making of Lists and the Ballots for the Militia of the United Kingdom. 773
78. An Act for providing a further Sum towards defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of *Dover* and *Portland*, and of creating a Central Arsenal. *Ibid.*
79. An Act to amend the Law relating to Coal Mines. 779
80. An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland*; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia; and to authorize the Employment of the Non-commissioned Officers. 780
81. An Act to make perpetual *An Act to amend the Procedure and Powers of the Court for Divorce and Matrimonial Causes*. *Ibid.*
82. An Act for the more economical Recovery of Poor Rates and other Local Rates and Taxes. *Ibid.*
83. An Act to amend the Laws in force for the Relief of the destitute Poor in *Ireland*, and to continue the Powers of the Commissioners. 781
84. An Act to continue the Duties of Excise on Sugar made in the United Kingdom, and to amend the Laws relating to the Duties of Excise. 785
85. An Act to facilitate the Transmission of Moveable Property in *Scotland*. 786
86. An Act to amend the Law relating to Commissions of Lunacy and the Proceedings under the same, and to provide more effectually for the visiting of Lunatics, and for other Purposes. *Page* 787
87. An Act to consolidate and amend the Laws relating to Industrial and Provident Societies. 790
88. An Act to amend the Law relating to the fraudulent marking of Merchandise. 793
89. An Act for the Incorporation, Regulation, and Winding-up of Trading Companies and other Associations. 798
90. An Act for rectifying a clerical Error in the Act of the present Session, Chapter Forty, with respect to the *African* Slave Trade Treaty. 843
91. An Act to incorporate the General Council of Medical Education and Registration of the United Kingdom, and for other Purposes. *Ibid.*
92. An Act to limit the Time for proceeding to Elections in Counties and Boroughs in *Ireland*. 844
93. An Act for embanking the North Side of the River *Thames* from *Westminster Bridge* to *Blackfriars Bridge*, and for making new Streets in and near thereto. 845
94. An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners. 860
95. An Act to amend the Law relating to Polling Places in the Boroughs of *New Shoreham, Cricklade, Aylesbury*, and *East Retford*. 861
96. An Act to render tenable during good Behaviour the Office of the Officer of the Court of Common Pleas by whom the Certificates of Acknowledgment of Deeds of married Women are filed of Record. 862
97. An Act to regulate and amend the Law respecting the Salmon Fisheries of *Scotland*. *Ibid.*
98. An Act for the Amendment of an Act of the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and thirty-nine, intituled *An Act to amend the Law concerning the making, keeping, and Carriage of Gunpowder and Compositions of an explosive Nature, and concerning the Manufacture, Sale, and Use of Fireworks*, and of an Act amending the last-mentioned Act. 868
99. An Act to amend the Bankruptcy Act (1861). *Ibid.*
100. An Act to authorize Improvement Commissioners acting as Burial Boards to mortgage certain Rates for the Purposes of the Burial Acts. 870
101. An Act to make more effectual Provision for regulating the Police of Towns and populous Places in *Scotland*, and for lighting, cleansing, paving, draining, supplying Water to and improving the same, and also for promoting the Public Health thereof. 871
102. An Act to amend the Metropolis Local Management Acts. 940
103. An Act to amend the Law relating to Parochial Assessments in *England*. 969
104. An Act for the Discontinuance of the Queen's Prison, and Removal of the Prisoners to *Whitecross Street* Prison. 975
105. An Act to transfer the Roads and Bridges under the Management of the Commissioners of Highland Roads and Bridges to the several Counties in which the same are situate, and to provide for other Matters relating thereto. 977
106. An Act to amend the Law relating to the Appointment of County Surveyors in *Ireland*. 986
107. An Act to give greater Facilities for summoning Persons to serve on Juries, and for other Purposes relating thereto. *Ibid.*
108. An Act to confirm certain Sales, Exchanges, Partitions, and Enfranchisements by Trustees and others. 989

109. An Act to continue the Corrupt Practices Prevention Act (1854). *Page* 990
110. An Act to enable Boards of Guardians of certain Unions to obtain temporary Aid to meet the extraordinary Demands for Relief therein. *Ibid.*
111. An Act to amend the Law relating to Lunatics. 991
112. An Act for establishing the Jurisdiction of the Charity Commissioners in certain Cases. *Page* 1000
113. An Act to amend the Law relating to the Removal of poor Persons from *England* to *Scotland*, and from *Scotland* to *England* and *Ireland*. *Ibid.*
114. An Act for the Prevention of Poaching. 1001

LOCAL ACTS.

i. AN Act for enabling the *Great Northern* Railway Company to acquire additional Land near *Doncaster*, and extending the Time for the Sale of their superfluous Lands. *Page* 1003
ii. An Act to enable the *Woolwich, Plumstead, and Charlton* Consumers Gas Company to raise a further Sum of Money. *Ibid.*
iii. An Act to amend "The *Norwich* Corporation Markets Act, 1860," and to authorize the Purchase of additional Lands; and for other Purposes. *Ibid.*
iv. An Act for continuing the Term and amending and extending the Provisions of the Act relating to the *Ross* Turnpike Roads; and for other Purposes. *Ibid.*
v. An Act to grant further Powers to the *Wycombe* Railway Company. *Ibid.*
vi. An Act for extending the Term and amending the Provisions of the Acts relating to the *Folkestone* to *Barham Downs* Turnpike Road, in the County of *Kent*. 1005
vii. An Act to authorize the *London and Blackwall* Railway Company to construct additional Works and take additional Lands for enlarging their Railway, and to confer further Powers upon the Company with reference to the raising of Capital; and for other Purposes. *Ibid.*
viii. An Act to incorporate the Proprietors of Shares in the Undertaking called the *London, Tilbury, and Southend Extension* Railway, and to vest such Undertaking in the Company so incorporated; and for other Purposes. 1006
ix. An Act to repeal the Act relating to the *Wareham* Turnpike Roads, and to make other Provisions in lieu thereof; and for other Purposes. *Ibid.*
x. An Act to enable the *Faringdon* Railway Company to create Preference Shares; and for other Purposes. 1007
xi. An Act for making better Provision for the Relief of the Poor of the Parishes of *Saint Michael* and the *Holy Trinity, Coventry*. *Ibid.*
xii. An Act for the *Winchester* Road in the County of *Southampton*. *Ibid.*
xiii. An Act to create a further Term in the *Cirencester* District of Turnpike Roads; to repeal, amend, and extend the Powers of the Act relating to the said Roads; and for other Purposes. *Ibid.*
xiv. An Act to authorize the *Much Wenlock and Severn Junction* Railway Company to raise further Sums of Money, and to subscribe an additional Sum to the *Wenlock* Railway; and for other Purposes. 1008
xv. An Act for continuing the Term and amending and extending the Provisions of the Act relating to the Second District of the *Bridport* Turnpike Roads in the County of *Dorset*, and to make other Provisions in lieu thereof. *Ibid.*
xvi. An Act to amend some of the Provisions of the Deed of Settlement of "The *British* Plate Glass Company," and to confirm a Lease granted by, and to confer further Powers upon that Company. 1009
xvii. An Act for rendering valid certain Letters Patent granted to *Thomas Webb*, of *Tutbury* in the County of *Derby*, Cotton Spinner, and *James Craig*, of the same Place, Manager. *Page* 1009
xviii. An Act for the better supplying of the Borough of *Bradford* and Places near thereto with Water, and for authorizing the Mayor, Aldermen, and Burgesses of the Borough of *Bradford*, in order thereto, to raise further Monies; and for other Purposes. *Ibid.*
xix. An Act to incorporate the *Heckmondwike* Gas Company, with Powers to manufacture and supply Gas within the Townships of *Heckmondwike* and *Liversedge* in the Parish of *Birstal* in the West Riding of the County of *York*; and for other Purposes. 1010
xx. An Act for transferring from the Grand Jury of the County of *Cork* to the Commissioners of *Queenstown* the Management of the Roads and Bridges in the said Town, and for improving the said Town. *Ibid.*
xxi. An Act to authorize the *Bristol and Exeter* Railway Company to subscribe a further Sum of Money to the *Chard and Taunton* Railway; and for other Purposes. 1011
xxii. An Act for authorizing the *East London* Waterworks Company to raise further Monies, and for regulating their Capital and borrowing Powers; and for other Purposes. *Ibid.*
xxiii. An Act to enable the *Limerick* Market Trustees to borrow further Sums; and to amend "The *Limerick* Markets Act, 1852." 1012
xxiv. An Act to enable Her Majesty's Paymaster General to repay to the *North Devon* Railway and Dock Company a Sum of Three thousand Pounds. *Ibid.*
xxv. An Act for extending the Improvement of the District of *Rathmines* so as to include therein *Rathgar* and *Sallymount*, all in the County of *Dublin*. *Ibid.*
xxvi. An Act to enable the Local Board of the District of *Tranmere* in the County of *Chester* to make new Roads and Sewers; and for other Purposes. 1013
xxvii. An Act for the building of a new Market House in the Borough of *South Molton*; for the regulating of Markets and Fairs in the Borough; for the Improvement in other respects of the Borough; and for other Purposes. 1014
xxviii. An Act to enable "The *Leeds* New Gas Company" to raise additional Capital, to extend their Limits for supplying Gas, and for other Purposes. 1015
xxix. An Act for making a Pier and Harbour at *Brean Down* on the *Bristol Channel*, and for other Purposes. *Ibid.*
xxx. An Act to repeal and consolidate the Acts relating to the *Bristol* Waterworks Company; to empower the Company to make fresh Works; and for other Purposes. 1016
xxxi. An Act for the Preservation and Improvement of the Pier and Harbour of *Berwick-upon-Tweed*. 1017

xxxii. An Act for enabling the Local Board of Health for the District of the Township of *Barnsley* in the West Riding of the County of *York* to construct and maintain an improved System of Waterworks to supply the District and other Places with Water, and to abandon and sell their existing Waterworks; to confer Powers on Park Keepers and Constables; to amend the Acts relating to the District; and for other Purposes. *Page* 1018

xxxiii. An Act for granting further Powers for better supplying with Water the Town of *Falmouth*, and certain Places adjacent or near thereto. *Ibid.*

xxxiv. An Act to authorize the *Tendring Hundred* Railway Company to extend their Railway in *Colchester*. 1019

xxxv. An Act to authorize the *Dundee and Perth and Aberdeen* Railway Junction Company to raise further Money for the Purposes of their Undertaking and of the *Dundee and Newtyle* Railway; and to amend their Acts. *Ibid.*

xxxvi. An Act to enable the *Uxbridge and Rickmansworth* Railway Company to make a Deviation of their authorized Line of Railway; and for other Purposes. 1020

xxxvii. An Act for the Improvement and Lighting of a Portion of the Township of *Bollington* in the Parish of *Prestbury* in the County Palatine of *Chester*. *Ibid.*

xxxviii. An Act to extend and define the Powers of the Right Honourable the Lord Mayor, Aldermen, and Burgesses of *Dublin* in respect to the extinguishing of Fires, and the Protection of Life and Property against Fire; and for other Purposes. *Ibid.*

xxxix. An Act to enable the *Dublin and Meath* Railway Company to raise additional Capital; and for other Purposes. 1022

xl. An Act to authorize a Deviation of Part of the authorized Line of the *Frosterly and Stanhope* Railway, to construct a new Branch and other Works, to abandon Portions of authorized Line and Approach to *Stanhope*, to raise additional Capital, amend and repeal Acts; and for other Purposes. *Ibid.*

xli. An Act for the further Improvement of the Borough of *Halifax*, and for other Purposes. *Ibid.*

xlii. An Act for authorizing the *London and South-western* Railway Company to make and maintain additional Works, and for authorizing the Transfer to them of the *Wimbledon and Dorking* Railway, and for making Arrangements respecting their Capital, and for other Purposes. 1023

xliii. An Act to enable the *Dundee* Water Company to raise further Money, and to execute additional Works. 1027

xliv. An Act for authorizing the Company of Proprietors of the *Kent* Waterworks to raise further Monies, and for regulating their Capital and Borrowing Powers. *Ibid.*

xlv. An Act to enable the *Carlisle and Silloth Bay* Railway and Dock Company to raise additional Capital by Preference Shares and otherwise, and for other Purposes. 1028

xlvi. An Act to authorize the Construction of a Railway in the County of *Middlesex*, from the *Great Northern* Railway, through *Highgate*, *Finchley*, and *Hendon*, to *Edgware*. *Ibid.*

xlvii. An Act to authorize a Lease of the Undertaking of the *Carlisle and Silloth Bay* Railway and Dock Company to the *North British* Railway Company, and for other Purposes. 1029

xlviii. An Act to authorize a Lease of the Undertaking of the *Port Carlisle* Dock and Railway Company to the *North British* Railway Company; and for other Purposes. *Ibid.*

xlix. An Act to authorize the *North British* Railway Company to make certain Railways from their Main Line in the Parish of *Inveresk* to the Farm Steading of *Smeaton*, and thence to near *Macmerry* and to their *Hawick* Line at *Hardengreen*; and for other Purposes. *Page* 1030

l. An Act for incorporating the Members of the Institution known as "The Asylum for the Education of the Deaf and Dumb Children of the Poor," and for enabling them the better to carry on their charitable Designs. *Ibid.*

li. An Act for making a Railway from the *Peebles* Railway at the *Leadburn* Station to the Parish of *Linton* in the County of *Peebles*. 1031

lii. An Act for a further Supply of Water to the Town and Neighbourhood of *Leeds* from the River *Wharfe*, and for other Purposes. 1032

liii. An Act to consolidate and amend the Acts relating to the Maintenance and Repair of the Roads, Streets, and Bridges within the District of the City of *Edinburgh*, and the Assessments payable in respect thereof; and for other Purposes. *Ibid.*

liv. An Act for authorizing the *Stockton and Darlington* Railway Company to make and maintain new Lines of Railway and other Works in the County of *Durham*; and for other Purposes. 1034

lv. An Act to authorize the making of a Railway from *Daventry* in the County of *Northampton*, to the *London and North-western* Railway near *Weedon* in the same County, and for other Purposes. *Ibid.*

lvi. An Act to confer upon the *Tewkesbury and Malvern* Railway Company further Powers for the Completion of their Railway; and for other Purposes. *Ibid.*

lvii. An Act to authorize the Relinquishment of the Street and Railway authorized by "The *London* Railway Depôt and Storehouses Act, 1860," and for other Purposes. 1035

lviii. An Act to authorize the *Metropolitan* Railway Company to acquire certain additional Lands and execute further Works for the Purposes of their Undertaking; to confer further Powers upon the Company with reference to the raising of Capital; to authorize further Agreements with other Companies; and for other Purposes. *Ibid.*

lix. An Act to repeal the Act relating to the *New Chappel, Lindfield, and Brighton*, and *Ditcheling and Clayton* Roads, and to make other Provisions in lieu thereof. 1036

lx. An Act to enable the *Denbigh, Ruthin, and Corwen* Railway Company to create Preference Capital. *Ibid.*

lxi. An Act for the making and maintaining of a Bridge over the River *Wyre* (to be called "*Shard Bridge*"), with Roads thereto, and for other Purposes. *Ibid.*

lxii. An Act for granting further Powers to the *Great North of Scotland* Railway Company. 1037

lxiii. An Act to amend the *Bradford, Wakefield, and Leeds* Railway Act, 1860, and to make further Provision as to Purchase of Land and Completion of Works on *Ossett* Branch. 1038

lxiv. An Act to enable the *Scottish North-eastern* Railway Company to raise additional Capital, to make a Deviation in their Railway, and execute other Works, and purchase additional Lands; to amend the Acts relating to the Company; and for other Purposes. *Ibid.*

lxv. An Act for repairing and maintaining the Road from the Borough of *Bolton* to the Borough of *Blackburn*, and a Branch Road connected therewith, in the County Palatine of *Lancaster*. 1040

lxvi. An Act to authorize the Lease of the *Cromford and High Peak* Railway to the *London and North-western* Railway Company, and to make certain Arrangements with reference to the Capital of the *Cromford and High Peak* Railway Company; and for other Purposes. *Ibid.*

lxvii. An Act for the Incorporation of a Company for making a Railway from *Kington* to *Eardisley*, with a Branch there-

from; and for vesting in such Company a Tramroad called "the *Kington* Railway," and enabling them to appropriate Portions of such Tramroad for the Purposes of their Undertaking; and for other Purposes. *Page* 1041

lxviii. An Act to enable the *London, Brighton, and South Coast* Railway Company to enlarge their Stations at *London Bridge* and the *Bricklayers Arms*, and to alter certain Roads, Streets, and Bridges; and for other Purposes. 1042

lxix. An Act for making a Railway from the *Cornwall* Railway near *Lostwithiel* to *Fowey* in the County of *Cornwall*, and for other Purposes. 1043

lxx. An Act for vesting the disused Burial Ground of the Parish of *Saint Giles in the Fields*, and other Lands connected therewith, in the Rector as Glebe, and providing for the Maintenance of the disused Burial Ground; and for other Purposes. *Ibid.*

lxxi. An Act to authorize the Construction of a Railway from *Weymouth* to the *Isle of Portland*, and to extend the *Wilts, Somerset, and Weymouth* Railway to the Harbour. 1044

lxxii. An Act for supplying with Gas the Township of *Stretford* and adjacent Places in the County of *Lancaster*, and the Township of *Sale* and adjacent Places in the County of *Chester*; and for other Purposes. *Ibid.*

lxxiii. An Act for supplying with Gas the Townships of *Undermillbeck, Applethwaite*, and *Troutbeck*, in the Parish of *Windermere* in the County of *Westmoreland*. *Ibid.*

lxxiv. An Act to enable the *Great Britain* Mutual Life Assurance Society to sue and be sued; and to confer further Powers on the Society. *Ibid.*

lxxv. An Act to confer further Powers on the *Newry and Armagh* Railway Company. 1045

lxxvi. An Act for incorporating the *Tyne General* Ferry Company, and for authorizing them to establish, make, and maintain Ferries on, along, and across the River *Tyne*, and Landing Places and other Works; and for other Purposes. *Ibid.*

lxxvii. An Act for erecting a Bridge across the River *Hull* or *Old Harbour*, with Approaches and other Works connected therewith, all in the Town and County of the Town of *Kingston-upon-Hull*. 1046

lxxviii. An Act to authorize the *London, Brighton, and South Coast* Railway Company to make certain new Lines of Railway in the Counties of *Surrey* and *Sussex*; and for other Purposes. 1047

lxxix. An Act for making a Railway from the *Scottish North-eastern* Railway near *Limpet Mill* to the *Great North of Scotland* Railway at *Kintore*, with Branches to the *Deeside* Railway at *Peterculter*; and for other Purposes. 1050

lxxx. An Act to enable the *Maryport and Carlisle* Railway Company to construct Branch Railways to *Bolton* and *Wigton*, to improve their Station Accommodation at *Wigton*, to purchase additional Lands at *Wigton* and *Aikbank*, to raise further Monies; and for other Purposes. 1051

lxxxi. An Act for enabling the *Midland* Railway Company to construct new Railways and Works, and to acquire additional Lands in the Counties of *Derby, Leicester, Warwick, Bedford, Worcester, Gloucester*, and *Middlesex*; and for other Purposes. *Ibid.*

lxxxii. An Act for making and maintaining a Harbour, Piers, and other Works at *Ventnor* in the *Isle of Wight*, and for other Purposes. 1052

lxxxiii. An Act for incorporating a Company, under the Title of "The *Caterham* Spring Water Company," for better supplying with Water the Inhabitants of *Caterham* and the Neighbourhood thereof. *Ibid.*

lxxxiv. An Act for the Amalgamation of the *Reading Union* Gas Company and the *Reading* Gaslight Company; and for incorporating the *Reading* Gas Company; and for making further Provision for the supplying of the Borough of *Reading* and the Neighbourhood thereof with Gas; and for other Purposes. *Page* 1052

lxxxv. An Act to enable the *North-eastern* Railway Company to construct Branch Railways from *Market Weighton* to *Beverley* and at *Hull*, to raise additional Capital; and for other Purposes. 1053

lxxxvi. An Act for making a Railway from the *Great Northern* Railway at *Hatfield* to the *London and North-western* Railway at *Saint Albans*; and for other Purposes. 1054

lxxxvii. An Act for granting further Powers to the *Alford Valley* Railway Company. *Ibid.*

lxxxviii. An Act to enable the *Deeside* Railway Company to raise additional Capital for their original Railway; to maintain certain Portions of their Extension Railway constructed beyond the authorized Limits; and for other Purposes. *Ibid.*

lxxxix. An Act to enable the *Furness* Railway Company to make a Branch Railway to *Hawcoat Quarry*; to vest in the said Company the Undertaking of the *Ulverstone* Canal Navigation; and to enable them to raise additional Capital; and for other Purposes. 1055

xc. An Act for making a Railway in the West Riding of the County of *York*, to be called "The *Keighley and Worth Valley* Railway;" and for other Purposes. 1056

xci. An Act for the Construction by the *Midland* Railway Company of new Railways in connexion with their *Rowsley and Buxton* Line, and for the Abandonment of Part of the authorized *Manchester, Sheffield, and Lincolnshire* Railway; for authorizing the Use by the *Manchester, Sheffield, and Lincolnshire* Railway Company of Parts of the intended Railways; and for other Purposes. *Ibid.*

xcii. An Act to authorize the *Leeds, Bradford, and Halifax Junction* Railway Company to deviate and extend the authorized Line of their *Batley* Branch Railway in the West Riding of the County of *York*; and for other Purposes. 1057

xciii. An Act to enable the *Vale of Clwyd* Railway Company to extend their Railway to the North-west Shore of the River *Clwyd* at *Foryd*; to divert a Portion of the Line of their present Railway; and for other Purposes. *Ibid.*

xciv. An Act to authorize the Construction of Railways within the Town of *Burton-upon-Trent*, and for other Purposes. 1058

xcv. An Act to enable the *Hereford, Hay, and Brecon* Railway Company to make and maintain Deviations in the Line and Levels of their Railway; and for other Purposes. *Ibid.*

xcvi. An Act to enable the *South-eastern* Railway Company to make Railways to *Tunbridge* and *Dartford* respectively, and to widen a Portion of their *North Kent* Line of Railway, and to purchase additional Lands for the Purposes of their Undertaking; and for other Purposes. *Ibid.*

xcvii. An Act to enable the *Lancashire and Yorkshire* Railway Company to construct a Branch Railway to *Shawforth* and other Works; to purchase additional Lands; and for other Purposes. *Ibid.*

xcviii. An Act for vesting the *Oldham, Ashton-under-Lyne, and Guide Bridge Junction* Railway in the *Manchester, Sheffield, and Lincolnshire*, and the *London and North-western* Railway Companies; and for other Purposes. *Ibid.*

xcix. An Act to make better Provision for supplying with Water the Town and Township of *Wakefield*, and the Townships of *Alverthorpe-with-Thornes, Stanley-cum-Wrenthorpe*, and *Sandal Magna*, and for other Purposes. 1059

c. An Act for making a Railway from *Kingston-upon-Hull* to *Hornsea*. *Page* 1060
ci. An Act for dissolving the *Ceylon* Railway Company, and for other Purposes connected therewith. *Ibid.*
cii. An Act for authorizing "The *North British* Insurance Company" to increase their Capital Stock; and for other Purposes. *Ibid.*
ciii. An Act to continue the *Ashborne and Belper* Turnpike Trust in the County of *Derby*; and for other Purposes. 1061
civ. An Act to define the Powers of the *London and North-western and Chester and Holyhead* Railway Companies for raising Money; and for other Purposes. *Ibid.*
cv. An Act for the *Red House* and *Weeland* Roads in the West Riding of the County of *York*. 1062
cvi. An Act for the Amalgamation of the *South Durham and Lancashire Union* and *Eden Valley* Railway Companies with the *Stockton and Darlington* Railway Company; for the Transfer to the last-named Company of the *Frosterly and Stanhope* Railway; and for other Purposes. 1063
cvii. An Act to empower the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool* to construct additional Reservoirs and other Works; to alter the Charges for the Supply of Water within the Limits of their District, and to make other Rates and Charges in respect of such Supply; and for other Purposes. 1064
cviii. An Act to provide for the leasing of the *Banbridge, Lisburn, and Belfast* Railway to the *Ulster* Railway Company. *Ibid.*
cix. An Act to authorize the Construction of a Railway from *Bala* to *Dolgelly* in the County of *Merioneth*; and for other Purposes. *Ibid.*
cx. An Act for making a Railway from *Corwen* to *Bala*, and for other Purposes. *Ibid.*
cxi. An Act for incorporating a Company for making a Railway in the Counties of *Devon* and *Cornwall*, to be called "The *Launceston and South Devon* Railway;" and for other Purposes. 1065
cxii. An Act to enable the *Manchester, Sheffield, and Lincolnshire* Railway Company to make a new Railway in the County of *Chester*, to be called "The *Manchester, Sheffield, and Lincolnshire* (*Godley* and *Woodley* Branch) Railway;" and for other Purposes. *Ibid.*
cxiii. An Act to authorize the Consolidation into One Undertaking of the *Inverness and Ross-shire* and *Inverness and Aberdeen Junction* Railways, and the Union into One Company of the Two Companies to which the said Railways respectively belong. *Ibid.*
cxiv. An Act to authorize the *Enniskillen and Bundoran* Railway Company to extend their Railway to the *Midland Great Western* Railway of *Ireland* at *Sligo*; to change the Name of the Company; and for other Purposes. 1066
cxv. An Act to enable the *Llynvi Valley* Railway Company to increase their Capital; and for other Purposes. *Ibid.*
cxvi. An Act for the making and maintaining of a Bridge over the River *Trent* near to the Town of *Nottingham* (to be called "*Wilford Bridge*"), with Roads thereto, and for the discontinuing of *Wilford Ferry* across the River; and for other Purposes. *Ibid.*
cxvii. An Act to repeal an Act passed in the First Year of the Reign of His Majesty King *William* the Fourth, intituled *An Act for amending and maintaining the Turnpike Road from and out of the Road leading from* Quebec *in* Leeds *to* Homefield Lane End *in* Wortley, *to communicate with the Road leading from* Huddersfield *to* Birstal, *at the* "Coach and Horses" *Public House in* Birstal *in the West Riding of the County of* York, and granting more effectual Powers in lieu thereof. *Page* 1067
cxviii. An Act to enable the *Eden Valley* Railway Company to construct certain Extension and Branch Railways; to use Portions of other Railways; to raise additional Capital; and for other Purposes. *Ibid.*
cxix. An Act for the *Rotherham* and *Wortley* Turnpike Road in the West Riding of the County of *York*. *Ibid.*
cxx. An Act for dissolving the *Hull and Holderness* Railway Company, and vesting its Undertaking in and uniting its Shareholders with those of the *North-eastern* Railway Company; and for other Purposes. *Ibid.*
cxxi. An Act for making a Railway from *Johnstone* to *Bridge of Weir* in the County of *Renfrew*, with Branches, and for other Purposes. 1069
cxxii. An Act to dissolve the present Body of the *Wexford* Harbour Commissioners, and to appoint new Commissioners, and for other Purposes. *Ibid.*
cxxiii. An Act for conferring further Powers for the good Government of the Borough of *Cardiff*; and for other Purposes. *Ibid.*
cxxiv. An Act to authorize the Abandonment of a Portion of the *Garston and Liverpool* Railway; and for other Purposes. *Ibid.*
cxxv. An Act for better supplying with Water the Gaol and House of Correction at *Maidstone* in and for the County of *Kent*, and the Lunatic Asylum at *Barming Heath* in and for the said County; and for other Purposes. *Ibid.*
cxxvi. An Act to amend the Acts now in force for the Protection of Property in the Borough of *Liverpool* from Fire. 1071
cxxvii. An Act for enabling the *Great Western* Railway Company to construct Railways, and to acquire additional Lands in the Counties of *Stafford* and *Warwick*; and for other Purposes. 1072
cxxviii. An Act for incorporating a Company for making a Railway in the County of *Devon*, to be called "The *Moretonhampstead and South Devon* Railway;" and for other Purposes. *Ibid.*
cxxix. An Act to authorize the *South Yorkshire* Railway and River *Dun* Company, and the *Manchester, Sheffield, and Lincolnshire* Railway Company to contribute Funds towards and to acquire the Undertaking of the *Trent, Alcholme, and Grimsby* Railway Company. 1073
cxxx. An Act to amend "The *Wem and Bronygarth* Roads Act, 1860," and to confer further Powers in relation to the said Roads. *Ibid.*
cxxxi. An Act to enable the *United Kingdom* Electric Telegraph Company (Limited) to carry on the Works and Business of an Electric Telegraph Company. 1074
cxxxii. An Act for extending the Period limited for the Completion of a Portion of the Railway of the *Dartmouth and Torbay* Railway Company, and for authorizing them to raise a further Sum of Money; and for other Purposes. 1083
cxxxiii. An Act to authorize the Amalgamation of the *Coniston* Railway Company with the *Furness* Railway Company, and for other Purposes. *Ibid.*
cxxxiv. An Act to repeal the Act "for repealing Two Acts "for repairing the Road from *Little Sheffield* in the County "of *York* to *Sparrow Pit* Gate in the County of *Derby*, "and also an Act for making a Road from *Banner Cross* in "the West Riding of the County of *York* to *Fox House* in "the County of *Derby*, and for consolidating the Trusts of "certain Roads mentioned in the said Acts, and for amend-"ing and making certain other Roads to communicate there-"with, and for other Purposes;" and to make other Provisions in lieu thereof. 1084

cxxxv. An Act to amalgamate the *Caledonian and Dumbartonshire Junction* Railway Company with the *Edinburgh and Glasgow* Railway Company. *Page* 1084

cxxxvi. An Act to enable the *Caledonian* Railway Company to make certain Deviations of their authorized Lines of Railway called the "*Cleland* Branch Extension" and the "*Omoa* Branch," in the County of *Lanark*; and for other Purposes. 1085

cxxxvii. An Act to enable the *Caledonian* Railway Company to make a Branch Railway from their *Granton* Branch to *Leith*, with a connecting Branch therefrom; and for other Purposes. 1086

cxxxviii. An Act to amalgamate the *Glasgow, Dumbarton, and Helensburgh* Railway Company with the *Edinburgh and Glasgow* Railway Company. *Ibid.*

cxxxix. An Act for changing the Name of the *Dundalk and Enniskillen* Railway Company to the Name "The *Irish North-western* Railway Company;" and for authorizing them to make and maintain an additional Line of Railway and other Works; and to make Arrangements with other Companies and Public Bodies; and to raise further Monies; and for other Purposes. 1087

cxl. An Act to incorporate the Participants of the Level of *Hatfield Chase*; to authorize the Construction of additional Works of Drainage in the said Level; and to subject certain Lands therein to Taxation. 1088

cxli. An Act to enable the *South Yorkshire* Railway and River *Dun* Company to make Railways near *Sheffield* and *Thorne*, and to exercise other Powers. 1094

cxlii. An Act for making a Railway from the *Hawick* Branch of the *North British* Railway near *Newtown Saint Boswells* to *Dunse*. *Ibid.*

cxliii. An Act for making a Railway from *Bishops Waltham* to *Botley*. *Ibid.*

cxliv. An Act for effecting Railway Communication from the *Metropolitan* Extension of the *London, Chatham, and Dover* Railway to the *Crystal Palace* at *Sydenham*. *Ibid.*

cxlv. An Act for the Amalgamation of the Undertaking of the *Newcastle-upon-Tyne and Carlisle* Railway Company with the Undertaking of the *North-eastern* Railway Company; and for other Purposes. 1095

cxlvi. An Act to enable the *North-eastern* Railway Company to construct a Branch Railway between *Blaydon* and *Conside*, with Branches therefrom; to acquire additional Lands, and for other Purposes. 1100

cxlvii. An Act for more effectually repairing certain Roads called "The *Tupton and Ashover* Road," and "The *Birkin Lane* Road," in the County of *Derby*. *Ibid.*

cxlviii. An Act to authorize the Construction of a Railway from *Hooton* to *Parkgate*, in connexion with the existing *Birkenhead* Railway, and for other Purposes. *Ibid.*

cxlix. An Act to enable the *Bristol and South Wales Union* Railway Company to construct a Branch Railway to communicate with a Pier and other Works at the Mouth of the River *Avon*; and to authorize certain Arrangements with the Mayor, Aldermen, and Burgesses of the City and County of *Bristol* with reference thereto. 1101

cl. An Act to repeal an Act of the First Year of the Reign of King *William* the Fourth, "for consolidating the Trusts "of the several Turnpike Roads in the Neighbourhood of "*Cheadle* in the County of *Stafford*, and for making "Deviations and new Branches to and from the same;" and to make other Provisions in lieu thereof. *Ibid.*

cli. An Act for making a Railway from *Horsham* to *Dorking* and for other Purposes. *Ibid.*

clii. An Act for making Railways from the *London and South-western* Railway to *Hampton* and *Shepperton* in the County of *Middlesex*. *Page* 1102

cliii. An Act to authorize the *Mid Kent* Railway Company to make a Railway from the *Mid Kent* Railway to *Addiscombe*; and for other Purposes. *Ibid.*

cliv. An Act to enable the *North-eastern* Railway Company to construct the *Team Valley* and other Branch Railways in the County of *Durham*; and for other Purposes. *Ibid.*

clv. An Act for providing and constructing an improved Cattle Market, Market Places, and Slaughter-houses, with all necessary Approaches and Conveniences, within the Parish of *Saint Thomas* in the County of the City of *Dublin*. *Ibid.*

clvi. An Act to enable the *Mid Wales* Railway Company to alter the Line and Levels of their Railway, and to make a Junction between the *Mid Wales* and the *Central Wales* (*Extension*) Railways; and to amend the Acts relating to the said Company; and for other Purposes. 1103

clvii. An Act to alter the Constitution of the Parochial Board of the *Barony* Parish of *Glasgow* in the County of *Lanark*. *Ibid.*

clviii. An Act for making a Railway from the *Sutton* Station of the *Croydon and Epsom* Branch of the *London, Brighton, and South Coast* Railway to *Banstead* and *Epsom Downs* in the County of *Surrey*. *Ibid.*

clix. An Act for making a Railway from the Port of *Bristol* to the Old Channel at the Mouth of the River *Avon*, together with a Pier in the said River, and for other Purposes. 1104

clx. An Act for making a Railway from the *Glasgow, Paisley, and Greenock* Railway to *Wemyss Bay* in the County of *Renfrew*, and a Pier and Roads in connexion therewith; and for other Purposes. *Ibid.*

clxi. An Act for authorizing the *Llanelly* Railway and Dock Company to make and maintain new Lines of Railway by way of Deviation of their authorized *Swansea* Lines and *Carmarthen* Line and other Works, and to make Arrangements with other Companies, and to raise further Capital, and to make Provision for laying down Narrow Gauge Rails on the *Carmarthen and Cardigan* Railway; and for other Purposes. *Ibid.*

clxii. An Act for authorizing the *Llanidloes and Newtown* Railway Company to make and maintain a Line of Railway for the joint Use of the *Mid Wales* Railway Company and the *Manchester and Milford* Railway Company, and a Station at *Llanidloes* for the joint Use of the Three Companies, and to raise further Monies; and for other Purposes. 1106

clxiii. An Act to authorize the Extension of the *London, Chatham, and Dover* Railway to *Walmer* and *Deal*, and for other Purposes. 1107

clxiv. An Act to amend the Acts relating to the *Nene Valley* Drainage and Navigation Improvement; and to make Provision for the Discharge of the Debts and Liabilities of the Commissioners in the Third District of Drainage, and for the Separation of the Districts; and for other Purposes. *Ibid.*

clxv. An Act for making a Railway from the *North Devon* Railway in the Parish of *Colebrook* in the County of *Devon* to *Okehampton* in the same County; and for other Purposes. 1116

clxvi. An Act for authorizing the Construction of Railways from the *Sevenoaks* Railway to *Maidstone* and *Tunbridge*, and to join existing Railways at *Tunbridge*, all in *Kent*; and for other Purposes. *Ibid.*

clxvii. An Act to enable the *Swansea* Harbour Trustees to raise a further Sum of Money for the Purposes of their Undertaking; and to authorize a Lease or Leases of the

Swansea Harbour Railway and certain Wharves in *Swansea* Harbour to the *Vale of Neath* Railway Company; and to authorize the laying down of additional Rails for the Narrow Gauge on that Railway. *Page* 1118

clxviii. An Act to authorize the *West Midland* Railway Company to construct additional Works, and to raise further Sums of Money; to provide Facilities for the Passage of their Traffic to *Newport* in the County of *Monmouth*; to regulate their Powers of raising Money in respect of certain other Undertakings; and for other Purposes. 1119

clxix. An Act for constructing and maintaining a Pier at *Weston-super-Mare* in the County of *Somerset*. 1120

clxx. An Act to facilitate Arrangements by the *Londonderry and Coleraine* Railway Company with their Creditors; and for other Purposes. *Ibid.*

clxxi. An Act for making Railways from *Rickmansworth* in the County of *Hertford* to *Amersham* and *Chesham* in the County of *Buckingham*; and for other Purposes. 1123

clxxii. An Act to enable the *Carmarthen and Cardigan* Railway Company to extend their Railway from *Llangeller* to *Newcastle-Emlyn*, and to raise further Monies. *Ibid.*

clxxiii. An Act for making a Railway from *Kettering* to *Thrapstone* in the County of *Northampton*; and for other Purposes. *Ibid.*

clxxiv. An Act to improve the Western Approach to the Metropolitan Meat and Poultry Market, and to authorize the raising of additional Money. *Ibid.*

clxxv. An Act for making a Railway from *Stafford* in the County of *Stafford* to *Uttoxeter* in the same County; and for other Purposes. 1126

clxxvi. An Act for authorizing the *Aberystwith and Welsh Coast* Railway Company to make and maintain additional Lines of Railway, and to reclaim Lands near to their Lines of Railway, and to raise further Monies; and for other Purposes. 1127

clxxvii. An Act for conferring further Powers upon the *Andover and Redbridge* Railway Company. *Ibid.*

clxxviii. An Act for authorizing Agreements between the *Briton Ferry* Dock and Railway Company and other Companies, and a Lease of Part of their Wharfs and for altering Rates payable to the *Neath* Harbour Commissioners; and for authorizing the *Briton Ferry* Dock and Railway Company to raise further Capital; and for other Purposes. *Ibid.*

clxxix. An Act for making Railways from *Cowbridge* in the County of *Glamorgan* to join the *Llantrissant and Taff Vale Junction* Railway and the *South Wales* Railway; and for other Purposes. 1128

clxxx. An Act to authorize the *British* Fisheries Society to construct Piers or Breakwaters, and other Works in connexion with *Pulteney* Harbour, and to amend the Act relating thereto. *Ibid.*

clxxxi. An Act to amalgamate the *Fife and Kinross* Railway Company with the *Edinburgh, Perth, and Dundee* Railway Company. 1129

clxxxii. An Act for authorizing the *Vale of Neath* Railway Company to lay down Rails for the Narrow Gauge as well as the Broad Gauge on the *Vale of Neath* Railway, and to raise further Monies; and for other Purposes. 1131

clxxxiii. An Act to authorize an Alteration of the Terms of the Lease of the *Severn Valley* Railway to the *West Midland* Railway Company; and for other Purposes. 1132

clxxxiv. An Act to enable the *Brecon and Merthyr Tydfil Junction* Railway Company to make new Railways; and for other Purposes. 1133

clxxxv. An Act for making a Railway in the County of *Salop*, to be called "The *West Shropshire Mineral* Railway;" and for other Purposes. 1136

clxxxvi. An Act for incorporating "The *Brecon Markets* Company," and for vesting in them, and authorizing them to maintain and regulate, the Markets and Fairs in *Brecon*, and other Property of the Mayor, Aldermen, and Burgesses of the Borough of *Brecon*; and for providing for the Discharge of Liabilities of the Mayor, Aldermen, and Burgesses; and for other Purposes. *Page* 1136

clxxxvii. An Act to confer Powers upon the *Eastern Counties* Railway Company with respect to the *Epping* Railways; and for other Purposes. 1140

clxxxviii. An Act to separate the *Middle Level* from the *Bedford Level* Corporation; to transfer the Powers and Duties of the *Nene* Navigation Commissioners to the *Middle Level* Commissioners, and to provide for Payment of the Debt secured on the Navigation Tolls; to repeal the Barrier Banks Act; to amend the *Middle Level* Acts, and to incorporate the *Middle Level* Commissioners; to amend and enlarge the Powers of Commissioners acting under District Acts in the *Middle Level*; and for other Purposes. *Ibid.*

clxxxix. An Act for amalgamating the *North British* Railway and the *Edinburgh, Perth, and Dundee* Railway and the *West of Fife* Railway and Harbour Companies, and for other Puoprses. 1158

cxc. An Act for authorizing the *West Cheshire* Railway Company to make and maintain additional Lines of Railway and other Works, and to raise further Monies; and for other Purposes. 1160

cxci. An Act for authorizing the *Waterford and Limerick* Railway Company to divert their Tramway in the City of *Limerick*, and to work or lease the Undertaking of the *Limerick and Ennis* Railway Company. 1161

cxcii. An Act to authorize the *London, Chatham, and Dover* Railway Company to construct additional Works and acquire additional Land in *Kent* and *Surrey*; and for other Purposes connected with their Undertakings. *Ibid.*

cxciii. An Act to authorize the Construction of a Railway in the Counties of *Glamorgan* and *Brecon*, to be called "The *Dulas Valley Mineral* Railway; and for other Purposes. 1167

cxciv. An Act for making a Railway to connect the *South Staffordshire* Railway with the *Cannock Chase* Railway in the County of *Stafford*, and for other Purposes. *Ibid.*

cxcv. An Act to enable the *Eastern Union* Railway Company to make certain Arrangements concerning their Capital, and to subscribe to the *Waveney Valley* Railway. *Ibid.*

cxcvi. An Act for transferring the *Hereford, Ross, and Gloucester* Railway and for leasing the *Ely Valley* Railway to the *Great Western* Railway Company, and for other Purposes. 1168

cxcvii. An Act to empower the *Kent Coast* Railway Company to construct Railways or Tramways at *Ramsgate*, and to raise further Money; and for other Purposes. 1169

cxcviii. An Act to enable the *Shrewsbury and Hereford* Railway Company to lease their Undertaking, to acquire additional Lands; and for other Purposes. 1170

cxcix. An Act for making a Railway, to be called "The *Spalding and Bourn* Railway," and for other Purposes. *Ibid.*

cc. An Act for making a Railway, to be called "The *Tottenham and Hampstead Junction* Railway," and for other Purposes. 1171

cci. An Act to enable the *Great Northern and Western* (*of Ireland*) Railway Company to make a Railway to *Ballina*; and for other Purposes. *Ibid.*

ccii. An Act for making a Railway from *Carnarvon* to *Port Madoc* in the County of *Carnarvon*. *Ibid.*

cciii. An Act for paving, cleansing, lighting, watching, draining, and improving the City of *Aberdeen* and adjacent Dis-

tricts, for regulating the Police thereof, for supplying the Inhabitants with Water, and for other Purposes. *Page* 1171
cciv. An Act to consolidate and amend the Acts relating to the Police and Statute Labour of the City of *Glasgow*, and for other Purposes. 1174
ccv. An Act for consolidating and amending the Acts relating to the Corporation of *Salford*; for extending their Powers; and for other Purposes. 1175
ccvi. An Act for incorporating a Company; and for making and maintaining the *East Gloucestershire* Railway; and for other Purposes. 1177
ccvii. An Act for making a Railway, to be called "The *East Grinstead, Groombridge, and Tunbridge Wells* Railway," and for other Purposes. *Ibid.*
ccviii. An Act for conferring additional Powers on the *London and North-western* Railway Company in relation to their own Undertaking and the Undertakings of other Companies; and for authorizing a Deviation in the Line of the *South Leicestershire* Railway; and for other Purposes. 1178
ccix. An Act to enable the *Merthyr, Tredegar, and Abergavenny* Railway Company to lease their Railway. 1179
ccx. An Act for enabling the *Mid-Sussex and Midhurst Junction* Railway Company to extend the Time for completing their Railway; to sell or lease their Undertaking to the *London, Brighton, and South Coast* Railway Company; and for other Purposes. *Ibid.*
ccxi. An Act to authorize the Construction of a Railway from the *Bradford, Wakefield, and Leeds* Railway at *Wakefield* to the *South Yorkshire* Railway at *Barnby-upon-Don*, and of certain Branch Railways, to be called "The *West Riding and Grimsby* Railway." 1180
ccxii. An Act for incorporating the *Dovey* Reclamation Company; and for authorizing them to reclaim Land in the Estuary of the River *Dovey*; and for authorizing Arrangements between them and the *Aberystwith and Welsh Coast* Railway Company; and for other Purposes. *Ibid.*
ccxiii. An Act for extending the Time for the Purchase of Lands and the Completion of the Works authorized by "The *Dagenham* (*Thames*) Dock Act, 1855," and for other Purposes. 1181
ccxiv. An Act for authorizing the *Redditch* Railway Company to raise further Monies; and for other Purposes. *Page* 1181
ccxv. An Act to extend the Time for making the Railway of the *Kensington* Station and *North and South London Junction* Railway Company; and for other Purposes. *Ibid.*
ccxvi. An Act for authorizing the *Abingdon* Railway Company to raise further Monies; and for other Purposes. *Ibid.*
ccxvii. An Act for making a Railway from the *Waterford and Tramore* Railway near the City of *Waterford* to the Town of *Passage* in the County of *Waterford*. *Ibid.*
ccxviii. An Act for authorizing an Extension of the *Oswestry, Ellesmere, and Whitchurch* Railway, and for other Purposes. *Ibid.*
ccxix. An Act to authorize the Construction of a Railway in the County of *Down* from the *Downpatrick and Newry* Railway to *Newcastle*. 1182
ccxx. An Act for amending "The *Charing Cross* Railway (City Terminus) Act, 1861." *Ibid.*
ccxxi. An Act for incorporating a Company for making and maintaining the *Wrexham, Mold, and Connah's Quay Junction* Railway; and for other Purposes. 1183
ccxxii. An Act to protect the Waters of the *Mersey* and the *Irwell* and of certain of their Tributaries from certain Obstructions. *Ibid.*
ccxxiii. An Act to amalgamate the *Eastern Counties*, the *East Anglian*, the *Newmarket*, the *Eastern Union*, and the *Norfolk* Railway Companies; and for other Purposes. 1184
ccxxiv. An Act for a Lease of the Undertaking of the *Mid Kent* Railway (*Bromley* to *Saint Mary's Cray*) Company to the *London, Chatham, and Dover* Railway Company, and for other Purposes. 1196
ccxxv. An Act for the Amalgamation of the *Somerset Central* Railway Company and the *Dorset Central* Railway Company, and for other Purposes. 1197
ccxxvi. An Act to authorize the Construction of a Railway in *Shropshire* to be called "The *Wellington and Drayton* Railway." 1198
ccxxvii. An Act for making a Railway and Harbour in the County of *Devon*, to be called the *Sidmouth* Railway and Harbour, and for other Purposes. *Ibid.*

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act to confirm certain Contracts for granting Leases made and entered into by *Charles Phillimore* Esquire of Part of the Lands and Hereditaments devised by the Will of *William Robert Phillimore* Esquire, deceased, situate in the Parish of *Saint Mary Abbotts, Kensington*, in the County of *Middlesex*, and to confirm certain Leases granted in pursuance of the said Contracts, and for other Purposes relating to the said Will. *Page* 1199
2. An Act for incorporating the Trustees under the Will of Captain *William Mackintosh*, for defining and explaining the said Will, and for carrying into effect the Purposes thereof. *Ibid.*
3. An Act to extend the Powers given to the Trustees of the Will of *William Tufnell* Esquire by an Act of Parliament passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for enabling the Trustee under the Will of the late* William Tufnell *Esquire to reduce the Fines for the Copyholds held of the Manor of* Barnersbury *devised by his Will, as an Encouragement to the Tenants to build thereon, to grant Building and Repairing Leases of the devised Estates; and for other Purposes.* *Page* 1199
4. An Act to enable the Mayor and Commonalty and Citizens of the City of *London*, Governors of the Possessions, Revenues, and Goods of the Hospital of *Edward*, late King of *England* the Sixth, of *Saint Thomas the Apostle*, commonly called "*Saint Thomas's Hospital*," to convey the Site of the present Hospital to the *Charing Cross* Railway Company, and to acquire a new Site for the same Hospital; and for other Purposes. *Ibid.*

5. An Act for amending the Powers of Leasing and other Powers created by divers Acts relating to the Estates annexed to the Earldom of *Shrewsbury*; and for other Purposes. *Page* 1199

6. An Act to authorize the Trustees of the Will of *Athelstan Corbet* Esquire, deceased, to grant Building Leases and Mining Leases of the Estates thereby devised, and to raise Five thousand Pounds out of the same Estates, and apply such Sum in the Improvement of the Port of *Aberdovey* and Lands adjoining thereto; and for other Purposes. *Page* 1199

PRIVATE ACTS,

NOT PRINTED.

7. An Act for inclosing the Commons or Waste Lands called "*Dollow* and *Kilmore* Commons" in the Parishes of *Dollow* and *Kilmore* in the County of *Tipperary*.

8. An Act to dissolve the Marriage of Colonel *Gore Boland Munbee* with *Sophia Catherine* his now Wife, and to enable him to marry again; and for other Purposes.

TABLES

SHOWING THE EFFECT OF THE YEAR'S LEGISLATION.

TABLE I.

[In Order of Cap.]

24 Vict. and 24 & 25 Vict. Cap.	Effect.	Act affected.	Subject of Act affected.
III. s. 1.	Repeals	48 Geo. 3. c. 4.	Bank of England, Regulation.
		56 Geo. 3. c. 97.	Same.
s. 3.	Amends	5 & 6 W. & M. c. 20.	Supply.
		7 Geo. 1. c. 5.	South Sea Company.
s. 4.	Amends	7 & 8 Vict. c. 32.	Bank Charter.
s. 8.	Extends	56 Geo. 3. c. 60.	Unclaimed Dividends.
IX.	Amends and saves	9 Geo. 2. c. 36.	Lands conveyed to Charitable Uses.
		9 Geo. 4. c. 85.	Same.
X. ss. 9, 12, 13, and 24.	Apply	Parts of 17 & 18 Vict. c. 104.	"Merchant Shipping Act, 1854."
s. 11.	Extends	3 & 4 Vict. c. 65.	Admiralty Court Jurisdiction.
s. 30.	Amends	55 Geo. 3. c. 160.	The Navy, Encouragement of.
s. 31.	Repeals	2 Henry 4. c. 11.	"A Remedy for him who is wrongfully pursued in the Court of Admiralty."
XII.	Repeals	53 Geo. 3. c. 113.	Relief of Poor Prisoners.
		5 & 6 Vict. c. 22. s. 8.	Regulation of Queen's Bench and other Prisons.
XIV.	Applies	Savings Banks Acts.	
XVII.	Amends	20 & 21 Vict. c. 73.	Smoke Nuisance Abatement (Scotland).
XVIII.	Amends	8 & 9 Vict. c. 83.	Relief of the Poor (Scotland).
XX.	Amends and applies	Customs Acts.	
		Excise Acts.	
XXI.	Applies	Income Tax Acts.	
	Amends	Excise Acts.	
		Stamp Acts.	
s. 2.	Saves	2 & 3 Vict. c. 114. s. 169.	Spirit Duties.
s. 7.	Saves	Acts relating to Licensed Hawkers.	
XXV. s. 12.	Applies	5 & 6 Will. 4. c. 64. s. 4.	Stamps and Assessed Taxes.
XXVI.	Amends	12 & 13 Vict. c. 97.	Dublin Improvement.
XXVII.	Explains	23 & 24 Vict. c. 50.	Edinburgh Annuity Tax.
XXIX.	Amends	5 Geo. 3. c. xx. (Local)	Infirmary for the County of Cork.
XXX.	Amends	15 & 16 Vict. c. 72.	New Zealand.
		20 & 21 Vict. c. 53.	" "

Effect of the Year's Legislation, 24 & 25 Vict.—*continued.*

24 & 25 Vict.	Effect.	Act affected.	Subject of Act affected.
Cap. XXXIII.	Amends and extends	22 & 23 Vict. c. 19.	Public Offices Extension.
XXXIV.	Extends	13 & 14 Vict. c. 31. 23 Vict. c. 19.	Improvement of Landed Property in Ireland. " " "
XXXV. s. 3.	Amends	23 & 24 Vict. c. 71. 56 Geo. 3. c. 60.	Unclaimed Dividends. " "
s. 4.	Repeals	5 Geo. 4. c. 53. ss. 11 & 12.	Transfer of Stock.
XXXVI.	Amends	20 & 21 Vict. c. 70.	Boundaries of Royal and Parliamentary Burghs in Scotland.
	Applies	3 & 4 Will. 4. c. 76. " " c. 77.	Election of Magistrates, &c. in Royal Burghs. " " in Burghs not Royal.
XXXVII.	Amends	8 & 9 Vict. c. 83. s. 34.	Relief of the Poor (Scotland).
XL.	Amends	1 & 2 Vict. c. 43.	Forest of Dean.
s. 22.	Extends	10 Geo. 4. c. 50.	Woods and Forests, Land Revenue, &c.
s. 25.	Extends	1 & 2 Vict. c. 42.	Forest of Dean (confirming Leases).
XLII.	Continues*	5 & 6 W. & M. c. 10.	Relief of Creditors, &c. of the City of London.
	Amends	1 & 2 W. 4. c. 76. 1 & 2 Vict. c. 101. 8 & 9 Vict. c. 101. 14 & 15 Vict. c. 146.	Coal Duties. " " " " " "
	Applies	20 & 21 Vict. c. lxxxix. (Local)	" " Coal Duties (London, &c.) Drawback Act, 1861."
XLIII.	Amends and applies	16 & 17 Vict. c. 113. 19 & 20 Vict. c. 102.	Common Law Procedure (Ireland). " " "
XLIV.	Explains and amends	5 & 6 Vict. c. 76. 18 & 19 Vict. c. 54.	Government of New South Wales. " " "
XLV. s. 7.	Applies	14 & 15 Vict. c. 49.	Preliminary Inquiries.
XLVI.	Amends	15 Vict. c. 38.	Turnpike Trusts.
XLVII. s. 64.	Explains	22 & 23 Vict. c. 29.	Tolls on Fishing Vessels.
XLVIII.	Amends	23 & 24 Vict. c. 154.	Landlord and Tenant (Ireland).
LI.	Amends	23 & 24 Vict. c. 135.	Metropolitan Police Force.
LII.	Amends	18 & 19 Vict. c. 119.	Passengers Act.
LIV.	Amends and partly repeals	23 Geo. 3. c. 52.	East India Company's Service.
LV.	Amends	9 & 10 Vict. c. 66. 16 & 17 Vict. c. 97., and other Acts	Relief and Removal of Paupers.

* *i. e.* Until the Fifth Day of July 1872.

TABLES

SHOWING THE EFFECT OF THE YEAR'S LEGISLATION.

TABLE I.

[In Order of Cap.]

25 & 26 Vict. Cap.	Effect.	Act affected.	Subject of Act affected.
III.	Amends	24 & 25 Vict. c. 5.	Exchequer Bills.
	Amends	9 Geo. 4. c. 92.	Savings Banks.
VIII.	Amends and applies	23 & 24 Vict. c. 78.	Bleaching Works.
		7 & 8 Vict. c. 15.	Factories.
X.	Continues and amends	24 & 25 Vict. c. 113.	Industrial Schools.
		„ „ c. 132.	„ „ (Scotland).
XI.	Explains	13 & 14 Vict. c. 59.	Australian Colonies Government.
XIV.	Extends	18 & 19 Vict. c. 90.	Payment of Costs in Crown Suits.
XV.	Amends	40 Geo. 3. c. 84. (I.)	College of Physicians (Ireland).
XVII.	Amends	24 & 25 Vict. c. 9.	Conveyance of Land on Charitable Uses.
XIX.	Partly repeals and amends*	24 & 25 Vict. c. 45.	Piers and Harbours.
	Applies	17 & 18 Vict. c. 120.	Merchant Shipping, 1854.
	Applies	7 Will. 4. & 1 Vict. c. 83.	Custody of Documents by Clerks of Peace.
XXI.	Amends	24 & 25 Vict. c. 35.	Transfer of Stock, &c. (Ireland).
XXII.	Amends and applies	Customs Acts. Excise Acts. Property and Income Tax Acts.	
	Repeals	9 Geo. 4. c. 18.	Cards and Dice.
XXIII.	Amends	24 & 25 Vict. c. 43.	Summary Procedure on Bills of Exchange (Ireland).
XXIV.	Continues†	19 & 20 Vict. c. 36.	Peace Preservation (Ireland).
		23 & 24 Vict. c. 138.	Peace Preservation (Ireland) Amendment Act.
XXVI.	Amends	17 & 18 Vict. c. 81.	University of Oxford.
XXVII.	Continues‡	24 & 25 Vict. c. 89.	Military Forces in the East Indies.

* *i. e.* see Schedules A. and C.
† *i. e.* until July 1, 1864, and to the End of the then next Session of Parliament.
‡ *i. e.* until March 31, 1867.

Effect of the Year's Legislation, 25 & 26 Vict.—*continued.*

25 & 26 Vict.	Effect.	Act affected.	Subject of Act affected.
Cap. XXVIII.	Amends	21 & 22 Vict. c. 83.	Universities of Scotland.
XXIX.	Amends*	13 & 14 Vict. c. 31.	Improvement of Lands (Ireland).
	Applies	—	Acts for the Improvement of Land in Ireland.
XXX.	Amends	24 & 25 Vict. c. 80.	Public Works and Harbours.
XXXII.	Continues†	2 & 3 Vict. c. 74. (as amended by 11 & 12 Vict. c. 89.)	Administration of unlawful Oaths, and Protection of Magistrates and Witnesses in Criminal Cases (Ireland).
XXXIV.	Explains	23 & 24 Vict. c. 112.	Defence of the Realm.
XXXV.	Amends	24 & 25 Vict. c. 91.	Inland Revenue.
		9 Geo. 4. c. 58.	Public Houses (Scotland).
		16 & 17 Vict. c. 67.	
XXXVII.	Restrains	1 Anne, c. 7.	Crown Revenues and Estates.
		1 Geo. 3. c. 1.	
		34 Geo. 3. c. 75.	
	Applies	39 & 40 Geo. 3. c. 88.	Real and Personal Estate of the Sovereign.
		13 & 14 Vict. c. 60.	Trustee Act, 1850.
		21 & 22 Vict. c. 76	Titles to Land (Scotland).
		23 & 24 Vict. c. 143.	
XXXVIII.	Repeals	24 Geo. 2. c. 40. s. 12.	Spirit Duties.
XL.	Applies	5 Geo. 4. c. 113.	Slave Trade.
XLI.	Amends and applies	23 & 24 Vict. c. 140.	Rifle Volunteer Grounds.
XLII.	Applies	21 & 22 Vict. c. 27.	Chancery Amendment.
XLIII.	Amends	Poor Relief Acts.	
XLIV.	Amends	4 Geo. 4. c. 64.	Gaols.
XLV.	Amends	17 & 18 Vict. c. 117.	West Indian Encumbered Estates.
		21 & 22 Vict. c. 96.	
XLVI.	Applies	21 & 22 Vict. c. 27.	Chancery Amendment.
XLVIII.	Amends	15 & 16 Vict. c. 72.	Government of New Zealand.
	Repeals	24 & 25 Vict. c. 30.	
XLIX.	Extends	7 & 8 Vict. c. 65.	Duchy of Cornwall Estates.
L.	Applies	14 & 15 Vict. c. 93.	Petty Sessions (Ireland).
		21 & 22 Vict. c. 100.	
	Amends	24 & 25 Vict. c. 96.	Criminal Law Consolidation.
		" " c. 97.	Summary Jurisdiction (Ireland).
		" " c. 99.	
		" " c. 100.	
LII.	Amends	24 & 25 Vict. c. 105.	Leases of Church Lands.

* *i. e.* extends Powers of Commissioners of Public Works until January 1, 1864.
† *i. e.* for Five Years from passing of the Act and until the End of the then next Session.

Effect of the Year's Legislation, 25 & 26 Vict.—*continued.*

25 & 26 Vict.	Effect.	Act affected.	Subject of Act affected.
Cap.			
LIII.	Applies	3 & 4 Will. 4. c. 74	Abolition of Fines and Recoveries.
		13 & 14 Vict. c. 60.	Trustees.
		20 Vict. c. 120.	Sales, &c. of Settled Estates.
LIV.	Amends	20 & 21 Vict. c. 71. 21 & 22 Vict. c. 89.	Lunacy (Scotland).
LIX.	Applies	14 & 15 Vict. c. 93.	Petty Sessions (Ireland).
LXI.	Applies and amends	5 & 6 Will. 4. c. 50.	Highways.
	Extends	3 Geo. 4. c. 126.	Turnpike Roads.
LXII.	Amends	13 & 14 Vict. c. 68. " " c. 69.	Elections (Ireland).
LXIII.	Amends*	8 & 9 Vict. c. 91.	Warehousing of Goods.
		16 & 17 Vict. c. 107.	Customs Consolidation Act.
		17 & 18 Vict. c. 104. 18 & 19 Vict. c. 91.	Merchant Shipping.
		19 & 20 Vict. c. 75.	Customs Duties.
		24 & 25 Vict. c. 96.	Criminal Law Consolidation.
	Explains	1 Vict. c. 2.	Revenues of the Crown.
	Restrains	20 & 21 Vict. c. 43.	Summary Jurisdiction.
LXIV.	Repeals	Acts and Parts of Acts specified in Schedule.	
	Applies	18 & 19 Vict. c. 126.	Criminal Justice Administration.
		24 & 25 Vict. c. 96.	Criminal Law Consolidation.
		24 & 25 Vict. c. 110.	Dealers in old Metals.
		Metropolitan Police Acts.	
LXV.	Applies	19 Vict. c. 16.	Central Criminal Court.
LXVI.	Applies	23 & 24 Vict. c. 139.	Storage of Gunpowder.
LXVII.	Applies	3 & 4 Will. 4. c. 74.	Abolition of Fines and Recoveries.
LXVIII.	Applies	5 & 6 Vict. c. 45. 7 & 8 Vict. c. 12.	Copyright.
LXIX.	Applies	14 & 15 Vict. c. 49.	Preliminary Inquiries.
		11 & 12 Vict. c. 27.	Harbours and Docks Clauses.
		8 & 9 Vict. c. 18.	Railway Clauses.
		" " c. 19.	" " (Scotland).
		23 & 24 Vict. c. 152.	Tramways (Ireland).
		Acts and Parts of Acts in Schedule.	
	Amends	46 Geo. 3. c. 153. 54 Geo. 3. c. 139. 24 & 25 Vict. c. 45.	Harbours and Piers.
		" " c. 47.	Passing Tolls.
LXXIII.	Further continues†	5 & 6 Vict. c. 35.	Copyhold Commission.
LXXIV.	Amends	24 & 25 Vict. c. 88.	Sites for Public Offices.
LXXV.	Continues‡	11 & 12 Vict. c. 133.	Savings Banks (Ireland).

* *See* Schedule to the Act.
† Until August 1, 1867, and thence until the End of the next Session of Parliament.
‡ Until January 1, 1865, and thence until the End of the next Session of Parliament.

Effect of the Year's Legislation, 25 & 26 Vict.—*continued.*

25 & 26 Vict.	Effect.	Act affected.	Subject of Act affected.
Cap.			
LXXVI.	Applies	14 & 15 Vict. c. 93.	Petty Sessions (Ireland).
	Amends	23 & 24 Vict. c. 119.	Weights and Measures (Ireland).
LXXIX.	Amends	23 & 24 Vict. c. 151.	Coal Mines.
LXXXI.	Makes perpetual	23 & 24 Vict. c. 144.	Divorce Court.
LXXXIII.	Amends	2 Vict. c. 56. 10 Vict. c. 31.	Destitute Poor (Ireland).
	Amends	6 & 7 Vict. c. 92. 12 & 13 Vict. c. 91. " " c. 104.	Poor Rates (Ireland).
	Further continues*	10 & 11 Vict. c. 90.	Poor Law Commission (Ireland).
LXXXIV.	Continues† Schedule B.	20 & 21 Vict. c. 61.	Excise on Sugar.
	Explains	23 & 24 Vict. c. 114.	Excise on Spirits.
LXXXVI.	Applies	8 & 9 Vict. c. 109.	Games and Wagers.
	Applies and amends	16 & 17 Vict. c. 70.	Proceedings in Lunacy.
LXXXVII.	Repeals	15 & 16 Vict. c. 31. 17 & 18 Vict. c. 25. 19 & 20 Vict. c. 40.	Industrial and Provident Societies.
LXXXVIII.	Saves	59 Geo. 3. c. 7.	Trade of Cutlers.
LXXXIX.	Repeals	Acts specified in Schedule 3, Part 1.	Joint Stock, Banking, and other Companies.
XC.	Amends	25 & 26 Vict. c. 40.	African Slave Trade.
XCI.	Amends	21 & 22 Vict. c. 90.	Medical Education.
XCII.	Amends	1 Geo. 4. c. 11. 9 & 10 Vict. c. 30.	Parliamentary Elections (Ireland).
XCIII.	Applies	18 & 19 Vict. c. 120. 19 & 20 Vict. c. 112. 21 & 22 Vict. c. 104.	Local Management of Metropolis.
		11 Geo. 3. c. 34.	Embankment of River Thames.
XCV.	Amends	2 & 3 Will. 4. c. 102.	Boundaries of Counties and Boroughs.
	Applies	6 & 7 Will. 4. c. 102. 16 & 17 Vict. c. 68.	Taking the Poll at Elections.
XCVI.	Amends	3 & 4 Will. 4. c. 74.	Abolition of Fines and Recoveries.
XCVII.	Applies	9 Geo. 4. c. 39. 20 & 21 Vict. c. 72. 20 Geo. 2. c. 43. 24 & 25 Vict. c. 109.	Salmon Fisheries (Scotland). Commissioners of Supply (Scotland). Heritable Jurisdiction (Scotland). Salmon Fisheries of England.
XCVIII.	Amends	23 & 24 Vict. c. 139. 24 & 25 Vict. c. 120.	Gunpowder and Fireworks.
XCIX.	Amends	5 & 6 Vict. c. 42. 24 & 25 Vict. c. 134.	Commissioners of Insolvency. Bankrupt Law Consolidation.

* Until July 23, 1863, and thence until the End of the next Session of Parliament.
† Until July 1, 1863,

Effect of the Year's Legislation, 25 & 26 Vict.—*continued.*

25 & 26 Vict. Cap.	Effect.	Act affected.	Subject of Act affected.
C.	Amends	23 & 24 Vict. c. 64.	Local Boards of Health.
CI.	Repeals	13 & 14 Vict. c. 33. 23 & 24 Vict. c. 96.	Police of Towns (Scotland).
	Amends	19 & 20 Vict. c. 103.	Removal of Nuisances (Scotland).
	Applies	22 Geo. 2. c. 27. 17 Geo. 3. c. 56.	Prevention of Frauds in Manufactures.
		3 & 4 Will. 4. c. 76.	Boundaries of Burghs (Scotland).
CII.	Amends	26 Geo. 3. c. 71.	Licensing Slaughter-houses.
		7 & 8 Vict. c. 87.	Woods and Forests Accounts.
		7 Geo. 4. c. 142.	Metropolitan Turnpike Trusts.
		18 & 19 Vict. c. 120. 19 & 20 Vict. c. 112. 21 & 22 Vict. c. 101.	Local Management of Metropolis.
	Continues*	20 & 21 Vict. c. 120.	Finsbury Park.
CIII.	Amends	6 & 7 Will. 4. c. 96.	Parochial Assessments.
CV.	Amends	43 Geo. 3. c. 80. 59 Geo. 3. c. 135.	Highland Roads and Bridges.
	Applies	17 & 18 Vict. c. 91. 20 & 21 Vict. c. 58.	Valuation of Lands (Scotland).
		„ „ c. 70.	Boundaries of Burghs (Scotland).
CVI.	Amends	6 & 7 Will. 4. c. 116. 7 & 8 Vict. c. 106.	County and District Surveyors (Ireland).
CVII.	Amends	6 Geo. 4. c. 50.	Juries.
CIX.	Continues†	17 & 18 Vict. c. 102.	Corrupt Practices at Elections.
CXI.	Amends	8 & 9 Vict. c. 100. 16 & 17 Vict. c. 96. „ „ c. 97. 18 & 19 Vict. c. 105.	Lunatics and Lunatic Asylums.
CXIII.	Amends	8 & 9 Vict. c. 83.	Removal of Paupers.
CXIV.	Applies	1 & 2 Will. 4. c. 32.	Game Laws.
		2 & 3 Will. 4. c. 68.	Game (Scotland).
		11 & 12 Vict. c. 43.	Juries.
		14 & 15 Vict. c. 93.	Petty Sessions (Ireland).

* Until August 17, 1863.
† Until September 1, 1863, and from thence until the End of the next Session of Parliament.

TABLE II.

CHRONOLOGICAL.

[For Details, see TABLE I.]

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			25 & 26 Vict. Cap.
1 Anne, c. 7.	Crown Revenues and Estates	Restrained	XXXVII.
20 Geo. 2. c. 43.	Heritable Jurisdiction (Scotland)	Applied	XCVII.
22 Geo. 2. c. 27.	Prevention of Frauds in Manufactures.	Applied	CI.
24 Geo. 2. c. 40. s. 12.	Spirit Duties	Repealed	XXXVIII.
1 Geo. 3. c. 1.	Crown Revenues and Estates	Restrained	XXXVII.
11 Geo. 3. c. 34.	Thames Embankment	Applied	XCIII.
17 Geo. 3. c. 56.	Prevention of Frauds in Manufactures.	Applied	CI.
26 Geo. 3. c. 71.	Licensing Slaughter-houses	Amended	CII.
34 Geo. 3. c. 75.	Crown Revenues and Estates	Restrained	XXXVII.
39 & 40 Geo. 3. c. 88.	Real and Personal Estate of the Sovereign.	Applied	XXXVII.
40 Geo. 3. c. 84. (I.)	College of Physicians (Ireland)	Amended	XV.
43 Geo. 3. c. 80.	Highland Roads and Bridges	Amended	CV.
46 Geo. 3. c. 153.	Harbours and Piers	Amended	LXIX.
54 Geo. 3. c. 139.	Harbours and Piers	Amended	LXIX.
59 Geo. 3. c. 7.	Trade of Cutlers	Saved	LXXXVIII.
59 Geo. 3. c. 135.	Highland Roads and Bridges	Amended	CV.
1 Geo. 4. c. 11.	Parliamentary Elections (Ireland)	Amended	XCII.
3 Geo. 4. c. 126.	Turnpike Roads	Extended	LXI.
4 Geo. 4. c. 64.	Gaols	Amended	XLIV.
5 Geo. 4. c. 113.	Slave Trade	Applied	XL.
6 Geo. 4. c. 50.	Juries	Amended	CVII.
7 Geo. 4. c. 142.	Metropolitan Turnpike Trusts	Amended	CII.
9 Geo. 4. c. 18.	Cards and Dice	Repealed	XXII.
9 Geo. 4. c. 39.	Salmon Fisheries (Scotland)	Applied	XCVII.
9 Geo. 4. c. 58.	Public Houses (Scotland)	Amended	XXXV.
9 Geo. 4. c. 92.	Savings Banks	Amended	III.
1 & 2 Will. 4. c. 32.	Game Laws	Applied	CXIV.
2 & 3 Will. 4. c. 68.	Game (Scotland)	Applied	CXIV.
2 & 3 Will. 4. c. 102.	Boundaries of Counties and Boroughs.	Amended	XCV.
3 & 4 Will. 4. c. 74.	Abolition of Fines and Recoveries	Applied Amended	LIII. and LXVII. XCVI.
3 & 4 Will. 4. c. 76.	Boundaries of Burghs (Scotland)	Applied	CI.
5 & 6 Will. 4. c. 50.	Highways	Applied and amended.	LXI.
6 & 7 Will. 4. c. 102.	Taking the Poll at Elections	Applied	XCV.
6 & 7 Will. 4. c. 116.	County and District Surveyors (Ireland).	Amended	CVI.
7 Will. 4. & 1 Vict. c. 83.	Custody of Documents by Clerks of Peace.	Applied	XIX.
1 Vict. c. 2.	Revenues of the Crown	Explained	LXIII.
2 Vict. c. 56.	Destitute Poor (Ireland)	Amended	LXXXIII.
2 & 3 Vict. c. 74.	Protection of Magistrates and Witnesses in Criminal Cases (Ireland).	Continued	XXXII.
5 & 6 Vict. c. 35.	Copyhold Commission	Continued	LXXIII.
5 & 6 Vict. c. 42.	Commissioners of Insolvency	Amended	XCIX.
5 & 6 Vict. c. 45.	Copyright	Applied	LXVIII.
6 & 7 Vict. c. 92.	Poor Rates (Ireland)	Amended	LXXXIII.
6 & 7 Vict. c. 96.	Parochial Assessments	Amended	CIII.
7 & 8 Vict. c. 12.	Copyright	Applied	LXVIII.
7 & 8 Vict. c. 15.	Factories	Applied	VIII.

Effect of the Year's Legislation, 25 & 26 Vict.—*continued.*

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			25 & 26 Vict. Cap.
7 & 8 Vict. c. 65.	Duchy of Cornwall Estates	Extended	XLIX.
7 & 8 Vict. c. 87.	Woods and Forests Accounts	Amended	CII.
7 & 8 Vict. c. 106.	County and District Surveyors (Ireland).	Amended	CVI.
8 & 9 Vict. c. 18.	Railways Clauses Act	Applied	LXIX.
8 & 9 Vict. c. 19.	Railways Clauses Act (Scotland)	Applied	LXIX.
8 & 9 Vict. c. 83.	Removal of Paupers	Amended	CXIII.
8 & 9 Vict. c. 91.	Warehousing of Goods	Amended	LXIII.
8 & 9 Vict. c. 100.	Lunatics and Lunatic Asylums	Amended	CXI.
8 & 9 Vict. c. 109.	Games and Wagers	Applied	LXXXVI.
9 & 10 Vict. c. 30.	Parliamentary Elections (Ireland)	Amended	XCII.
10 Vict. c. 31.	Destitute Poor (Ireland)	Amended	LXXXIII.
10 & 11 Vict. c. 90.	Poor Law Commission (Ireland)	Further continued.	LXXXIII.
11 & 12 Vict. c. 27.	Harbours and Docks Clauses	Applied	LXIX.
11 & 12 Vict. c. 43.	Juries	Applied	XLIII.
11 & 12 Vict. c. 133.	Savings Banks (Ireland)	Continued	LXXV.
12 & 13 Vict. cc. 91. 104.	Poor Rates (Ireland)	Amended	LXXXIII.
13 & 14 Vict. c. 31.	Improvement of Land (Ireland)	Amended	XXIX.
13 & 14 Vict. c. 33.	Police of Towns (Scotland)	Repealed	CI.
13 & 14 Vict. c. 59.	Australian Colonies Government	Explained	XI.
13 & 14 Vict. c. 60.	Trustee Act	Applied	XXXVII. and LIII.
13 & 14 Vict. cc. 68. 69.	Elections (Ireland)	Amended	LXII.
14 & 15 Vict. c. 49.	Preliminary Inquiries	Applied	LXIX.
14 & 15 Vict. c. 93.	Petty Sessions (Ireland)	Applied	L., LIX., LXXVI., and CXIV.
15 & 16 Vict. c. 31.	Industrial and Provident Societies	Repealed	LXXXVII.
15 & 16 Vict. c. 72.	New Zealand	Amended	XLVIII.
16 & 17 Vict. c. 67.	Public Houses (Scotland)	Amended	XXXV.
16 & 17 Vict. c. 68.	Taking the Poll at Elections	Applied	XCV.
16 & 17 Vict. c. 70.	Proceedings in Lunacy	Applied and amended.	LXXXVI.
16 & 17 Vict. cc. 96. 97.	Lunatics and Lunatic Asylums	Amended	CXI.
16 & 17 Vict. c. 107.	Customs Consolidation Act	Amended	LXIII.
17 & 18 Vict. cc. 25. 40.	Industrial and Provident Societies	Repealed	LXXXVII.
17 & 18 Vict. c. 81.	University of Oxford	Amended	XXVI.
17 & 18 Vict. c. 91.	Valuation of Lands (Scotland)	Applied	CV.
17 & 18 Vict. c. 102.	Corrupt Practices at Elections	Continued	CIX.
17 & 18 Vict. c. 104.	Merchant Shipping	Amended	LXIII.
17 & 18 Vict. c. 117.	West Indian Encumbered Estates	Amended	XLV.
17 & 18 Vict. c. 120.	Merchant Shipping	Applied	XIX.
18 & 19 Vict. c. 90.	Payment of Costs in Crown Suits	Extended	XIV.
18 & 19 Vict. c. 91.	Merchant Shipping	Amended	LXIII.
18 & 19 Vict. c. 105.	Lunatics and Lunatic Asylums	Amended	CXI.
18 & 19 Vict. c. 120.	Metropolis Local Management	Applied Amended	XCIII. CII.
18 & 19 Vict. c. 126.	Criminal Justice Administration	Applied	LXIV.
19 & 20 Vict. c. 16.	Central Criminal Court	Applied	LXV.
19 & 20 Vict. c. 36.	Peace Preservation (Ireland)	Continued	XXIV.
19 & 20 Vict. c. 75.	Customs Duties	Amended	LXIII.
19 & 20 Vict. c. 103.	Removal of Nuisances (Scotland)	Amended	CI.
19 & 20 Vict. c. 112.	Metropolis Local Management	Applied Amended	XCIII. CII.
20 Vict. c. 120.	Sales, &c. of Settled Estates	Applied	LIII.
20 & 21 Vict. c. 43.	Summary Jurisdiction	Restrained	LXIII.
20 & 21 Vict. c. 58.	Valuation of Lands (Scotland)	Applied	CV.
20 & 21 Vict. c. 61. Sch. B.	Excise on Sugar	Continued	LXXXIV.
20 & 21 Vict. c. 70.	Boundaries of Burghs (Scotland)	Applied	CV.
20 & 21 Vict. c. 71.	Lunacy (Scotland)	Amended	LIV.
20 & 21 Vict. c. 72.	Commissioners of Supply (Scotland).	Applied	XCVII.
20 & 21 Vict. c. 120.	Finsbury Park	Continued	CII.

Effect of the Year's Legislation, 25 & 26 Vict.—*continued.*

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			25 & 26 Vict. Cap.
21 & 22 Vict. c. 27.	Chancery Amendment	Applied	XLII. and XLVI.
21 & 22 Vict. c. 76.	Titles to Land (Scotland)	Applied	XXXVII.
21 & 22 Vict. c. 83.	Universities of Scotland	Amended	XXVIII.
21 & 22 Vict. c. 89.	Lunacy (Scotland)	Amended	LIV.
21 & 22 Vict. c. 90.	Medical Education	Amended	XCI.
21 & 22 Vict. c. 96.	West Indian Encumbered Estates	Amended	XLV.
21 & 22 Vict. c. 100.	Petty Sessions (Ireland)	Applied	L.
21 & 22 Vict. c. 104.	Metropolis Local Management	Applied	XCIII.
23 & 24 Vict. c. 64.	Local Boards of Health	Amended	C.
23 & 24 Vict. c. 78.	Bleaching Works	Amended	VIII.
23 & 24 Vict. c. 96.	Police of Towns (Scotland)	Repealed	CI.
23 & 24 Vict. c. 112.	Defence of the Realm	Explained	XXXIV.
23 & 24 Vict. c. 114.	Excise on Spirits	Explained	LXXXIV.
23 & 24 Vict. c. 119.	Weights and Measures (Ireland)	Amended	LXXVI.
23 & 24 Vict. c. 138.	Peace Preservation (I.) Amendment Act.	Continued	XXIV.
23 & 24 Vict. c. 139.	Storage of Gunpowder	Applied Amended	LXVI. XCVIII.
23 & 24 Vict. c. 140.	Rifle Volunteer Grounds	Amended and applied.	XLI.
23 & 24 Vict. c. 143.	Titles to Land (Scotland)	Applied	XXXVII.
23 & 24 Vict. c. 144.	Divorce Court	Made perpetual	LXXXI.
23 & 24 Vict. c. 151.	Coal Mines	Amended	LXXIX.
23 & 24 Vict. c. 152.	Tramways (Ireland)	Applied	LXIX.
24 & 25 Vict. c. 5.	Exchequer Bills	Amended	III.
24 & 25 Vict. c. 9.	Conveyance of Land on Charitable Uses.	Amended	XVII.
24 & 25 Vict. c. 30.	New Zealand	Repealed	XLVIII.
24 & 25 Vict. c. 35.	Transfer of Stock, &c. (Ireland)	Amended	XXI.
24 & 25 Vict. c. 43.	Summary Procedure in Bills of Exchange (Ireland).	Amended	XXIII.
24 & 25 Vict. c. 45.	Piers and Harbours	Amended and partly repealed. Amended	XIX. LXIX.
24 & 25 Vict. c. 47.	Passing Tolls	Amended	LXIX.
24 & 25 Vict. c. 80.	Public Works and Harbours	Amended	XXX.
24 & 25 Vict. c. 88.	Sites for Public Offices	Amended	LXXIV.
24 & 25 Vict. c. 89.	Military Forces in India	Continued	XXVII.
24 & 25 Vict. c. 91.	Inland Revenue	Amended	XXXV.
24 & 25 Vict. c. 96.	Criminal Law Consolidation	Amended Applied	L. and LXIII. LXIV.
24 & 25 Vict. cc. 97. 99. 100.	Summary Jurisdiction (Ireland)	Amended	L.
24 & 25 Vict. c. 105.	Leases of Church Lands	Amended	LII.
24 & 25 Vict. c. 109.	Salmon Fisheries of England	Applied	XCVII.
24 & 25 Vict. c. 110.	Dealers in old Metals	Applied	LXIV.
24 & 25 Vict. c. 113.	Industrial Schools	Continued	X.
24 & 25 Vict. c. 120.	Gunpowder and Fireworks	Amended	XCVIII.
24 & 25 Vict. c. 132.	Industrial Schools (Scotland)	Amended	X.
24 & 25 Vict. c. 134.	Bankrupt Law Consolidation	Amended	XCIX.
25 & 26 Vict. c. 40.	African Slave Trade	Amended	XC.

NOTE.

The Acts relating to	Customs, Excise, and Property and Income Tax.	Amended	XXII.
" "	Improvement of Land (Ireland)	Applied	XXIX.
" "	Relief of the Poor	Amended	XLIII.
" "	Metropolitan Police	Applied	LXIV.
" "	Joint Stock, Banking, and other Companies.	Repealed	LXXXIX. Sch.

Effect of the Year's Legislation, 24 & 25 Vict.—*continued.*

24 & 25 Vict.	Effect.	Act affected.	Subject of Act affected.
Cap. LVI.	Amends	20 & 21 Vict. c. 68.	Dublin Revising Barristers.
LVII.	Continues*	5 & 6 Vict. c. 123.	Lunatic Asylums (Ireland).
LVIII.	Continues†	11 & 12 Vict. c. 32., as amended by 20 & 21 Vict. c. 7.	County Cess (Ireland).
LIX.	Amends	3 & 4 Vict. c. 29. 4 & 5 Vict. c. 32. 16 & 17 Vict. c. 100.	Vaccination.
LX.	Amends	13 & 14 Vict. c. 69.	Elections (Ireland).
LXI.	Amends	21 & 22 Vict. c. 104. 11 & 12 Vict. c. 63.	Local Government. Public Health.
LXII.	Amends	9 Geo. 3. c. 16. 7 & 8 Vict. c. 105. 23 & 24 Vict. c. 53.	Quieting Titles against the Crown. Same against Duchy of Cornwall.
LXIII.	Amends	6 & 7 Will. 4. c. 116.	County Surveyors (Ireland).
LXV.	Continues	4 & 5 Vict. c. 30., as amended by 19 & 20 Vict. c. 61.	Survey of Great Britain.
LXVII.	Partly repeals and amends	3 & 4 Will. 4. c. 85. 16 & 17 Vict. c. 95.	Government of East Indies.
	Repeals	23 & 24 Vict. c. 87.	Council of Governor General of India.
	Applies	33 Geo. 3. c. 52.	Same.
LXIX.	Applies	1 & 2 Will. 4. c. 43. 8 & 9 Vict. c. 41.	Turnpike Roads (Scotland). Statute Labour Roads (Scotland).
LXXI.	Amends	6 & 7 Vict. c. 44. 10 & 11 Vict. c. 32. 12 & 13 Vict. c. 60. 16 & 17 Vict. c. 136.	Public Works (Ireland). Improvement of Land (Ireland). Relief of Distress (Ireland). Grand Juries (Ireland).
LXXII.	Amends	14 & 15 Vict. c. 26. 23 & 24 Vict. c. 92.	Herring Fisheries (Scotland).
LXXIII.	Amends	5 & 6 Vict. c. 50. and all other Acts extending or amending the same	Copyright of Design.
LXXIV.	Applies	10 & 11 Vict. c. 37.	Limiting Service in the Army.
	Excludes	1 Vict. c. 29.	Enlistment of Foreigners in the Army.
LXXV.	Amends	5 & 6 Will. 4. c. 76.	Municipal Corporations.
	Explains	9 Geo. 4., Sess. 2. c. 61.	Licensing of Public Houses.
	Extends	22 & 23 Vict. c. 56.	Weights and Measures.
	Saves	17 & 18 Vict. c. 20.	Manchester Stipendiary.
LXXVI.	Amends	8 & 9 Vict. c. 117.	Removal of Irish Poor.
LXXVIII.	Partly repeals	27 Eliz. c. 17. 29 Geo. 2. c. 25. 31 Geo. 2. c. 17.	Borough of Westminster.
	Applies	3 Vict. c. 47.	Metropolitan Police.

* Until August 1, 1865, and to the End of the then next Session of Parliament.
† Until August 1, 1863, and to the End of the then next Session of Parliament.

Effect of the Year's Legislation, 24 & 25 Vict.—*continued.*

24 & 25 Vict.	Effect.	Act affected.	Subject of Act affected.
Cap.			
LXXIX.	Amends	22 & 23 Vict. c. 66. 23 & 24 Vict. c. 146.	Measures used in Sale of Gas.
LXXXI.	Amends	57 Geo. 3. c. 64. 3 Geo. 4. c. 62.	Public Offices in Scotland. General Register House (Edinburgh).
LXXXIV.	Amends	2 & 3 Will. 4. c. 65. 17 & 18 Vict. c. 91.	Reform Act (Scotland). Valuation of Lands (Scotland).
LXXXVI.	Partly repeals	1 Will. 4. c. 69. 6 & 7 Will. 4. c. 41.	Jury Trials (Scotland). Commissary Court (Edinburgh).
LXXXVII.	Amends	18 & 19 Vict. c. 122.	Metropolitan Buildings.
LXXXVIII.	Extends	22 & 23 Vict. c. 19.	Public Offices Extension.
LXXXIX.	Amends	4 Geo. 4. c. 71.	Military Forces in East Indies.
XC.	Amends	1 & 2 Vict. c. 55. 21 & 22 Vict. c. 83.	Settlement of Debts of City of Edinburgh. Universities (Scotland).
XCI.	Amends	18 & 19 Vict. c. 38.	Excise.
	Applies	6 Geo. 4. c. 81.	Excise Licences.
	Amends	23 & 24 Vict. c. 27. „ „ c. 107.	Refreshment Houses and Wine Licences.
	Explains and amends	„ „ c. 113. „ „ c. 114.	Sale of Beer and Spirits.
	Amends	1 Will. 4. c. 64. 4 & 5 Will. 4. c. 85. 3 & 4 Vict. c. 61.	Licences for Sale of Beer.
	Explains	19 & 20 Vict. c. 82. 16 & 17 Vict. c. 88. 23 & 24 Vict. c. 90.	Duty on Racehorses. Duty on Horses let to Hire. Licences to deal in Game.
	Amends	20 & 21 Vict. c. 40. 18 & 19 Vict. c. 62. 1 & 2 Will. 4. c. 55. 9 & 10 Vict. c. 90. 19 & 20 Vict. c. 34.	Illicit Distillation (Ireland). Beer Licences (Ireland). Excise Duties.
	Applies	The Stamp Acts.	
	Partly repeals	23 & 24 Vict. c. 111. 13 & 14 Vict. c. 97.	Stamps.
	Extends	5 & 6 Vict. c. 80. 16 & 17 Vict. c. 34.	Income Tax.
	Amends	6 Geo. 4. c. 32.	Land Tax.
XCII.	Amends	16 & 17 Vict. c. 71.	Succession Duty.
	Extends	22 & 23 Vict. c. 21.	Court of Exchequer Practice.
XCIII.	Extends	9 & 10 Vict. c. 92.	Audit of Public Accounts.
XCV.	Repeals	Acts and Parts of Acts specified in Schedule	Criminal Law, England and Ireland.
XCVI.	Applies	11 & 12 Vict. c. 43. 14 & 15 Vict. c. 93.	Summary Convictions, Procedure. Same (Ireland).
XCVII.	Applies	Same Acts.	
XCIX.	Applies	Same Acts.	
C.	Applies	Same Acts. 23 & 24 Vict. c. 139.	Gunpowder and Fireworks.

Effect of the Year's Legislation, 24 & 25 Vict.—*continued.*

24 & 25 Vict. Cap.	Effect.	Act affected.	Subject of Act affected.
CI.	Repeals	Acts and Parts of Acts specified in Schedule*	Various.
CII.	Amends	23 & 24 Vict. c. 152.	Tramways (Ireland).
CV.	Applies	5 & 6 Vict. c. 27. " " c. 108 21 & 22 Vict. c. 57.	Leases of Ecclesiastical Property.
		23 & 24 Vict. c. 104.	Maynooth College.
CVII.	Amends Repeals	43 Geo. 3. c. 54. 1 & 2 Vict. c. 87. 20 & 21 Vict. c. 59.	Parochial Schools (Scotland).
CVIII.	Repeals prospectively†	22 Vict. c. 28.	Naval Medical Supplemental Fund Society.
CIX.	Repeals	Acts and Parts of Acts specified in Schedule	Salmon Fisheries (England and Wales).
CX.	Applies	17 & 18 Vict. c. 104. s. 418. 11 & 12 Vict. c. 43.	Merchant Shipping Act. Summary Convictions, Procedure.
CXI.	Amends	20 & 21 Vict. c. 79.	Probate and Administrations (Ireland).
CXII.	Amends and applies	2 & 3 Will. 4. c. 45.	Reform Act (England).
CXIII.	Applies	11 & 12 Vict. c. 43. 17 & 18 Vict. c. 86.	Summary Convictions, Procedure. Reformatory Schools.
	Repeals	20 & 21 Vict. c. 48. 23 & 24 Vict. c. 108.	Industrial Schools.
CXV.	Repeals	23 & 24 Vict. c. 123.	Naval Discipline.
CXVII.	Extends	3 & 4 Will. 4. c. 103. 7 & 8 Vict. c. 15. 10 & 11 Vict. c. 29. 13 & 14 Vict. c. 54. 16 & 17 Vict. c. 104. 19 & 20 Vict. c. 83.	Regulation of Labour in Factories.
CXVIII.	Applies‡	5 & 6 Will. 4. c. 64.	Stamp Duties.
CXXII.	Continues§	17 & 18 Vict. c. 102., as amended by 21 & 22 Vict. c. 87.	Bribery at Elections.
CXXIII.	Amends	21 & 22 Vict. c. 72.	Landed Estates Court (Ireland).
CXXIV.	Amends	10 Geo. 4. c. 44.	Metropolitan Police.
CXXVI.	Extends	3 Geo. 4. c. 126. 4 Geo. 4. c. 49. Mutiny Acts, Army.‖	Turnpike Roads.

* The Schedule contains a great Number of Acts and Parts of Acts, commencing with 11 Geo. 3. c. 32., and ending with 16 & 17 Vict. c. 125. They are stated in the Preamble to be "Acts and Parts of Acts which have ceased to be of force otherwise than by express and specific Repeal," and they are repealed with a view to the Purgation of the Statute Book from obsolete Law.

† That is, so soon as the Purposes of this Act shall have been carried into execution, § 11.

‡ *viz.*, the Provision in s. 4. with respect to Composition for Stamp Duties, &c.

§ Until September 1, 1860, and End of next Session of Parliament.

‖ So far as relates to Exemption from Tolls.

Effect of the Year's Legislation, 24 & 25 Vict.—*continued.*

24 & 25 Vict.	Effect.	Act affected.	Subject of Act affected.
Cap. CXXX.	Amends	23 & 24 Vict. c. 139.	Gunpowder and Fireworks.
CXXXI.	Continues*	14 & 15 Vict. c. 109., as amended by 17 & 18 Vict. c. 116.	Episcopal and Capitular Estates.
CXXXII.	Applies	8 & 9 Vict. c. 83.	Relief of the Poor (Scotland).
		17 & 18 Vict. c. 86.	Reformation of Youthful Offenders.
	Repeals	17 & 18 Vict. c. 74.	Industrial Schools (Scotland).
		19 & 20 Vict. c. 28.	
CXXXIII.	Applies	11 & 12 Vict. c. 43.	Procedure before Justices out of Sessions.
CXXXIV.	Repeals	Acts and Parts of Acts specified in Schedule	Bankruptcy and Insolvency.
	Applies	1 & 2 Vict. c. 110.	Arrest on Mesne Process, &c.
		8 & 9 Vict. c. 113.	Documentary Evidence.
		„ „ c. 127.	Small Debts.
		9 & 10 Vict. c. 95.	County Courts.
		11 & 12 Vict. c. 42.	Procedure before Justices out of Sessions.
		12 & 13 Vict. c. 106.	Bankrupt Law Consolidation.
		17 & 18 Vict. c. 34.	Attendance of Witnesses out of Jurisdiction.
		„ „ c. 83.	Stamp Duties.
		„ „ c. 125.	Common Law Procedure.
		23 & 24 Vict. c. 38.	Law of Property.

* Until January 1, 1863, and End of next Session of Parliament.

TABLE II.

CHRONOLOGICAL.

[For Details, see TABLE I.]

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			24 & 25 Vict. Cap.
2 Hen. 4. c. 11. - -	A Remedy for him who is wrongfully pursued in the Court of Admiralty.	Repealed - -	X.
27 Eliz. c. 17. - -	Borough of Westminster - -	Partly repealed -	LXXVIII.
5 & 6 Will. & Mary, c. 10.	Relief of Creditors of City of London.	Continued and amended.	XLII.
5 & 6 Will. & Mary, c. 20.	Supply - - - -	Amended.	III.
7 Geo. 1. c. 5. - -	South Sea Company - -	Amended -	III.
9 Geo. 2. c. 36. - -	Lands conveyed to Charitable Uses	Amended - -	IX.
29 Geo. 2. c. 25. - -	Borough of Westminster - -	Partly repealed -	LXXVIII.
31 Geo. 2. c. 17. - -	Borough of Westminster - -	Partly repealed -	LXXVIII.
5 Geo. 3. c. xx. (Local) -	Infirmary for County of Cork -	Amended - -	XXIX.
9 Geo. 3. c. 16. - -	Quieting Titles against the Crown -	Amended - -	LXII.
23 Geo. 3. c. 52. - -	East India Company's Service -	Amended and partly repealed.	LIV.
33 Geo. 3. c. 52. - -	Council of Governor General of India.	Applied - -	LXVII.
43 Geo. 3. c. 54. - -	Parochial Schools (Scotland) -	Amended - -	CVII.
48 Geo. 3. c. 4. - -	Bank of England, Regulation -	Repealed - -	III.
53 Geo. 3. c. 113. - -	Relief of Poor Prisoners - -	Repealed - -	XII.
55 Geo. 3. c. 160. - -	Navy, Encouragement of - -	Amended - -	X.
56 Geo. 3. c. 60. - -	Unclaimed Dividends - -	Extended - -	III.
56 Geo. 3. c. 97. - -	Bank of England, Regulation -	Repealed - -	III.
57 Geo. 3. c. 64. - -	Public Offices in Scotland - -	Amended - -	LXXXI.
3 Geo. 4. c. 62. - -	General Register House, Edinburgh	Amended - -	LXXXI.
3 Geo. 4. c. 126. - -	Turnpike Roads - - -	Extended - -	CXXVI.
4 Geo. 4. c. 49. - -	Turnpike Roads - - -	Extended - -	CXXVI.
4 Geo. 4. c. 71. - -	Military Forces in East Indies -	Amended - -	LXXXIX.
6 Geo. 4. c. 32. - -	Land Tax - - - -	Amended - -	XCI.
6 Geo. 4. c. 81. - -	Excise Licences - - -	Applied - -	XCI.
9 Geo. 4. c. 85. - -	Lands conveyed to Charitable Uses	Saved - -	IX.
9 Geo. 4. Sess. 2. c. 61. -	Licensing of Public Houses -	Explained -	LXXV.
10 Geo. 4. c. 44. - -	Metropolitan Police - -	Amended - -	CXXIV.
10 Geo. 4. c. 50. - -	Woods, Forests, Land Revenues, &c.	Extended - -	XL.
1 Will. 4. c. 64. - -	Licences for Sale of Beer - -	Amended - -	XCI.
1 Will. 4. c. 69. - -	Jury Trials (Scotland) - -	Partly repealed -	LXXXVI.
1 & 2 Will. 4. c 43. -	Turnpike Roads (Scotland) -	Applied - -	LXIX.
1 & 2 Will. 4. c. 55. -	Excise Duties - - -	Amended - -	XCI.
1 & 2 Will. 4. c. 76. -	Coal Duties - - -	Continued and amended.	XLII.
2 & 3 Will. 4. c. 45. -	Reform Act (England) - -	Amended and applied.	CXII.
2 & 3 Will. 4. c. 65. -	Reform Act (Scotland) - -	Amended - -	LXXXIV.
3 & 4 Will. 4. c. 85. -	Government of East Indies -	Amended and partly repealed.	LXVII.
3 & 4 Will. 4. c. 103. -	Labour in Factories - -	Extended -	CXVII.
4 & 5 Will. 4. c. 85. -	Licences for Sale of Beer - -	Amended - -	XCI.
5 & 6 Will. 4. c. 64. -	Stamps and Assessed Taxes -	Applied - -	XXV. and CXVIII.
5 & 6 Will. 4. c. 76. -	Municipal Corporations - -	Amended - -	LXXV.
6 & 7 Will. 4. c. 41. -	Commissary Court (Edinburgh) -	Partly repealed -	LXXXVI.
6 & 7 Will. 4. c. 116. -	County Surveyors (Ireland) -	Amended - -	LXIII.
1 Vict. c. 29. - -	Enlistment of Foreigners in the Army	Extended - -	LXXIV.

Effect of the Year's Legislation, 24 & 25 Vict.—*continued.*

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			24 & 25 Vict. Cap.
1 & 2 Vict. c. 42.	Forest of Dean (confirming Leases)	Extended	XL.
1 & 2 Vict. c. 43.	Forest of Dean	Amended	XL.
1 & 2 Vict. c. 55.	Settlement of Debts of City of Edinburgh.	Amended	XC.
1 & 2 Vict. c. 87.	Parochial Schools (Scotland)	Amended	CVII.
1 & 2 Vict. c. 101.	Coal Duties	Continued and amended.	XLII.
1 & 2 Vict. c. 110.	Arrest on Mesne Process	Applied	CXXXIV.
2 & 3 Vict. c. 114.	Spirit Duties	Saved	XXI.
3 & 4 Vict. c. 29.	Vaccination	Amended	LIX.
3 Vict. c. 47.	Metropolitan Police	Applied	LXXVIII.
3 & 4 Vict. c. 61.	Licences for Sale of Beer	Amended	XCI.
3 & 4 Vict. c. 65.	Admiralty Court Jurisdiction	Extended	X.
4 & 5 Vict. c. 30.	Survey of Great Britain	Continued	LXV.
4 & 5 Vict. c. 32.	Vaccination	Amended	LIX.
5 & 6 Vict. c. 22.	Regulation of Queen's Bench and other Prisons.	Partly repealed	XII.
5 & 6 Vict. c. 27.	Leases of Ecclesiastical Property	Applied	CV.
5 & 6 Vict. c. 50.	Copyright of Design	Amended	LXXIII.
5 & 6 Vict. c. 76.	Government of New South Wales	Explained and amended.	XLIV.
5 & 6 Vict. c. 80.	Income Tax	Extended	XCI.
5 & 6 Vict. c. 108.	Leases of Ecclesiastical Property	Applied	CV.
5 & 6 Vict. c. 123.	Lunatic Asylums (Ireland)	Continued	LVII.
6 & 7 Vict. c. 44.	Public Works (Ireland)	Amended	LXXI.
7 & 8 Vict. c. 15.	Labour in Factories	Extended	CXVII.
7 & 8 Vict. c. 32.	Bank Charter	Amended	III.
7 & 8 Vict. c. 105.	Quieting Titles against Duchy of Cornwall.	Amended	LXII.
8 & 9 Vict. c. 41.	Statute Labour Roads (Scotland)	Applied	LXIX.
8 & 9 Vict. c. 83.	Relief of the Poor (Scotland)	Amended and applied.	XVIII. and CXXXII.
8 & 9 Vict. c. 101.	Coal Duties	Continued and amended.	XLII.
8 & 9 Vict. c. 113.	Documentary Evidence	Applied	CXXXIV.
8 & 9 Vict. c. 117.	Removal of Irish Poor	Amended	LXXVI.
8 & 9 Vict. c. 127.	Small Debts	Applied	CXXXIV.
9 & 10 Vict. c. 66.	Relief and Removal of Paupers	Amended	LV.
9 & 10 Vict. c. 90.	Excise Duties	Amended	XCI.
9 & 10 Vict. c. 92.	Audit of Public Accounts	Extended	XCIII.
9 & 10 Vict. c. 95.	County Courts	Applied	CXXXIV.
10 & 11 Vict. c. 29.	Labour in Factories	Extended	CXVII.
10 & 11 Vict. c. 32.	Improvement of Land (Ireland)	Amended	LXXI.
10 & 11 Vict. c. 37.	Limiting Service in the Army	Applied	LXXIV.
11 & 12 Vict. c. 32.	County Cess (Ireland)	Continued	LVIII.
11 & 12 Vict. c. 42.	Procedure before Justices out of Sessions.	Applied	CXXXIV.
11 & 12 Vict. c. 43.	Summary Convictions, Procedure	Applied	XCVI., XCVII., XCIX., C., CX., CXIV., and CXXXIII.
11 & 12 Vict. c. 63.	Public Health	Amended	LXI.
12 & 13 Vict. c. 60.	Relief of Distress (Ireland)	Amended	LXXI.
12 & 13 Vict. c. 97.	Dublin Improvement	Amended	XXVI.
12 & 13 Vict. c. 106.	Bankrupt Law Consolidation	Applied	CXXXIV.
13 & 14 Vict. c. 31.	Improvement of Landed Property in Ireland.	Extended	XXXIV.
13 & 14 Vict. c. 54.	Labour in Factories	Extended	CXVII.
13 & 14 Vict. c. 69.	Elections (Ireland)	Amended	LX.
13 & 14 Vict. c. 97.	Stamps	Extended	XCI.
14 & 15 Vict. c. 26.	Herring Fisheries (Scotland)	Amended	LXXII.
14 & 15 Vict. c. 49.	Preliminary Inquiries	Applied	XLV.

Effect of the Year's Legislation, 24 & 25 Vict.—*continued.*

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			24 & 25 Vict. Cap.
14 & 15 Vict. c. 93. -	Summary Convictions, Procedure (Ireland).	Applied - -	XCVI., XCVII., XCIX., and C.
14 & 15 Vict. c. 109. -	Episcopal and Capitular Estates -	Continued -	CXXXI.
14 & 15 Vict. c. 146. -	Coal Duties - - -	Continued and amended.	XLII.
15 Vict. c. 38. - -	Turnpike Trusts - - -	Amended - -	XLVI.
15 & 16 Vict. c. 72. -	New Zealand - - -	Amended - -	XXX.
16 & 17 Vict. c. 34. -	Income Tax - - -	Extended - -	XCI.
16 & 17 Vict. c. 71. -	Succession Duty - - -	Amended - -	XCII.
16 & 17 Vict. c. 88. -	Duty on Horses let to Hire -	Explained -	XCI.
16 & 17 Vict. c. 95. -	Government of East Indies -	Amended and partly repealed.	LXVII.
16 & 17 Vict. c. 97. -	Relief and Removal of Paupers -	Amended - -	LV.
16 & 17 Vict. c. 100. -	Vaccination - - -	Amended - -	LIX.
16 & 17 Vict. c. 104. -	Labour in Factories - -	Extended - -	CXVII.
16 & 17 Vict. c. 113. -	Common Law Procedure (Ireland)	Amended and applied.	XLIII.
16 & 17 Vict. c. 136. -	Grand Juries (Ireland) - -	Amended - -	LXXI.
17 & 18 Vict. c. 20. -	Manchester Stipendiary - -	Saved - -	LXXV.
17 & 18 Vict. c. 34. -	Attendance of Witnesses out of Jurisdiction.	Applied - -	CXXXIV.
17 & 18 Vict. c. 74. -	Industrial Schools (Scotland) -	Repealed - -	CXXXII.
17 & 18 Vict. c. 83. -	Stamp Duties - - - -	Applied - -	CXXXIV.
17 & 18 Vict. c. 86. -	Reformatory Schools - - -	Applied - -	CXIV. and CXXXII.
17 & 18 Vict. c. 91. -	Valuation of Lands (Scotland) -	Amended - -	LXXXIV.
17 & 18 Vict. c. 102. -	Bribery at Elections - - -	Continued -	CXXII.
17 & 18 Vict. c. 104. -	Merchant Shipping - - -	Partly applied -	X. and CX.
17 & 18 Vict. c. 116. -	Episcopal and Capitular Estates -	Continued -	CXXXI.
17 & 18 Vict. c. 125. -	Common Law Procedure - -	Applied - -	CXXXIV.
18 & 19 Vict. c. 38. -	Excise - - - - - -	Amended - -	XCI.
18 & 19 Vict. c. 54. -	Government of New South Wales -	Explained and amended.	XLIV.
18 & 19 Vict. c. 62. -	Beer Licences (Ireland) - -	Amended - -	XCI.
18 & 19 Vict. c. 119. -	Passengers Act - - - -	Amended - -	LII.
18 & 19 Vict. c. 122. -	Metropolitan Buildings - -	Amended - -	LXXXVII.
19 & 20 Vict. c. 28. -	Industrial Schools (Scotland) -	Repealed - -	CXXXII.
19 & 20 Vict. c. 34. -	Excise Duties - - - -	Amended - -	XCI.
19 & 20 Vict. c. 61. -	Survey of Great Britain - -	Continued -	LXV.
19 & 20 Vict. c. 82. -	Duty on Racehorses - - -	Explained -	XCI.
19 & 20 Vict. c. 83. -	Labour in Factories - - -	Extended - -	CXVII.
19 & 20 Vict. c. 102. -	Common Law Procedure (Ireland)	Amended and applied.	XLIII.
20 & 21 Vict. c. 7. -	County Cess (Ireland) - - -	Continued -	LVIII.
20 & 21 Vict. c. 40. -	Illicit Distillation (Ireland) - -	Amended - -	XCI.
20 & 21 Vict. c. 48. -	Industrial Schools - - -	Repealed - -	CXIV.
20 & 21 Vict. c. 53. -	New Zealand - - - -	Amended - -	XXX.
20 & 21 Vict. c. 59. -	Parochial Schools (Scotland) -	Repealed - -	CVII.
20 & 21 Vict. c. 68. -	Dublin Revising Barristers - -	Amended - -	LVI.
20 & 21 Vict. c. 73. -	Smoke Nuisance Abatement (Scotland).	Amended - -	XVII.
20 & 21 Vict. c. 79. -	Probate and Administrations (Ireland).	Amended - -	CXI.
20 & 21 Vict. c. lxxxix. (Local.)	Coal Duties (London, &c.) Drawback Act, 1861.	Applied - -	XLII.
21 & 22 Vict. c. 57. -	Leases of Ecclesiastical Property -	Applied - -	CV.
21 & 22 Vict. c. 72. -	Landed Estates Court (Ireland) -	Amended - -	CXXIII.
21 & 22 Vict. c. 83. -	Universities (Scotland) - -	Amended - -	XC.
21 & 22 Vict. c. 87. -	Bribery at Elections - - -	Continued -	CXXII.
21 & 22 Vict. c. 104. -	Local Government - - . -	Amended - -	LXI.
22 Vict. c. 28. - -	Naval Medical Supplemental Fund Society.	Prospectively repealed.	CVIII.

Effect of the Year's Legislation, 24 & 25 Vict.—*continued.*

Act affected.	Subject of Act affected.	How affected.	24 & 25 Vict. Cap.
22 & 23 Vict. c. 19. -	Public Offices Extension - -	Extended - -	XXXIII. and LXXXVIII.
22 & 23 Vict. c. 21. -	Practice of Court of Exchequer -	Extended - -	XCII.
22 & 23 Vict. c. 29. -	Tolls on Fishing Vessels - -	Explained -	XLVII.
22 & 23 Vict. c. 56. -	Weights and Measures - - -	Extended - -	LXXV.
22 & 23 Vict. c. 66. -	Measures used in Sale of Gas -	Amended - -	LXXIX.
23 Vict. c. 19. - -	Improvement of Landed Property in Ireland.	Extended - -	XXXIV.
23 & 24 Vict. c. 27. -	Refreshment Houses and Wine Licences.	Amended - -	XCI.
23 & 24 Vict. c. 38. -	Law of Property - - - -	Applied - -	CXXXIV.
23 & 24 Vict. c. 50. -	Edinburgh Annuity Tax - -	Explained -	XXVII.
23 & 24 Vict. c. 53. -	Quieting Titles against Duchy of Cornwall.	Amended - -	LXII.
23 & 24 Vict. c. 87. -	Council of Governor General of India.	Repealed - -	LXVII.
23 & 24 Vict. c. 90. -	Licences to deal in Game - -	Explained -	XCI.
23 & 24 Vict. c. 92. -	Herring Fisheries (Scotland) -	Amended - -	LXXII.
23 & 24 Vict. c. 104. -	Maynooth College - - -	Applied - -	CV.
23 & 24 Vict. c. 107. -	Refreshment Houses and Wine Licences.	Amended - -	XCI.
23 & 24 Vict. c. 108. -	Industrial Schools - - -	Repealed - -	CXIV.
23 & 24 Vict. c. 111. -	Stamps - - - - -	Partly repealed	XCI.
23 & 24 Vict. c. 113. - } 23 & 24 Vict. c. 114. - }	Sale of Beer and Spirits - -	Explained and amended.	XCI.
23 & 24 Vict. c. 123. -	Naval Discipline - - - -	Repealed - -	CXVII.
23 & 24 Vict. c. 135. -	Metropolitan Police Force. - -	Amended - -	LI.
23 & 24 Vict. c. 139. -	Gunpowder and Fireworks - -	Applied and amended.	C. and CXXX.
23 & 24 Vict. c. 146. -	Measures used in Sale of Gas -	Amended - -	LXXIX.
23 & 24 Viet. c. 152. -	Tramways (Ireland) - - -	Amended - -	CII.
23 & 24 Vict. c. 154. -	Landlord and Tenant (Ireland) -	Amended - -	XLVIII.

NOTE.

For the Acts and Parts of Acts repealed which relate to Bankruptcy and Insolvency, to the Criminal Law, to the Salmon Fisheries, and for those which are repealed as being obsolete, *see* the Schedules to Cap. CXXXIV., XCV., CIX., and CI. respectively.

THE

STATUTES at Large, &c.

Anno Regni VICTORIÆ, Britanniarum Reginæ, Vicesimo Quarto.

'AT the Parliament begun and holden at *Westminster*, the Thirty-first Day of *May*, *Anno Domini* 1859, in the Twenty-second Year of the Reign of our Sovereign Lady *Victoria*, by the Grace of God of the United Kingdom of *Great Britain* and *Ireland* Queen, Defender of the Faith: And from thence continued by several Prorogations to the Fifth Day of *February* 1861; being the Third Session of the Eighteenth Parliament of the United Kingdom of *Great Britain* and *Ireland*.'

CAP. I.

An Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for *England* and *Wales*. [22d *March* 1861.]

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The Acts for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and have in their Sixteenth Annual General Report certified their Opinion that such Inclosures would be expedient; but the same cannot be proceeded with without the previous Authority of Parliament:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Inclosures may be proceeded with.

1. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Short Title.

2. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use either the Expression "The Annual Inclosure Act, 1861," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Brightwalton	Berks	7th June 1860.
Amberley Manor	Sussex	17th May 1860.
Cannock	Stafford	17th May 1860.
Newland Marsh Shore Land	Southampton	17th May 1860.
Crofton Marsh Shore Land	Southampton	17th May 1860.
Hasgill Fell	York	24th November 1859.
Bovey Tracey	Devon	7th June 1860.
Felsted	Essex	17th May 1860.
Arley	Warwick	17th May 1860.
Stoborough Heath	Dorset	7th September 1860.
Bitton (including Hanham Common)	Gloucester	2d June 1859.
Glassonby	Cumberland	7th September 1860.
Renwick	Cumberland	7th September 1860.
Marlingford Common	Norfolk	17th May 1860.
Ribbleton Moor	Lancaster	13th October 1860.
Eldersfield	Worcester	7th September 1860.
Winterbourne Steepleton	Dorset	20th December 1860.

Inclosure. *Consolidated Fund* (£4,000,000). *Bank of England Payments.*

Inclosure.	County.	Date of Provisional Order.
Powerstock - - - -	Dorset - - -	20th December 1860.
Batcombe - - - -	Dorset - - -	20th December 1860.
Easton Common Fields - - -	Southampton - -	20th December 1860.
Lillingston Dayrell and Passenham -	Bucks and Northampton -	3d January 1861.
Carlton in Craven - - - -	York - - -	7th September 1860.
Longdon - - - - -	Worcester - - -	6th December 1860.
Brookthrop, Harescombe, Harefield, Whaddon, Quedgley, Tuffleigh, Matson, Upton Saint Leonards, and Hempstead - - - -	Gloucester - - -	17th May 1860.

CAP. II.

An Act to apply the Sum of Four Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty-one. [22d *March* 1861.]

CAP. III.

An Act to make further Provision respecting certain Payments to and from the Bank of *England*, and to increase the Facilities for the Transfer of Stocks and Annuities, and for other Purposes. [22d *March* 1861.]

'WHEREAS it is expedient that the Rates of Allowance granted to the Governor and Company of 'the Bank of *England* for their Charges in the Management of the National Debt should be 'altered, and that new Regulations should be made for limiting the Balances in the Hands of the said 'Governor and Company of Sums issued for the Payment of Dividends:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

From 5th April 1861 the Acts 48 G. 3. c. 4. and 56 G. 3. c. 97. repealed.

1. From and after the Fifth Day of *April* One thousand eight hundred and sixty-one there shall be repealed the following Acts; (that is to say,)

(1.) An Act passed in the Forty-eighth Year of the Reign of His late Majesty *George* the Third, intituled *An Act to authorize the advancing for the Public Service upon certain Conditions a Proportion of the Balance remaining in the Bank of* England *for Payment of unclaimed Dividends, Annuities, and Lottery Prizes, and for regulating the Allowances to be paid for the Management of the National Debt:*

(2.) An Act passed in the Fifty-sixth Year of the Reign of His late Majesty *George* the Third, and intituled *An Act to authorize the advancing for the Public Service a Proportion of the Balance that shall remain from Time to Time in the Bank of* England *for the Payment of Dividends on account of the Public Debt for Lottery Prizes or Benefits not claimed, and Principals of Stocks and Annuities remaining unclaimed:*

Provided that such Repeal shall not affect the Payment to the said Governor and Company of all Charges of Management of the existing Capital of the Unredeemed Public Debt for the Year ending the Fifth Day of *April* One thousand eight hundred and sixty-one in the same Manner as if this Act had not passed.

As to future Payment to the Bank for Management of the Public Debt.

2. There shall be paid to the Governor and Company of the Bank of *England* on some Day between the Sixth Day of *April* and the Fifth Day of *July* One thousand eight hundred and sixty-two, out of the Consolidated Fund of the United Kingdom, or the growing Produce thereof, for their Charges in the Management of the Unredeemed Public Debt for the Year ending on the Fifth Day of *April* One thousand eight hundred and sixty-two, and in like Manner on some Day between the Fifth Day of *April* and Fifth Day of *July* in every succeeding Year for the Management of the Debt during the preceding Year ending with the Fifth Day of *April* in each Year until the Fifth Day of *April* One thousand eight hundred and eighty-six, and thenceforth in any and every succeeding Year until Parliament shall otherwise direct, Remuneration at the Rates following; that is to say,

1st. While the whole of such Unredeemed Debt, computed as herein-after mentioned, exceeds Three hundred million Pounds, and does not amount to Four hundred million Pounds, a Sum at the Rate of Four hundred and fifty Pounds *per Annum* for each Million of the Capital:

2d. While the whole of such Unredeemed Debt amounts to Four hundred million Pounds, and does not exceed Six hundred Millions, a Sum at the Rate of Three hundred Pounds *per Annum* for each Million of the Capital:

3d. While

3d. While the whole of such Unredeemed Debt exceeds Six hundred million Pounds, a Sum at the Rate of Three hundred Pounds *per Annum* for each Million of the Capital up to Six hundred million Pounds, and a Sum at the Rate of One hundred and fifty Pounds *per Annum* for each Million of the Capital in excess thereof:

Provided always, that in estimating the Amount of Unredeemed Debt for the Purposes of this Act Annuities for Terms of Years shall be taken into account, and shall for the Purpose of making a nominal Capital be valued at Fifteen Years Purchase, if originally granted for a Term exceeding Fifty Years, and at Ten Years Purchase if granted for a Term of Fifty Years or under.

Certain Charges for Management to cease after 5th April 1860.

3. After the said Fifth Day of *April* One thousand eight hundred and sixty-one there shall cease to be paid to the Governor and Company the following Sums; that is to say,

(1.) The Sum of Four thousand Pounds, Part of the Annuity of One hundred thousand Pounds payable to the said Governor and Company in pursuance of the Act of the Session of the Fifth and Sixth Years of *William* and *Mary*, Chapter Twenty, and subsequent Acts:

(2.) The annual Sum of One thousand five hundred and seventy-nine Pounds Eight Shillings and Fourpence payable to the said Governor and Company in respect of the Management of the Portion of the Capital Stock purchased of the *South Sea* Company, under the Provisions of an Act passed in the Seventh Year of His Majesty King *George* the First, Chapter Five.

So much of 7 & 8 Vict. c. 32. as requires the Bank to deduct certain Sums from Charges for Management repealed, and other Provisions made.

4. So much of the Act of the Session of the Seventh and Eighth Years of Her present Majesty as requires that the Governor and Company of the Bank of *England* shall deduct certain Sums payable by them from the Sums payable to them for the Charges of Management of the Public Unredeemed Debt is hereby repealed, and it is enacted, that the Sum of Sixty thousand Pounds payable by them under the said Act in consideration of the Exemption from Stamp Duties shall be paid on some Day between the Sixth Day of *April* and the Fifth Day of *July* One thousand eight hundred and sixty-two, and within the like Period in every succeeding Year, to the Commissioners of Inland Revenue, and the whole Allowance out of Profits of Issue, being at this Time One hundred and twenty-eight thousand and seventy-eight Pounds, constituting the Residue of the Monies payable by them under the said Act, shall be paid within the like Period to the Account of the Comptroller of the Exchequer at the Bank of *England*, to be carried to and form Part of the Consolidated Fund of the United Kingdom.

Regulation as to Balances on the Dividend Account at the Bank.

5. Whenever the Balances in the Hands of the Governor and Company of the Bank of *England* of Sums issued for the Payment of Dividends and Terminable Annuities on account of the National Debt due and not demanded are reduced to a less Sum than One hundred thousand Pounds, the said Governor and Company shall certify the Amount of Deficiency to the Commissioners of the Treasury, and the Commissioners shall as often as they may judge expedient direct the Issue out of the Consolidated Fund of a Sum not exceeding the Amount required to raise the said Balances to the Sum of One hundred thousand Pounds, and within Thirty Days after the Expiration of every Quarter an Account shall be taken of the lowest Amount of the Balances in the Hands of the said Governor and Company on the same Account; and it shall be lawful for the Commissioners of the Treasury, if they think fit, to require the said Governor and Company of the Bank of *England* to repay to the Account of the Comptroller of the Exchequer opened in the Books of the said Bank any Sum by which the said Balances may exceed One hundred thousand Pounds.

Commissioners to transmit Amount of Unredeemed Debt on 5th April 1861.

Allowance for Management to be computed on such Amount.

6. The Commissioners for the Reduction of the National Debt shall transmit to the Commissioners of the Treasury, as soon after the Fifth Day of *April* One thousand eight hundred and sixty-one as conveniently may be, a Statement of the total Capital of the Unredeemed Debt as it stands on the said Fifth Day of *April* One thousand eight hundred and sixty-one; and the Allowance for the Management of the Unredeemed Public Debt for the Year ending the Fifth Day of *April* One thousand eight hundred and sixty-two shall be computed on the said Capital, and shall be paid to the said Governor and Company out of the Consolidated Fund, or the growing Produce thereof, in One Sum, before the Fifth Day of *July* One thousand eight hundred and sixty-two, and the Allowance for Management shall be computed and paid in like Manner in every succeeding Year.

Increase of Facilities for the Transfer of Stocks and Annuities.

7. 'And whereas the said Governor and Company have heretofore closed the Books for Transfer of 'the various Capital Stocks and Annuities created by Parliament transferable at the Bank of *England*, 'forming Part of the Unredeemed Public Debt, for a certain Number of Days prior to the Days fixed 'for the Payment of the half-yearly Dividend thereon respectively, in order to their Convenience in 'calculating the Dividends due to the several Proprietors thereof, and preparing the Warrants for the 'same, and during the Period of such closing no Transfers have been permitted, except under Circum-'stances of special Necessity, and such Transfers have been attended with great Inconvenience, by 'reason of the Stock so transferred carrying the Right to the current Half Year's Dividend: And 'whereas it is desirable to increase the Facilities for the Transfer of such Stocks:' Be it enacted, That it shall be lawful for the said Governor and Company to close the Books for the Transfer of the said several Stocks and Annuities respectively on any Day in the Month preceding that in which the Dividends thereon respectively shall by Law be payable; and the Person or Persons who on the Day of the closing of such Books was or were inscribed as the Proprietor or Proprietors of any Share or Shares of and in such Stocks and Annuities respectively shall, as between him, her, or them, and the

Transferee or Transferees thereof, be the Person or Persons entitled to the then current Half Year's Dividend thereon; and the Person or Persons to whom any Transfer shall be made after the Day of the closing of such Books shall not be entitled to the then current Half Year's Dividend on such Stock, but shall take and accept the same exclusive of the Right to the said half-yearly Dividend; provided that the Period for which such Books of Transfer shall be closed shall not exceed Fifteen Days.

Extending Powers of 56 G. 3. c. 60. as to the Re-transfer of unclaimed Dividends Stock.

8. 'And whereas by an Act passed in the Fifty-sixth Year of the Reign of His Majesty King 'George the Third, intituled *An Act to authorize the transferring Stock upon which Dividends shall 'remain unclaimed for the Space of at least Ten Years at the Bank of* England, *and also all Lottery 'Prizes or Benefits, and Balances of Sums issued for paying the Principal of Stocks or Annuities, 'which shall not have been demanded for the same Period, to the Commissioners for the Reduction 'of the National Debt*, it is enacted, that it shall be lawful for the Governor or Deputy Governor of 'the Bank of *England* for the Time being to authorize and direct the Accountant General or Secretary 'of the said Governor and Company for the Time being to re-transfer any Capital Stock which shall 'have been transferred to the Commissioners for the Reduction of the National Debt under the 'Circumstances therein mentioned: And whereas it is expedient to extend the Authority in the said 'Act contained to the Deputy Accountant General and Deputy or Assistant Secretary for the Time 'being of the said Governor and Company:' Be it enacted, That all Transfers directed to be made under the Provisions in that Behalf contained in the said Act to and from the Account of the said Commissioners shall be as valid and effectual, if made by the Deputy Accountant General or the Deputy or Assistant Secretary of the said Governor and Company for the Time being, as if the same had been made by the Accountant General or Secretary of the said Governor and Company for the Time being.

Accounts to be laid before Parliament by the Bank.

9. The said Governor and Company shall, within Thirty Days after the Meeting of Parliament in every Year, cause an Account to be laid before Parliament of the Amount of the Balances of Sums issued for the Payment of Dividends due and not demanded, and which shall be and remain in their Hands on the Days respectively next before the Issue from the Exchequer of Money for the Payment of Dividends upon account of the National Debt for each of the Four preceding Quarters respectively.

Provision as to closing Books for Transfer of East India Stocks.

10. 'And whereas the said Governor and Company have also heretofore closed, in the Manner and 'for the Purposes herein-before mentioned, the Books for Transfer of certain Stocks created by the 'Secretary of State in Council of *India* under the Authority of certain Acts of Parliament empowering 'him in that Behalf, and it is desirable that the Provisions herein-before contained shall extend to the 'said last-mentioned Stocks likewise:' Be it enacted, That it shall be lawful for the said Governor and Company in like Manner to close the Books for the Transfer of the said Stocks so created by the Secretary of State in Council for *India* as aforesaid respectively, on any Day in the Month preceding that in which the Dividends thereon respectively shall by Law be due, and thereupon the Rights of the Transferor and Transferee respectively to such Dividends shall be the same as is herein-before provided respecting the Transferor and Transferee of Dividends of other Capital Stocks transferable at the Bank of *England* in the like Case; provided that the Period for which such Books of Transfer shall be closed shall not exceed Fifteen Days.

CAP. IV.

An Act for amending the *Red Sea* and *India* Telegraph Act, 1859. [22d *March* 1861.]

'WHEREAS in the Year One thousand eight hundred and fifty-eight a Joint Stock Company was 'incorporated, under the Joint Stock Companies Act, 1856, by the Name of "The *Red Sea* 'and *India* Telegraph Company, Limited," for the Purpose of establishing Telegraphic Communi- 'cation between *England* and *India* by the *Red Sea*: And whereas by an Indenture of Agreement 'dated the Eighteenth Day of *November* One thousand eight hundred and fifty-eight, and made 'between the Right Honourable *Edward Geoffrey* Earl of *Derby* and the Right Honourable *Benjamin 'D'Israeli*, Two of the Lords Commissioners of Her Majesty's Treasury of the one Part, and the said 'Company of the other Part, it was, amongst other things, provided as follows: "That the Lords '"Commissioners of Her Majesty's Treasury shall guarantee to the Company (subject to such '"Confirmation by Act of Parliament as herein-after mentioned) that during the Period of Fifty Years '"from the Fourth Day of *August* in the Year of our Lord One thousand eight hundred and fifty-eight '"the net Receipts available for Dividends upon each half-yearly Statement of Accounts, after Payment '"of Working Expenses, as herein-after mentioned, shall be equal to Interest or Dividend at the Rate '"of Four and a Half *per Centum per Annum* at the least upon the Amount of the Capital for the '"Time being *bonâ fide* called and paid up for the Purpose of the Company's Undertaking, not '"exceeding in any Case, except as herein-after mentioned, the Sum of Eight hundred thousand '"Pounds, and shall, if and so often as during the said Period of Fifty Years upon any half-yearly '"Statement of Accounts the net Receipts available for Dividend after the Payment of Working '"Expenses shall not be equal to Interest or Dividend at the Rate of Two and a Quarter *per Centum* '"for the Half Year upon the above-mentioned Amount of Capital, pay and make good such Deficiency '"to the Company; provided always, that in the Calculation of the Amount to which the Company

'"are

‘ “ are entitled upon this Guarantee all Capital paid up in the course of the current Half Year shall
‘ “ be taken to be entitled to Interest or Dividend at the above-mentioned Rate only from the Time
‘ “ when the same was so paid up ; provided also, that all Amounts paid by the Lords Commissioners
‘ “ under this Guarantee shall be a Charge upon the Company, to be repaid out of future surplus Profits, as
‘ “ herein-after provided :” And whereas the said Company was afterwards incorporated by the *Red*
‘ *Sea* and *India* Telegraph Act, 1859, and the said Indenture of Agreement was by the said Act
‘ confirmed : And whereas Doubts are entertained whether the said Agreement empowers the said
‘ Commissioners to give effect to such Guarantee, except during such Time as the Line of Telegraph
‘ of the Company is in Working Order : And whereas it is expedient that such Doubts should be
‘ removed :’ Be it enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

1. It is hereby declared, That the Guarantee contained in the said Agreement was not intended to be and is not conditional on the Line of Telegraph of the Company being in Working Order. **Construction of Agreement.**

2. This Act and the *Red Sea* and *India* Telegraph Act, 1859, shall be construed together as One Act. **Acts to be construed together.**

CAP. V.

An Act to amend the Law relating to Supply Exchequer Bills, and to charge the same on the Consolidated Fund. [18th *April* 1861.]

‘ WHEREAS it is expedient to amend the Acts now in force for regulating the issuing and paying
‘ off Exchequer Bills issued for the raising of any Money under the Authority of Parliament :’ Be it therefore enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same :

1. From and after the passing of this Act all Exchequer Bills which shall hereafter be made out under the Authority of any Act or Acts of Parliament shall be prepared and made out, at the Receipt of the Exchequer, in such Method and Form, with Coupons for the Interest becoming due from Time to Time thereon, as the Commissioners of Her Majesty’s Treasury shall think most safe and convenient, and may contain one common Sum or different Sums in the Principal Monies ; and every such Exchequer Bill shall be signed by the Comptroller General of Her Majesty’s Exchequer, or by the Assistant Comptroller, in his own Name : Provided always, that no such Exchequer Bill shall be signed by such Comptroller General or Assistant Comptroller, and put into circulation, until Notice of his Authority to sign Exchequer Bills under this Act shall be duly notified in the *London Gazette*. **Mode of preparing and issuing Exchequer Bills after passing of this Act.**

2. All Monies raised by such Exchequer Bills so to be prepared and made out, either of one common Sum or different Sums in the Principal Monies therein contained, shall be carried to and made Part of the Consolidated Fund of the United Kingdom ; and the Principal Monies contained therein, and all Interest due thereupon from Time to Time, shall be charged upon and paid out of the Consolidated Fund of the United Kingdom, or out of the growing Produce thereof. **Exchequer Bills to be charged on the Consolidated Fund.**

3. All Exchequer Bills prepared and made out under the Authority and Directions of this Act shall bear Date on such Days, and shall and may bear Interest at such Rate, as may from Time to Time be fixed by the Commissioners of the Treasury, not exceeding the Rate of Five Pounds and Ten Shillings *per Centum per Annum*, upon and in respect of the Monies respectively contained therein ; and such Interest shall be payable half-yearly at the Bank of *England* under such Regulations as shall be prescribed in that respect by the Commissioners of Her Majesty’s Treasury. **Rate of Interest on Exchequer Bills.**

4. The Commissioners of Her Majesty’s Treasury shall, on some Day not later than Fourteen Days prior to the Expiration of each Twelve Months from the respective Dates of such Exchequer Bills, during their legal Currency, give Notice in the “*London Gazette*” of the Day or Days on which, if claimed, Payment will be made to the Holders of such Bills of the Principal Monies therein contained ; and such Payment, if claimed, shall be made to such Holders at the Bank of *England* under such Regulations as the said Commissioners shall prescribe ; and if Payment of such Principal Monies shall not be so claimed, then the Exchequer Bills not so paid off shall continue to have legal Currency for the next following Twelve Months, and so on from Year to Year until such Principal Monies shall be claimed by and paid to such Holders, but such Holders shall have no Title to claim Payment of such Principal Monies at any Interval of Time between the Times fixed by such yearly Notices, except as provided in Section 5 of this Act. **Exchequer Bills to be advertised for Payment annually.**

5. At any Time in the last Six Months of every Year from the Day of the Date thereof in which Exchequer Bills shall have Currency by Law such Exchequer Bills shall and may be received and taken, and shall pass and be current for the Principal Monies contained therein, to all and every the Receivers and Collectors in the United Kingdom of the Customs, Excise, or any Revenue, Supply, Aid, or Tax whatsoever, already granted, due, or payable, or which shall or may hereafter be granted, due, or payable to Her Majesty, Her Heirs and Successors, and also at the Bank of *England* on account of the Exchequer, from the said Receivers or Collectors, or from any other Person or Persons, Bodies Politic or Corporate whatsoever, making any Payment there to Her Majesty, Her Heirs and Successors, for or upon **Exchequer Bills to be current for Duties payable to Her Majesty.**

upon any Account, Cause, or Occasion whatsoever, according to the Purport and true Meaning of this Act, and so on from Year to Year during the last Six Months of every Year in which such Exchequer Bills shall have Currency by Law, as provided in Section 4 of this Act, but such Exchequer Bills shall not be receivable for Duties granted to Her Majesty at any Time or Times except during such last Six Months of every such Year: Provided always, that all such Exchequer Bills as shall be tendered in Payment of Duties by virtue of this Act shall be transmitted by the Receivers thereof to the Comptroller General of Her Majesty's Exchequer for Examination; and no such Exchequer Bills shall be finally accepted in Payment of such Duties until they shall have been so examined and verified by the said Comptroller General.

Treasury may issue Bills in lieu of Bills paid off in Money, &c.

6. Whenever Payment of the Principal Monies of any Exchequer Bills shall be claimed and shall be paid to any Holder thereof, and whenever any Exchequer Bills shall be paid in for Duties granted to Her Majesty under the Authority of this Act, it shall be lawful for the Commissioners of Her Majesty's Treasury to order the Preparation and Issue of a like Amount of Exchequer Bills in place of the Exchequer Bills so paid off and so paid in for Duties.

Power to Treasury to issue new Exchequer Bills to replace former Exchequer Bills to any Amount not exceeding 13,230,000*l.*

7. 'And whereas under the Authority of an Act of the Twenty-third *Victoria*, Chapter Twenty, the 'Commissioners of Her Majesty's Treasury were empowered at any Time or Times to cause any 'Number of Exchequer Bills to be made out at the Receipt of the Exchequer at *Westminster* for 'any Sum or Sums of Money not exceeding in the whole the Sum of Thirteen million two hundred 'and thirty thousand Pounds: And whereas it is expedient to authorize the said Commissioners to 'cause the like Amount of Exchequer Bills to be prepared, made out, and issued under the Authority 'of this Act to replace the Exchequer Bills so authorized to be made out by the said recited Act:' Be it therefore enacted, That the said Commissioners shall have such Power and Authority accordingly: Provided always, that no Amount greater than the said Sum of Thirteen million two hundred and thirty thousand Pounds shall be at any Time in circulation without the express Authority of an Act of Parliament to be passed for that Purpose: Provided also, that all such Exchequer Bills shall be issued for any Term not exceeding Five Years, and shall be renewed from Time to Time for Periods not exceeding Five Years.

Interest on Exchequer Bills payable in part of Revenue to be paid.

8. The Interest which shall from Time to Time be due upon any Exchequer Bill or Bills which may be hereafter issued, and which shall be made payable in part of any Duties granted to Her Majesty, shall be allowed to all Persons, Bodies Politic and Corporate, paying the same to any Receiver or Collector, Receivers or Collectors, of any Duties granted to Her Majesty, to the respective Days upon which such Bill or Bills shall be so paid: Provided always, that all Interest upon or for any such Bill or Bills so paid into the Hands of any of the said Receivers or Collectors, or into the Bank of *England* on account of the Exchequer, shall cease on and from the Day of such Payment.

When such Bills are paid in, Parties to write their Names and the Date thereon.

9. And to the end it may be known for what Time such Bills bearing Interest shall from Time to Time remain in the Hands of such Receivers or Collectors, or in the Bank of *England* on account of the Exchequer as aforesaid, be it enacted, That the Person or Persons who shall pay any such Bill or Bills so bearing Interest to any Receivers or Collectors of any Duties granted to Her Majesty shall, at the Time of making such Payment, write upon each such Bill his, her, or their Name or Names, and in Words at Length the Day of the Month and Year in which he, she, or they so paid such Bill or Bills bearing Interest, all which the said Receivers and Collectors respectively, and also the proper Officers of the Bank of *England*, shall take care to see done and performed accordingly; to which respective Days the said Receivers and Collectors shall be allowed again the Interest which he or they shall have allowed or paid upon such respective Bill or Bills, upon his or their paying the same into the Bank of *England* on account of the Exchequer.

Treasury to direct Cheques, Indents, and Counterfoils.

10. All the said Exchequer Bills shall be prepared and made out with such Cheques, Indents, or Counterfoils as shall be directed by the Commissioners of the Treasury; and the Person or Persons appointed or who shall be appointed to pay off the said Bills shall from Time to Time have the Use and Custody of the Cheques, Indents, or Counterfoils from which the said Bills shall have been cut, to prevent his or their being imposed upon by counterfeit or forged Bills; and all the said Cheques, Indents, or Counterfoils shall be delivered back into the Receipt of the Exchequer when the said Bills shall have been paid off, cancelled, and discharged, and the Account thereof shall have been audited and allowed.

Two Counterfoils to be made.

11. Unless otherwise directed by the Commissioners of Her Majesty's Treasury, Two Counterfoils shall be made to every Exchequer Bill issued after the passing of this Act, and One of such Counterfoils shall not be delivered for the Use or into the Custody of any Paymaster of Exchequer Bills, unless by special Direction of the Commissioners of Her Majesty's Treasury, but shall remain in the Custody of the Comptroller General, subject to such Directions as shall be given by the said Commissioners from Time to Time for keeping or burning or otherwise destroying the same.

Exchequer Bills defaced to be exchanged for new ones.

12. In case any of the Exchequer Bills shall by any Accident be defaced it shall be lawful for the Commissioners of the Treasury from Time to Time to cause a new Bill or new Bills to be made out in lieu of the Bill or Bills which shall be so defaced, which Bill or Bills so defaced shall be cancelled, and such Bill or Bills so to be made out in lieu thereof shall have a like Currency, and shall in all respects be subject to the same Rules, Methods, and Continuance, as the Bill or Bills so defaced, and shall

shall bear the same Numbers, Dates, and Principal Sums, and carry the like Interest, as was borne and carried by the Bill or Bills so cancelled respectively.

Penalty for forging or counterfeiting Exchequer Bills.

13. If any Person or Persons shall forge or counterfeit any Exchequer Bill or Coupon for Interest, or any Indorsement or Writing thereupon or therein, or tender in Payment any such forged or counterfeited Bill, or any Exchequer Bill with such counterfeit Indorsement or Writing thereon, or shall demand to have such counterfeit Bill, or any Exchequer Bill with such counterfeit Indorsement or Writing thereupon or therein, exchanged for ready Money or for another Exchequer Bill, by any Person or Persons, Body or Bodies Politic or Corporate, who shall be obliged or required to exchange the same, or by any other Person or Persons whatsoever, knowing the Bill so tendered in Payment, or demanded to be exchanged, or the Indorsement or Writing thereupon or therein, to be forged or counterfeited, and with Intent to defraud Her Majesty, Her Heirs and Successors, or the Persons to be appointed to pay off the same, or any of them, or to pay any Interest thereupon, or the Person or Persons, Body or Bodies Politic or Corporate, who shall contract or circulate or exchange the same, or any of them, or any other Person or Persons, Body or Bodies Politic or Corporate, then every such Person or Persons so offending, being thereof lawfully convicted, shall be adjudged a Felon, and shall suffer accordingly.

Provision in case of Loss, &c. by Casualty or Mischance, of Exchequer Bills.

14. In case Proof shall be made on the Oath or Oaths of One or more credible Witness or Witnesses, before the Lord Chief Baron and other the Barons of the Coif of Her Majesty's Court of Exchequer, or any of them, that any Exchequer Bill has, by Casualty or Mischance, been lost, burnt, or otherwise destroyed, before the same shall have been paid off and discharged, and if by such Oath or Oaths the Numbers and Sums of such Bill or Bills shall be ascertained, and the said Chief Baron and other the said Barons, or any of them, before whom such Oath or Oaths shall be made, shall certify that he or they are satisfied with such Proof, then and in every such Case the Commissioners of the Treasury are hereby authorized to cause the Money due upon such Bill or Bills so lost, burnt, or destroyed to be paid in like Manner as if the original Bill or Bills were brought in to be paid off; provided that the Person or Persons so receiving the Money do give Security to the Queen, to the good liking of the Person or Persons appointed or who shall be appointed as aforesaid to pay off and take in the said Bills, to pay in to the Receipt of the Exchequer, for the Use of the Public, so much Money as shall be paid upon such Certificate or Certificates, if the Bill or Bills so certified to be lost, burnt, or destroyed shall be thereafter produced.

Fractions of a Penny for Interest not payable.

15. As often as any Interest upon any Exchequer Bill or Bills shall be demanded to be paid, the Persons charged with the Payment of the same shall not be obliged to pay for such Interest to any less Sum than One Penny upon such Bill, in case a single Bill be produced, or for the Total of the Interest of such Bills, where Two or more shall be offered at one Time by the same Person.

As to the Manufacture of Paper to be used for Exchequer Bills.

16. The Commissioners of Inland Revenue, or such Person or Persons as the Commissioners of Her Majesty's Treasury shall direct, shall cause to be provided such Instruments or Machinery as may be necessary for the making of Paper to be used as Exchequer Bills, and to receive the Impression of the Dies, Plates, or other Instruments which have been or shall be provided, made, or used by or under the Direction of the Comptroller General, or of the Commissioners of Her Majesty's Treasury, for the Purpose of distinguishing Exchequer Bills, which Paper shall have such Words, Figures, Marks, Lines, Threads, or other Devices appearing in the Substance of the same as the Comptroller General or the said Commissioners of Her Majesty's Treasury shall from Time to Time order; and it shall be lawful for the said Comptroller General or Commissioners of Her Majesty's Treasury from Time to Time, as he or they shall see fit, to alter any such Words, Letters, Figures, Marks, Lines, Threads, or other Devices, either by the Removal of any of them, and the Substitution of other Words, Letters, Figures, Marks, Lines, Threads, or other Devices, or by any Change in the Position or Arrangement thereof; and all such Instruments and Machinery shall be provided, and all such Paper shall be made, under such Regulations and by such Person or Persons as the said Commissioners of Inland Revenue, or other Person or Persons directed by the Commissioners of Her Majesty's Treasury, shall from Time to Time appoint or contract with for that Purpose; and all the said Instruments and Machinery shall be kept by such Officer or Officers or other Person as the said Commissioners of Inland Revenue, or other Person or Persons directed by the Commissioners of Her Majesty's Treasury, shall appoint; and all the Paper so made shall, as the same is required, be delivered over to the Comptroller General, or to such Officer or Warehouse Keeper as he shall direct to receive and take charge of the same.

As to present Contracts.

17. 'And whereas certain Quantities of Paper have been made and manufactured, under the Super-
'intendence of Officers of the Inland Revenue, by Directions of the Comptroller General and the Com-
'missioners of the Treasury, and have been supplied to the said Comptroller General, with certain Lines,
'Threads, or Devices appearing in the Substance of such Paper, according to the Samples thereof
'delivered to and kept in the Office of the Comptroller General:' Be it enacted, That all the Paper so made and supplied, or which hereafter shall be made or supplied, shall be subject to all the Enactments of this Act in the same Manner as if the same had been made and supplied under the Enactments herein contained.

Penalty on Persons manufacturing or using

18. Every Person who shall make, or cause or procure to be made, or shall aid or assist in making, or shall knowingly have in his Possession, not being legally authorized by the Commissioners of Inland Revenue

Paper, Plates, or Dies intended to imitate those used for Exchequer Bills.

Revenue or Commissioners of Her Majesty's Treasury, and without lawful Excuse (the Proof whereof shall lie on the Person accused), any Instrument having therein any Words, Letters, Figures, Marks, Lines, or Devices peculiar to and appearing in the Substance of any Paper provided or to be provided or used for Exchequer Bills, or any Machinery for working any Threads into the Substance of any Paper, or any such Thread, and intended to imitate such Words, Letters, Figures, Marks, Lines, Threads, or Devices, or any Plate peculiarly employed for printing Exchequer Bills, or any Die peculiarly used for preparing any such Plate, or for sealing such Exchequer Bills, or any Plate or Die intended to imitate such Plates or Dies respectively; and also every Person, except as before excepted, who shall make or cause or procure to be made, or aid or assist in making, any Paper in the Substance of which shall appear any Words, Letters, Figures, Marks, Lines, Threads, or other Devices peculiar to and appearing in the Substance of any Paper provided or to be provided or used for Exchequer Bills, or any Part of such Words, Letters, Figures, Marks, Lines, Threads, or other Devices, and intended to imitate the same; and also every Person, except as before excepted, who shall knowingly have in his Possession, without lawful Excuse (the Proof whereof shall lie on the Person accused), any Paper whatever, in the Substance whereof shall appear any such Words, Letters, Figures, Marks, Lines, Threads, or Devices as aforesaid, or any Part of such Words, Letters, Figures, Marks, Lines, Threads, or Devices, and intended to imitate the same; and also every Person, except as before excepted, who shall cause or assist in causing any such Words, Letters, Figures, Marks, Lines, Threads, or Devices as aforesaid, or any Part of such Words, Letters, Figures, Marks, Lines, Threads, or other Devices, and intended to imitate the same, to appear in the Substance of any Paper whatever, or who shall take or assist in taking any Impression of any such Plate or Die as aforesaid, shall be guilty of Felony.

Persons unlawfully having in possession Paper to be used as Exchequer Bills guilty of a Misdemeanor.

19. That every Person, not lawfully authorized, and without lawful Excuse (the Proof whereof shall lie on the Person accused), who shall purchase, or receive or take, and have in his Custody, any Paper manufactured and provided by or under the Directions of the Commissioners of Inland Revenue, or Commissioners of Her Majesty's Treasury, for the Purpose of being used as Exchequer Bills, before such Paper shall have been duly stamped, signed, and issued for public Use, or any such Plate or Die as aforesaid, shall for every such Offence be guilty of a Misdemeanor, and being convicted thereof shall, at the Discretion of the Court before whom he shall be tried, be imprisoned for any Period not more than Three Years nor less than Six Calendar Months.

Bank may advance 13,230,000*l.* on the Credit of Bills, notwithstanding 5 & 6 W. & M. c. 20.

20. It shall be lawful for the Governor and Company of the Bank of *England* to advance or lend to Her Majesty, upon the Credit of the Exchequer Bills to be made out in pursuance of this Act, any Sum or Sums of Money not exceeding in the whole the Sum of Thirteen million two hundred and thirty thousand Pounds; anything in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, Chapter Twenty, or in any subsequent Act, to the contrary thereof in anywise notwithstanding.

To apply only to Bills issued under this Act.

21. This Act shall apply to such Exchequer Bills only as shall be made out and issued under the Authority herein contained.

CAP. VI.

An Act to apply the Sum of Three Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty-one. [18th *April* 1861.]

CAP. VII.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. [18th *April* 1861.]

[*The Sections now printed are either entirely new or have been materially altered.*]

'WHEREAS the raising or keeping a Standing Army within the United Kingdom of *Great Britain* and *Ireland* in Time of Peace, unless it be with the Consent of Parliament, is against Law: 'And whereas it is adjudged necessary by Her Majesty and this present Parliament that a Body of 'Forces should be continued for the Safety of the United Kingdom, the Defence of the Possessions of 'Her Majesty's Crown, and the Preservation of the Balance of Power in *Europe*, and that the whole 'Number of such Forces should consist of One hundred and forty-six thousand and forty-four Men, 'exclusive of Six thousand six hundred and eighty-eight Officers and Men, being the Depôts of Regi- 'ments in *India* stationed in *Great Britain*, and exclusive of the Officers and Men belonging to the 'Regiments and other Corps employed in Her Majesty's *East Indian* Possessions, but including the 'Officers and Men of the Troops and Companies recruiting for those Regiments and Corps: And 'whereas no Man can be forejudged of Life or Limb, or subjected in Time of Peace to any Kind of 'Punishment within this Realm, by Martial Law, or in any other Manner than by Judgment of his 'Peers, and according to the known and established Laws of this Realm; yet nevertheless it being 'requisite, for the retaining all the before-mentioned Forces in their Duty, that an exact Discipline be 'observed, and that Soldiers who shall mutiny or stir up Sedition, or shall desert Her Majesty's Service, 'or be guilty of Crimes and Offences to the Prejudice of good Order and Military Discipline, be brought

Numbers, 146,044 Men.

'to

'to a more exemplary and speedy Punishment than the usual Forms of the Law will allow:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Persons subject to this Act.

2. All the Provisions of this Act shall apply to all Persons who are or shall be commissioned or in Pay as an Officer, or who are or shall be listed or in Pay as a Non-commissioned Officer or Soldier, other than Officers and Soldiers belonging to Her Majesty's *Indian* Forces, and to all Persons employed on the Recruiting Service receiving Pay, and all Pensioners receiving Allowances in respect of such Service, and to the Officers and Soldiers belonging to Her Majesty's *Indian* Forces, while such Officers or Soldiers shall be in any Part of the United Kingdom, and to Persons who are or shall be hired to be employed in the Royal Artillery and Military Store Department, and to Master Gunners, and to Conductors of Stores, and to the Corps of Royal Military Surveyors and Draftsmen, and to all Officers and Persons who are or shall be serving on the Commissariat Staff or in the Commissariat Staff Corps, and to Persons in the War Department, who are or shall be serving with any Part of Her Majesty's Army at home or abroad, under the Command of any Commissioned Officer, and (subject to and in accordance with the Provisions of an Act passed in the Sixth and Seventh Years of the Reign of Her present Majesty, Chapter Ninety-five), to any Out-pensioners of the Royal Hospital, *Chelsea*, who may be called out on Duty in aid of the Civil Power, or for Muster or Inspection, or who having volunteered their Services for that Purpose shall be kept on Duty in any Fort, Town, or Garrison, and to all Storekeepers and other Civil Officers who are or shall be employed by or act under the Secretary of State for War at any of Her Majesty's Establishments in the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, or at Foreign Stations; provided that nothing in this Act contained shall extend to affect any Security which has been or shall be given by any Storekeeper, Barrack Master, or other Officer, or their Sureties, for the due Performance of their respective Offices, but that all such Securities shall be and remain in full Force and Effect.

As to the Custody of Military Offenders under Sentence of Court-martial and in other Cases.

30. Every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison or of any Gaol or House of Correction in any Part of Her Majesty's Dominions shall receive into his Custody any Military Offender under Sentence of Imprisonment by a Court-martial, upon Delivery to him of an Order in Writing in that Behalf from the General commanding in chief, or the Adjutant General, or the Officer who confirmed the Proceedings of the Court, or the Officer commanding the Regiment or Corps to which the Offender belongs or is attached, which Order shall specify the Offence of which he shall have been convicted, and the Sentence of the Court, and the Period of Imprisonment which he is to undergo, and the Day and Hour of the Day on which he is to be released; and such Governor, Provost Marshal, Gaoler, or Keeper shall keep such Offender in a proper Place of Confinement, with or without Hard Labour, and with or without Solitary Confinement, according to the Sentence of the Court and during the Time specified in the said Order, or until he be discharged or delivered over to Military Custody before the Expiration of that Time under an Order duly made for that Purpose; and whenever Troops are called out in aid of the Civil Power, or are stationed in Billets, or are on the Line of March, every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement, shall receive into his Custody any Soldier for a Period not exceeding Seven Days, upon Delivery to him of an Order in Writing on that Behalf from the Officer commanding such Troops.

As to the Removal of Prisoners.

31. In the Case of a Prisoner undergoing Imprisonment under the Sentence of a Court-martial in any public Prison other than the Military Prisons set apart by the Authority of this Act, or in any Gaol or House of Correction in any Part of the United Kingdom, it shall be lawful for the General commanding in chief, or the Adjutant General, or the Officer who confirmed the Proceedings of the Court, or the Officer commanding the District or Garrison in which such Prisoner may be, to give, as often as Occasion may arise, an Order in Writing directing that the Prisoner be discharged, or be delivered over to Military Custody, whether for the Purpose of being removed to some other Prison or Place in the United Kingdom, there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial either as a Witness or for Trial; and in the Case of a Prisoner undergoing Imprisonment under the Sentence of a Court-martial in any public Prison other than such Military Prison as aforesaid, or in any Gaol or House of Correction in any Part of Her Majesty's Dominions other than the United Kingdom, it shall be lawful for the General commanding in chief or the Adjutant General of Her Majesty's Forces in the Case of any such Prisoner, and for the Commander-in-Chief in *India* in the Case of any Prisoner so confined in any Part of Her Majesty's *Indian* Dominions, and for the General commanding in chief in any Presidency in *India* in the Case of a Prisoner so therein confined, and for the Officer commanding in chief or the Officer who confirmed the Proceedings of the Court at any Foreign Station in the Case of a Prisoner so there confined, to give, as often as Occasion may arise, an Order in Writing directing that the Prisoner be discharged or be delivered over to Military Custody, whether for the Purpose of being removed to some other Prison or Place in any Part of Her Majesty's Dominions there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial either as a Witness or for Trial; and in the Case of any Prisoner who shall be removed by any such Order from any such Prison, Gaol, or

House of Correction either within the United Kingdom or elsewhere to some other Prison or Place either in the United Kingdom or elsewhere, the Officer who gave such Order shall also give an Order in Writing directing the Governor, Provost Marshal, Gaoler, or Keeper of such other Prison or Place to receive such Prisoner into his Custody, and specifying the Offence of which such Prisoner shall have been convicted, and the Sentence of the Court, and the Period of Imprisonment which he is to undergo, and the Day and the Hour on which he is to be released; and such Governor, Provost Marshal, Gaoler, or Keeper shall keep such Offender in a proper Place of Confinement, with or without Hard Labour, and with or without Solitary Confinement, according to the Sentence of the Court, and during the Time specified in the said Order, or until he be duly discharged or delivered over to Military Custody before the Expiration of that Time under an Order duly made for that Purpose; and in the Case of a Prisoner undergoing Imprisonment under the Sentence of a Court-martial in any Military Prison in any Part of Her Majesty's Dominions, the Secretary of State for War, or any Person duly authorized by him in that Behalf, shall have the like Powers in regard to the Discharge and Delivery over of such Prisoners to Military Custody as may be lawfully exercised by any of the Military Authorities above mentioned in respect of any Prisoners undergoing Confinement as aforesaid in any public Prison other than a Military Prison, or in any Gaol or House of Correction in any Part of Her Majesty's Dominions; and such Prisoner in any of the Cases herein-before mentioned shall accordingly, on the Production of any such Order as is herein-before mentioned, be discharged or delivered over, as the Case may be: Provided always, that the Time during which any Prisoner under Sentence of Imprisonment by a Court-martial shall be detained in such Military Custody under such Order as aforesaid shall be reckoned as Imprisonment under the Sentence for whatever Purpose such Detention shall take place; and such Prisoner may during such Time, either when on board Ship or otherwise, be subjected to such Restraint as is necessary for his Detention and Removal.

Desertion of Recruits prior to joining their Regiments or Corps.

36. Any Recruit for Her Majesty's Army who shall desert before joining the Regiment or Corps for which he has enlisted shall, on being apprehended, and committed for such Desertion by any Justice of the Peace upon the Testimony of One or more Witnesses upon Oath, or upon his own Confession, forfeit his personal Bounty, and be liable to be transferred to any Regiment or Corps or Depôt nearest to the Place where he shall have been apprehended, or to any other Regiment or Corps to which Her Majesty may deem it more desirable that he should be transferred: Provided always, that such Deserters thus transferred shall not be liable to other Punishment for the Offence, or to any other Penalty except the Forfeiture of their personal Bounty.

Fraudulent Confession of Desertion.

37. Any Person who shall confess himself to be a Deserter from Her Majesty's Forces, or from Her Majesty's *Indian* Forces, or from the Embodied Militia, shall be liable to be taken before any Two Justices of the Peace acting for the County, District, City, Burgh, or Place where any such Person shall at any Time happen to be when he shall be brought before them, and on Proof that any such Confession as aforesaid was false, shall by the said Justices be adjudged to be punished, if in *England* as a Rogue and Vagabond, and if in *Scotland* or *Ireland* by Commitment to some Prison or House of Correction, there to be kept to Hard Labour for any Time not exceeding Three Calendar Months; and if, when such Person shall be brought before the said Justices, it shall be proved to their Satisfaction that such Confession has been made, but Evidence of the Truth or Falsehood of such Confession shall not at that Time be forthcoming, such Justices are hereby required to remand such Person in the Manner herein-before mentioned, and to transmit a Statement of the Case to the Secretary of State for War, with a Request to be informed whether such Person appears to belong or to have belonged to the Regiment or Corps from which he shall have so confessed himself to have deserted; and a Letter from the War Office in reply thereto, referring to such Statement, and purporting to be signed by or on behalf of the Secretary of State for War, shall be admissible in Evidence against such Person, and shall be deemed to be legal Evidence of the Facts stated therein, and on the Receipt thereof the said Justices shall forthwith proceed to adjudicate upon the Case.

Recruits, when deemed to be enlisted.

43. Every Person who shall receive Enlisting Money in manner aforesaid, knowing it to be such, shall, subject to the Provisions herein-after contained, upon such Receipt be deemed to be enlisted as a Soldier in Her Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billeted.

When Recruits to be taken before a Justice.

44. Every Person so enlisted as aforesaid shall within Ninety-six Hours (any intervening *Sunday*, *Christmas Day*, or *Good Friday* not included), but not sooner than Twenty-four Hours after such Enlistment, appear, together with some Person employed in the Recruiting Service, before a Justice of the Peace, not being an Officer of the Army, in order that he may be attested by making the Declaration and taking the Oath herein-after mentioned, or may have an Opportunity of objecting to his Enlistment; and upon such Appearance, the Justice or some Person deputed by him shall fill up the Declaration set forth in the Schedule to this Act annexed, first asking the Recruit the Questions that are requisite for that Purpose, and cautioning him that if he should make any wilfully false Answer thereto, he will be liable to be punished as a Rogue and Vagabond.

Dissent and Relief from Enlistment.

45. When a Recruit upon appearing before a Justice for the Purposes aforesaid shall dissent from or object to his Enlistment, and shall satisfy the Justice that the same was effected in any respect irregularly, he shall forthwith discharge the Recruit absolutely, and shall report such Discharge to the Inspecting

Inspecting Field Officer of the District, or in the Case of a Recruit enlisted at the Head Quarters or Depôt of a Regiment to the Officer commanding the same; but if the Recruit so dissenting shall not allege or shall not satisfy the Justice that the Enlistment was effected irregularly, nevertheless, upon Repayment of the Enlisting Money, and of any Sum received by him in respect of Pay, and of a further Sum of Twenty Shillings as Smart Money, he will be entitled to be discharged, and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and, after deducting therefrom One Shilling as the Fee for reporting the Payment to the Secretary of State for War and to the Inspecting Field Officer of the District, shall be paid over to any Person belonging to the Recruiting Party who may demand the same; and the Justice who shall discharge any Recruit shall in every Case give a Certificate thereof, signed with his Hand, to the Recruit, specifying the Cause thereof.

Attesting of Recruits.

46. If the Recruit on appearing before a Justice shall not dissent from his Enlistment, or dissenting shall within Twenty-four Hours return and declare that he is unable to pay the Sums mentioned in the last Section, the Justice shall require him to make the Declaration herein-before mentioned in the usual Manner, and shall then administer to him the Oath of Allegiance in the Form set forth in the Schedule to this Act annexed; and when the Recruit shall have signed the said Declaration, and taken the said Oath, the Justice shall attest the same by his Signature, and shall deliver to the Recruiting Officer the Declaration so signed and attested; and the Fee for such Attestation, including the Declaration and Oath, shall be One Shilling and no more; and any Recruit shall, if he so wish, be furnished with a certified Copy of the above-mentioned Declaration by the Officer who finally approved of him for the Service.

Recruits, until they have been attested or received Pay not triable by Court-martial; but in certain Cases punishable as Rogues and Vagabonds.

47. No Recruit, unless he shall have been attested or shall have received Pay other than Enlisting Money, shall be liable to be tried by Court-martial; but if any Recruit, previously to his being attested, shall by means of any false Answer obtain Enlistment Money, or shall make any false Statement in his Declaration, or shall refuse to answer any Question duly authorized to be put to Recruits for the Purpose of filling up such Declaration, or shall refuse or neglect to go before a Justice for the Purposes aforesaid, or having dissented from his Enlistment, shall wilfully omit to return and pay such Money as aforesaid, in any of such Cases it shall be lawful for any Two Justices acting for the County, District, City, Burgh, or Place where any such Recruit shall at any Time happen to be, to adjudge such Recruit, when he shall be brought before them, if in *England*, to be a Rogue and Vagabond, and to sentence him to be punished accordingly, and if in *Scotland* or *Ireland* to be imprisoned with Hard Labour in any Prison or House of Correction for any Period not exceeding Three Calendar Months.

Attested Recruits triable in some Cases either before Two Justices or before a Court-martial.

48. Any Recruit who shall have been attested, and who shall afterwards be discovered to have given any wilfully false Answer to any Question directed to be put to Recruits, or shall have made any wilfully false Statement in the Declaration herein-before mentioned, shall be liable, at the Discretion of the proper Military Authorities, to be proceeded against before Two Justices in the Manner herein-before mentioned, and by them sentenced accordingly, or to be tried by a District or Garrison Court-martial for the same, and punished in such Manner as such Court shall direct.

Militiamen enlisting into Regular Forces.

50. If any Man while belonging to a Militia Regiment shall enlist in and be attested for Her Majesty's Army or Her Majesty's *Indian* Forces, he shall be liable to be tried before a Court-martial on a Charge for Desertion; but it shall be lawful for the Secretary of State for War, on the Confession thereof by such Militiaman, to order that in lieu of his being so tried he shall be subjected to a Stoppage of One Penny a Day of his Pay for Eighteen Calendar Months, to be applied as the Secretary of State for War shall direct, and further to determine whether such Man shall be returned to his Militia Regiment after such Sum shall have been made good, or shall be deemed to be a Soldier, in the same Manner as he would have been if he had not been a Militiaman at the Time of his Attestation, in which latter Case his Service as a Soldier shall not be reckoned for Pension until the Day on which his Engagement for the Militia would have expired: Provided that should the Regiment be within the United Kingdom the Secretary of State for War shall not make such Order without the Consent of the Commanding Officer of the Militia Regiment from which the Man shall have deserted.

Enlistment and Re-enlistment abroad.

52. It shall be lawful for any Justice of the Peace or Person exercising the Office of a Magistrate within any of Her Majesty's Dominions abroad, not being a General Officer nor holding any Regimental Commission, and for any Person performing the Duties of the Office of *British* Resident within the Territories of any Foreign State in *India*, and for any other Person authorized in that Behalf by any Governor of a Colony, or of any Presidency in *India*, who shall have received a Warrant signed by the Secretary of State for War empowering him to convey such Authority, to enlist and attest, out of *Great Britain* or *Ireland*, any Soldiers or Persons desirous of enlisting or re-enlisting into Her Majesty's Army or into Her Majesty's *Indian* Army; and any such Magistrate or Person as aforesaid shall have the same Powers in that Behalf as are by this or any other Act of Parliament given to Justices in the United Kingdom for all such Purposes of Enlistment and Attestation; and all such Appointments, past and future, and everything done or to be done under them, shall be valid and of full Effect, notwithstanding the Expiration of this Act or of any other Act of Parliament; and any Person so attested shall be deemed to be an attested Soldier; and as often as any Corps shall be relieved or disbanded at any Station beyond the Seas it shall be lawful for any Officers thereunto authorized by the Officer commanding in chief at such Station to receive as Transfers as many of the Soldiers belonging to the Corps leaving the Station as shall be willing and fit for Service for any Corps appointed to remain or for Her

Majesty's *Indian* Forces; and every Soldier so transferred is hereby deemed to be discharged from his former Corps, and an attested Certificate of Transfer shall be delivered to the Soldier.

Soldiers transferred from one Service to another.

53. It shall be lawful for the Commander-in-Chief, or for any Officer authorized by him in that Behalf, to direct that any Soldier attested for any one Branch of the Service shall, on the Application of his Commanding Officer, and with his own Consent, be transferred to some other Branch of the Service, or to some other Regiment or Corps in the same Branch of the Service, either within the United Kingdom or elsewhere; and every Soldier so transferred shall be deemed to be discharged from his former Corps, and shall have a Certificate of Transfer delivered to him: Provided always, that any Soldier attested for the Infantry, and at his own Request transferred to the Cavalry, Artillery, or Engineers, shall be bound to serve for the full Term of such Service as if originally enlisted therein, but any Soldier at his own Request transferred from either of such before-mentioned Services to the Infantry shall be liable to serve for the Term of his original Enlistment.

Re-engagement of Soldiers or of Persons having been Soldiers for a further Term.

54. Any Soldier at any Time during the last Six Months of the Term of limited Service for which he shall have first engaged, or any Person having been a Soldier after the Completion of such Term of Service and his Discharge therefrom, may, if approved by his Commanding Officer, or other competent Military Authority, as a fit Person to continue in Her Majesty's Service, be re-engaged or enlisted, to serve for the further Term of Eleven Years in the Infantry, and Twelve Years in the Cavalry, and Nine Years in the Artillery or Engineers, upon making a Declaration, in the Form given in the Schedule annexed to this Act, before any One of Her Majesty's Justices of the Peace in *Great Britain* or *Ireland*, or if not in *Great Britain* or *Ireland* before any Person duly appointed by Her Majesty, by any Warrant signed by the Secretary of State for War in that Behalf, to enlist and attest out of *Great Britain* and *Ireland* any Soldiers or Persons desirous of enlisting or re-enlisting into Her Majesty's Service.

Duration of this Act.

93. This Act shall be and continue in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and sixty-one inclusive until the Twenty-fifth Day of *April* One thousand eight hundred and sixty-two; and shall be and continue in force within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Isle of Man*, and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and sixty-one inclusive until the First Day of *May* One thousand eight hundred and sixty-two; and shall be and continue in force within the Garrison of *Gibraltar*, the *Mediterranean*, and in *Spain* and *Portugal*, from the First Day of *August* One thousand eight hundred and sixty-one inclusive until the First Day of *August* One thousand eight hundred and sixty-two; and shall be and continue in force in all other Parts of *Europe* where Her Majesty's Forces may be serving, and in the *West Indies* and *America*, from the First Day of *September* One thousand eight hundred and sixty-one inclusive to the First Day of *September* One thousand eight hundred and sixty-two; and shall be and continue in force within the *Cape of Good Hope*, the *Isle of France* or *Mauritius* and its Dependencies, *Saint Helena*, and the Settlements on the Western Coast of *Africa*, from the First Day of *January* One thousand eight hundred and sixty-two inclusive until the First Day of *January* One thousand eight hundred and sixty-three; and shall be and continue in force within *British Columbia* and *Vancouver's Island*, from the Date of the Promulgation thereof in General Orders there inclusive until the First Day of *January* One thousand eight hundred and sixty-three; and shall be and continue in force in all other Places from the First Day of *February* One thousand eight hundred and sixty-three inclusive until the First Day of *February* One thousand eight hundred and sixty-four: Provided always, that this Act shall, from and after the Receipt and Promulgation thereof in General Orders in any Part of Her Majesty's Dominions or elsewhere beyond the Seas, become and be in full Force, anything herein stated to the contrary notwithstanding.

SCHEDULES referred to by the foregoing Act.

NOTICE to be given to a RECRUIT at the Time of his ENLISTMENT.

Date 186 .

A.B.

TAKE Notice, That you enlisted with at o'Clock* on the Day of for the Regiment [*instead of the Words* "for the Regiment," *any Words may be substituted which are applicable to the Case*], and if you do not come to [*here name some Place*] on or before o'Clock* on the Day of for the Purpose of being taken before a Justice, either to be attested or to release yourself from your Engagement by repaying the Enlisting Shilling and any Pay you may have received as a Recruit, and by paying Twenty Shillings as Smart Money, you will be liable to be punished as a Rogue and Vagabond.

You are hereby also warned that you will be liable to the same Punishment if you make any wilfully false Representation at the Time of Attestation.

Signature of the Non-commissioned Officer serving the Notice. }

* A.M. or P.M., as the Case may be.

DECLARATION

Mutiny. *Marine Mutiny.*

DECLARATION to be made by RECRUIT on ATTESTATION.

I of of the Parish of in or near the Town of in the County , do solemnly and sincerely declare, That I am to the best of my Knowledge and Belief Years of Age; that I am of the Trade or Calling of [*or* of no Trade or Calling, *as the Case may be*]; that I am not an Apprentice; that I am not married; that I do not belong to the Militia, or to the Naval Coast Volunteers, or to any Portion of Her Majesty's Land or Sea Forces; that I have never served Her Majesty by Land or Sea, in any Military or Naval Employment whatsoever, except ; that I have never been marked with the Letter D; that I have never been rejected as unfit for Her Majesty's Service on any previous Enlistment; that I was enlisted at on the Day of 186 , at o'Clock M. by of , and that I have read [*or* had read to me] the Notice then given to me and understood its Meaning; that I enlisted for a Bounty of and a free Kit, and have no Objection to make to the Manner of my Enlistment; that I am willing to be attested to serve in the Regiment of [*instead of the Words* "in the Regiment," *any Words may be substituted which are applicable to the Case in or for whatever Part of Her Majesty's Dominions the Enlistment may be made*] for the Term of [*the Blank after the Words* "Term of" *to be filled up with Ten Years for Infantry and Twelve for Cavalry or Artillery or other Ordnance Corps, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Ten or Twelve Years* (*as the Case may be*)], provided Her Majesty should so long require my Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

_____ *Signature of Recruit.*

_____ *Signature of Witness.*

CAP. VIII.

An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.

[18th *April* 1861.]

[*The Sections now printed are either entirely new or have been materially altered.*]

Disposal of Convict after Sentence of Penal Servitude.

27. When any Sentence of Death shall be commuted for Penal Servitude, or when any Marine shall by Court-martial be adjudged to Penal Servitude as authorized by this Act, it shall be lawful for the Commanding Officer of the Division to which such Marine shall have belonged or may belong to cause him to be detained and conveyed to any Gaol or Prison, there to remain in safe Custody until he shall be removed therefrom by due Authority under an Order for his Penal Servitude to be made by some Justice of the Queen's Bench or Common Pleas or Baron of the Exchequer as aforesaid; and that a Certificate of his Sentence, after the same shall have been approved by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, (such Certificate to be signed by the Commanding Officer of the Division from which he shall be sent,) shall be a sufficient Order, Requisition, and Authority to the Governor, Keeper, or Superintendent of the Gaol or Prison to receive and detain him: Provided always, that in case of any such Offender being so conveyed to Gaol or Prison the usual Allowance of Sixpence *per Diem*, or such other Sum as the said Lord High Admiral or the said Commissioners may at any Time or Times direct, shall be made to the Keeper of the Gaol or Prison for the Subsistence of such Offender during his Detention therein, which Allowance shall be paid by the Paymaster of the Division, upon Production to him, by the said Governor, Keeper, or Superintendent, of a Declaration, to be made by him before One of Her Majesty's Justices of the Peace of such County, of the Number of Days during which the Offender shall have been so detained and subsisted in such Gaol or Prison.

Forfeiture of Pay on Conviction of Desertion or Felony.

33. Every Marine who shall be found guilty by a Court-martial of Desertion, of wilfully maiming or injuring himself or any other Marine, whether at the Instance of such other Marine or not, or of causing himself to be maimed or injured by any other Person, with Intent thereby to render himself or such other Marine unfit for Service, of tampering with his Eyes, with Intent thereby to render himself unfit for Service, such Finding having been confirmed, or found guilty by a Jury of Felony in any Court of ordinary Criminal Jurisdiction in *England* or *Ireland*, or of any Crime or Offence in any Court of Criminal Judicature in any Part of the United Kingdom, or in any Dominion, Territory, Colony, Settlement, or Island belonging to or occupied by Her Majesty out of the United Kingdom, which would, if committed in *England*, amount to Felony, shall thereupon forfeit all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge which might have otherwise accrued from the Length of his former Service, in addition to any Punishment which such Court may award; and every Marine who may be so convicted, or who may be sentenced to Penal Servitude, or discharged with Ignominy, shall thereupon likewise forfeit all Medals which he may be in possession of, whether for Sea or Field Service or for Good Conduct, together with any Annuity or Pension or Gratuity, if any, thereto appertaining; and any Sergeant reduced to the Ranks by Sentence of Court-martial may,

by

by the Order of the same Court, be made to forfeit any Annuity or Pension and Medal for meritorious Service, or any or either of them, which may have been conferred upon him.

Proviso for Removal of Prisoners.

43. In the Case of a Prisoner undergoing Imprisonment under Sentence of a Court-martial, or as Part of commuted Punishment, in any public Prison other than a Military Prison, or in any Gaol or House of Correction or elsewhere, in any Part of the United Kingdom, it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral for the Time being, in all Cases, or for the Officer who confirmed the Proceedings of the Court, or the Officer commanding the Division or the District or Garrison in which such Prisoner may be, to give, as often as Occasion may arise, an Order in Writing directing that the Prisoner be discharged, or be delivered over to Military Custody, whether for the Purpose of being removed to some other Prison or Place in the United Kingdom, there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial either as a Witness or for Trial; and in the Case of a Prisoner undergoing Imprisonment under the Sentence of a Court-martial in any public Prison other than a Military Prison, or in any Gaol or House of Correction, in any Part of Her Majesty's Dominions other than the United Kingdom, it shall be lawful for the said Lord High Admiral or the said Commissioners, or for the Officer commanding the Royal Marines there serving, in the Case of any such Prisoner, to give as often as Occasion may arise an Order in Writing, directing that the Prisoner be discharged, or be delivered over to Military or other Custody, whether for the Purpose of being removed to some other Prison or Place in any Part of Her Majesty's Dominions, there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial, either as a Witness or for Trial; and in the Case of any Prisoner who shall be removed by any such Order from any such Prison, Gaol, or House of Correction, either within the United Kingdom or elsewhere, to some other Prison or Place, either in the United Kingdom or elsewhere, the Officer or Authorities who gave such Order shall also give an Order in Writing directing the Governor, Provost Marshal, Gaoler, or Keeper of such other Prison or Place to receive such Prisoner into his Custody, and specifying the Offence of which such Prisoner shall have been convicted, and the Sentence of the Court, and the Period of Imprisonment which he is to undergo, and the Day and the Hour on which he is to be released; and such Governor, Provost Marshal, Gaoler, or Keeper shall keep such Offender in a proper Place of Confinement, with or without Hard Labour, and with or without Solitary Confinement, according to the Sentence of the Court, and during the Time specified in the said Order, or until he be duly discharged or delivered over to Military or other Custody before the Expiration of that Time under an Order duly made for that Purpose; and in the Case of a Prisoner undergoing Imprisonment under the Sentence of a Court-martial in any Military Prison in any Part of Her Majesty's Dominions, the Secretary of State for War, or any Person duly authorized by him in that Behalf, shall have the like Powers in regard to the Discharge and Delivery over of such Prisoners to Military or other Custody as may be lawfully exercised by any of the Authorities above mentioned in respect of any Prisoners undergoing Confinement as aforesaid in any public Prison other than a Military Prison, or in any Gaol or House of Correction in any Part of Her Majesty's Dominions; and such Prisoner in any of the Cases herein-before mentioned shall accordingly, on the Production of any such Order as is herein-before mentioned, be discharged or delivered over, as the Case may be: Provided always, that the Time during which any Prisoner under Sentence of Imprisonment by a Court-martial shall be detained in such Military or other Custody under such Order as aforesaid shall be reckoned as Imprisonment under the Sentence, for whatever Purpose such Detention shall take place, and such Prisoner may during such Time, either when on board Ship or otherwise, be subjected to such Restraint as is necessary for his Detention and Removal.

Expiration of Imprisonment in Common Gaols.

46. Every Gaoler or Keeper of any public Prison, Gaol, House of Correction, or other Place of Confinement, to whom any Notice shall have been given, or who shall have Reason to know or believe that any Person in his Custody for any Debt or Contempt, or upon any Charge or for any Offence, civil, criminal, or military, is a Marine, shall on receiving him into Custody give Notice thereof to the Secretary of the Admiralty, and also, previous to the Expiration of the Period of the Confinement or Imprisonment of such Marine, give to the Secretary of the Admiralty One Month's Notice of the Period of such Expiration of Confinement or Imprisonment, or if there shall not be sufficient Time for a Month's Notice, then the longest practicable Notice thereof, specifying the Day and Hour of the Day on and at which he is to be released; and for every Default of giving either or any of such Notices such Gaoler or Person shall forfeit the Sum of Twenty Pounds; and moreover, every Gaoler or other Person having such immediate Inspection as aforesaid shall, as soon as any such Marine shall be entitled to be discharged out of Custody, with all convenient Speed, safely and securely conduct and convey and safely and securely deliver every such Marine either unto the Officer commanding at the nearest Head Quarters of the Royal Marines, or to the Officer commanding Her Majesty's Ship to which any such Marine may happen to belong, unless the said Commissioners shall, by Writing under the Hand of the Secretary of the Admiralty, or the Officer commanding at the nearest Head Quarters of the Royal Marines, or the Officer commanding Her Majesty's Ship to which any such Marine may belong, shall, by Writing under his Hand, direct that such Marine be delivered to some other Officer or Person, in which Case he shall be delivered to such other Officer or Person accordingly, and the Officer or Person to whom such Marine shall be so delivered in accordance with this Act shall thereupon give to such

Gaoler

Gaoler or Person delivering up such Marine a Certificate, directed to the Secretary of the Admiralty, specifying the Receipt of such Marine, and if such Gaoler or other Person as aforesaid has conducted or conveyed any such Marine specifying the Place from and to which he shall have been conducted and conveyed as aforesaid; and such Gaoler or Person who shall have so conducted, conveyed, and delivered any such Marine, shall, upon the Production of such Certificate, be entitled to receive of and from the Accountant General of Her Majesty's Navy the Sum of Two Shillings *per* Mile, and no more, for conducting, conveying, and delivering any such Marine as aforesaid; and every such Gaoler or other Person having such immediate Inspection as aforesaid who shall not safely and securely conduct, convey, or deliver any such Marine as aforesaid, shall for every such Misconduct or Offence forfeit and pay the Sum of One hundred Pounds.

Military Prisons established under any Act for punishing Mutiny and Desertion in the Army to be deemed public Prisons.

47. Every Military Prison which shall be established under or by virtue of any Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, shall be deemed to be public Prisons within the Meaning of any Act now in force or hereafter to be in force for the Regulation of Her Majesty's Royal Marine Forces; and that any Officer or Marine convicted by a Court-martial may be sent, by Order of the Commissioners for executing the Office of Lord High Admiral, to any such Military Prison, there to undergo such Punishment as may be awarded by the Sentence passed upon him, or until he be discharged or delivered up by an Order, as in the Case of a Discharge or Removal from any other Prison under this Act.

Penalty on Marines attempting to desert from Head Quarters.

52. For and in respect of any Marine attempting to desert from any Head Quarters, the Party or Parties by whom he shall be apprehended shall be entitled to a Reward of Ten Shillings, to be paid upon the delivering up of such Marine, which Sum of Ten Shillings shall be charged against and stopped and retained out of the Pay and Subsistence of every such Marine.

Marines liable to be taken out of Her Majesty's Service only for Felony and certain Misdemeanors, or for Debts amounting to 30*l.* and upwards;

57. Any Person enlisted into Her Majesty's Royal Marine Forces as a Marine, or who has received Marine Enlistment Money, shall be liable to be taken out of Her Majesty's Service only by Process or Execution on account of any Charge of Felony, or on account of Misdemeanor or of any Crime or Offence other than the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money, or on account of an original Debt proved by Affidavit of the Plaintiff or of some one on his Behalf to amount to the Value of Thirty Pounds at the least over and above all Costs of Suit, such Affidavit to be sworn, without Payment of any Fee, before some Judge of the Court out of which Process or Execution shall issue, or before some Person authorized to take Affidavits in such Court, of which Affidavit, when duly filed in such Court, a Memorandum shall, without Fee, be endorsed upon the Back of such Process, stating the Fact sworn to, and the Day of filing such Affidavit; but no Marine or other Person as aforesaid shall be liable by any Process whatever to appear before any Justice of the Peace or other Authority whatsoever, or to be taken out of Her Majesty's Service by any Writ, Summons, Order, Warrant, Judgment, Execution, or any Process whatever issued by or by the Authority of any Court of Law, or any Magistrate, Justice or Justices of the Peace, or any other Authority whatsoever, for any original Debt not amounting to Thirty Pounds, or for not supporting or maintaining, or for not having supported or maintained, or for leaving or having left chargeable to any Parish, Township, or Place, or to the Common Fund of any Union, any Relation or Child which such Marine or Person might, if not in Her Majesty's Service be compellable by Law to relieve or maintain, or for neglecting to pay to the Mother of any Bastard Child, or to any Person who may have been appointed to have the Custody of such Child, any Sum to be paid in pursuance of an Order in that Behalf, or for the Breach of any Contract, Covenant, Agreement, or other Engagement whatever, by Parol or in Writing, or for having left or deserted his Employer or Master, or his Contract, Work, or Labour; and all Summonses, Warrants, Commitments, Indictments, Convictions, Judgments, and Sentences, on account of any of the Matters for which it is herein declared that a Marine is not liable to be taken out of Her Majesty's Service, shall be utterly illegal, and null and void to all Intents and Purposes; and any Judge of any such Court may examine into any Complaint made by a Marine or by his Superior Officer, and by Warrant under his Hand discharge such Marine, without Fee, he being shown to have been arrested contrary to the Intent of this Act, and shall award reasonable Costs to such Complainant, who shall have for the Recovery thereof the like Remedy as would have been applicable to the Recovery of any Costs which might have been awarded against the Complainant in any Judgment or Execution as aforesaid, or a Writ of Habeas corpus ad subjiciendum shall be awarded or issued, and the Discharge of any such Marine out of Custody shall be ordered thereupon; provided that any Plaintiff, upon Notice of the Cause of Action first given in Writing to any Marine or left at his last Quarters, may proceed in any Action or Suit to Judgment, and have Execution other than against the Body or Marine Necessaries or Equipments of such Marine: Provided also, that nothing herein contained relating to the leaving or deserting a Master or Employer, or to the Breach of any Contract, Agreement, or Engagement, shall apply to Persons who shall be really and *bonâ fide* Apprentices, duly bound under the Age of Twenty-one Years, as herein prescribed.

but not liable to be taken out of Her Majesty's Service for not maintaining their Families or for Breach of Contract.

When Recruits to be taken before a Justice.

62. Every Person so enlisted as aforesaid shall, within Ninety-six Hours (any intervening *Sunday*, *Christmas Day*, or *Good Friday* not included), but not sooner than Twenty-four Hours after such Enlistment, appear, together with some Person employed in the Recruiting Service, before a Justice of the Peace, not being an Officer of the Marines, in order that he may be attested by making the Declaration

Declaration and taking the Oath herein-after mentioned, or may have an Opportunity of objecting to his Enlistment; and previously to such Appearance, some Person employed in the Recruiting Service shall fill up the Declaration set forth in the Schedule to this Act annexed, first asking the Recruit the Questions that are requisite for that Purpose, and cautioning him that if he should make any wilfully false Answer thereto he will be liable to be punished as a Rogue and a Vagabond.

Dissent and Relief from Enlistment.

63. When a Recruit, upon appearing before a Justice for the Purposes aforesaid, shall dissent from or object to his Enlistment, and shall satisfy the Justice that the same was effected in any respect irregularly, he shall forthwith discharge the Recruit absolutely, and shall report such Discharge to the Commandant of the Division for which the Marine shall have enlisted; but if the Recruit so dissenting shall not allege or shall not satisfy the Justice that the Enlistment was effected irregularly, nevertheless upon Repayment of the Enlisting Money and of any Sum received by him in respect of Pay, and of a further Sum of Twenty Shillings as Smart Money, he shall be entitled to be discharged; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and, after deducting therefrom One Shilling as the Fee for reporting the Payment to the Secretary of the Admiralty and to the said Commandant, shall be paid over to any Person belonging to the Recruiting Party who may demand the same; and the Justice who shall discharge any Recruit shall, in every Case, give a Certificate thereof, signed with his Hand, to the Recruit, specifying the Cause thereof.

Attesting of Recruits.

64. If the Recruit on appearing before a Justice shall not dissent from his Enlistment, or dissenting shall within Twenty-four Hours return and declare that he is unable to pay the Sums mentioned in the last Section, the Justice shall require him to make the Declaration herein-before mentioned in the usual Manner, and shall then administer to him the Oath of Allegiance in the Form set forth in the Schedule to this Act annexed; and when the Recruit shall have signed the said Declaration and taken the Oath, the Justice shall attest the same by his Signature, and shall deliver to the Recruiting Officer the Declaration so signed and attested, and the Fee for such Attestation, including the Declaration and Oath, shall be One Shilling and no more; and any Recruit shall, if he so wish, be furnished with a certified Copy of the above-mentioned Declaration by the Officer who finally approved of him for the Service.

Recruits until they have been attested or received Pay not triable by Court-martial, but in certain Cases punishable as Rogues and Vagabonds.

65. No Recruit, unless he shall have been attested or shall have received Pay other than Enlisting Money shall be liable to be tried by Court-martial; but if any Recruit, previously to his being attested, shall by means of any false Answer obtain Enlistment Money, or shall make any false Statement in his Declaration, or shall refuse to answer any Question duly authorized to be put to Recruits for the Purpose of filling up such Declaration, or shall refuse or neglect to go before a Justice for the Purposes aforesaid, or having dissented from his Enlistment shall wilfully omit to return and pay such Money as aforesaid, in any of such Cases it shall be lawful for any Two Justices acting for the County, District, City, Burgh, or Place where any such Recruit shall at any Time happen to be, when he shall be brought before them, if in *England*, to adjudge him to be a Rogue and Vagabond, and to sentence him to be punished accordingly, and if in *Scotland* or *Ireland*, to be imprisoned with Hard Labour in any Prison or House of Correction for any Period not exceeding Three Calendar Months; and any Marine who shall have given any false Answer at the Time of or relative to his becoming a Marine shall forfeit all Pay, Wages, and other Monies, be the same Naval, Marine, or otherwise, which he might otherwise have been entitled to for any Period of Service in the Royal Marines.

Attested Recruits triable in some Cases either before Two Justices or before a Court-martial.

66. Any Recruit who shall have been attested, and who shall afterwards be discovered to have given any wilfully false Answer to any Question directed to be put to Recruits, or shall have made any wilfully false Statement in the Declaration herein-before mentioned, shall be liable at the Discretion of the said Lord High Admiral or the said Commissioners to be proceeded against before Two Justices in the Manner herein-before mentioned, and by them sentenced accordingly, or to be tried by a District or Garrison Court-martial for the same, and punished in such Manner as such Court shall direct.

Recruits absconding.

67. If any Recruit shall abscond so that it is not possible immediately to apprehend and bring him before a Justice for Attestation, the Recruiting Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for that Purpose a Certificate of the Name and Place of Residence, and Description of such Recruit and of his having absconded, and shall declare the same to be true, and the Justice to whom such Certificate shall be produced shall transmit a Duplicate thereof to the Secretary of the Admiralty in order that the same may appear in the *Police Gazette*.

Militiamen enlisting into Regular Forces.

68. If any Man while belonging to a Militia Regiment shall enlist in and be attested for Her Majesty's Royal Marines, he shall be liable to be tried before a Court-martial on a Charge for Desertion; but it shall be lawful for the Secretary of State for War, on the Confession thereof by such Militiaman or on other Proof thereof, to order that in lieu of his being so tried he shall be subjected to a Stoppage of One Penny a Day of his Pay for Eighteen Calendar Months, to be applied as the Secretary of State for War shall direct, and further to determine whether such Man shall be returned to his Militia Regiment after such Sum shall have been made good, or shall be deemed to be a Marine in the same Manner as he would have been if he had not been a Militiaman at the Time of his Attestation, in which latter

latter Case his Service as a Marine shall not be reckoned for Pension until the Day on which his Engagement for the Militia would have expired.

Duration of Act.

99. This Act shall be in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and sixty-one until the Twenty-fifth Day of *April* One thousand eight hundred and sixty-two inclusive; and within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and the *Isle of Man*, and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and sixty-one until the First Day of *May* One thousand eight hundred and sixty-two inclusive; and within the Garrison of *Gibraltar*, and within the *Mediterranean*, and in *Spain* and *Portugal*, from the Twenty-fifth Day of *July* One thousand eight hundred and sixty-one until the First Day of *August* One thousand eight hundred and sixty-two inclusive; and in all other Parts of *Europe* where Royal Marine Forces may be serving, and the *West Indies* and *North America*, and *Cape of Good Hope*, from the Twenty-fifth Day of *September* One thousand eight hundred and sixty-one until the First Day of *September* One thousand eight hundred and sixty-two inclusive; and in all other Places from the Twenty-fifth Day of *November* One thousand eight hundred and sixty-one until the First Day of *February* One thousand eight hundred and sixty-three inclusive: Provided always, that this Act shall from and after the Receipt and Promulgation thereof, in General Orders in any Part of Her Majesty's Dominions or elsewhere beyond the Seas, become and be in full Force, anything herein contained to the contrary notwithstanding.

SCHEDULE referred to by this Act.

NOTICE to be given to a RECRUIT at the Time of his ENLISTMENT.

Date 186 .

A. B.

TAKE Notice, that you enlisted with at o'Clock* on the Day of for the Royal Marines, and if you do not come forward to [*here name some Place*] on or before o'Clock* on the Day of for the Purpose of being taken before a Justice, either to be attested or to release yourself from your Engagement by repaying the Enlisting Shilling and any Pay you may have received as a Recruit, and by paying *Twenty Shillings* as Smart Money, you will be liable to be punished as a Rogue and Vagabond.

You are hereby also warned that you will be liable to the same Punishment if you make any wilfully false Representations at the Time of Attestation.

Signature of the Non-Commissioned Officer serving the Notice. _____.

* At A.M. or P.M., as the Case may be.

DECLARATION to be made by RECRUIT on ATTESTATION.

I, of the Parish of in or near the Town of in the County of , do solemnly and sincerely declare, That I am to the best of my Knowledge and Belief Years of Age; that I am of the Trade or Calling of [*or* of no Trade or Calling, *as the Case may be*]; that I am not an Apprentice; that I am married [*or* not married, *as the Case may be*]; that I do not belong to the Militia, or to the Naval Coast Volunteers, or Royal Naval Volunteers, or to any Portion of Her Majesty's Land or Sea Forces; that I have never served Her Majesty by Land or Sea in any Military, Marine, or Naval Employment whatsoever, except ; that I have never been marked with the Letter D; that I have never been rejected as unfit for Her Majesty's Service on any previous Enlistment; that I was enlisted at on the Day of 186 , at o'Clock M. by of , and that I have read [*or* had read to me] the Notice then given to me and understood its Meaning; that I enlisted for a Bounty of and a free Kit [*as the Case may be*], and have no Objection to make to the Manner of my Enlistment; that I am willing to be attested to serve in the Royal Marines for the Term of [*the Blank after the Words* "Term of" *to be filled up with Twelve Years, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Twelve Years*], provided Her Majesty should so long require my Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

_____ *Signature of Recruit.*

_____ *Signature of Witness.*

OATH to be taken by a RECRUIT on ATTESTATION.

I do make Oath, That I will be faithful and bear true Allegiance to Her Majesty, Her Heirs and Successors; and that I will, as in Duty bound, honestly and faithfully defend Her Majesty, Her Heirs and Successors, in Person, Crown, and Dignity, against all Enemies, and will observe and obey all Orders of Her Majesty, Her Heirs and Successors, and of the Generals and Officers set over me.

So help me GOD.

Witness my Hand, _____ *Signature of the Recruit.*

_____ *Witness present.*

Declared and sworn before me at
this Day of One
thousand eight hundred and
at o'Clock.

_____ *Signature of the Justice.*

CAP. IX.

An Act to amend the Law relating to the Conveyance of Land for Charitable Uses.

[17th *May* 1861.]

9 G. 2. c. 36.

'WHEREAS by an Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Second, and intituled *An Act to restrain the Disposition of Lands whereby the same become inalienable*, it was amongst other things enacted, that no Lands or other Hereditaments should be given, granted, or anyways conveyed, settled, or charged for Charitable Uses, unless such Gift, Conveyance, or Settlement should be made by Deed indented and enrolled, sealed and delivered in the Presence of Two or more credible Witnesses Twelve Calendar Months at least before the Death of such Donor or Grantor, and should be enrolled in the High Court of Chancery within Six Calendar Months next after the Execution thereof, and unless the same should be made to take effect in possession for the Charitable Use intended immediately from the making thereof, and should be without any Power of Revocation, Reservation, Trust, Condition, Limitation, Clause, or Agreement whatsoever for the Benefit of the Donor or Grantor, or of any Person claiming under him: And whereas by another Act

9 G. 4. c. 85.

passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, and intituled *An Act for remedying a Defect in the Titles of Lands purchased for Charitable Purposes*, it was enacted, that where any Lands, Tenements, or Hereditaments had been purchased for a full and valuable Consideration for Charitable Uses, and such Consideration had been actually paid, every Deed or other Assurance then already made for the Purpose of conveying or assuring the same should (subject as in the now-reciting Act mentioned) be as good and valid in all respects as if the several Formalities by the said first-recited Act prescribed had been duly observed and performed: And whereas Doubts have been entertained with reference to the Assurance for Charitable Uses of Hereditaments of Copyhold or Customary Tenure: And whereas it is expedient to make Provision for further remedying Defects and obviating Doubts and Difficulties, and as to Enrolment in regard to Deeds and Assurances of Hereditaments conveyed for Charitable Uses in manner herein-after provided:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

No future Deed, &c. for Charitable Uses to be void by reason of not being indented, or of specified Stipulations for Donor's Benefit, or (as to Copyholds) for Want of Deed.

1. No Deed or Assurance hereafter to be made for any Charitable Uses whatsoever of any Hereditaments of any Tenure whatsoever, or of any Estate or Interest therein, shall be deemed to be null and void within the Meaning of the first-recited Act by reason of such Deed or Assurance not being indented, or not purporting to be indented, nor by reason of such Deed or Assurance, or any Deed forming Part of the same Transaction, containing any Grant or Reservation of any Peppercorn or other nominal Rent, or of any Mines or Minerals, or Easement, or any Covenants or Provisions as to the Erection, Repair, Position, or Description of Buildings, the Formation or Repair of Streets or Roads, Drainage or Nuisances, or any Covenants or Provisions of the like Nature for the Use and Enjoyment as well of the Hereditaments comprised in such Deed or Assurance as of any other adjacent or neighbouring Hereditaments, or any Right of Entry on Nonpayment of any such Rent, or on Breach of any such Covenant or Provision, or any Stipulations of the like Nature for the Benefit of the Donor or Grantor, or of any Person or Persons claiming under him, nor (in the Case of any such Assurance of Hereditaments of Copyhold or Customary Tenure, or of any Estate or Interest therein,) by reason of the same not being made by Deed, nor in the Case of such Assurances made *bonâ fide* on a Sale for a full and valuable Consideration, by reason of such Consideration consisting wholly or partly of a Rent, Rentcharge, or other annual Payment reserved or made payable to the Vendor or to any other Person with or without a Right of Re-entry for Nonpayment thereof: Provided always, that in all Reservations authorized by this Act the Donor, Grantor, or Vendor shall reserve the same Benefits for his Representatives as for himself.

2. In

Where Charitable Uses of any future Deed, &c. is declared by any separate or other Deed, &c., Enrolment of such separate or other Deed, &c. requisite.

2. In all Cases where the Charitable Uses of any Deed or Assurance hereafter to be made for Conveyance of any Hereditaments for any Charitable Uses shall be declared by any separate or other Deed or Instrument, it shall not be necessary, for the Purposes of the first-recited Act or of this Act, to enrol such Deed or Assurance for Conveyance; but every such Deed or Assurance for Conveyance shall nevertheless be absolutely null and void unless such separate or other Deed or Instrument shall within Six Calendar Months next after the making or perfecting of such Deed or Assurance for Conveyance be enrolled in Her Majesty's High Court of Chancery, and such Enrolment as last aforesaid shall be deemed and treated for all Purposes of the first-recited Act and of this Act as if such Deed or Assurance for Conveyance had declared such Charitable Uses, and had been so enrolled as last aforesaid.

No past Deed, &c. for Charitable Uses upon valuable Consideration to be void for any Reason if enrolled in Chancery.

3. No Deed or Assurance heretofore made and under which Possession is now held for any Charitable Uses whatsoever of any Hereditaments of any Tenure whatsoever, or of any Estate or Interest therein, made really and *bonâ fide* for a full and valuable Consideration actually paid at or before the making or perfecting such Deed or Assurance, or reserved by way of Rent, Rentcharge, or other annual Payment, or partly paid at or before the making or perfecting such Deed or Assurance and partly reserved as aforesaid, without Fraud or Collusion, shall for any Reason whatever be deemed to be null and void within the Meaning of the first recited Act, if such Deed or Assurance was made to take effect in possession for the Charitable Uses intended immediately from the making thereof, and without any Power of Revocation, and has been at any Time prior to the passing of this Act, or shall be within Twelve Calendar Months next after the passing of this Act, enrolled in Her Majesty's High Court of Chancery.

Where Charitable Uses of past Deed, &c. not enrolled are declared by other Deed, &c., Enrolment of latter sufficient.

4. In all Cases where the Charitable Uses of any Deed or Assurance heretofore made for Conveyance of any Hereditaments for any Charitable Uses upon such full and valuable Consideration as aforesaid, and under which Possession is now held for such Uses, have been declared by any separate or other Deed or Instrument, and such Deed or Assurance for Conveyance has not been enrolled in Her Majesty's High Court of Chancery prior to the passing of this Act, but such separate or other Deed or Instrument has been so enrolled, such Enrolment shall be deemed and treated for all Purposes of the first-recited Act and of this Act as if such Deed or Assurance for Conveyance had declared such Charitable Uses, and had been so enrolled as last aforesaid; but if neither of such Deeds nor such Instrument has been so enrolled, then it shall not be necessary for the Purposes of the first-recited Act or of this Act to enrol such Deed or Assurance for Conveyance, but every such Deed or Assurance for Conveyance shall nevertheless be absolutely and to all Intents and Purposes null and void, unless such separate or other Deed or Instrument shall within Twelve Calendar Months next after the passing of this Act be so enrolled; and such Enrolment as last aforesaid shall be deemed and treated for all Purposes of the first-recited Act and of this Act as if such Deed or Assurance for Conveyance had declared such Charitable Uses, and had been so enrolled as last aforesaid.

Where neither Deed, &c. is enrolled, Enrolment of such separate or other Deed, &c. requisite.

Act not to invalidate certain Deeds, nor to extend to Deeds, &c. already avoided, or to pending Suits.

When Acknowledgment not necessary.

5. Nothing in this Act contained shall extend to render null and void or in any Manner to affect or apply to any Deed already good and valid by virtue of the secondly-recited Act or of any other Act, or to give Effect to any Deed or Assurance heretofore made so far as such Deed or Assurance has already been avoided by any Suit at Law or in Equity, or by any other legal or equitable Means whatsoever, or to affect or prejudice any Suit at Law or in Equity actually commenced for avoiding any such Deed or Assurance, or for defeating the Charitable Uses in trust or for the Benefit of which such Deed or Assurance has been made; and no Deed, Assurance, or Instrument Thirty Years old, nor any Deed, Assurance, or Instrument heretofore executed, as to which it shall be proved to the Satisfaction of the Clerk of Enrolments in Chancery that the Acknowledgment thereof by the Grantor of the Lands or Hereditaments to which the same relates cannot be obtained within Twelve Calendar Months after the passing of this Act, shall for the Purposes of the first-recited Act or of this Act require Acknowledgment prior to Enrolment.

Act not to extend to Scotland or Ireland, nor to prejudice Two Universities, &c.

6. Nothing in this Act contained shall extend or be construed to extend to the Disposition, Grant, or Settlement of any Property or Estate lying or being in *Scotland* or in *Ireland*, nor to make void any Dispositions made or to be made to or in trust for either of the Two Universities, or any of the Colleges or Houses of Learning within either of such Universities, in the first-recited Act mentioned, or to or in trust for the Colleges of *Eton*, *Winchester*, or *Westminster*, or any or either of them, for the better Support and Maintenance of Scholars only upon the Foundation of the said Colleges of *Eton*, *Winchester*, and *Westminster*.

CAP. X.

An Act to extend the Jurisdiction and improve the Practice of the High Court of Admiralty.

[17th *May* 1861.]

'WHEREAS it is expedient to extend the Jurisdiction and improve the Practice of the High Court of Admiralty of *England*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The Admiralty Court Act, 1861."

Interpretation of Terms.

2. In the Interpretation and for the Purposes of this Act (if not inconsistent with the Context or Subject) the following Terms shall have the respective Meanings herein-after assigned to them; that is to say,

"Ship" shall include any Description of Vessel used in Navigation not propelled by Oars:

"Cause" shall include any Cause, Suit, Action, or other Proceeding in the Court of Admiralty.

Commencement of Act.

3. This Act shall come into operation on the First Day of *June* One thousand eight hundred and sixty-one.

As to Claims for building, equipping, &c. Ships.

4. The High Court of Admiralty shall have Jurisdiction over any Claim for the building, equipping, or repairing of any Ship, if at the Time of the Institution of the Cause the Ship or the Proceeds thereof are under Arrest of the Court.

As to Claims for Necessaries.

5. The High Court of Admiralty shall have Jurisdiction over any Claim for Necessaries supplied to any Ship elsewhere than in the Port to which the Ship belongs, unless it is shown to the Satisfaction of the Court that at the Time of the Institution of the Cause any Owner or Part Owner of the Ship is domiciled in *England* or *Wales:* Provided always, that if in any such Cause the Plaintiff do not recover Twenty Pounds he shall not be entitled to any Costs, Charges, or Expenses incurred by him therein, unless the Judge shall certify that the Cause was a fit one to be tried in the said Court.

As to Claims for Damage to Cargo imported.

6. The High Court of Admiralty shall have Jurisdiction over any Claim by the Owner or Consignee or Assignee of any Bill of Lading of any Goods carried into any Port in *England* or *Wales* in any Ship, for Damage done to the Goods or any Part thereof by the Negligence or Misconduct of or for any Breach of Duty or Breach of Contract on the Part of the Owner, Master, or Crew of the Ship, unless it is shown to the Satisfaction of the Court that at the Time of the Institution of the Cause any Owner or Part Owner of the Ship is domiciled in *England* or *Wales:* Provided always, that if in any such Cause the Plaintiff do not recover Twenty Pounds he shall not be entitled to any Costs, Charges, or Expenses incurred by him therein, unless the Judge shall certify that the Cause was a fit one to be tried in the said Court.

As to Claims for Damage by any Ship.

7. The High Court of Admiralty shall have Jurisdiction over any Claim for Damage done by any Ship.

High Court of Admiralty to decide Questions as to Ownership, &c. of Ships.

8. The High Court of Admiralty shall have Jurisdiction to decide all Questions arising between the Co-owners, or any of them, touching the Ownership, Possession, Employment, and Earnings of any Ship registered at any Port in *England* or *Wales*, or any Share thereof, and may settle all Accounts outstanding and unsettled between the Parties in relation thereto, and may direct the said Ship or any Share thereof to be sold, and may make such Order in the Premises as to it shall seem fit.

Extending 17 & 18 Vict. c. 104. as to Claims for Salvage of Life.

9. All the Provisions of "The Merchant Shipping Act, 1854," in regard to Salvage of Life from any Ship or Boat within the Limits of the United Kingdom, shall be extended to the Salvage of Life from any *British* Ship or Boat, wheresoever the Services may have been rendered, and from any Foreign Ship or Boat, where the Services have been rendered either wholly or in part in *British* Waters.

As to Claims for Wages and for Disbursements by Master of a Ship.

10. The High Court of Admiralty shall have Jurisdiction over any Claim by a Seaman of any Ship for Wages earned by him on board the Ship, whether the same be due under a special Contract or otherwise, and also over any Claim by the Master of any Ship for Wages earned by him on board the Ship, and for Disbursements made by him on account of the Ship: Provided always, that if in any such Cause the Plaintiff do not recover Fifty Pounds, he shall not be entitled to any Costs, Charges, or Expenses incurred by him therein, unless the Judge shall certify that the Cause was a fit one to be tried in the said Court.

3 & 4 Vict. c. 65. as to Mortgages extended to Admiralty Court.

11. The High Court of Admiralty shall have Jurisdiction over any Claim in respect of any Mortgage duly registered according to the Provisions of "The Merchant Shipping Act, 1854," whether the Ship or the Proceeds thereof be under Arrest of the said Court or not.

17 & 18 Vict. c. 104. ss. 62 to 65. extended.

12. The High Court of Admiralty shall have the same Powers over any *British* Ship, or any Share therein, as are conferred upon the High Court of Chancery in *England* by the Sixty-second, Sixty-third, Sixty-fourth, and Sixty-fifth Sections of "The Merchant Shipping Act, 1854."

Part 9 of 17 & 18 Vict. c. 104. extended.

13. Whenever any Ship or Vessel, or the Proceeds thereof, are under Arrest of the High Court of Admiralty, the said Court shall have the same Powers as are conferred upon the High Court of Chancery in *England* by the Ninth Part of "The Merchant Shipping Act, 1854."

Court to be a Court of Record.

14. The High Court of Admiralty shall be a Court of Record for all Intents and Purposes.

Decrees and Orders of Court of Admiralty to have Effect of Judgments at Common Law.

15. All Decrees and Orders of the High Court of Admiralty, whereby any Sum of Money, or any Costs, Charges, or Expenses, shall be payable to any Person, shall have the same Effect as Judgments in the Superior Courts of Common Law, and the Persons to whom any such Monies, or Costs, Charges, or Expenses, shall be payable, shall be deemed Judgment Creditors, and all Powers of enforcing Judgments possessed by the Superior Courts of Common Law, or any Judge thereof, with respect to Matters depending in the same Courts, as well against the Ships and Goods arrested as against the Person of the Judgment Debtor, shall be possessed by the said Court of Admiralty with respect to Matters therein depending; and all Remedies at Common Law possessed by Judgment Creditors shall be in like Manner possessed by Persons to whom any Monies, Costs, Charges, or Expenses are by such Orders or Decrees of the said Court of Admiralty directed to be paid.

16. If

As to Claims to Goods taken in Execution.

16. If any Claim shall be made to any Goods or Chattels taken in Execution under any Process of the High Court of Admiralty, or in respect of the Seizure thereof, or any Act or Matter connected therewith, or in respect of the Proceeds or Value of any such Goods or Chattels, by any Landlord for Rent, or by any Person not being the Party against whom the Process has issued, the Registrar of the said Court may, upon Application of the Officer charged with the Execution of the Process, whether before or after any Action brought against such Officer, issue a Summons calling before the said Court both the Party issuing such Process and the Party making the Claim, and thereupon any Action which shall have been brought in any of Her Majesty's Superior Courts of Record, or in any local or inferior Court, in respect of such Claim, Seizure, Act, or Matter as aforesaid, shall be stayed, and the Court in which such Action shall have been brought, or any Judge thereof, on Proof of the Issue of such Summons, and that the Goods and Chattels were so taken in Execution, may order the Party bringing the Action to pay the Costs of all Proceedings had upon the Action after Issue of the Summons out of the said Admiralty Court, and the Judge of the said Admiralty Court shall adjudicate upon the Claim, and make such Order between the Parties in respect thereof and of the Costs of the Proceedings, as to him shall seem fit, and such Order shall be enforced in like Manner as any Order made in any Suit brought in the said Court. Where any such Claim shall be made as aforesaid the Claimant may deposit with the Officer charged with the Execution of the Process either the Amount or Value of the Goods claimed, the Value to be fixed by Appraisement in case of Dispute, to be by the Officer paid into Court to abide the Decision of the Judge upon the Claim, or the Sum which the Officer shall be allowed to charge as Costs for keeping Possession of the Goods until such Decision can be obtained, and in default of the Claimant so doing the Officer may sell the Goods as if no such Claim had been made, and shall pay into Court the Proceeds of the Sale, to abide the Decision of the Judge.

Powers of Superior Courts extended to Court of Admiralty.

17. The Judge of the High Court of Admiralty shall have all such Powers as are possessed by any of the Superior Courts of Common Law or any Judge thereof to compel either Party in any Cause or Matter to answer Interrogatories, and to enforce the Production, Inspection, and Delivery of Copies of any Document in his Possession or Power.

Party in Admiralty Court may apply for Order for Inspection.

18. Any Party in a Cause in the High Court of Admiralty shall be at liberty to apply to the said Court for an Order for the Inspection by the Trinity Masters or others appointed for the Trial of the said Cause, or by the Party himself or his Witnesses, of any Ship or other Personal or Real Property, the Inspection of which may be material to the Issue of the Cause, and the Court may make such Order in respect of the Costs arising thereout as to it shall seem fit.

Admission of Documents.

19. Any Party in a Cause in the High Court of Admiralty may call on any other Party in the Cause by Notice in Writing to admit any Document, saving all just Exceptions, and in case of Refusal or Neglect to admit, the Costs of proving the Document shall be paid by the Party so neglecting or refusing, whatever the Result of the Cause may be, unless at the Trial the Judge shall certify that the Refusal to admit was reasonable.

Power to Court of Admiralty, when personal Service of Citation has not been effected, to order Parties to proceed.

20. Whenever it shall be made to appear to the Judge of the High Court of Admiralty that reasonable Efforts have been made to effect personal Service of any Citation, Monition, or other Process issued under Seal of the said Court, and either that the same has come to the Knowledge of the Party thereby cited or monished, or that he wilfully evades Service of the same, and has not appeared thereto, the said Judge may order that the Party on whose Behalf the Citation, Monition, or other Process was issued be at liberty to proceed as if personal Service had been effected, subject to such Conditions as to the Judge may seem fit, and all Proceedings thereon shall be as effectual as if personal Service of such Citation, Monition, or other Process had been effected.

Service of Subpœna out of England and Wales.

21. The Service in any Part of *Great Britain* or *Ireland* of any Writ of Subpœna ad testificandum or Subpœna duces tecum, issued under Seal of the High Court of Admiralty, shall be as effectual as if the same had been served in *England* or *Wales*.

Power to issue new Writs or other Process.

22. Any new Writ or other Process necessary or expedient for giving Effect to any of the Provisions of this Act may be issued from the High Court of Admiralty in such Form as the Judge of the said Court shall from Time to Time direct.

Judge and Registrar to have same Power as to Arbitration as Judges and Masters at Common Law.

23. All the Powers possessed by any of the Superior Courts of Common Law or any Judge thereof, under the Common Law Procedure Act, 1854, and otherwise, with regard to References to Arbitration, Proceedings thereon, and the enforcing of Awards of Arbitrators, shall be possessed by the Judge of the High Court of Admiralty in all Causes and Matters depending in the said Court, and the Registrar of the said Court of Admiralty shall possess as to such Matters the same Powers as are possessed by the Masters of the said Superior Courts of Common Law in relation thereto.

17 & 18 Vict. c. 104. s. 15. extended to Registrar of Court.

24. The Registrar of the High Court of Admiralty shall have the same Powers under the Fifteenth Section of the Merchant Shipping Act, 1854, as are by the said Section conferred on the Masters of Her Majesty's Court of Queen's Bench in *England* and *Ireland*.

Powers of Registrar and of Deputy or

25. The Registrar of the High Court of Admiralty may exercise, with reference to Causes and Matters in the said Court, the same Powers as any Surrogate of the Judge of the said Court sitting in Chambers might or could have heretofore lawfully exercised; and all Powers and Authorities by this or

any

Assistant Registrar.

any other Act conferred upon or vested in the Registrar of the said High Court of Admiralty may be exercised by any Deputy or Assistant Registrar of the said Court.

False Oath or Affirmation deemed Perjury.

26. The Registrar of the said Court of Admiralty shall have Power to administer Oaths in relation to any Cause or Matter depending in the said Court; and any Person who shall wilfully depose or affirm falsely in any Proceeding before the Registrar or before any Deputy or Assistant Registrar of the said Court, or before any Person authorized to administer Oaths in the said Court, shall be deemed to be guilty of Perjury, and shall be liable to all the Pains and Penalties attaching to wilful and corrupt Perjury.

Appointment of Registrar, &c.

27. Any Advocate, Barrister-at-Law, Proctor, Attorney, or Solicitor of Ten Years Standing may be appointed Registrar or Assistant or Deputy Registrar of the said Court.

Appointment of Examiners.

28. Any Advocate, Barrister-at-Law, Proctor, Attorney, or Solicitor may be appointed an Examiner of the High Court of Admiralty.

Stamp Duty not payable on subsequent Admissions, &c.

29. Any Person who shall have paid on his Admission in any Court as a Proctor, Solicitor, or Attorney the full Stamp Duty of Twenty-five Pounds, and who has been or shall hereafter be admitted a Proctor, Solicitor, or Attorney, (if in other respects entitled to be so admitted,) shall be liable to no further Stamp Duty in respect of such subsequent Admission.

Proctor may act as Agent of Solicitors.

30. Any Proctor of the High Court of Admiralty may act as Agent of any Attorney or Solicitor, and allow him to participate in the Profits of and incident to any Cause or Matter depending in or connected with the said Court; and nothing contained in the Act of the Fifty-fifth Year of the Reign of King *George* the Third, Chapter One hundred and sixty, shall be construed to extend to prevent any Proctor from so doing, or to render him liable to any Penalty in respect thereof.

2 Hen. 4. c. 11. repealed.

31. The Act passed in the Second Year of the Reign of King *Henry* the Fourth, intituled *A Remedy for him who is wrongfully pursued in the Court of Admiralty*, is hereby repealed.

Power of Appeal in interlocutory Matters.

32. Any Party aggrieved by any Order or Decree of the Judge of the said Court of Admiralty, whether made *ex parte* or otherwise, may, with the Permission of the Judge, appeal therefrom to Her Majesty in Council, as fully and effectually as from any final Decree or Sentence of the said Court.

Bail given in the Court of Admiralty good in the Court of Appeal.

33. In any Cause in the High Court of Admiralty Bail may be taken to answer the Judgment as well of the said Court as of the Court of Appeal, and the said High Court of Admiralty may withhold the Release of any Property under its Arrest until such Bail has been given; and in any Appeal from any Decree or Order of the High Court of Admiralty the Court of Appeal may make and enforce its Order against the Surety or Sureties who may have signed any such Bail Bond in the same Manner as if the Bail had been given in the Court of Appeal.

As to the hearing of Causes and Cross Causes.

34. The High Court of Admiralty may, on the Application of the Defendant in any Cause of Damage, and on his instituting a Cross Cause for the Damage sustained by him in respect of the same Collision, direct that the Principal Cause and the Cross Cause be heard at the same Time and upon the same Evidence; and if in the Principal Cause the Ship of the Defendant has been arrested or Security given by him to answer Judgment, and in the Cross Cause the Ship of the Plaintiff cannot be arrested, and Security has not been given to answer Judgment therein, the Court may, if it think fit, suspend the Proceedings in the Principal Cause, until Security has been given to answer Judgment in the Cross Cause.

Jurisdiction of the Court.

35. The Jurisdiction conferred by this Act on the High Court of Admiralty may be exercised either by Proceedings *in rem* or by Proceedings *in personam*.

CAP. XI.

An Act to afford Facilities for the better Ascertainment of the Law of Foreign Countries when pleaded in Courts within Her Majesty's Dominions. [17th *May* 1861.]

22 & 23 Vict. c. 63.

'WHEREAS an Act was passed in the Twenty-second and Twenty-third Years of Her Majesty's Reign, intituled *An Act to afford Facilities for the more certain Ascertainment of the Law administered in one Part of Her Majesty's Dominions when pleaded in the Courts of another Part thereof*: And whereas it is expedient to afford the like Facilities for the better Ascertainment, in similar Circumstances, of the Law of any Foreign Country or State with the Government of which Her Majesty may be pleased to enter into a Convention for the Purpose of mutually ascertaining the Law of such Foreign Country or State when pleaded in Actions depending in any Courts within Her Majesty's Dominions and the Law as administered in any Part of Her Majesty's Dominions when pleaded in Actions depending in the Courts of such Foreign Country or State:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; viz.,

Superior Courts within Her Majesty's Dominions may remit a Case, with Queries, to a

1. If, in any Action depending in any of the Superior Courts within Her Majesty's Dominions it shall be the Opinion of such Court that it is necessary or expedient, for the Disposal of such Action, to ascertain the Law applicable to the Facts of the Case as administered in any Foreign State or Country with the Government of which Her Majesty shall have entered into such Convention as aforesaid, it shall be competent to the Court in which such Action may depend to direct a Case to be prepared setting

setting forth the Facts as these may be ascertained by Verdict of Jury or other Mode competent, or as may be agreed upon by the Parties, or settled by such Person or Persons as may have been appointed by the Court for that Purpose in the event of the Parties not agreeing; and upon such Case being approved of by such Court or a Judge thereof, such Court or Judge shall settle the Questions of Law arising out of the same on which they desire to have the Opinion of another Court, and shall pronounce an Order remitting the same, together with the Case, to such Superior Court in such Foreign State or Country as shall be agreed upon in said Convention, whose Opinion is desired upon the Law administered by such Foreign Court as applicable to the Facts set forth in such Case, and requesting them to pronounce their Opinion on the Questions submitted to them; and upon such Opinion being pronounced, a Copy thereof, certified by an Officer of such Court, shall be deemed and held to contain a correct Record of such Opinion.

Court of any Foreign State with which Her Majesty may have made a Convention for that Purpose, for Ascertainment of Law of such State.

2. It shall be competent to any of the Parties to the Action, after having obtained such certified Copy of such Opinion, to lodge the same with the Officer of the Court within Her Majesty's Dominions in which the Action may be depending who may have the official Charge thereof, together with a Notice of Motion setting forth that the Party will, on a certain Day named in such Notice, move the Court to apply the Opinion contained in such certified Copy thereof to the Facts set forth in the Case herein-before specified, and the said Court shall thereupon, if it shall see fit, apply such Opinion to such Facts, in the same Manner as if the same had been pronounced by such Court itself upon a Case reserved for Opinion of the Court, or upon Special Verdict of a Jury; or the said last-mentioned Court shall, if it think fit, when the said Opinion has been obtained before Trial, order such Opinion to be submitted to the Jury with the other Facts of the Case as conclusive Evidence of the Foreign Law therein stated, and the said Opinion shall be so submitted to the Jury: Provided always, that if after having obtained such certified Copy the Court shall not be satisfied that the Facts had been properly understood by the Foreign Court to which the Case was remitted, or shall on any Ground whatsoever be doubtful whether the Opinion so certified does correctly represent the Foreign Law as regards the Facts to which it is to be applied, it shall be lawful for such Court to remit the said Case, either with or without Alterations or Amendments, to the same or to any other such Superior Court in such Foreign State as aforesaid, and so from Time to Time as may be necessary or expedient.

Court in which Action depends to apply such Opinion to the Facts set forth in Cases, &c.

3. If in any Action depending in any Court of a Foreign Country or State with whose Government Her Majesty shall have entered into a Convention as above set forth, such Court shall deem it expedient to ascertain the Law applicable to the Facts of the Case as administered in any Part of Her Majesty's Dominions, and if the Foreign Court in which such Action may depend shall remit to the Court in Her Majesty's Dominions whose Opinion is desired a Case setting forth the Facts and the Questions of Law arising out of the same on which they desire to have the Opinion of a Court within Her Majesty's Dominions, it shall be competent to any of the Parties to the Action to present a Petition to such last-mentioned Court, whose Opinion is to be obtained, praying such Court to hear Parties or their Counsel, and to pronounce their Opinion thereon in Terms of this Act, or to pronounce their Opinion without hearing Parties or Counsel; and the Court to which such Petition shall be presented shall consider the same, and, if they think fit, shall appoint an early Day for hearing Parties or their Counsel on such Case, and shall pronounce their Opinion upon the Questions of Law as administered by them which are submitted to them by the Foreign Court; and in order to their pronouncing such Opinion they shall be entitled to take such further Procedure thereupon as to them shall seem proper, and upon such Opinion being pronounced a Copy thereof, certified by an Officer of such Court, shall be given to each of the Parties to the Action by whom the same shall be required.

Courts in Her Majesty's Dominions may pronounce Opinion on Case remitted by a Foreign Court.

4. In the Construction of this Act the Word "Action" shall include every judicial Proceeding instituted in any Court, Civil, Criminal, or Ecclesiastical; and the Words "Superior Courts" shall include, in *England*, the Superior Courts of Law at *Westminster*, the Lord Chancellor, the Lords Justices, the Master of the Rolls, or any Vice-Chancellor, the Judge of the Court of Admiralty, the Judge Ordinary of the Court for Divorce and Matrimonial Causes, and the Judge of the Court of Probate; in *Scotland* the High Court of Justiciary, and the Court of Session, acting by either of its Divisions; in *Ireland*, the Superior Courts of Law at *Dublin*, the Master of the Rolls, and the Judge of the Admiralty Court; and in any other Part of Her Majesty's Dominions, the Superior Courts of Law or Equity therein; and in a Foreign Country or State, any Superior Court or Courts which shall be set forth in any such Convention between Her Majesty and the Government of such Foreign Country or State.

Interpretation of Terms.

CAP. XII.

An Act for the Abolition of Contributions by Counties for the Relief of Prisoners in the Queen's Prison, and for the Benefit of *Bethlehem Hospital*. [17th *May* 1861.]

'WHEREAS by an Act passed in the Fifty-third Year of the Reign of King *George* the Third, intituled *An Act for providing Relief for the poor Prisoners confined in the King's Bench, Fleet, and Marshalsea Prisons*, Provision is made for Payment of several Sums of Money by the Treasurers

53 G. 3. c. 113.

'Treasurers of the several Counties and Divisions of Counties mentioned in the Schedule annexed to 'the said Act, in part to the Treasurer of the County of *Surrey* for the Relief of the Prisoners 'confined in the King's Bench and Marshalsea Prisons, and in part to the Treasurer or Chamberlain 'of the City of *London* for the Relief of the Prisoners confined in the Fleet Prison; and it is by 'the said Act further enacted, that any Surplus that might remain of the several Sums of Money 'so to be paid as aforesaid, after relieving the Prisoners confined in the said Prisons, according to the 'Directions therein mentioned, should be paid by them to the Treasurer for the Time being of *Bethlem* '*Hospital* for the Relief and Benefit of the said Hospital: And whereas by an Act passed in the Session 'holden in the Fifth and Sixth Years of the Reign of Her present Majesty, Chapter Twenty-two, 5 & 6 Vict. c. 22. 'and intituled *An Act for consolidating the Queen's Bench, Fleet, and Marshalsea Prisons, and for* 'regulating the Queen's Prison, the Fleet and Marshalsea Prisons were abolished, and by the Eighth 'Section of the said Act all Monies provided by the said first-mentioned Act to be paid for the Relief 'of Prisoners confined in the King's Bench, Fleet, and Marshalsea Prisons were directed to be paid to 'the Marshal or Keeper of the Queen's Prison, without Prejudice to the Right of *Bethlem Hospital* 'to receive any Surplus that might remain after relieving the poor Prisoners in the Queen's Prison: 'And whereas it is expedient that the Contributions by the said Acts directed to be made by the 'several above-mentioned Counties and Divisions of Counties for the Relief of poor Prisoners and for 'the Benefit of *Bethlem Hospital* should be abolished:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

53 G. 3. c. 113. and Sect. 8. of 5 & 6 Vict. c. 22. repealed.

1. The said Act passed in the Fifty-third Year of the Reign of King *George* the Third, Chapter One hundred and thirteen, and the said Eighth Section of the Act passed in the Session holden in the Fifth and Sixth Years of the Reign of Her present Majesty, Chapter Twenty-two, shall be repealed, and all Contributions required to be made by Counties or Divisions of Counties, in pursuance of the aforesaid Provisions, shall henceforth cease.

CAP. XIII.

An Act to enable the Admiralty to acquire Property for the Enlargement of the Royal Marine Barracks in the Parish of *East Stonehouse* in the County of *Devon*. [17th *May* 1861.]

CAP. XIV.

An Act to grant additional Facilities for depositing small Savings at Interest, with the Security of the Government for due Repayment thereof. [17th *May* 1861.]

'WHEREAS it is expedient to enlarge the Facilities now available for the Deposit of small Savings, 'and to make the General Post Office available for that Purpose, and to give the direct Security 'of the State to every such Depositor for Repayment of all Monies so deposited by him, together with 'the Interest due thereon:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Postmaster General may direct Officers to receive Deposits.

1. It shall be lawful for the Postmaster General, with the Consent of the Commissioners of Her Majesty's Treasury, to authorize and direct such of his Officers as he shall think fit to receive Deposits for Remittance to the Principal Office, and to repay the same, under such Regulations as he, with the Concurrence of the Commissioners of Her Majesty's Treasury, may prescribe in that respect.

Legal Title of Depositor to Repayment.

2. Every Deposit received by any Officer of the Postmaster General appointed for that Purpose shall be entered by him at the Time in the Depositor's Book, and the Entry shall be attested by him and by the dated Stamp of his Office, and the Amount of such Deposit shall upon the Day of such Receipt be reported by such Officer to the Postmaster General, and the Acknowledgment of the Postmaster General, signified by the Officer whom he shall appoint for the Purpose, shall be forthwith transmitted to the Depositor, and the said Acknowledgment shall be conclusive Evidence of his Claim to the Repayment thereof, with the Interest thereon, upon Demand made by him on the Postmaster General; and, in order to allow a reasonable Time for the Receipt of the said Acknowledgment, the Entry by the proper Officer in the Depositor's Book shall also be conclusive Evidence of Title for Ten Days from the Lodgment of the Deposit; and if the said Acknowledgment shall not have been received by the Depositor through the Post within Ten Days, and he shall before or upon the Expiry thereof, demand the said Acknowledgment from the Postmaster General, then the Entry in his Book shall be conclusive Evidence of Title during another Term of Ten Days, and *toties quoties*: Provided always, that such Deposits shall not be of less Amount than One Shilling, nor of any Sum not a Multiple thereof.

Depositors entitled to Repayments not later than Ten Days after Demand made.

3. On Demand of the Depositor or Party legally authorized to claim on account of a Depositor, made in such Form as shall be prescribed in that Behalf, for Repayment of any Deposit, or any Part thereof, the Authority of the Postmaster General for such Repayment shall be transmitted to the Depositor forthwith, and the Depositor shall be absolutely entitled to Repayment of any Sum or Sums that

that may be due to him within Ten Days at farthest after his Demand shall be made at any Post Office where Deposits are received or paid.

Names of Depositors, &c. not to be disclosed.

4. The Officers of the Postmaster General engaged in the Receipt or Payment of Deposits shall not disclose the Name of any Depositor nor the Amount deposited or withdrawn, except to the Postmaster General, or to such of his Officers as may be appointed to assist in carrying this Act into operation.

Money to be paid to National Debt Commissioners, &c.

5. All Monies so deposited with the Postmaster General shall forthwith be paid over to the Commissioners for the Reduction of the National Debt; and all Sums withdrawn by Depositors, or by Parties legally authorized to claim on account of Depositors, shall be repaid to them out of the said Monies, through the Office of Her Majesty's Postmaster General.

Additional Security to Depositor.

6. If at any Time the Fund to be created under the Authority of this Act by the Investment of the Deposits shall be insufficient to meet the lawful Claims of all Depositors, it shall be lawful for the Commissioners of Her Majesty's Treasury, upon being duly informed thereof by the Commissioners for the Reduction of the National Debt, to issue the Amount of such Deficiency out of the Consolidated Fund of the United Kingdom, or out of the growing Produce thereof; and the said Commissioners of Her Majesty's Treasury shall certify such Deficiency to Parliament.

Rate of Interest payable to Depositors.

7. The Interest payable to the Parties making such Deposits shall be at the Rate of Two Pounds Ten Shillings *per Centum per Annum*, but such Interest shall not be calculated on any Amount less than One Pound or some Multiple thereof, and not commence until the First Day of the Calendar Month next following the Day of Deposit, and shall cease on the First Day of the Calendar Month in which such Deposit is withdrawn.

Interest how calculated.

8. Interest on Deposits shall be calculated to the Thirty-first Day of *December* in every Year, and shall be added to and become Part of the Principal Money.

Investment of Funds received under this Act.

9. The Monies remitted to the Commissioners for the Reduction of the National Debt under the Authority of this Act shall be invested in some or in all of the Securities in which the Funds of Savings Banks established under the existing Laws may be invested; and a separate and distinct Account shall be kept by the said Commissioners of all Receipts, Investments, Sales, and Repayments; and a Balance Sheet of such Account from the First of *January* to the Thirty-first of *December* in every Year shall be laid before both Houses of Parliament not later than the Thirty-first of *March* in every Year.

Depositors desiring to transfer their Deposits.

10. If any Depositor making deposit under this Act shall desire to transfer the Amount of such Deposit to a Savings Bank established under the Acts relating to Savings Banks, he shall, upon Application to the chief Office of the Postmaster General, be furnished with a Certificate stating the whole Amount which may be due to him, with Interest, and thereupon his Account under this Act shall be closed; and, upon Delivery of such Certificate to the Trustees or Managers of the Savings Bank to which it is proposed by the Depositor to transfer such Deposit, they shall, if they think fit, open an Account for the Amount stated in such Certificate for such Depositor, who shall thereupon be subject to the Rules of such Savings Bank; and the Amount so transferred shall, upon such Certificate being forwarded to the Commissioners for the Reduction of the National Debt, be written off in the Books of the said Commissioners from the Amount of Monies received under the Authority of this Act, and shall be carried to the Account of the Savings Bank to which such Transfer shall have been made; and, in like Manner, if any Depositor in a Savings Bank established under the Savings Bank Acts shall desire to transfer the Amount due to him, with Interest, from such Savings Bank to the Postmaster General, for deposit under the Provisions of this Act, the Trustees or Managers of such Savings Bank shall, upon his Request, furnish such Depositor with a Certificate, in a Form to be approved by the Commissioners for the Reduction of the National Debt, signed by Two Trustees of such Savings Bank, and thereupon his Account with such Savings Bank shall be closed, which Certificate the Depositor may deliver to any Officer of the Postmaster General authorized to receive Deposits under this Act, and such Certificate shall for the Amount therein set forth be considered to be a Deposit made under the Authority of this Act, and being forwarded to the said Commissioners, the said Amount shall then be transferred in the Books of the said Commissioners from the Account of the said Savings Bank to the Credit of the Account of Monies deposited under the Authority of this Act: Provided always, that nothing contained in this Act respecting Savings Banks shall render it necessary to have the Rules and Regulations of any Savings Bank again certified if the same have been before certified according to Law.

Not necessary to have Rules, &c. of Savings Banks again certified.

Postmaster General, with Consent of Treasury, to make Regulations.

11. The Postmaster General, with the Consent of the Commissioners of Her Majesty's Treasury, may make, and from Time to Time, as he shall see Occasion, alter Regulations for superintending, inspecting, and regulating the Mode of keeping and examining the Accounts of Depositors, and with respect to the making of Deposits and to the Withdrawal of Deposits and Interest, and all other Matters incidental to the carrying this Act into execution, in his Department, and all Regulations so made shall be binding on the Parties interested in the Subject Matter thereof to the same Extent as if such Regulations formed Part of this Act; and Copies of all Regulations issued under the Authority of this Act shall be laid before both Houses of Parliament within Fourteen Days from the Date thereof, if

Copies of Regulations to be

laid before Parliament.

Parliament shall be then sitting, and if not then within Fourteen Days from the next re-assembling of Parliament.

Accounts to be laid before Parliament.

12. An annual Account of all Deposits received and paid under the Authority of this Act, and of the Expenses incurred during the Year ended the Thirty-first of *December*, together with a Statement of the total Amount due at the Close of the Year to all Depositors, shall be laid by the Postmaster General before both Houses of Parliament not later than the Thirty-first of *March* in every Year.

Accounts to be examined by Commissioners of Audit.

13. The annual Accounts of the Postmaster General, and of the Commissioners for the Reduction of the National Debt, to the Thirty-first of *December* in each Year, in respect to all Monies deposited or invested under the Authority of this Act, shall annually, prior to the Thirty-first of *March* in each Year, be submitted for Examination and Audit to the Commissioners for auditing Public Accounts.

Provisions of Savings Bank Acts applicable to this Act.

14. All the Provisions of the Acts now in force relating to Savings Banks as to Matters for which no other Provision is made by this Act shall be deemed applicable to this Act, so far as the same are not repugnant thereto.

Expenses of Act.

15. All Expenses incurred in the Execution of this Act shall be paid out of the Monies received under the Authority of this Act.

CAP. XV.

An Act to enable Her Majesty to settle an Annuity on Her Royal Highness the Princess *Alice Maud Mary*. [17th *May* 1861.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, having taken into consideration Your Majesty's most Gracious Message, that Your Majesty has agreed to a Marriage proposed between Her Royal Highness the Princess *Alice Maud Mary* and His Grand Ducal Highness Prince *Frederic William Louis* of *Hesse*, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Her Majesty to grant an Annuity of 6,000*l.* to Her Royal Highness the Princess Alice Maud Mary for Life.

It shall be lawful for Her Majesty, by Letters Patent under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, to grant unto Her Royal Highness the Princess *Alice Maud Mary* or to such Persons as Her Majesty thinks fit, to be named in such Letters Patent, in trust or for the Use of Her Royal Highness, an Annuity of Six thousand Pounds, to be settled on Her Royal Highness for Life, in such Manner as Her Majesty thinks proper, such Annuity to commence from the Date of the Marriage of Her Royal Highness with His Grand Ducal Highness Prince *Frederic William Louis* of *Hesse*, to be free from all Taxes, Assessments, and Charges, and to be paid quarterly on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October*; the First Payment to be made on such of the said quarterly Days as happens next after the said Marriage of such Portion of the said Annuity as may have accrued between the Date of such Marriage and such quarterly Day, and a proportionate Part to be payable for the Period from the last quarterly Day of Payment to the Day of the Determination thereof: The above Annuity shall be charged on and be payable out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, after paying or reserving sufficient to pay such Sums as may have been directed to be paid out of the said Fund by former Acts of Parliament, but with Preference to all other Payments which may hereafter be charged on the said Fund.

CAP. XVI.

An Act to render valid Marriages heretofore solemnized in *Trinity Church, Rainow*, and in other Churches and Chapels. [17th *May* 1861.]

'WHEREAS the Church or Chapel known as *Trinity Church* in the Township of *Rainow* in the 'Parish of *Prestbury* in the County and Diocese of *Chester* was duly consecrated in the Year 'One thousand eight hundred and forty-six for the Performance of Divine Service therein, but no 'Authority hath ever been given by the Bishop of the said Diocese or otherwise for the Publication of 'Banns and Solemnization of Marriages therein: And whereas divers Marriages have nevertheless 'been solemnized in the said Church or Chapel under an erroneous Impression on the Part of the 'Minister thereof, that by virtue of the Consecration of the said Church or Chapel or otherwise 'Marriages might be lawfully solemnized therein, and Entries of the said Marriages so solemnized have 'from Time to Time been made in the Register Books kept at the said Church or Chapel: And whereas 'it is expedient, under the Circumstances aforesaid, to remove all Doubts touching the Validity of the 'Marriages so solemnized in the said Church or Chapel as aforesaid:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same; That,

1. All

Marriages heretofore solemnized in Trinity Church, Rainow, declared valid.

1. All Marriages heretofore solemnized in the said Church or Chapel by the Officiating Minister thereof or by any other Clergyman respectively being duly ordained Ministers of the Church of *England*, and the Publication of Banns in such Church or Chapel by such Minister or Clergyman previous to any such Marriages, shall be and be deemed to have been as good, valid, and effectual in the Law to all Intents and Purposes whatsoever as if such Marriages had been solemnized, and such Publication of Banns had taken place, in the Parish Church of *Prestbury*.

Ministers indemnified.

2. No Minister who has solemnized any of the said Marriages shall be liable to any Ecclesiastical Censures or to any other Proceedings or Penalties whatsoever by reason of his having so solemnized the same respectively.

Registers of such Marriages or Copies to be Evidence.

3. The Registers of the Marriages so solemnized, or Copies of such Registers, shall be received in all Courts of Law and Equity as Evidence of such Marriages respectively in the same Manner as Registers of Marriages in Parish Churches, or Copies thereof are by Law receivable in Evidence.

The Validity of such Marriages in certain other Churches and Chapels not to be questioned.

4. 'And whereas by Error Banns have been published and Marriages have been solemnized in 'Churches and Chapels duly consecrated, but in which Churches or Chapels Banns cannot be legally 'published nor Marriages by Law be solemnized, and it is expedient to remove all Doubt arising from 'the Circumstances aforesaid touching the Publication of such Banns and the Validity of such 'Marriages:' Be it therefore enacted, That all Banns already published and all Marriages already solemnized in such Churches and Chapels as aforesaid shall not hereafter be questioned on account of the said Banns having been published or the said Marriages solemnized in a Church or Chapel not legally authorized for the Publication of Banns and Solemnization of Marriages, and the Minister or Ministers who solemnized the same shall not be liable to any Ecclesiastical Censures or to any Proceedings or Penalties by reason thereof, provided he or they be rightly ordained; and the Registers of all Marriages so solemnized as aforesaid, or Copies of such Registers, shall be received in all Courts of Law and Equity as Evidence of such Marriages respectively: Provided always, that nothing herein contained shall extend or be construed to extend to authorize the Publication of Banns or Solemnization of Marriages in any of such Churches or Chapels, or in the said Church or Chapel called *Trinity Church, Rainow*, hereafter.

CAP. XVII.

An Act to amend an Act of the Twentieth and Twenty-first Years of the Reign of Her Majesty, for the Abatement of the Nuisance arising from the Smoke of Furnaces in *Scotland*. [7th *June* 1861.]

20 & 21 Vict. c. 73.

'WHEREAS an Act was passed in the Session of Parliament held in the Twentieth and Twenty-'first Years of the Reign of Her present Majesty, intituled *An Act for the Abatement of the 'Nuisance arising from the Smoke of Furnaces in* Scotland: And whereas it is expedient that the 'same be amended to the Effect after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Complaints to be brought without Concourse of Lord Advocate.

1. From and after the First Day of *September* One thousand eight hundred and sixty-one, Complaints for the Recovery of Penalties under the said recited Act may be brought without the Concourse of the Lord Advocate, anything in the said Act to the contrary notwithstanding; provided always, that the Expenses of every such Complaint shall be in the Discretion of the Sheriff, Magistrate, or Justices before whom the same may be brought, and he or they shall determine the Amount thereof.

Certain Burghs to include Area within Parliamentary Boundaries.

2. Burghs of Barony or Regality which send or contribute to send a Member to Parliament shall, for the Purposes of the said recited Act and this Act, be deemed to include, and shall include the whole Area contained within the Parliamentary Boundaries thereof.

CAP. XVIII.

An Act to make Provision for the Dissolution of Combinations of Parishes in *Scotland* as to the Management of the Poor. [7th *June* 1861.]

8 & 9 Vict. c. 83.

'WHEREAS by an Act passed in the Eighth and Ninth Years of the Reign of Her Majesty Queen 'Victoria, intituled *An Act for the Amendment and Administration of the Laws relating to the 'Relief of the Poor in* Scotland, it was provided, in the Sixteenth Section thereof, that the Board of 'Supervision thereby established, if satisfied that the Administration of the Affairs of the Poor in any 'Two or more Parishes, "might be carried on with greater Advantage to the said Parishes and to the '"Poor therein, by the said Parishes being combined for the Purposes" of the said Act, to resolve 'and declare that such Parishes should thenceforward be combined for the Purposes of the said Act: 'And whereas no Power is by the said Act conferred on the Board of Supervision, or on any other 'Tribunal, to dissolve, under any Circumstances, a Combination of Parishes once effected under 'Authority of the said Act: And whereas it is expedient that Power should be conferred on the said 'Board, in the Cases and subject to the Provisions after mentioned, to dissolve such Combinations

' of Parishes :' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Parochial Board of Combination may appoint Special Meeting for Application for Dissolution.

1. It shall be lawful for the Parochial Board of any Combination of Parishes which may have been combined under the Provisions of the said recited Act, at One of its fixed General Meetings, to resolve that it is expedient that the Combination should, as to all or as to certain of the Parishes thereof, be dissolved, and thereupon to appoint a Special Meeting of the Board for the Purpose of considering whether an Application should be made to the Board of Supervision, craving the said Board of Supervision so to dissolve such Combination; provided always, that Notice shall have been given by the Member or Members of the Parochial Board intending, at such Meeting, to propose such Resolution, of his or their Intention then to propose the same, to every other Member thereof, by Letter addressed to each such Member at his ordinary Place of Residence, and put into the Post Office at least One Month prior to such General Meeting; and the Special Meeting, if resolved to be appointed, shall be appointed to be held on a Day not sooner than Three Weeks nor later than Six Weeks after the Date of such Resolution.

Intimation of Special Meeting.

2. Intimation shall be given of the Special Meeting appointed as aforesaid by Letters addressed by the Inspector of the Poor to every Member of the Parochial Board at his usual Place of Residence, and put into the Post Office at least One Fortnight before the Day of Meeting, and specifying the Time and Place of Meeting, and the Purpose for which such Meeting has been appointed to be held.

Special Meeting may authorize Application to Board of Supervision.

3. At such Special Meeting, if the Parochial Board shall unanimously, or by a Majority of at least Two Thirds, agree to the proposed Application being made, but not otherwise, it shall be lawful for the Parochial Board to authorize an Application, in their Name, to be transmitted to the Board of Supervision, praying such Board of Supervision to dissolve the Combination as to all or any of the Parishes thereof, and the Chairman of the Parochial Board shall thereupon sign and forthwith transmit to the Board of Supervision such Application accordingly; and the said Parochial Board may also transmit to the Board of Supervision a Statement of their Reasons in support of such Application; and any Members of the Parochial Board who may dissent from the Resolution to make such Application may, within Ten Days after the Date of such Resolution, give in to the Chairman a Statement of their Reasons of Dissent, which Statement the Chairman shall forthwith transmit to the Board of Supervision.

Board of Supervision may thereupon dissolve Combination;

4. The Board of Supervision, on receiving any such Application shall make such Inquiry as to them shall seem necessary and proper; and the said Board of Supervision after such Inquiry shall have Power, if satisfied, from any Change in the Condition and State of the Parishes, or on consideration of the Results of the Experience already had of the Administration of the Poor since the Parishes were combined, that it is not for the Advantage of the Parishes, or of the Poor thereof, that the Administration of the Affairs of the Poor should be continued in these Parishes in a State of Combination, to dissolve the Combination as to all or any of the Parishes thereof in Terms of the Prayer of the Application, or they may, if they see Cause, refuse such Application.

and decide all Questions between the Parishes.

5. If the Board of Supervision shall dissolve any such Combination as aforesaid, they shall further, after such Inquiry as they shall deem necessary and proper, determine all Questions as to the Liability of the several Parishes which had constituted the Combination to support particular Paupers in Time to come, and as to the Obligations incumbent on the Combination, and the Shares thenceforward to be borne by the several Parishes thereof, and as to any Property belonging to the Combination, and the Division or Destination to be thereafter made of it, and any Claims of Compensation thence arising; and generally they shall have Power to dispose of all Questions and Claims between the several Parishes in reference to the Affairs of the Poor in so far as affected by the Dissolution as aforesaid, and all Decisions and Determinations by the Board of Supervision shall be final and conclusive, and shall not be subject to Review by any Court, whether by Appeal, Advocation, Suspension, Reduction, or otherwise.

After Dissolution, Management of Poor to proceed as if Parishes never combined.

6. On any such Dissolution taking place as aforesaid, the Management of the Poor in every Parish which shall, in consequence, have ceased to form Part of a Combination of Parishes, and the Administration of the Laws relating to the Relief of the Poor in such Parish and to the raising the necessary Funds for their Relief, shall, from and after a Day to be named by the Board of Supervision as the Date at which the Dissolution shall take effect, and subject to the Decisions and Determinations of the said Board herein-before mentioned, be carried on in every such Parish as if no such Combination had ever been formed.

If Application refused not to be renewed till after Five Years.

7. If the Board of Supervision shall refuse any such Application for Dissolution as aforesaid, it shall not be lawful for the Parochial Board whose Application has been refused to renew such Application till after the Lapse of Five Years from the Date at which it was so refused.

CAP. XIX.

An Act to apply the Sum of Ten Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty-one. [7th *June* 1861.]

CAP.

CAP. XX.

An Act to continue certain Duties of Customs and Inland Revenue for the Service of Her Majesty, and to alter and repeal certain other Duties. [12th *June* 1861.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's Public Expenses, and making an Addition to the Public Revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several Rates and Duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Grant of Duties specified in Schedules annexed.

1. There shall be charged, collected, and paid for the Use of Her Majesty, Her Heirs and Successors, the several Rates and Duties of Customs, Excise, and Income Tax respectively specified and contained in the several Schedules marked respectively (A.), (B.), and (C.) to this Act annexed; and the several Drawbacks therein specified and contained shall be allowed, and such Rates, Duties, and Drawbacks shall respectively take effect, at or from the respective Times, and shall continue to be charged, collected, paid, and allowed for and during the Periods respectively specified or mentioned in that Behalf in the said Schedules; and where with regard to any of such Rates, Duties, and Drawbacks no Time is so specified for the Commencement thereof, the same shall commence and take effect from and after the passing of this Act; and where with regard to any of the said Rates, Duties, and Drawbacks no Period is so as aforesaid specified or limited for the Duration thereof, the same shall continue to be charged, collected, paid, and allowed until Parliament shall otherwise order; and the said several Schedules shall be deemed to be Part of this Act.

Provisions of former Act to apply.

2. All the Powers, Provisions, Clauses, Regulations, Allowances and Exemptions, Forfeitures, Pains and Penalties, contained in or imposed by any Act or Acts, or any Schedule thereto, relating to any Duties of the same Kind or Description as the several Rates or Duties granted by this Act respectively and in force at the Time of the passing of this Act, or as regards the Income Tax in force on the Fifth Day of *April* One thousand eight hundred and sixty-one, shall respectively be of full Force and Effect with respect to the said Rates and Duties by this Act granted respectively, so far as the same are or shall be applicable, in all Cases not hereby expressly provided for, and shall be observed, applied, allowed, enforced, and put in execution for and in the raising, levying, collecting, and securing of the said last-mentioned Rates and Duties respectively, and otherwise in relation thereto, so far as the same shall not be superseded by and shall be consistent with the express Provisions of this Act, as fully and effectually, to all Intents and Purposes, as if the same had been herein repeated and specially enacted, *mutatis mutandis*, with reference to the Rates and Duties by this Act granted respectively.

Persons entrusted with the Payment of Dividends and Interest due since 5th April 1861, and before the passing of this Act, to make Returns thereof to the Special Commissioners in order to the Assessment of the Persons who have received such Dividends and Interest.

3. 'And whereas since the Fifth Day of *April* now last past and before the passing of this Act 'divers Dividends, Annuities and Shares of Annuities, and Interest on Loans and on Bonds, Debentures, 'and other Securities directed by the Acts relating to the Income Tax in force on the said last-mentioned 'Day to be assessed under Schedule (C.) of the said Acts have become due and payable, and by reason 'of the Expiration of the said Acts before the passing of this Act have not been assessed and charged 'with the said Tax; and it is expedient to provide for the Assessment thereof with the Rates and 'Duties of Income Tax granted by this Act, and for the Collection of the Sums assessed from the 'Persons respectively to whom such Dividends, Annuities, Shares, and Interest have been paid or who 'are entitled thereto:'

Be it enacted, That all Persons respectively entrusted with the Payment of any such Dividends, Annuities, Shares, or Interest as aforesaid, or who have paid the same, either as Agent or otherwise, shall, within One Calendar Month after the passing of this Act, deliver or cause to be delivered to the Commissioners for Special Purposes at the Head Office of Inland Revenue at *Somerset House* in the City of *Westminster* an Account in Writing, duly authenticated and signed by such Persons respectively, containing a Description of all such Dividends, Annuities, Shares, and Interest entrusted to them for Payment which have become due or payable since the Fifth Day of *April* last, and also a true and perfect Account of the Names and Residences of the several Persons to whom the same have become due or payable, and the several Sums which have been so paid to them, or to which they have become entitled respectively; and the said Commissioners for Special Purposes shall make Assessments thereon respectively, under Schedule (C.) of the Acts relating to the Income Tax, of the Rates and Duties of Income Tax granted by this Act, and the Sum so assessed shall be paid to the Receiver General of Inland Revenue by the several Persons who shall have received or are entitled to such Dividends, Annuities, Shares, and Interest respectively; and in default of such Payment the Sums so assessed shall be recoverable from the said last-mentioned Persons, and shall be collected and levied in like Manner as any other Assessments made by the said Commissioners are or may be by Law directed or authorized to be recovered, collected, or levied: Provided always, that if any Sum so assessed shall not be so paid, recovered, or collected by or from any Person chargeable therewith, and such Person shall

Dividends and Interest due since 5th April to be assessed by the Special Commissioners.

shall at any Time hereafter become entitled to any further Payment of the like Dividends, Annuities, Shares, or Interest, the Person entrusted with the Payment thereof as aforesaid shall, on Notice and Requisition from the said Commissioners in that Behalf, deduct and retain from and out of such further Payment any such Sum assessed and remaining unpaid as aforesaid, as well as any further Assessment chargeable in respect of such further Payment of the said Dividends, Shares, Annuities, or Interest; and the Person deducting and retaining any such Sum of Money assessed as aforesaid shall pay the same into the Bank of *England* to the Account of the said Receiver General in like Manner as he is by any Act relating to the Income Tax required or directed to pay over any other Sums of Money deducted or retained by him for Income Tax; and if any Person entrusted with the Payment of or who hath paid any such Dividends, Annuities, Shares, or Interest as aforesaid, either as Agent or otherwise, shall neglect or refuse to do any Act hereby required or directed to be done or performed by him, he shall forfeit the Sum of One hundred Pounds.

On and after October 1, 1861, the Excise Duties, Allowances, and Drawbacks on Paper, and Customs Duties on Articles specified in Schedule (D.), repealed, except as to Arrears and Penalties.

4. On and after the First Day of *October* One thousand eight hundred and sixty-one the Duties of Excise now payable on Paper of any Denomination, and Buttonboard, Millboard, Pasteboard, and Scaleboard, and also the Duties of Customs now payable upon the Importation into the United Kingdom of the Articles specified and contained in Schedule (D.) to this Act annexed, and also all Allowances and Drawbacks of or in respect of any of such Duties, shall cease, and shall be no longer charged, levied, allowed, or paid respectively; and all Acts, Clauses, Provisions, and Regulations for charging, levying, collecting, allowing, and paying the said Duties, Allowances, and Drawbacks respectively shall be and the same are hereby repealed; save and except as to all such Duties, Allowances, and Drawbacks, and all Fines, Penalties, and Forfeitures, as have respectively been charged or incurred, or become payable, or which before the said last-mentioned Day may be charged or incurred, or become payable, and then remain in arrear or unrecovered or unpaid; all which said Duties, Allowances, and Drawbacks, Fines, Penalties, and Forfeitures, so in arrear or unrecovered or unpaid as aforesaid, may be sued for, recovered, collected, levied, and paid respectively as if this Act had not been passed.

Stationers entitled to Allowance of Excise Duty in respect of unbroken Reams, &c. of Paper in their Stock.

5. Provided always, That any Stationer, Pasteboard Maker, or Paper Stainer who shall have in his Stock or Possession on the First Day of *October* One thousand eight hundred and sixty-one One Ton Weight of Paper of any Denomination, Buttonboard, Millboard, or Pasteboard, or any or either of them, on which the Duties of Excise have been fully charged, and shall produce the same to the proper Officer of Excise authorized by the Commissioners of Inland Revenue to take an Account thereof in Reams, Half Reams, or Parcels, whole and unopened, with the Wrapper unbroken and the Excise Label thereon uncancelled and unobliterated, shall be entitled to claim and be allowed the whole or such Proportion as herein-after mentioned of the Duty charged on such Paper, Buttonboard, Millboard, and Pasteboard respectively; (that is to say,) if such Paper, Buttonboard, Millboard, or Pasteboard shall have been charged with Duty after the Fifteenth Day of *May* One thousand eight hundred and sixty-one, the whole of the Duty so charged; and if such Paper, Buttonboard, Millboard, or Pasteboard shall have been charged with Duty at any Time on or before the said last-mentioned Day, then at the Rate of One Penny for every Pound Weight Avoirdupois of such last-mentioned Paper, Buttonboard, Millboard, and Pasteboard, and such Allowance shall be claimed and be repaid to the Party entitled thereto in the Manner directed by and under and subject to the Provisions of this Act, and such Rules and Regulations as the Commissioners of Inland Revenue may make in that Behalf.

Mode of claiming Allowance of Excise Duty on Paper.

6. Every Person who shall claim to be entitled to any such Allowance of Duty as aforesaid shall separate the Paper, Buttonboard, Millboard, and Pasteboard charged after the Fifteenth Day of *May* One thousand eight hundred and sixty-one on which he intends to claim any such Allowance from that charged on or before the said last-mentioned Day, and shall keep it separate until the Officer of Excise has taken the Account by this Act directed to be taken, and shall within Two Days next after the said First Day of *October* One thousand eight hundred and sixty-one give Notice in Writing to the proper Officer of Excise of the Division in which the Paper, Buttonboard, Millboard, or Pasteboard shall be deposited of his Name and Place of Abode, and the Description of Business carried on by him, and also of the particular House, Shop, or Warehouse in which any Paper, Buttonboard, Millboard, or Pasteboard in respect of which he intends to claim any such Allowance shall be kept or deposited, and specifying the Number of Reams, Half Reams, or Parcels of such Paper, Buttonboard, Millboard, or Pasteboard, and the Weight marked, written, or printed on each Ream, Half Ream, or Parcel by the Maker thereof, distinguishing that whereon the Duty shall have been charged after the Fifteenth Day of *May* One thousand eight hundred and sixty-one from that whereon the Duty was charged on or before the said last-mentioned Day, and the total Weight of each Quantity so distinguished, and the Amount of the Allowance of Duty claimed in respect thereof; and if any Person claiming such Allowance as aforesaid shall neglect or fail in any respect to comply with the Regulations or Directions in this Act contained or authorized to be made or given, or shall do anything contrary thereto, he shall not have or be entitled to any Allowance in respect of any Paper, Buttonboard, Millboard, or Pasteboard in his Stock or Possession.

Officer to examine Claims and Stock, and

7. The proper Officer of Excise authorized by the Commissioners of Inland Revenue shall, as soon as conveniently may be after such Notice given as aforesaid, attend at the Place therein mentioned as the Place where any such Paper, Buttonboard, Millboard, or Pasteboard is deposited, and shall there examine,

examine, weigh, and take an Account of the same, and ascertain and compute the Amount of the Allowance to which the Claimant may be entitled in respect thereof; and such Officer shall with all convenient Speed give to such Claimant a Certificate expressing the true Quantity and Weight of the Paper, Buttonboard, Millboard, and Pasteboard respectively in respect of which such Claimant shall be entitled to the Allowance, distinguishing the Quantity on which the Duty may have been charged after the Fifteenth Day of *May* One thousand eight hundred and sixty-one from that whereon the Duty has been charged on or before the said last-mentioned Day, and specifying the Amount of the Allowance in respect of each such Quantity, and the aggregate Amount of both, and also the Name and Place of Abode of the Person entitled thereto, and the Description of Business carried on by him. to grant Certificate of Allowance.

8. On the Production of such Certificate by the Claimant or his Agent to the Collector of Excise of the Collection in which the same was granted, and on a solemn Declaration being made by such Claimant before a Justice of the Peace or such Collector that the whole Quantity of the said Paper, Buttonboard, Millboard, and Pasteboard of the respective Kinds mentioned in such Certificate was at the Time therein specified in his Stock or Possession, and was the sole Property of such Claimant, or of him and his Copartner in Trade, (as the Case may be,) and that the same or any Part thereof hath not been taken account of for the Purpose of obtaining the said Allowance more than once, and that the said Certificate is true to the best of his Knowledge and Belief, and that no false Statement, Art, or Contrivance was used to deceive the Officer taking an Account of such Paper, Buttonboard, Millboard, or Pasteboard, or any Part thereof, or to render the Account or Amount thereof expressed in such Certificate untrue, the said Collector, being satisfied of the Truth of such Declaration, shall, out of the Money in his Hands on account of any of the Duties of Excise, pay to the said Claimant or his Agent the Sum of Money specified in such Certificate at the next Sitting Day which shall be held for the Collection or Receipt of Excise Duties next after the Expiration of One Week from the Production of such Certificate and the making of such Declaration as aforesaid. Declaration to be made of the Truth of the Certificate, and Collector to pay the Amount of the Allowance.

9. And if any Person shall forge or counterfeit, or cause to be forged or counterfeited, any Certificate by this Act directed to be given, or shall knowingly or wilfully give any false or untrue Certificate, or shall alter or erase, or cause to be altered or erased, any such Certificate granted by any Officer of Excise, or shall make use of or in any Manner utter such Certificate, knowing the same to be forged, counterfeited, false, untrue, altered, or erased, or if any Person shall knowingly or wilfully make any false Declaration in relation to any such Certificate, or any of the Matters therein expressed or contained, every Person so offending shall for every such Offence forfeit the Sum of Five hundred Pounds. Penalty for forged or false Certificate or false Declaration.

SCHEDULES.

SCHEDULE (A.)

Containing the RATES and DUTIES of CUSTOMS granted, and the DRAWBACKS allowed on the following ARTICLES, by this ACT.

The Duties of Customs now charged on the Articles next mentioned shall continue to be levied and charged, on and after the First Day of July One thousand eight hundred and sixty-one until the First Day of July One thousand eight hundred and sixty-two, on Importation into Great Britain and Ireland; that is to say, Duties now charged on Tea, Sugar, &c. continued until 1st July 1862.

		£	s.	d.
Tea (without any Allowance for Draft)	the lb.	0	1	5
Almonds, Paste of	the lb.	0	0	2
Cherries, dried	the lb.	0	0	2
Comfits, dry	the lb.	0	0	2
Confectionery	the lb.	0	0	2
Ginger, preserved	the lb.	0	0	2
Marmalade	the lb.	0	0	2
Plums, preserved in Sugar	the lb.	0	0	2
Succades, including all Fruits and Vegetables preserved in Sugar, not otherwise enumerated	the lb.	0	0	2
SUGAR; viz.				
Candy, Brown or White, Refined Sugar, or Sugar rendered by any Process equal in Quality thereto	the Cwt.	0	18	4
White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being Refined or equal in Quality to Refined	the Cwt.	0	16	0
Yellow Muscovado and Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality to Yellow Muscovado or Brown Clayed, and not equal to White Clayed	the Cwt.	0	13	10

Brown

Sugar—*continued.*	£	s.	d.
Brown Muscovado or any other Sugar, not being equal in Quality to Yellow Muscovado or Brown Clayed Sugar - - - - - the Cwt.	0	12	8
Cane Juice - - - - - - - - the Cwt.	0	10	4
Molasses - - - - - - - - - the Cwt.	0	5	0

The following Drawbacks shall be allowed on Exportation to Foreign Parts, or on Removal to the Isle of Man for Consumption there, of the several Descriptions of Refined Sugar herein-after mentioned, on and after the First Day of July One thousand eight hundred and sixty-one until the First Day of July One thousand eight hundred and sixty-two; that is to say,

	£	s.	d.
Upon Refined Sugar, in Loaf, complete or whole, or Lumps duly refined, having been perfectly clarified and thoroughly dried in the Stove, and being of an uniform Whiteness throughout, or Sugar Candy, or Sugar refined by the Centrifugal Machine, or by any other Process, and not in any way inferior to the Export Standard No. 3 approved by the Lords of the Treasury - - - - - - for every Cwt.	0	17	2
Upon such Refined Sugar already described, if pounded, crushed, or broken in a Warehouse approved by the Commissioners of Customs, such Sugar having been there first inspected by the Officers of Customs in Lumps or Loaves, as if for immediate Shipment, and then packed for Exportation in the Presence of such Officers, and at the Expense of the Exporters - - - - - - - - for every Cwt.	0	17	2
Upon Refined Sugar unstoved, pounded, crushed or broken, and not in any way inferior to the Export Standard Sample No. 1 approved by the Lords of the Treasury, and which shall not contain more than 5 per Centum Moisture over and above what the same would contain if thoroughly dried in the Stove - - - - for every Cwt.	0	16	4
Upon Bastard or Refined Sugar, unstoved, broken in Pieces, or being ground, powdered, or crushed, not in any way inferior to the Export Standard Sample No. 2 approved by the Lords of the Treasury - - - - - - for every Cwt.	0	15	1
Upon Bastard or Refined Sugar being inferior in Quality to the said Export Standard Sample No. 2 - - - - - - - - for every Cwt.	0	12	8

Duty on Chicory.

In lieu of the Duties of Customs now charged on the Articles under mentioned, the following Duties of Customs shall, on and after the Sixteenth Day of April One thousand eight hundred and sixty-one, be charged thereon on Importation into Great Britain and Ireland; that is to say,

	£	s.	d.
Chicory, or any other Vegetable Matter applicable to the Uses of Chicory or Coffee; viz.			
Raw or kiln-dried - - - - - - - - the Cwt.	0	12	0

SCHEDULE (B.)

Containing the Duties of Excise granted by this Act.

Chicory:

For and upon all Chicory or any other Vegetable Matter applicable to the Uses of Chicory or Coffee grown in the United Kingdom;

For every Hundredweight thereof, raw or kiln-dried, until the First Day of April One thousand eight hundred and sixty-two, the Duty of Eight Shillings and Sixpence, and on and after that Day the Duty of Eleven Shillings, and so in proportion for any greater or less Quantity than a Hundredweight:

In lieu of the Duties of Excise now payable thereon.

SCHEDULE (C.)

Containing the Rates and Duties of Income Tax granted by this Act.

For One Year, commencing on the Sixth Day of April One thousand eight hundred and sixty-one, for and in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act passed in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Thirty-four, for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, the following Rates and Duties, that is to say:—

For every Twenty Shillings of the annual Value or Amount of all such Property, Profits, and Gains (except those chargeable under Schedule (B.) of the said Act), the Rate or Duty of Ninepence;

And for and in respect of the Occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B.) of the said Act, for every Twenty Shillings of the annual Value thereof—

In England the Rate or Duty of Fourpence Halfpenny; and

In Scotland and Ireland respectively the Rate or Duty of Threepence;

Subject

Subject to the Provision contained in the said Act, Sixteen and Seventeen Victoria, Chapter Thirty-four, Section Twenty-eight, for the Relief of Persons whose Incomes are under 150*l.* a Year respectively, from so much of the said Duties as shall exceed the Rate of Sixpence for every Twenty Shillings of their respective Profits and Gains, computed as in the said Enactment is mentioned, and subject also to the Provision therein contained for the Exemption of Persons whose Incomes from every Source shall be less than 100*l.* a Year respectively.

SCHEDULE (D.)

Specifying the ARTICLES upon which CUSTOMS DUTIES are to cease by this ACT.

The Duties of Customs chargeable upon the Goods, Wares, and Merchandise next herein-after mentioned, imported into Great Britain and Ireland, shall cease and determine on and after the First Day of October One thousand eight hundred and sixty-one; (that is to say,)

Paper; viz.
- Brown Paper, made of old Rope or Cordage only, without separating or extracting the Pitch or Tar therefrom, and without any Mixture of other Materials therewith.
- Printed, painted, or stained Paper Hangings or Flock Paper.
- For Printing or Writing.
- Gilt, stained, coloured, embossed, and all fancy Kinds, not being Paper Hangings, or Paper fit for Printing or Writing.
- Waste Paper, or Paper of any other Sort not particularly enumerated or described, not otherwise charged with Duty.
- Millboards.
- Pasteboard.

Books; viz.
- ——— being of Editions printed in or since the Year 1801, bound or unbound.
- ——— admitted under Treaties of International Copyright, or if of and from any British Possession.

Prints and Drawings; viz.
- ——————— plain or coloured.
- ——————— admitted under Treaties of International Copyright.
- ——————— or, and at the Option of the Importer,
- ——————— ——— Single.
- ——————— ——— Bound.

CAP. XXI.

An Act for granting to Her Majesty certain Duties of Excise and Stamps. [28th *June* 1861.]

Most Gracious Sovereign:

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's Public Expenses, and making an Addition to the Public Revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several Rates and Duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Grant of Duties specified in Schedules annexed.

1. There shall be charged, collected, and paid for the Use of Her Majesty, Her Heirs and Successors, the several Duties of Excise and Stamps specified and contained in the Schedules marked respectively (A.) and (B.) to this Act annexed, which said Duties shall commence and take effect at or from the respective Times specified or mentioned in that Behalf in the said Schedules; and where with regard to any of such Duties no Time is so specified for the Commencement thereof, the same shall commence and take effect from and after the passing of this Act: Provided, that the last-mentioned Duties imposed on any of the several Instruments, Matters, and Things described in the said Schedule (B.) shall be chargeable in respect of such of them only as shall be dated, or, if there be no Date, made or signed at any Time after the Day of the passing of this Act.

Power to Licensed Dealers in Spirits taking out an additional Licence to retail and send out Foreign or British Spirits in less Quantities than Two Gallons.

2. Any Person duly licensed as a Dealer in Spirits in *England* may take out an additional Licence authorizing him to sell by Retail Foreign or *British* Spirits in any Quantity not less than One reputed Quart Bottle, or, as to Foreign Liqueurs, in the Bottles in which the same may have been imported, not to be drunk or consumed upon the Premises; and any Licensed Dealer taking out such additional Licence may send out or deliver any such Spirits without the Certificate required by Law in such Cases, if the Quantity does not exceed One Gallon at a Time, and such Spirits are not sent to the Stock of any Dealer or Retailer: Provided always, that nothing herein contained shall extend to repeal, alter, or affect Section One hundred and sixty-nine of the Act of the last Session of Parliament, Chapter One hundred and fourteen: Provided further, that notwithstanding any Provision herein-after contained, all Penalties to be incurred or recoverable under this Section, or in relation thereto, may be sued for by any Superintendent or Inspector of Police, upon Information and Summons before the

Police Court or Justice having Jurisdiction in the Place where the Offence is committed, but the Appropriation of the Penalty shall be the same as is herein-after specified.

Licences may be granted for the Sale of Table Beer by Retail not to be drunk on the Premises without Persons being rated, &c.

3. It shall be lawful for any Person to take out a Licence for the Sale in any House or Shop of Table Beer, at a Price not exceeding the Rate of One Penny Halfpenny the Quart, and not to be drunk or consumed on the Premises where sold; and it shall not be necessary to the obtaining of such Licence that the said House or Shop shall be rated to the Relief of the Poor to any Amount, or that the Person applying for such Licence shall produce any Certificate, or enter into any Bond required by any Act relating to the Sale of Beer by Retail.

Provisions of former Acts to apply to this Act.

4. All the Powers, Provisions, Clauses, Regulations, Allowances, and Exemptions, Forfeitures, Pains, and Penalties contained in or imposed by any Act or Acts, or any Schedule thereto, relating to any Duties of the same Kind or Description as the several Rates or Duties granted by this Act respectively, and in force at the Time of the passing of this Act, shall respectively be of full Force and Effect with respect to the said Duties by this Act granted respectively, so far as the same are or shall be applicable, in all Cases not hereby expressly provided for, and shall be observed, applied, allowed, enforced, and put in execution for and in the raising, levying, collecting, and securing of the said last-mentioned Duties respectively, and otherwise in relation thereto, so far as the same shall not be superseded by and shall be consistent with the express Provisions of this Act, as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted, *mutatis mutandis*, with reference to the Duties by this Act granted respectively.

Expiration of Licences granted under this Act to Hawkers, &c.

5. All Licences to Hawkers, Pedlars, and Petty Chapmen under this Act, where the same shall be respectively granted for any Period exceeding Six Months, shall continue in force until and upon the Thirty-first Day of *July* next following the Date thereof, and no longer; and where they shall be granted for any Period not exceeding Six Months they shall continue in force until and upon the Thirty-first Day of *January* or the Thirty-first Day of *July*, as the Case may be, next following the Date thereof, and no longer.

Licence may be granted to Hawkers on Certificate of Justice, &c.

6. Any Licence to a Hawker, Pedlar, and Petty Chapman under this Act may be granted by any authorized Officer of Inland Revenue upon the Person applying for it producing either such Certificate as is now by Law required before receiving a Hawker's Licence, or a Certificate under the Hand of a Justice of the Peace for the County or Place, or any Superintendent or Inspector of Police of or for the District in which the Officer shall reside, that the Applicant for such Licence under this Act is a proper Person to be so licensed.

Not to affect the Licences to Hawkers, &c. trading otherwise than as herein mentioned.

7. Provided always, That nothing herein contained shall in any way affect the Licences by Law required to be taken out by Hawkers, Pedlars, and Petty Chapmen travelling or trading in any other Manner than as in the Schedule to this Act is mentioned, or the Duties thereon, nor, save as herein is expressly enacted, any of the Powers, Provisions, Clauses, Regulations, Directions, Fines, Forfeitures, Pains, and Penalties contained in any Act of Parliament in force relating to Hawkers, Pedlars, and Petty Chapmen, or to Stamp Duties.

Licensed Hawkers, &c. may carry and sell Tea and Coffee under an Excise Licence.

8. 'And whereas Persons licensed under the Laws of Excise to sell Tea and Coffee are restricted 'in the Sale thereof to Premises of which Entry is required to be made with the Officers of Excise; 'and it is expedient to allow such licensed Persons who shall also be duly licensed under the Acts 'in force relating to Hawkers, Pedlars, and Petty Chapmen in *Great Britain* to carry and expose for 'Sale and sell Tea or Coffee in the Course of their Trading as such Licensed Hawkers, Pedlars, and 'Petty Chapmen:' Be it enacted, That no Person who shall be duly licensed under the Laws of Excise to sell Tea or Coffee, and also duly licensed as a Hawker, Pedlar, and Petty Chapman, shall be subject to any Penalty or Forfeiture for selling Tea or Coffee elsewhere than on such entered Premises as aforesaid, by reason or on account of his selling Tea or Coffee in the regular Course of his Trading as such Hawker, Pedlar, or Petty Chapman, duly licensed as aforesaid, anything in any Act relating to the Excise to the contrary notwithstanding.

Persons seeking Orders for Goods at other Men's Houses to be deemed Hawkers.

9. Persons going from Town to Town or to other Men's Houses, carrying to sell or exposing to Sale any Goods, Wares, or Merchandise, or carrying and exposing Samples or Patterns of any Goods, Wares, or Merchandise to be afterwards delivered, shall be deemed to be and shall be trading Persons within the Meaning of this Act, and of the Acts now in force relating to Hawkers, Pedlars, and Petty Chapmen, and shall be subject and liable to all the Duties, Provisions, Regulations, Pains, and Penalties in and by the said Acts imposed or contained, as if the same were herein repeated and re-enacted with reference to the Persons and Matters and Things aforesaid: Provided that nothing herein contained shall extend to subject Commercial Travellers or other Persons to the Duties and Provisions of the said Acts by reason merely of their selling or seeking Orders for Goods, Wares, or Merchandise to or from Persons who are Dealers therein, and who buy to sell again, nor to Persons licensed by the Excise to deal in Spirits, Wine, or Beer, or to the Agents of such last-mentioned Persons, nor to Persons who are the real Workers or Makers of any Goods or Wares, or the Servants of such Persons seeking Orders for any of such Goods or Wares.

Who shall be deemed House Agents, and required to be

10. Every Person who, as an Agent for any other Person, shall, for or in expectation of Fee, Gain, or Reward of any Kind, advertise for Sale or for Letting any furnished House or Part of any furnished House, or who shall by any Public Notice or Advertisement, or by any Inscription in or upon any House, Shop, or Place used or occupied by him, or by any other Ways or Means, hold himself out to

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the Public as an Agent for selling or letting furnished Houses, and who shall let or sell, or agree to let or sell, or make or offer or receive any Proposal, or in any way negotiate for the selling or letting of any furnished House or Part of any furnished House, shall be deemed to be a Person using and exercising the Business, Occupation, and Calling of a House Agent within the Meaning of this Act and the Schedule (B.) hereto, and shall be licensed accordingly: Provided that no Person shall be deemed to be such House Agent by reason of his letting, or agreeing or offering to let, or in any way negotiating for the letting, of any House not exceeding the annual Rent or Value of Twenty-five Pounds: Provided also, that any Story or Flat rated and let as a separate Tenement shall be considered to be a House for the Purposes of this Enactment. licensed as such.

11. The Commissioners of Inland Revenue, and any Person authorized by them, shall, after the Fifth Day of *July* One thousand eight hundred and sixty-one, grant Licence to any Person who shall apply for the same to use and exercise the Business, Occupation, and Calling of a House Agent, which Licence shall also authorize the Person to whom it is granted to use and exercise the Calling or Occupation of an Appraiser; and any such Licence issued between the Fifth Day of *July* and the Fifth Day of *August* in any Year shall be dated on the Sixth Day of *July*, and any such Licence issued at any other Time shall bear the Date of the Day on which the same shall be issued, and every such Licence shall continue in force from the Day of the Date thereof until and upon the Fifth Day of *July* then next following and no longer. By whom Licences to House Agents shall be granted, and the Date and Continuance thereof.

12. Every Person who shall use or exercise the Business, Occupation, or Calling of a House Agent, without having a Licence in force under this Act so to do, shall forfeit the Sum of Twenty Pounds. Penalty for acting without Licence.

13. Provided always, That this Act shall not extend to require any Agent employed in the Management of Landed Estates, or any Attorney, Solicitor, Proctor, Writer to the Signet, Agent or Procurator admitted in any Court of Law, or any Conveyancer, who shall as such have taken out his annual Certificate, or any Auctioneer or Appraiser, having in force a Licence as such, to take out a Licence under this Act as a House Agent. Exceptions.

14. The Stamp Duty on a Lease or Tack of a furnished Dwelling House for a Term or Period of Time less than a Year, or on an Agreement, or a Minute or Memorandum of an Agreement containing the Terms and Conditions on which any such House is let, held, or occupied for any such Term or Period of Time, whatever may be the Amount of Rent reserved or made payable, and any Counterpart or Duplicate thereof, may be denoted by an adhesive Stamp affixed thereto, to be provided by the Commissioners of Inland Revenue for that Purpose; and where any such adhesive Stamp shall be used, every Party to the Instrument who shall sign the same shall also at the Time of signing it write upon or across the Stamp his Name, and there shall, before or at the Time of so signing the Instrument by the Party who shall first sign the same, be written upon the Stamp the Date of the Instrument, so that the Stamp may be appropriated to the Instrument and effectually cancelled and rendered incapable of being used for any other Instrument, and in default thereof the Stamp shall be of no avail, and Proof of the said Writing upon or across the Stamp as aforesaid shall be a necessary Part of the Evidence of the signing or making of the Instrument in any Case where such Instrument is not stamped with an impressed Stamp: Provided always, that where the Persons who as Parties shall sign any such Instrument shall exceed Two, it shall be sufficient if One Person only on each Part shall write his Name on the Stamp. The Stamp on the Lease of a furnished House may be adhesive; the same to be cancelled.

15. If any Lease or Tack, or Agreement, Minute or Memorandum of Agreement, herein-before described, or any Duplicate or Counterpart thereof, shall not be written on Paper or Parchment duly stamped for the same, and shall not at the Time of signing the same as aforesaid have affixed thereto the proper adhesive Stamp, or such Stamp, if affixed, shall not be cancelled in manner herein-before mentioned, every Person who shall sign the said Instrument, if there shall be no Stamp thereon or affixed thereto, and every Person who shall make default in signing his Name across the adhesive Stamp, if one shall be affixed thereto, and also, in either of the Cases aforesaid, the Agent or Person who shall prepare or be employed in preparing such Instrument, shall forfeit Five Pounds, which shall be in addition to any Penalty by Law payable on stamping the same: Provided always, that nothing herein contained shall be construed to render any Person liable to any Penalty for or on account of any Letters or Correspondence by Post containing the Terms or Conditions offered or accepted for the taking or letting of any furnished House. Penalty for signing any such Agreement not stamped.

SCHEDULES.

SCHEDULE (A.)

Containing the Duties of Excise granted by this Act.

Retail Licence to Dealers in Spirits.

	£	s.	d.
For and upon every additional Excise Licence to be taken out by any licensed Dealer in Spirits in Great Britain to authorize and empower him to sell by Retail Foreign or British Spirits in any Quantity not less than One reputed Quart Bottle, or as to Foreign Liqueurs in the Bottles in which the same may have been imported, and not to be drunk or consumed on the Premises, the Sum of - - - - - - - -	3	3	0

LICENCE to sell TABLE BEER.	£	s.	d.
For and upon every Excise Licence to be taken out by any Person for the Sale in any House or Shop of Table Beer at a Price not exceeding the Rate of One Penny Halfpenny the Quart, and not to be drunk or consumed on the Premises where sold - - -	0	5	0

SCHEDULE (B.)

Containing the STAMP DUTIES imposed by this ACT.

BILL OF EXCHANGE (Foreign) for the Payment of Money exceeding 500*l.* drawn out of the United Kingdom, and payable or endorsed or negotiated within the United Kingdom, For every 100*l.* and Part of 100*l.* of the Money thereby made payable - -	0	1	0
LEASE or TACK of any furnished Dwelling House for any Term or Period of Time less than a Year, or any Agreement, Minute or Memorandum of Agreement, containing the Term and Conditions on which any such House is let, occupied, or held for any such Term or Period of Time, where the Rent for such Term or Period of Time shall exceed 25*l.* -	0	2	6
And where the same, together with any Schedule, Receipt, or other Matter put or endorsed thereon or annexed thereto, shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words therein contained over and above the first 1,080 Words, the further progressive Duty of - - - - - - -	0	2	6
And for any Duplicate or Counterpart thereof - - - - - -	The same Duty or Duties.		
LICENCE to be taken out by any Hawker, Pedlar, or Petty Chapman in Great Britain who shall travel and trade on Foot, without any Horse or other Beast bearing or drawing Burden, and who shall carry his Goods, Wares, or Merchandise to and sell or expose for Sale the same at other Men's Houses only, and not in or at any House, Shop, Room, Booth, Stall, or other Place whatever belonging to or hired or occupied or used by him for selling or exposing the same for Sale in any Town to which he may travel,			
Where such Licence shall be granted for any Period not exceeding Six Months -	1	0	0
And where the same shall be granted for any Period exceeding Six Months and not exceeding a Year - - - - - - - - - -	2	0	0
LICENCE to be taken out by any such trading Person in Great Britain who shall travel with One Beast of Burden only, that is to say, an Ass or a Mule, or a Horse not exceeding in Height Thirteen Hands, of Four Inches to each Hand,			
Where such Licence shall be granted for any Period not exceeding Six Months -	2	0	0
And where the same shall be granted for any Period exceeding Six Months and not exceeding a Year - - - - - - - - - -	4	0	0
The several Stamp Duties herein-before contained in this Schedule to be in lieu of the Stamp Duties now payable upon the like Matters under any other Act now in force.			
LICENCE to be taken out yearly after the Fifth Day of July One thousand eight hundred and sixty-one, by every Person who shall use or exercise the Business, Occupation, or Calling of a House Agent - - - - - - - -	2	0	0

CAP. XXII.

An Act for confirming a Scheme of the Charity Commissioners for certain Charities in the Town and Parish of *Burford* in the County of *Oxford.* [28th *June* 1861.]

8th Report, dated 26th February 1861.

'WHEREAS the Charity Commissioners for *England* and *Wales*, in their Report to Her Majesty of their Proceedings during the Year One thousand eight hundred and sixty, have reported that they have provisionally approved and certified (among other Schemes for the Application and Management of Charities) a Scheme for certain Charities in the Town and Parish of *Burford* in the County of *Oxford*, and such Scheme is set out in the Appendix to their said Report: And whereas it is expedient that the said Scheme, as the same is set out in the Schedule to this Act, should be confirmed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Scheme in Schedule confirmed.

1. The said Scheme shall be confirmed and take effect.

SCHE-

SCHEDULE.

SCHEME.

For the Application and Management of the several Charities in the Town and Parish of Burford in the County of Oxford, herein-after mentioned or referred to, namely :—POOLE'S ESTATE ; the School, including Wisdom's, Symon's, Reynold's, Rolfe's, Richard Hunt's, and William Hunt's gifts :—THE TRADESMAN'S FUND, including all sorts of money, and Cleaveley's, Hopton's, Lenthall's, Hayter's, and Harris' Gifts :—THE FIFTEENTHS ESTATE, or John Hill's Gift :—THE GREAT ALMSHOUSE and WISDOM'S ALMSHOUSE :—THE CHURCH ESTATE, including More's, Rolfe's, and Hunt's gifts : —And the several other Charities heretofore vested in or under the management of the Feoffees or Trustees of the Burford Charities, or the Corporation of the Borough of Burford respectively.

1. The existing Corporation of the alderman, steward, bailiffs, and burgesses of the Borough of Burford is hereby dissolved, and all lands, hereditaments, and other real estate and property whatsoever, heretofore vested in or held by, the said Corporation, or by the Trustees or Feoffees of the above-mentioned Charities, or any of them, in trust for the purposes thereof respectively, shall from and after the establishment of this Scheme be vested in and held by the Official Trustee of Charity Lands and his successors, in trust for the "Burford Charity Trustees," herein-after mentioned, and to the intent that the same may be managed and administered by the said last-mentioned Trustees in conformity with the provisions of this Scheme : Provided nevertheless, that all subsisting legal debts and liabilities of the said Corporation shall be in the first instance paid or provided for by the said Trustees out of the income of the estates heretofore held in trust for or for the use of the said Corporation.

2. All sums in the public stocks or funds belonging to or held by any person or persons in trust for the said Charities, or any of them, or for the said Corporation, shall be forthwith transferred into the name of the Official Trustees of Charitable Funds, in trust for the said Charities respectively.

3. The said Charities, and the estates and property thereof, shall from and after the establishment of this Scheme be under the management of one body of Trustees, to be called "The Burford Charity Trustees," who shall consist of the vicar for the time being of the parish of Burford (who shall be an ex-officio Trustee), and eleven non-official Trustees, to be appointed as herein-after mentioned. The non-official Trustees shall respectively be fit and competent persons, resident in the parish of Burford, if such can be found ; but residents in any of the adjoining parishes shall be eligible for appointment, upon any default of a sufficient number of duly qualified persons residing in the said parish.

4. The first non-official Trustees shall be appointed by the Board of Charity Commissioners for England and Wales within three calendar months after the establishment of this Scheme. The office of any non-official Trustee shall be vacated by his resignation, bankruptcy, or insolvency, or by his ceasing to be such resident as aforesaid, or omitting to attend a meeting of the Trustees for two consecutive years ; and as soon as conveniently may be after the occurrence of any such vacancy, or after the death of any non-official Trustee, the remaining Trustees of the said Charities shall, with the sanction of the said Board, appoint some fit and proper person, resident within the limits aforesaid, to fill the vacancy to be so occasioned, so as to keep up the full number of eleven non-official Trustees.

5. The Trustees, with the approval of the said Board, shall forthwith establish suitable regulations for the conduct of their proceedings, and the business connected with the administration of the said Charities, and may from time to time, with the like approval, vary such regulations or any of them.

6. The Trustees shall apply the net annual income of the Charity known as "The Fifteenths Estate" to the purposes of the national or parochial school in the parish of Burford.

7. The almshouse known as "Wisdom's Almshouse" shall be abolished ; and the Trustees shall, with the sanction of the said Board, sell or otherwise dispose of the building and premises thereunto belonging, and apply the income to be derived from the proceeds of such sale or disposition to the purposes of "The Great Almshouse" in Burford, which shall be placed under suitable regulations, to be established by the Trustees, with the approval of the said Board.

8. The Trustees shall apply the net annual income of "The School Estate" and "The Tradesmen's Fund" respectively, and so much of the net annual income of "Poole's Estate" as has been heretofore applicable for the benefit or purposes of the Corporation of the borough of Burford, to the purposes of the Burford free school, as re-established and regulated in accordance with the provisions of this scheme.

9. The said school so to be re-established shall be for the instruction and benefit of the sons of the inhabitants of the town of Burford and its neighbourhood ; and the Trustees, with the sanction of the said Board, shall forthwith make and establish proper regulations prescribing the nature of the instruction to be given at the said school, and dividing the same into separate departments, and providing for the appointment and removal of the scholars, masters, and teachers respectively, and fixing the amounts of the stipends of the masters and teachers, and of the capitation fees (if any) to be paid by the scholars, and generally for the constitution, government, and conduct of the said school, and the masters and scholars thereof ; and the Trustees, with the like sanction and approval, may from time to time vary or modify such rules and regulations, or any of them.

10. The several other above-mentioned Charities, for the administration of which no special provision has been heretofore made, shall be managed and administered by the said "Burford Charity Trustees," in

in conformity with their respective trusts, according to suitable regulations to be established by the said Trustees, with the approval of the said Board.

11. If any doubt or question shall arise amongst the Trustees or any of them as to the proper construction or application of any of the provisions of this Scheme, or the management of the Charities, application may be made by the Trustees to the Charity Commissioners for England and Wales, for their opinion and advice thereon, which opinion and advice, when given, shall be binding on the Trustees; and any provision in this Scheme which may require to be explained or more closely adapted to the circumstances for the time being of the Charities, may be explained and adapted accordingly, by an order of the Board of Charity Commissioners for England and Wales, to be made upon the application of the Governors to the said Board; and any provision in this Scheme which shall be found inconvenient or objectionable may be modified accordingly by an order of the said Board; provided that no alteration shall be made by any such order involving a deviation from the main objects and principles of this Scheme.

CAP. XXIII.

An Act for confirming a Scheme of the Charity Commissioners for certain Charities in the Borough of *Reading*. [28th *June* 1861.]

8th Report, dated 26th February 1861.

'WHEREAS the Charity Commissioners for *England* and *Wales*, in their Report to Her Majesty of their Proceedings during the Year One thousand eight hundred and sixty, have reported 'that they have provisionally approved and certified (among other Schemes for the Application and 'Management of Charities) a Scheme for certain Charities in the Borough of *Reading*, and such 'Scheme is set out in the Appendix to their said Report: And whereas it is expedient that the said 'Scheme as the same is set out in the Schedule to this Act should be confirmed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Scheme in Schedule confirmed.

1. The said Scheme shall be confirmed and take effect.

SCHEDULE.

SCHEME for the Application and Management of the herein-after mentioned CHARITIES in the Borough of READING:—As to A'LARDER'S ALMSHOUSES and BERNARD HARRISON'S ALMSHOUSES, and the several subsidiary foundations and endowments heretofore created or appropriated for the maintenance or benefit of the same almshouses respectively, or the inmates thereof:—And also as to the several Charities of ROBERT BOYER, JOHN BALLE, RICHARD IRONSIDE, AUGUSTINE KNAPP, JOHN NOYSE, DR. SWADDON, RICHARD TURNOR, RODOLPH WARCUPP, THOMAS LANE, JOSEPH CARTER, PETER WYBOE, WILLIAM THORNE, MARY WORSLEY, EDWARD KEMYS, EDWARD HAMBLIN, WILLIAM BRACKSTONE, JOHN EYRE, WILLIAM JOANES, THOMAS DEANE, JAMES POCOCK, WILLIAM IREMONGER, and MARY LOVE.

Consolidated General Almshouse Charities.

1. The Trustees of the General Municipal Charities of the borough of Reading for the time being shall be the Trustees of the several last-mentioned Charities, which shall be called "The Consolidated General Almshouse Charities of Reading."

2. The several sums of stock belonging to or held in trust for the said Charities respectively shall be forthwith transferred into the name of the Official Trustees of Charitable Funds, by whom the same shall be placed to the account of the General Almshouse Charities of the Borough of Reading, and the yearly dividends to arise from the said stock, after the receipt thereof by the said Official Trustees, and the income of the other property belonging to the said Charities, shall be paid to and received by the Trustees of the same Charities, and shall be carried by them into one fund, out of which the said Trustees, after providing for the payment of repairs, insurance, salaries, and other necessary outgoings and expenses of management, shall from time to time cause the vault of Mary Love, in the church of Saint Lawrence, to be kept in proper repair, and shall pay to each of the present inmates of A'Larder's and Harrison's Almshouses respectively, so long as they shall respectively retain their appointments, a weekly stipend of 7*s.*, and a gift of 2*l.* annually at Christmas.

3. The surplus annual income of the said Charities which shall remain after providing for the payments and expenses aforesaid shall be accumulated by the said Trustees for the formation of a building fund, and shall for that purpose be invested by them from time to time in the purchase of 3*l.* per cent. consolidated annuities, or of any other stock in which trust funds may be legally invested, in the names of some four of the said Trustees.

4. Until new almshouses shall be constructed, as herein-after mentioned, the Trustees shall be at liberty to abstain from filling up the vacancies to be occasioned by death or otherwise amongst the inmates of the aforesaid present almshouses respectively, and to carry the proportions of the income so becoming unappropriated to the building fund, and the Trustees shall also have power from time to time to remove the inmates of one of the said almshouses to fill up the vacancies in the other.

5. Subject to the duty of providing suitable accommodation for the present almspeople, the Trustees, with the consent of the Charity Commissioners, shall be at liberty to sell the said almshouses or either of them, and the produce of any such sale shall be carried to the building fund aforesaid.

6. When

6. When the building fund shall amount to a sufficient sum, the Trustees shall, with the consent of the Charity Commissioners, erect, upon a convenient site to be purchased or acquired by the said Trustees in or near the borough of Reading, new almshouses for the accommodation of as many poor people as to them may seem expedient, not exceeding the number of 24 in the first instance, and upon the completion of such new almshouses the then surviving or continuing inmates of the present almshouses (if any) shall be transferred thereto.

7. The inmates of the almshouses shall in future be selected and appointed from time to time by the Trustees thereof, at proper meetings of their body, from poor persons of good character who shall have resided within the borough of Reading at least three consecutive years next before their election, and during that time shall not have been in the receipt of parish relief, with preference for those persons who have been reduced by misfortune from better circumstances, and who may be incapacitated from work or labour by age, illness, or infirmity. The inmates shall, so far as conveniently may be, be men and women in equal numbers, but the Trustees shall be at liberty, under special circumstances, to vary those proportions.

8. Every almsperson shall be removable by the Trustees for any reasonable cause, and may also be suspended by the Trustees from the receipt of any emolument or benefit under the Charities during such time as the Trustees shall think fit or expedient.

9. Every almsperson to be hereafter appointed shall be paid out of the income of the Consolidated Charities, so far as the same shall be sufficient for the purpose, a weekly stipend of 7*s.*, and also a donation of 2*l.* at Christmas.

10. The Trustees, with the consent of the Charity Commissioners, shall have power from time to time to vary the number of the almspeople and the weekly stipends and other gifts or benefits to be paid or given to them respectively out of the income of the Charities, and to make regulations for the better government of the almshouses and inmates generally, which regulations shall be binding on all the inmates and other persons concerned.

11. Notwithstanding the provisions herein-before contained, the Trustees shall be at liberty to continue to any deserving poor persons who shall not have been in the receipt of parochial relief during the then next preceding period of one year any periodical payment or gift heretofore made to them out of the income of any of the Charities hereby consolidated.

12. The Trustees, instead of pulling down or selling the existing buildings known as "Harrison's Almshouses," shall be at liberty, with the sanction of the Charity Commissioners, to repair and retain the same for permanent occupation as part of the almshouses contemplated by this scheme.

As to KENDRICK'S ALMSHOUSES, SIR THOMAS VACHELL'S ALMSHOUSES, and HALL'S ALMSHOUSES, and the several subsidiary foundations and endowments heretofore created or appropriated for the maintenance or benefit of the same almshouses respectively or the respective inmates thereof, and also as to RICHARD JOHNSON'S CHARITY.

Consolidated Church Almshouse Charities.

13. The Trustees of the Municipal Church Charities of the said borough of Reading for the time being shall be the Trustees of the said several last-mentioned Charities, which shall be called "The Consolidated Church Almshouse Charities of Reading."

14. The said Trustees shall cause the sum of 20*l.* consolidated 3*l.* per cent. bank annuities to be transferred into the names of the Official Trustees of Charitable Funds, out of the funds of the said last-mentioned Charities, for the purpose herein-after mentioned, and the remaining stocks of all denominations belonging to the same several Charities shall be transferred into the names of the said Official Trustees, by whom the same shall be placed to the account of "The Church Almshouse Charities of Reading," and the yearly dividends and income to arise from such last-mentioned stocks, and from the other property belonging to the said Charities, shall be paid to and received by the said Trustees of the said Charities, and shall be carried into one fund, out of which the Trustees, after providing for the payment of repairs, insurance, salaries, and other necessary outgoings and expenses of management, shall pay to the present respective inmates of the said almshouses known respectively as Kendrick's, Vachell's, and Hall's Almshouses, so long as they shall respectively retain their appointments, such weekly stipends and allowances as the amount of such dividends and income will from time to time permit, and the Trustees shall consider fit and expedient.

15. Any surplus annual income of the said Charities which shall remain after providing for the payments aforesaid shall be accumulated for the formation of a building fund, and shall for that purpose be invested from time to time in the purchase of 3*l.* per cent. consolidated bank annuities, or in any other stocks in which trust funds may be legally invested, in the names of some four of the said Trustees.

16. When the building fund shall amount to a sufficient sum, the said Trustees shall be at liberty, with the consent of the Charity Commissioners, to purchase or acquire a site in or near the borough of Reading for the erection of new almshouses, and, with the like consent, to erect thereon such suitable almshouses for the accommodation of so many poor people, not exceeding 12 in the first instance, as to them may seem expedient, and upon the completion of such new almshouses the then surviving or continuing inmates of the present almshouses (if any) shall be transferred thereto.

17. The inmates of the almshouses shall in future be selected and appointed from time to time by the Trustees thereof, at proper meetings of their body, from poor persons of good character, being members of

of the Church of England, who shall have resided in the borough of Reading at least three consecutive years next before their election, and during that time shall not have been in the receipt of parish relief, with preference for those persons who have been reduced by misfortune from better circumstances, and who may be incapacitated from work or labour by age, illness, or infirmity. The inmates shall, so far as conveniently may be, be men and women in equal numbers, but the Trustees shall be at liberty, under special circumstances, to vary those proportions.

18. The provisions of the 4th, 5th, 8th, 9th, 10th, and 11th clauses of this scheme relating to the Consolidated General Almshouse Charities shall be applicable to the Consolidated Church Almshouse Charities, as if the same provisions were here repeated.

As to the several Charities known respectively as THOMAS LYDELL'S CHARITY, EDWARD SIMEON'S BREAD GIFT, SIR JOHN SIMEON'S BREAD GIFT, and SIR THOMAS WHITE'S CHARITY FOR LOANS.

Consolidated Municipal Educational Charities.

19. The said Trustees of the Municipal Church Charities of the Borough of Reading for the time being shall be the Trustees of the several last-mentioned Charities, which shall be called "The Consolidated Municipal Educational Charities of the Borough of Reading."

20. The said Trustees shall cause the sum of 33*l.* 6*s.* 8*d.* consols to be transferred into the name of the Official Trustees of Charitable Funds, out of the funds of the said last-mentioned Charities, for the purpose herein-after mentioned. The remaining stocks of all denominations belonging to the same Charities shall be transferred into the name of the said Official Trustees, to an account to be called "The Account of the Reading Consolidated Municipal Educational Fund," and all monies now belonging to or which may hereafter be received by the said Trustees in respect of Sir Thomas White's Charity, whether as accruing income or in respect of the repayment of loans or otherwise, shall be invested by them from time to time in the purchase of 3*l.* per cent. consolidated bank annuities, in the name of the said Official Trustees, to be carried to the same account.

21. The yearly dividends and income to arise from all such stocks, and from the other property belonging to the said last-mentioned Charities, shall be paid to and received by the Trustees of the same Charities, and shall be carried by them into one fund, which (after the payment thereout of repairs, insurance, salaries, keeping in proper repair the vault of Sir John Simeon in the church of Saint Giles, and other necessary outgoings and expenses of management,) shall be divided by the said Trustees annually into three equal parts; and one of such third parts shall be applied by the said Trustees, at their discretion, for or towards the support or benefit of the National Schools, now or hereafter to be established in connexion with the three parish churches in Reading, and with the other churches or chapels in Reading in communion with the Church of England, regard being had in the apportionment and distribution thereof to the number of children for the time being attending each of the said schools; and the remaining two third parts shall be applied by the said Trustees in equal shares for or towards the support or benefit of the two schools in Reading known respectively as the Green Girls School and the Blue Coat School; provided nevertheless, that the Trustees, with the consent of the Charity Commissioners, may from time to time vary the proportions in which the said two third parts shall be divided between the said two last-mentioned schools, and that the payment to be so made towards the support of the aforesaid Green Girls School shall not confer upon the said Trustees any right of interfering in the government or management of the same school.

As to the several Charities known respectively as JOHN BLAGRAVE'S CHARITY; WILLIAM BOUDRY'S and JOHN RICHARD'S CHARITY; and MARTIN ANNESLEY'S CHARITY.

Consolidated Charities for Female Servants.

22. The said Trustees of the Municipal Church Charities of the borough of Reading for the time being shall be the trustees of the said several last-mentioned Charities, which shall be called "The Consolidated Charities for Female Servants at Reading."

23. The said Trustees shall cause the sum of 27*l.* 16*s.* 3*l.* per cent. consolidated annuities to be transferred out of the funds of the said last-mentioned Charities into the name of the Official Trustees of Charitable Funds, for the purposes herein-after mentioned. The remaining stock of all denominations belonging to the same Charities shall be transferred into the name of the said Official Trustees of Charitable Funds, and shall be placed by them to an account to be called "The Account of the Consolidated Charities for Female Servants at Reading," and the yearly dividends and income to arise from such stock and the other property belonging to the said Charities shall be paid to and received by the Trustees of the said Charities, and shall be carried by them into one fund which, after the payment of insurance, repairs, salaries, and other necessary outgoings and expenses of management, shall be distributed by the said Trustees annually at Easter in gifts of not less than 10*l.* nor more than 20*l.* each to meritorious female servants, being members of the Church of England, who shall have served for a period of not less than five consecutive years in one continued service with some respectable householder within some one of the three parishes of Reading, and shall produce certificates of good character and conduct, to the satisfaction of the Trustees. Any surplus income of the said Charities which shall not be required for distribution in manner aforesaid in any one year may be carried over by the Trustees to the next year's account; but in case it shall be found difficult or expedient to expend the whole of the income of the said Charities for the time being in such distribution, the Trustees may, with the sanction of the said Board, apply the surplus income thereof in any other manner for the benefit of poor deserving women, being members of the Church of England residing in the said borough of Reading.

Consolidated

Consolidated Gifts to Parish Officers of Saint Lawrence.

24. The said several sums of 20*l.*, 33*l.* 6*s.* 8*d.*, and 27*l.* 16*s.* consolidated bank annuities, making together 81*l.* 2*s.* 8*d.* consols, to be transferred as aforesaid into the name of the Official Trustees of Charitable Funds, shall be placed by the said Official Trustees to an account to be called "The Account of the Consolidated Gifts to the Parish Officers of St. Lawrence in Reading," and the dividends shall be paid or remitted by the said Official Trustees to the vicar for the time being of the said last-mentioned parish, who shall pay thereout annually—

	s.	*d.*
To the clerk of the same parish, if there be one - - - -	4	4
To the bell-ringer - - - - - - - - -	3	4
To the sexton - - - - - - - - -	1	0
To the churchwardens for the repairs of the parish church - - -	10	0

and shall retain the residue of the same dividends for his own use.

As to Elizabeth Deane's Charity.

25. The sum of 156*l.* 17*s.* 5*d.* reduced 3*l.* per cent. annuities, forming the endowment of this Charity, shall be transferred to the Official Trustees of Charitable Funds, who shall pay or remit the dividends thereof from time to time to the chaplain for the time being of the county gaol at Reading, to be by him applied, at his discretion, for the benefit of poor prisoners on their discharge from such gaol.

As to Richard Aldworth's Charity.

26. The annual expenditure out of the income of this Charity in providing clothing and bread for distribution amongst 20 poor aged persons shall henceforth be discontinued, and the proportion of the annual income of the Charity heretofore applicable to the purposes of such expenditure shall be applied to the educational objects of the same foundation.

As to the whole of the Charities comprised in this Scheme.

27. The Trustees of the said several Charities respectively, with the consent of the Charity Commissioners for England and Wales, shall have power from time to time to make regulations for the conduct and government, for the better management and application of the same Charities respectively and the recipients thereof.

28. If any doubt or question shall arise as to the proper construction or application of any of the provisions of this scheme or the management of the Charities, application may be made by the Trustees to the Charity Commissioners for England and Wales for their opinion and advice thereon, which opinion and advice, when given, shall be binding on the Trustees; and any provision in this scheme which may require explanation or modification may be explained or modified accordingly, by an order either of the Court of Chancery or of the Board of Charity Commissioners for England and Wales, to be made upon the application of the Trustees to the said Court or Board; provided that no alteration shall be made by any such order involving a deviation from the main objects and principles of this scheme.

CAP. XXIV.

An Act for confirming a Scheme of the Charity Commissioners for the Hospital of Lady *Katherine Leveson* at *Temple Balsall* in the County of *Warwick*. [28th *June* 1861.]

8th Report, dated 26th February 1861.

'WHEREAS the Charity Commissioners for *England* and *Wales*, in their Report to Her Majesty of their Proceedings during the Year One thousand eight hundred and sixty, have reported that they have provisionally approved and certified (among other Schemes for the Application and Management of Charities) a Scheme for the Hospital of Lady *Katherine Leveson* at *Temple Balsall* in the County of *Warwick*, and such Scheme is set out in the Appendix to their said Report: And whereas it is expedient that the said Scheme, as the same is set out in the Schedule to this Act, should be confirmed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The said Scheme shall be confirmed and take effect.

Scheme in Schedule confirmed.

SCHEDULE.

SCHEME for the Regulation and Management of the Hospital of LADY KATHERINE LEVESON at Temple Balsall in the county of Warwick.

1. The full number of almswomen to be appointed to the hospital shall in future be 35.

2. The almswomen shall be appointed from time to time by the Governors at some meeting of their body, and shall respectively be poor women of good character, either widows or unmarried, and not less than 60 years of age at the time of appointment, with a preference for those persons, having the qualifications aforesaid, who shall have been reduced from better circumstances by accident or misfortune; provided nevertheless, that poor women, who are disabled by illness or infirmity from maintaining

themselves, shall be eligible for appointment under the age of 60 years, if otherwise duly qualified as aforesaid.

3. Twenty of the almswomen shall always be taken from residents in the hamlet of Balsall, qualified as aforesaid, if such can be found; and the remainder of the almswomen (including any deficiency in the aforesaid number of 20) may be taken from persons, qualified as aforesaid, who shall be resident either in the said hamlet or in the adjoining parishes of Barston and Hampton-in-Arden respectively, including the hamlets within the said parish of Hampton-in-Arden.

4. Each almswoman shall receive in future, out of the income of the Charity, the sum of 6*s.* per week, in lieu of the present weekly and other pecuniary allowances and payments, and shall also be provided with such reasonable quantities of bread, milk, and coal or other fuel, at the cost of the Charity, as the Governors shall from time to time direct. Each almswoman shall also be provided yearly, at the cost of the Charity, with a grey cloth gown, marked as required by the will of Lady Katherine Leveson, and a suitable bonnet and shawl.

5. The Governors shall have power to remove or expel, or to suspend temporarily from all emoluments under the Charity any almswoman who shall be guilty of immorality, breach of rules, or other misconduct, or who shall become of unsound mind, or shall cease from any alteration of her circumstances to be a proper object of the Charity.

6. The Governors shall from time to time appoint and employ a competent medical practitioner to attend the almswomen, and to supply them with medicines and medical appliances in sickness or need, and may pay him a reasonable salary out of the revenues of the Charity in respect of his attendance, and the medicines and other articles supplied by him; and the Governors may also appoint one or more nurse or nurses to attend upon the almswomen, when required, and may provide such nurses with apartments, and pay them suitable wages out of the income of the Charity.

7. In lieu of the contingent benefits given by the founder of the Charity to the poor of the several parishes of Long Itchington in the county of Warwick, Trentham in the county of Stafford, and Lilleshall in the county of Salop, there shall be four pensioners for each of those parishes respectively, who shall be appointed in accordance with the provisions herein-after contained.

8. The pensioners shall respectively be poor women resident in the parish for which they respectively shall be appointed, and having in all other respects, except their place of residence, the same qualifications which are herein-before prescribed for the said almswomen; and such pensioners respectively shall be appointed from time to time by the Governors of the hospital, upon the recommendation of the incumbent or officiating minister and churchwardens of the parish for which the appointment shall be made, or the majority of them; and such incumbent or minister and churchwardens respectively, upon forwarding any such recommendation to the Governors, shall certify to them that the person so recommended is duly qualified for appointment as a pensioner, in accordance with the provisions of this scheme. If the said incumbent or officiating minister and churchwardens shall omit to transmit such recommendation and certificate to the Governors before the expiration of two calendar months next after the time when the deprivation of any pensioner shall have been notified to them by the Governors, as herein-after mentioned, or next after the occurrence of any vacancy amongst the pensioners, otherwise than by deprivation, the Governors may proceed to make the appointment to fill such vacancy without any such recommendation as aforesaid.

9. Each pensioner shall be entitled to an allowance of 8*s.* per week out of the income of the Charity; and the amount of the pensioners allowances shall be paid by the Governors half-yearly in advance to the incumbent or officiating minister and one of the churchwardens of the respective parishes to which such pensioners shall respectively belong, who shall pay and distribute the same weekly amongst the pensioners.

10. The pensioners shall respectively vacate their appointments upon ceasing to reside in the respective parishes for which they shall have been appointed, and they may respectively be deprived or suspended by the Governors for disqualification, improper conduct, or other sufficient cause; but every such deprivation or suspension shall be forthwith notified by the Governors to the incumbent or officiating minister and the churchwardens of the parish for which the pensioner so deprived or suspended shall have been appointed.

11. The Governors, with the approval of the Charity Commissioners for England and Wales, may prescribe from time to time suitable regulations for the management and administration of the branch of the Charity relating to the pensioners, subject to the provisions of this scheme, and such regulations shall be binding on the pensioners and all other persons concerned.

12. The boys and girls schools which have been established by the Governors in the hamlet of Balsall shall be maintained and carried on by them out of the funds of the Charity, for the instruction of children residing in the said hamlet or in the manor of Balsall; and the Governors, with the approval of the Board of Charity Commissioners for England and Wales, shall make and establish suitable rules for the conduct and regulation of the said schools, and the masters, teachers, and scholars thereof respectively, and for fixing and determining the number, salaries, and emoluments of the master and teachers, and their respective qualifications and duties; and, with the like approval, may from time to time alter and vary such rules.

13. Subject to a preference which shall always be given to children resident in the hamlet of Balsall for admission to the schools, the Governors may direct that children residing in any of the adjoining or neighbouring parishes or hamlets shall be admissible to the schools or any of them, subject to any suitable conditions or regulations which the Governors may prescribe.

14. The church or chapel of Saint Mary at Balsall shall be maintained in proper repair by the Governors out of the income of the Charity.

15. In case an ecclesiastical district shall be legally assigned to the said church or chapel, the Governors may assign and pay to the person who shall for the time being hold the office of perpetual curate or minister of the said church or chapel, out of the income of the Charity, an annual stipend not exceeding 100*l.* (in addition to the annuity of 50*l.* now payable to the perpetual curate or minister of the said chapel under the will of Lady Ann Holbourne), as a remuneration for his performing such services in the said church or chapel as shall be required by the bishop of the diocese or other competent authority, and for visiting and giving spiritual attendance and ministration to the inhabitants of the said district, and upon condition that he shall keep a curate to assist him in the performance of the above-mentioned duties.

16. The Governors shall pay out of the income of the Charity an annual salary not exceeding 10*l.* to a clerk and sexton to officiate in the said church or chapel, who shall be nominated by the minister or perpetual curate thereof, and shall hold his office during the pleasure of the said minister or perpetual curate, and the Governors shall also pay and defray the reasonable and proper expenses of conducting Divine Service in the said church or chapel.

17. The master of the hospital shall be a clergyman in Holy Orders of the Church of England, and shall be appointed by the Governors at a special meeting to be convened for the purpose.

18. The Governors shall pay to the master out of the income of the Charity an annual salary of 200*l.* by half-yearly payments, and shall allow him to occupy the present master's residence, garden, and the land at present attached thereto, rent free.

19. The duties of the master shall be to read prayers to the almswomen, as the Governors may direct, to visit and administer spiritual consolation to the almswomen, and, subject to the authority and directions of the Governors, to exercise a general superintendence and control over the hospital and schools, and their respective establishments.

20. The master, with the permission of the Governors, may hold the office of minister or perpetual curate of the church or chapel at Balsall.

21. The Governors, with the sanction of the Charity Commissioners for England and Wales, shall have power to remove or suspend the master for incapacity, immorality, neglect of duty, permanent illness or infirmity, or other sufficient cause; and within one month after the removal of the master, or of his legally ceasing to hold his office, he shall deliver up to the Governors, or to any person appointed by them, the possession of the dwelling-house, garden, and land, and schoolrooms belonging to the Charity; and in default thereof the Governors shall be at liberty to recover such possession under the powers contained in the 18th section of the Act 4 & 5 Vict. cap. 38.

22. The Governors shall appoint some competent person as Bailiff, who shall act in the supervision of the estates and property of the Charity, and the collection and receipt of the rents and income, and shall perform all such duties connected with the office of bailiff as the Governors shall direct; and the Governors shall pay to the bailiff, out of the income of the Charity, an annual salary not exceeding 100*l.*

23. The surplus income of the Charity, if any, which shall not be required for the purposes aforesaid, shall be applied by the Governors in the first instance in forming a suitable and sufficient reserve fund for extraordinary repairs and other contingencies, and, subject thereto, such surplus income may be applied, with the sanction of the Charity Commissioners for England and Wales, and in such manner as they may authorize or direct, to increasing the number, either of the said almswomen to be taken from the hamlet of Balsall aforesaid, or of the said pensioners respectively, or for the purposes of education in the hamlet of Balsall aforesaid, or in the said parishes of Long Itchington, Trentham, and Lilleshall respectively, or any of them, due regard being had in all cases to the preferential claim of the aforesaid hamlet of Balsall to the benefit of the said Charity.

24. Five Governors shall constitute a quorum at any meeting, and the majority of the Governors present at any meeting, of which seven clear days notice shall have been given, shall have full power to bind the whole of the Governors.

25. Subject to the provisions herein contained, the Governors, with the sanction of the Charity Commissioners for England and Wales, may from Time to Time prescribe suitable rules for the administration and management of the Charity, and its estates and property, and for the regulation of the proceedings of the Governors, and for the government of all members and officers of the Charity; provided that such rules shall not be inconsistent or at variance with the provisions or objects of this Scheme.

26. If any doubt or question shall arise as to the construction or application or effect of any of the provisions herein contained, the Governors shall apply to the Charity Commissioners for England and Wales for their advice and opinion thereon, which, if given, shall be binding on all persons affected thereby.

CAP. XXV.

An Act to enable the Secretary of State in Council of *India* to raise Money in the United Kingdom for the Service of the Government of *India*. [28th *June* 1861.]

'WHEREAS the Exigencies of the Public Service in *India* require that the Secretary of State in Council of *India* should be enabled to raise Money in the United Kingdom on the Credit of the Revenues of *India*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to the Secretary of State in Council of India to raise any Sum not exceeding Four Millions.

1. It shall be lawful for the Secretary of State in Council of *India*, at any Time or Times before the Thirtieth Day of *April* One thousand eight hundred and sixty-two, or, if Parliament be then sitting, before the End of the then Session of Parliament, to raise in the United Kingdom, for the Service of the Government of *India*, any Sum or Sums of Money not exceeding in the whole Four Millions, and such Sum or Sums may be raised by the Creation and Issue of Bonds or Debentures, or Capital Stock bearing Interest, or Annuities, or partly by one of such Modes and partly by another or others.

Bonds to be signed by Members of Council, &c.

2. All Bonds issued under the Authority of this Act may be issued under the Hands of Two Members of the Council of *India*, and countersigned by the Secretary of State for *India* or One of his Under Secretaries, or his Assistant Under Secretary, and shall be for such respective Amounts, payable after such Notice, and at such Rate or Rates of Interest as the said Secretary of State in Council may think fit.

Debentures may be issued.

3. All Debentures issued under the Authority of this Act may be issued under the Hands of Two Members of the Council, and countersigned as aforesaid, for such respective Amounts, and at such Rate or Rates of Interest, as the Secretary of State in Council may think fit, and shall be issued at or for such Prices and on such Terms as may be determined by the Secretary of State in Council.

As to Payment of Principal and Interest on Debentures.

4. All Debentures issued under the Authority of this Act shall be paid off at Par at a Time or Times to be mentioned in such Debentures respectively; and the Interest on all such Debentures shall be paid half-yearly on such Days as shall be mentioned therein; and the Principal Monies and Interest secured by such Debentures shall be payable either at the Treasury of the Secretary of State in Council in *London* or at the Bank of *England*.

Debentures and Coupons, how transferable.

5. All or any Number of the Debentures issued under the Authority of this Act, and all Right to and in respect of the Principal and Interest Monies secured thereby, shall be transferable either by the Delivery of such Debentures respectively, or, at the Discretion of the Secretary of State in Council, by Deed; provided that the Coupons for Interest annexed to any Debenture issued under the Authority of this Act shall pass by Delivery.

Capital Stock and Annuities may be created and issued.

6. Any Capital Stock created under the Authority of this Act shall bear such a Rate of Interest, and any Annuities to be created under the Authority of this Act shall be at such Rate *per Centum per Annum*, as the Secretary of State in Council may think fit; and such Capital Stock and such Annuities may be issued on such Terms as may be determined by the Secretary of State in Council; and any such Capital Stock may bear Interest during such period, and be paid off at Par at such Time, as the Secretary of State in Council may prescribe previously to the Issue of such Capital Stock; and such Annuities may be terminable at such Period as the Secretary of State in Council may prescribe previously to the Issue of such Annuities.

Transfer Books of such Capital Stock and Annuities to be kept.

7. In case of the Creation and Issue of any such Capital Stock or of any such Annuities, there shall be kept, either at the Office of the Secretary of State in Council in *London* or at the Bank of *England*, Books wherein Entries shall be made of the said Capital Stock and Annuities respectively, and wherein all Assignments or Transfers of the same respectively, or any Part thereof respectively, shall be entered and registered, and shall be signed by the Parties making such Assignments or Transfers, or, if such Parties be absent, by his, her, or their Attorney or Attornies thereunto lawfully authorized by Writing under his, her, or their Hands and Seals, to be attested by Two or more credible Witnesses; and the Person or Persons to whom such Transfer or Transfers shall be made may respectively underwrite his, her, or their Acceptance thereof; and no other Mode of assigning or transferring the said Capital Stock or the said Annuities, or any Part thereof respectively, or any Interest therein respectively, shall be good and available in Law, and no Stamp Duties whatsoever shall be charged on the said Transfers or any of them.

Annuities Personal Estate.

8. All Annuities created and issued under the Authority of this Act shall be deemed and taken to be Personal and not Real Estate, and shall go to the Executors or Administrators of the Person or Persons dying possessed thereof, interested therein, or entitled thereto, and not to the Heir-at-Law, nor be liable to any Foreign Attachment by the Custom of *London*, or otherwise.

The whole Amount charged on Revenue of India not to exceed Four Millions.

9. The whole Amount of the Principal Monies to be charged on the Revenues of *India* under this Act shall not exceed Four Millions; and no Money shall be raised or secured under the Authority of this Act after the said Thirtieth Day of *April* One thousand eight hundred and sixty-two, or, if Parliament be then sitting, after the End of the then Session of Parliament, save for or upon the Repayment of Principal Monies previously secured under this Act as herein-after provided.

Power to raise Money for Pay-

10. Upon or for the Repayment of any Principal Money secured under the Authority of this Act, the Secretary of State in Council may at any Time borrow or raise, by all or any of the Modes aforesaid,

aforesaid, all or any Part of the Amount of Principal Money repaid or to be repaid, and so from Time to Time as all or any Part of any Principal Money under this Act may require to be repaid, but the Amount to be charged upon the Revenues of *India* shall not in any Case exceed the Principal Money required to be repaid. ment of Principal Money.

11. All Bonds and Debentures to be issued under this Act, and the Principal Monies and Interest thereby secured, and all Capital Stock to be issued under this Act, and the Interest thereon, and all Annuities to be issued under this Act, shall be charged on and payable out of the Revenues of *India*, in like Manner as other Liabilities incurred on account of the Government of the said Territories. Securities, &c. to be charged on Revenues of India.

12. The Provisions contained in Section Four of the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Sixty-four, with respect to the Composition and Agreement for the Payment by the *East India* Company of an annual Sum in lieu of Stamp Duties on their Bonds, and the Exemption of their Bonds from Stamp Duties, shall be applicable with respect to the Bonds and Debentures to be issued under the Authority of this Act, as if such Provisions were here repeated and re-enacted with reference thereto. 5 & 6 W. 4. c. 64. s. 4. extended to Bonds and Debentures under this Act.

13. All Provisions now in force in anywise relating to the Offence of forging or altering, or offering, uttering, disposing of, or putting off, knowing the same to be forged or altered, any *East India* Bond, with Intent to defraud, shall extend and be applicable to and in respect of any Debenture issued under the Authority of this Act, as well as to and in respect of any Bond issued under the same Authority. Forgery of Debentures to be punishable as Forgery of East India Bonds.

14. Provided always, That on or before the First Day of *February* in each Year the said Secretary of State in Council shall prepare or cause to be prepared a Return of all Monies raised on Loan under the Provisions of this Act; also a Return of all Stocks, Loans, Debts, and Liabilities then chargeable on the Revenues of *India*, at home and abroad, up to the latest Period of Time to which such Return can be made out: That all such Returns shall be presented to both Houses of Parliament on or before the First Day of *February* in each Year, if Parliament is then sitting, and if Parliament is not sitting, then such Returns shall be presented within Ten Days of the First Meeting of Parliament after the First Day of *February* in each Year. Returns to be annually prepared of Monies raised on Loan, &c., and presented to Parliament.

15. This Act shall not prejudice or affect any Power of raising or borrowing Money vested in the said Secretary of State in Council at the Time of passing thereof. Saving Powers of the Secretary of State in Council.

CAP. XXVI.

An Act to amend the *Dublin* Improvement Act, 1849. [28th *June* 1861.]

'WHEREAS by "The *Dublin* Improvement Act, 1849," certain Powers were vested in the Right Honourable the Lord Mayor, Aldermen, and Burgesses of *Dublin*, (herein-after called "the Corporation,") for the Improvement of the Borough of *Dublin;* and it is expedient that further and additional Powers should be granted to the Corporation for improving the Line of Streets in the said Borough, and for causing the Removal of Projections therein, and for making and enforcing the making of Branch Drains from Houses and Buildings communicating with the Main Drains or Sewers within the said Borough, and for other Purposes; but the same cannot be effected without the Aid and Authority of Parliament:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 12 & 13 Vict. c. 97.

1. This Act may be cited for all Purposes as "The *Dublin* Improvement Act Amendment Act, 1861." Short Title.

2. The recited Act and the Acts incorporated therewith and this Act shall be read and construed together as One Act. Construction of Acts.

3. The several Meanings assigned to certain Words and Expressions in the recited Act and in the Acts incorporated therewith shall extend and apply to the same Words and Expressions when used in this Act, unless there be something in the Subject or Context repugnant to such Construction, and the Word "Corporation" in this Act shall include "Council;" and the Word "Owner" shall mean the Person for the Time being receiving the Rackrent of the House or Building in connexion with which the said Word is used, whether on his own Account or as Agent or Trustee for any other Person who would so receive the same if the said House or Building were let at a Rackrent. Interpretation of Terms.

4. The Limits of this Act shall be the Municipal Boundaries of the Borough of *Dublin*. Limits of Act.

5. The Council of the Borough of *Dublin*, and their Successors in Office, shall and they are hereby authorized and required to carry this Act into execution. Council to execute Act.

6. If any Porch, Shed, projecting Window, Step, Cellar Door, or Window, or Steps leading into any Cellar or otherwise, Lamp, Lamp Post, Lamp Iron, Sign, Sign Post, Sign Iron, Showboard, Window Shutter, Wall, Gate, Fence, or Opening, or any other Projection or Obstruction placed or made against or in front of any House or Building after the passing of this Act (save and except such Projections as are authorized by the Rules specified in Section Nine of this Act), shall be an Annoyance to the Public in consequence of the same projecting beyond the Line of Building of any Street, or into Owners, &c. to remove future Projections on Notice from Corporation.

or

or over or being an Encroachment upon, or being made in or endangering or rendering less commodious the Passage along any Street within the Limits of this Act, it shall be lawful for the Corporation to give Notice in Writing to the Owner or Occupier of such House or Building to remove such Projection or Obstruction, or to alter the same in such Manner as the Corporation think fit, and such Owner or Occupier shall, within Fourteen Days after the Service of such Notice upon him, remove such Projection or Obstruction, or alter the same in the Manner directed by the Corporation, and if the Owner or Occupier of any such House or Building neglect or refuse, within Fourteen Days after such Notice, to remove such Projection or Obstruction, or to alter the same in the Manner directed by the Corporation, he shall forfeit any Sum not exceeding Five Pounds, and a further Sum not exceeding Forty Shillings for every Day during which such Projection or Obstruction continues after the Expiration of such Fourteen Days from the Time when he may be convicted of any Offence contrary to the Provisions hereof.

Corporation may remove existing Projections and make Compensation for same.

7. It shall be lawful for the Corporation, if any Shed, Lamp, Lamp Post, Lamp Iron, Sign, Sign Post, Sign Iron, or Showboard which has been placed or made against or in front of any House or Building in any such Street before the passing of this Act shall be an Annoyance as aforesaid, to cause the same to be removed or altered as they think fit: Provided always, that the Corporation shall give Notice in Writing of such intended Removal or Alteration to the Owner or Occupier against or in front of whose House or Building such Shed, Lamp, Lamp Post, Lamp Iron, Sign, Sign Post, Sign Iron, or Showboard shall be, Thirty Days before such Removal or Alteration shall be commenced, and shall make reasonable Compensation to every Person who shall incur any Loss or Damage by such Removal, excepting in Cases where the same may now be removable under any Act, in which Case no Compensation shall be made, and the Amount of such Compensation, if any, and the Expense of such Removal or Alteration, shall be paid by the Corporation out of the Improvement Fund of the said Borough.

Period within which Notice to be given.

8. All Notices to be given by the Corporation for the Removal of Obstructions under the Provisions of this Act shall be given within Two Years from the Completion of the same or from the passing of this Act.

Rules as to Projections from new Buildings.

9. The following Rules shall be observed as to Projections from new Buildings:

1. Every Coping, Cornice, Facia, Window Dressing, Portico, Balcony, Verandah, Balustrade, and Architectural Projection or Decoration whatsoever, and also the Eaves or Cornices to any overhanging Roof, except the Cornices and Dressings to the Window Fronts of Shops, and except the Eaves and Cornices to detached and semi-detached Dwelling Houses, distant at least Fifteen Feet from any other Building, and from the Ground of any adjoining Owner, shall, unless the Corporation otherwise permit, be of Brick, Tile, Stone, Artificial Stone, Slate, Cement, or other Fire-proof Material:
2. In Streets or Alleys of a less Width than Thirty Feet, any Shop Front may project beyond the external Wall of the Building to which it belongs for Five Inches and no more; and any Cornice of any such Shop Front may project Thirteen Inches and no more; and in any Street or Alley of a Width greater than Thirty Feet any Shop Front may project Ten Inches and no more, and the Cornice may project for Eighteen Inches from the external Wall but no more:
3. No Part of the Woodwork of any Shop Front shall be fixed nearer than Four and a Half Inches from the Line of Junction of any adjoining Premises unless a Pier or Corbel of Stone, Brick, or other Fire-proof Material Four and a Half Inches wide at the least is built or fixed next to such adjoining Premises as high as such Woodwork is fixed, and projects an Inch at the least in front of the Face thereof:
4. The Roof, Roof Flat, or Gutter of every Building, and every Balcony, Verandah, Shop Front, or other Projection, must be so arranged and constructed and so supplied with Gutters and Pipes as to prevent the Water therefrom from dropping upon or running over any Public Way:
5. Except in so far as is permitted by this Section in the Case of Shop Fronts, and with the Exception of Water Pipes and their Appurtenances, Copings, Cornices, Facias, Window Dressings, and other like Architectural Decorations, no Projection from any Building shall extend beyond the general Line of Fronts in any Street except with the Permission of the Corporation.

Buildings not to be brought beyond Line of Street.

10. No Building shall, without the Consent in Writing of the Corporation, be erected beyond the regular Line of Buildings in the Street in which the same is situate, in case the Distance of such Line of Buildings from the Highway do not exceed Thirty Feet or within Thirty Feet of the Highway where the Distance of the Line of Buildings therefrom amounts to or exceeds Thirty Feet, notwithstanding there being Gardens or vacant Spaces betweeen the Line of Buildings and the Highway; and in case any Building shall hereafter be erected contrary to this Enactment, it shall be lawful for the Corporation to cause the same to be demolished or set back (as the Case may require), and the Expenses attendant upon or incidental thereto shall be paid to the Corporation by the Owner of the Premises, and if on Demand of such Expenses such Owner shall neglect or refuse to pay the same, then such Expenses shall be recovered by the Corporation from such Owner as Damages, before One or more Justice or Justices of the Peace, in the Manner provided by the said recited Act, or the Acts incorporated therewith, for Recovery of Damages not specially provided for.

11. 'And

Corporation in certain Cases may compel Owners, &c. of Houses to construct Drains into the Common Sewer.

11. 'And whereas, under the Provisions of the said recited Act, considerable Expense has been 'incurred by the Corporation in the Construction and Maintenance of Main Sewers or Drains within the 'Borough of *Dublin*, and several of the Owners or Occupiers of Houses and Buildings in the Streets 'and other Thoroughfares under or through which such Main Sewers or Drains have been carried have 'neglected to make Branch Drains from such Houses or Buildings communicating with such Main 'Drains or Sewers for the Drainage of such Houses and Buildings, their Areas, Waterclosets, and 'Offices, to the Injury of the Public Health:' Therefore, if any House or Building, whether built before or after the passing of this Act, situate within the Limits of the said Borough, be found not to be drained by a sufficient Drain communicating with some Sewer, and emptying itself into the same, to the Satisfaction of the Corporation, and if a Sewer of sufficient Size be within One hundred Feet of any Part of such House or Building, on a lower Level than such House or Building, it shall be lawful for the Corporation, at their Discretion, by Notice in Writing, to be served upon the Occupier and Owner of such House or Building, and if the Name and Address of such Owner be not known, and the Occupier of such House or Building refuse to give the Name and Address of such Owner, then upon the Occupier only of such House or Building, to require the Owner or Occupier of such House or Building forthwith, or within such reasonable Time as may be appointed by the Corporation, to construct and make from such House or Building into any such Sewer a covered Drain, and such Branches thereto, of such Materials, of such Size, at such Level, and with such Fall as shall be adequate for the Drainage of such House or Building and its several Floors or Stories, and also of its Areas, Waterclosets, Privies, and Offices (if any), and for conveying the Soil, Drainage, and Wash therefrom into the said Sewer, and to provide fit and proper paved or impermeable sloped Surfaces for conveying Surface Water thereto, and fit and proper Sinks, and fit and proper syphoned or otherwise trapped Inlets and Outlets for hindering Stench therefrom, and fit and proper Water Supply, and Water-supplying Pipes, Cisterns, and Apparatus for securing the same and for causing the same to convey away the Soil, and fit and proper Sandtraps, expanding Inlets, and other Apparatus for hindering the Entry of improper Substances therein, and all other such fit and proper Works and Arrangements as may appear to the Corporation or to their Officers requisite to secure the safe and proper working of the said Drain, and to prevent the same from obstructing or otherwise injuring or impeding the Action of the Sewer to which it leads; and it shall be lawful for the Corporation to cause the said Works to be inspected while in progress, and, from Time to Time during the Execution, to order such reasonable Alterations therein, Additions thereto, and Abandonment of Part or Parts thereof as may to the Corporation or their Officers appear, on the fuller Knowledge afforded by the opening of the Ground, requisite to secure the complete and perfect working of such Works; and if the Owner or Occupier of such House or Building neglect or refuse during Twenty-eight Days after the said Notice has been delivered to such Owner or Occupier, or left at such House or Building, to begin to construct such Drain and other Works aforesaid, or any of them, or thereafter fail to carry them on and complete them with all reasonable Despatch, it shall be lawful for the Corporation to cause the same to be constructed and made, and to recover the Expenses to be incurred thereby from such Occupier as Damages, in the Manner provided for the Recovery of Damages as herein-before mentioned: Provided always, that every such Occupier who at the Time of the Service of such Notice shall occupy such House or Premises, and shall have given such Information of the Owner of such House, but not otherwise, shall be entitled to deduct the Amount so paid to the Corporation from the Rent payable by him to the Owner of such House or Building.

As to Orders to be made under this Act.

12. All Orders of the Council made under the Provisions of this Act shall be subject to the same Right of Appeal as is provided by the said recited Act of the Twelfth and Thirteenth *Victoria*, Chapter Ninety-seven.

Expenses of Act.

13. The Costs, Charges, and Expenses attending on or incident to the applying for or obtaining this Act shall be paid by the Corporation out of the Improvement Fund of the said Borough.

CAP. XXVII.

An Act to declare the Limits within which increased Assessments are authorized to be raised in the City of *Edinburgh*, under the Provisions of the Act of the Twenty-third and Twenty-fourth Years of *Victoria*, Chapter Fifty. [28th *June* 1861.]

23 & 24 Vict. c. 50.

'WHEREAS Doubts have arisen as to the Extent of the Area within which, under the Provisions 'of the Act Twenty-third and Twenty-fourth *Victoria*, Chapter Fifty, the Magistrates and 'Council of the City of *Edinburgh* are empowered to levy certain increased Assessments by the said 'Act authorized to be levied, and it is expedient to remove such Doubts:' Be it declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Declaring Extent of Authority of Magistrates, &c. of City of

1. That the said Magistrates and Council of the City of *Edinburgh* were and are authorized and entitled, under the Provisions of the recited Act, and in particular of Section Eleven thereof, to levy the increased Assessments specified in the said Section solely upon or in respect of the gross yearly Value of the Lands and Heritages situated within the ancient and extended Royalties of the said City, and

Edinburgh, under Provisions of recited Act, to levy increased Assessments.

and that to an Extent equal to but not exceeding Fourpence and One Halfpenny in the Pound on the said gross yearly Value, and were not authorized and are not entitled to levy the said increased Assessments upon or in respect of any Lands and Heritages situated beyond the Limits of the said ancient and extended Royalties; and that the said Magistrates and Council were and are authorized and entitled, under the Provisions of the recited Act, to add the Sum required under the Twenty-fifth Section thereof to the Estimates made, and to include the Amount of that Sum in the Assessment levied by them in Terms of the *Edinburgh* "Police Act, 1848," and "*Edinburgh* Municipality Extension Act, 1856."

Interpretation of Words.

2. The Words "ancient and extended Royalties," as used in this Act, shall be held to mean the Districts so designated before the passing of the "*Edinburgh* Municipality Extension Act, 1856."

CAP. XXVIII.

An Act to relieve certain Trusts on the *Holyhead* Road from Debts. [11th *July* 1861.]

CAP. XXIX.

An Act to authorize the Removal of the Infirmary for the County of *Cork* from the Town of *Mallow* to the City of *Cork*. [11th *July* 1861.]

5 Geo. 3. (I.) c. 20.

11 & 12 G. 3. (I.) c. 23.

'WHEREAS by an Act passed in the Parliament of *Ireland* in the Fifth Year of the Reign of King *George* the Third, it was provided that the Infirmary for the County of *Cork* should be erected and established in the Town of *Mallow*; and by another Act, passed in the said Parliament in the Eleventh and Twelfth Years of the said Reign, an Infirmary was established in the South Suburbs of the City of *Cork*, now called "The South Charitable Infirmary:" And whereas the Town of *Mallow* is found to be an inconvenient Situation for the Infirmary for the County of *Cork*, and it is expedient that the Grand Jury of the said County should be enabled to remove the same to the South Charitable Infirmary in the City of *Cork*, or to any other Building to which such last-mentioned Infirmary shall be at any Time removed:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Grand Jury of County of Cork may remove the Infirmary for the County of Cork from Mallow to the City of Cork.

1. It shall be lawful, subject as herein-after provided, for the Grand Jury of the County of *Cork*, if they shall so think fit, to remove the Infirmary for the County of *Cork* from the Town of *Mallow* to the said South Charitable Infirmary in the City of *Cork*, or to any other Building to which the said last-mentioned Infirmary may be hereafter removed; and from and after such Removal it shall be lawful for the Grand Jury of the County of *Cork*, from Time to Time, to present such Sums as they are now by Law authorized to present for the Infirmary of the said County, for the Purpose of establishing, maintaining, and supporting the said South Charitable Infirmary, and also such further Sum, not exceeding in the whole the Sum of One thousand Pounds, for the Purpose of erecting, enlarging, or furnishing any Buildings intended for the Use of such last-mentioned Infirmary: Provided always, that the Sums so presented in any One Year by the said Grand Jury (except the Sum of One thousand Pounds, hereinbefore mentioned) shall not exceed the Sums presented in such Year for such Purpose by the Town Council of the Borough of *Cork*; and provided also, that One Half of the Accommodation afforded by the said last-mentioned Infirmary shall be for the Use of Patients to be received therein from the County of *Cork*.

Lord Lieutenant may direct the old Cork Lunatic Asylum to be transferred to the Trustees of the South Charitable Infirmary for the Purposes of this Act.

2. Upon Presentment being made, as herein provided, for Payment to the Commissioners for General Control and Correspondence, and for superintending and directing the Erection, Establishment, and Regulation of Asylums for the Lunatic Poor in *Ireland*, of the Sum of Four hundred and seventy Pounds, being the Amount due to the said Commissioners for Rent and Arrears of Rent and Costs of Maintenance of the Building hereby authorized to be transferred, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to order and direct that the Building formerly used as the *Cork* District Lunatic Asylum, and the Ground and Soil appertaining thereto, and the several Materials and Appurtenances, and all Rights, Interests, and Liabilities connected therewith, shall be transferred to the Trustees of the said South Charitable Infirmary, or any Three of them, and their Successors, in trust for and to the Uses and Purposes of the said Infirmary for the County of *Cork*, and of the said South Charitable Infirmary, subject to the Payment of such annual Rents as are payable in respect of the said Building and the Ground and Soil appertaining thereto; and it shall be lawful for the Grand Jury of the County of *Cork* at the Assizes which shall be held next after the passing of this Act, and for the Town Council of the said Borough at their Presentment Sessions which shall be held next after the Period aforesaid, and they are hereby respectively required, to present the said Sum of Four hundred and seventy Pounds, to be raised off such County and Borough respectively in equal Proportions, without any Application to Presentment Sessions; and it shall also be lawful for the said Grand Jury of the County of *Cork* at each subsequent Assizes, and the Town Council of the said Borough at each subsequent Presentment Sessions, and they are hereby respectively required, to present from Time to Time, to be raised off such County and Borough respectively in equal Proportions, without Application to Presentment Sessions,

Sessions, such Sum or Sums of Money as shall be necessary for paying such Arrears of Rent, or the Repairs of such Building, or such annual Rent, as and when the same may become due.

Saving Rights of W. Galwey. 5 G. 3. (I.) c. 20. 14 & 15 Vict. c. 68.

3. The Removal of the Infirmary for the County of *Cork* to the City of *Cork* under the Provisions of this Act, or anything in this Act contained, shall not extend or be construed to extend to alter or take away any Right now vested in *William Galwey*, the Surgeon of the said Infirmary, to any annual Allowance or Stipend under the Provisions of an Act passed in the Parliament of *Ireland* in the Fifth Year of King *George* the Third, Chapter Twenty, as the same is amended by an Act passed in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Sixty-eight; and the same shall from Time to Time be paid to him upon the Certificate of the Secretary of the Grand Jury of the County of *Cork*, stating that the said *William Galwey* is the Person entitled to such annual Allowance or Stipend under the Provisions of the said last-recited Acts and this Act.

CAP. XXX.

An Act to declare the Validity of an Act passed by the General Assembly of *New Zealand*, intituled *An Act to provide for the Establishment of New Provinces in* New Zealand.

[11th *July* 1861.]

15 & 16 Vict. c. 72. 20 & 21 Vict. c. 53.

'WHEREAS by an Act of the Session holden in the Fifteenth and Sixteenth Years of Her Majesty, intituled *An Act to grant a Representative Constitution to the Colony of* New Zealand, it was provided that certain Provinces therein mentioned should be established in the said Colony, and that in every such Province there should be a Provincial Council, and that there should be in the said Colony a General Assembly competent to make Laws for the Peace, Order, and good Government of the same; and by the Sixty-ninth Section of the said Act it was further provided that it should be lawful for the said General Assembly to constitute new Provinces in the said Colony, and to appoint the Number of Members of which the Provincial Councils thereof should consist, and to alter the Boundaries of any Provinces for the Time being existing, provided always that any Bill for any of the said Purposes should be reserved for the Signification of Her Majesty's Pleasure thereon: And whereas by an Act of the Session holden in the Twentieth and Twenty-first Years of Her Majesty, intituled *An Act to amend an Act for granting a Representative Constitution to the Colony of* New Zealand, it was enacted that the Sixty-ninth Section of the said first-recited Act should be repealed, and that it should be lawful for the said General Assembly to alter, suspend, or repeal all or any of the Provisions of the said Act, except the Third Section, and certain others therein specified: And whereas the said General Assembly, by an Act passed in a Session holden in the Twenty-first and Twenty-second Years of Her Majesty, intituled *An Act to provide for the Establishment of new Provinces in* New Zealand, did authorize the Governor of the said Colony to establish such new Provinces in manner therein mentioned, and the said Governor did establish certain new Provinces accordingly: And whereas Doubts are entertained whether it was competent to the said General Assembly to make such Provision, and to the said Governor to establish such new Provinces as aforesaid, and it is expedient that such Doubts should be set at rest: And whereas it is also expedient that the said General Assembly should be at liberty to alter Part of the Third Section of the herein-before first-recited Act of Parliament:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to General Assembly to constitute new Provinces.

1. It shall be lawful for the said General Assembly, by any Act or Acts to be by them from Time to Time passed, or for the Officer administering the Government of *New Zealand*, acting under Authority of any such Act or Acts, to constitute new Provinces in *New Zealand*, and to direct and appoint the Number of Members of which the Provincial Councils of such Provinces shall consist, and to alter the Boundaries of any Provinces for the Time being existing in *New Zealand*.

General Assembly may repeal Part of s. 3. of 15 & 16 Vict. c. 72.

2. It shall be lawful for the said General Assembly to alter, suspend, or repeal so much of the Third Section of the herein-before first-recited Act of Parliament as provides that the Provincial Council in each of the Provinces thereby established shall consist of such Number of Members, not being less than Nine, as the Governor shall by Proclamation appoint.

Recited Act of General Assembly 21 & 22 Vict. to be valid.

3. The herein-before recited Act passed by the said General Assembly, and all Acts, Matters, or Things done under and in pursuance of Authority created or given or expressed to be created or given by the same Act, shall be, and shall be deemed to have been from the passing or doing thereof, as valid and effectual for all Purposes whatever as such Acts, Matters, or Things might or would have been if at the Time of the passing of the same Act by the said General Assembly this Act of Parliament had been in force.

Recited Acts to apply to new Provinces.

4. The Provisions of the Two herein-before recited Acts of Parliament as altered by this Act shall apply to all Provinces at any Time existing in *New Zealand*, in like Manner and under the same Conditions as the same apply to the Provinces established by the herein-before first-recited Act of Parliament.

CAP. XXXI.

An Act for the Prevention and Punishment of Offences committed by Her Majesty's Subjects within certain Territories adjacent to the Colony of *Sierra Leone.* [11th *July* 1861.]

'WHEREAS the Inhabitants of the Territories adjacent to the Colony of *Sierra Leone,* extending 'to the *Rio Grande* or *Bulola* to the North of the Colony, to the River *Gallinas* to the South of 'the Colony, and for Five hundred Miles to the East of the Colony, being in an uncivilized State, 'Offences against the Persons and Property of such Inhabitants and others are frequently committed by 'Her Majesty's Subjects within such Territories with Impunity:' For Remedy thereof, be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Laws in force at Sierra Leone for Punishment of Crimes extended to British Subjects in adjacent Territories.

1. The Laws which are now or which shall hereafter be in force in the Colony of *Sierra Leone* for the Punishment of Crimes therein committed shall be and the same are hereby extended and declared applicable to all Her Majesty's Subjects within any Territory adjacent to the said Colony, and being within the Limits as aforesaid; and every Crime or Offence committed by any of Her Majesty's Subjects within any such Territory in contravention of any such Laws shall be cognizable in any such Courts, and shall be inquired of, tried, and prosecuted, and on Conviction punished, in such and the same Manner as if the same had been committed within the said Colony.

Governors may address Commissions to Persons to act as Magistrates in such Territories.

2. 'And whereas it is necessary to prevent as far as may be the Commission of Crimes by Her 'Majesty's Subjects within such Territories as aforesaid, and to provide for the Arrest, Commitment, 'and bringing to Punishment of any of Her Majesty's Subjects by whom any such Crimes may be 'perpetrated:' Be it therefore enacted, That it shall be lawful for the Governors of the said Colony to address to any One or more of Her Majesty's Subjects, being within or about to resort to any such Territories as aforesaid, One or more Commission or Commissions authorizing him or them to exercise within such Territories the Office of a Magistrate for the Purpose of preventing the Perpetration therein by any of Her Majesty's Subjects of any Crimes or Offences, and for the Purpose of arresting, committing to Custody, and bringing to Trial before such Courts as aforesaid, any of Her Majesty's Subjects charged on sufficient Evidence before him or them with the Commission of any such Crimes or Offences within any such Territories; and it shall also be lawful to the Governor of the said Colony, by any such Commission or Commissions as aforesaid, to define with all practicable and convenient Precision the local Limits within which the Jurisdiction of any such Magistrate or Magistrates shall be so exercised, and to which it shall so extend; and within the Limits so to be defined as aforesaid every such Magistrate shall have, exercise, and enjoy all such Powers and Authorities over and in reference to Her Majesty's Subjects inhabiting or being within the same as shall by any such Commission or Commissions be specially granted: Provided always, that no such Powers or Authorities shall be so granted by any such Commission or Commissions, save only such as shall be necessary for accomplishing the Purposes aforesaid with Promptitude and Effect.

Powers of such Magistrates.

Commissions in force during Her Majesty's Pleasure.

3. All such Commissions as aforesaid shall be made to continue in force only during Her Majesty's Pleasure, and the Governor for the Time being of the said Colony shall be and he is hereby bound and required to transmit a Copy of every such Commission by the earliest Opportunity to Her Majesty, through One of Her Majesty's Principal Secretaries of State, for Her Approbation or Disallowance.

Act not to extend constructively to Her Majesty's Dominions.

4. Nothing herein or in any such Commission or Commissions contained shall extend or be construed to extend to invest Her Majesty, Her Heirs or Successors, with any Claim or Title whatsoever to Dominion or Sovereignty over any such Territories as aforesaid, or to derogate from the Rights of the Tribes or People inhabiting such Territories, or of Chiefs or Rulers, to such Sovereignty or Dominion.

Who to be deemed the Governor.

5. For the Purposes of this Act, any Person lawfully administering the Government of the said Colony shall be deemed and taken to be the Governor thereof.

CAP. XXXII.

An Act for confirming a Scheme of the Charity Commissioners for "The Hospital of the Blessed Trinity," at *Guildford* in the County of *Surrey,* and its subsidiary Endowments, with certain Alterations. [11th *July* 1861.]

8th Report, dated 26th February 1861.

'WHEREAS the Charity Commissioners for *England* and *Wales,* in their Report to Her Majesty 'of their Proceedings during the Year One thousand eight hundred and sixty, have reported 'that they have provisionally approved and certified, among other Schemes for the Application and Management of Charities, a Scheme for "The Hospital of the Blessed Trinity" at *Guildford* in the 'County of *Surrey,* and its subsidiary Endowments, and such Scheme is set out in the Appendix to 'their said Report: And whereas it is expedient that the said Scheme, as the same is set out in the 'Schedule to this Act, should be confirmed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Scheme in Schedule confirmed.

1. The said Scheme shall be confirmed and take effect.

SCHE-

SCHEDULE.

SCHEME for the Application and Management of the CHARITY called "THE HOSPITAL of the BLESSED TRINITY" at GUILDFORD in the COUNTY of SURREY, and its subsidiary Endowments.

1. The existing incorporation of the Master, Brethren, and Sisters of the Hospital of the Holy Trinity in Guildford, by that or any other name, shall be dissolved.

The Charity shall be under the management of thirteen Governors, to be called "The Governors of Trinity Hospital at Guildford," and to consist of nine official Governors, viz.:—

The Mayor of Guildford;
The Rector of the parishes of Holy Trinity and Saint Mary in Guildford;
The Rector of the parish of Saint Nicholas in Guildford;
The Rector of Stoke-next-Guildford;
The Master of the Grammar School in Guildford respectively for the time being; and
The two senior Aldermen and two senior Town Councillors of Guildford respectively for the time being, who shall respectively be members of the Church of England;

and of four non-official Governors, being fit and proper persons, resident in the town of Guildford, or within the distance of seven miles therefrom, who shall be appointed in the first instance by the Board of Charity Commissioners for England and Wales, with the concurrence of the Archbishop of Canterbury, within three months next after the establishment of this scheme.

2. The office of a non-official Governor shall be vacated by his resignation, or bankruptcy or insolvency, or his ceasing to reside within the limit aforesaid, or his refusal or incapacity to act, or omission for a period of two consecutive years to attend any meeting of the Governors; and as soon as conveniently may be after the occurrence of any vacancy among the non-official Governors from any of the causes aforesaid, or by the death of any such Governor, the remaining Governors for the time being shall select some fit person resident within the limit aforesaid to fill such vacancy, so as to keep up the full number of four non-official Governors: provided that every such election shall be forthwith notified by the Governors to the Charity Commissioners for England and Wales, and to the Archbishop of Canterbury; and the appointment of the new Governor shall not be complete until the same shall have been approved by the said Commissioners and the Archbishop; and provided also, that during any vacancy among the Governors the remaining Governors shall be competent to exercise all the authorities hereby vested in the Governors for the time being.

3. All the real estate, of whatsoever tenure, and rights and privileges, belonging to or held in trust for the Charity (subject to the subsisting leases thereof, and the full benefit of all subsisting covenants, conditions, and securities made or reserved to the master and brethren of the said hospital, or to any person or persons in trust for them, or for the benefit of the Charity), and all the personal estate belonging thereto, and the right to sue for and recover all choses in action recoverable for the benefit thereof, shall be immediately vested in the said Governors hereby appointed, and shall from time to time vest and continue vested in the Governors of the said hospital for the time being, for the purposes and according to the provisions of this scheme, without any conveyance, assignment, or assurance; and the right to sue upon and enforce all covenants, conditions, or securities made or reserved to the said master and brethren before their dissolution, or to or with any preceding Governors of the said Charity, shall be exerciseable by them, in the name of the Governors of the said hospital for the time being, as fully and effectually as the same right might be exercised by such master and brethren if not dissolved, or by such preceding Governors, if still retaining their office; and in the same manner all contracts and liabilities of the said master and brethren, or of any preceding Governors for the time being of the said Charity, may be enforced against the Governors thereof for the time being, to the extent of the property or assets of the Charity, but not against their private estates.

4. The sum of 2,909*l.* 17*s.*, part of the sum of 3,904*l.* 15*s.* 6*d.* new 3 per cent. annuities, now standing in the names of the Master and Brethren of the Hospital of the Blessed Trinity in Guildford, and all or any other sums of stock belonging to or held in trust for the benefit of the said hospital or the inmates thereof, including the sum of 2,000*l.* 3*l.* per cent. consolidated annuities arising from Molineux's Gift, and now standing in the names of Benjamin Kingston Finnimore, Charles Edward Mangles, Edmund Nicholls, and Joseph Weale, shall be transferred into the name of the Official Trustees of Charitable Funds in trust for the said hospital, and shall constitute part of the general endowment of the hospital.

The sum of 994*l.* 18*s.* 6*d.*, the remaining part of the said sum of 3,904*l.* 15*s.* 6*d.* new 3*l.* per cent. annuities, shall be transferred into the name of the Official Trustees aforesaid, in trust for Archbishop Abbot's School in Guildford.

5. The real estate and hereditaments constituting the joint endowment of the said hospital and the aforesaid Archbishop Abbot's School (two thirds of the rents whereof are payable to the hospital, and the remaining one third to the Trustees of the said school,) shall be divided in those proportions between the said hospital and school by a valuer to be appointed for the purpose by the said Board, who shall

be at liberty to assign to such valuer such remuneration as to them shall seem fit, to be paid in the like proportions out of the funds of the hospital and school respectively, and on the execution by such valuer of his award or instrument of partition the respective shares of the hospital and the school in such estate and hereditaments shall vest in the said Governors and Trustees respectively, to be held by them in severalty for the purposes of the respective Charities.

6. The Governors shall, as soon as conveniently may be after the establishment of this scheme, subject to the approval of the said Board, make suitable regulations for the conduct and management of all matters connected with the administration of the Charity and its property, and may from time to time, with the like approval, vary such regulations; and all such regulations shall be binding upon all persons interested; provided that no regulation be so made which is at variance with any of the provisions of this scheme.

7. The Governors shall, out of the annual income of the Charity, pay the yearly sum of 1*l.* 10*s.* to the rector of the aforesaid parish of Holy Trinity in Guildford, and defray or provide for the expense of repairing and keeping insured the hospital and other buildings belonging to the Charity, and the necessary current outgoings and expenses of managing the said Charity.

8. The establishment of the hospital shall in future consist of a master and twenty brethren and sisters.

The master shall be a single person of good character, not less than 50 years old at the time of his appointment, and a native of Guildford, or resident there for a period of at least 20 years.

The brethren and sisters shall be respectively poor single persons of good character, not less than 60 years old at the time of appointment, natives of the ancient borough of Guildford or resident there for a period of at least 20 years; provided that if and so often as there shall not be any duly qualified candidate from the said ancient borough, candidates from the municipal borough of Guildford, being otherwise duly qualified as directed by this scheme, shall be eligible for appointment. No person shall be eligible for any of the said appointments who is a drunkard or lunatic, or has any infectious or contagious disease, or who shall be in receipt of relief from any parochial or other rate for the relief of the poor, or who shall have received such relief at any time within the three next preceding years; and in the selection of candidates those persons are to be preferred who, being otherwise properly qualified, shall have borne office or been traders in the said borough of Guildford.

The brethren and sisters shall in general be in the proportion of twelve brethren to eight sisters, with power, nevertheless, for the Governors to relax this rule under special circumstances as they may find expedient.

9. Upon the occurrence of any vacancy in the office of master, a meeting of the Governors shall be held, at which some proper person shall be appointed by the Governors to fill the vacancy; provided that no appointment of a master shall be made until the expiration of six weeks after the vacancy in the office has occurred, and that every such appointment be forthwith notified by the Governors to the Archbishop of Canterbury for his approval, without which approval the appointment shall not be complete or valid.

10. All applications for admission as inmates shall be made in writing to the master, and shall be entered by the master in a register specifying the date, and the name, age, residence, description, and qualifications of every applicant. The master shall also keep a register of all inmates admitted to the hospital, in which register shall be entered the date of every admission, and the particulars of the qualifications of each person admitted, and the date and mode of occurrence of every vacancy.

11. All appointments of inmates shall be made by the Governors at some meeting of their body, and the persons to be so appointed shall be selected by the Governors from the register of applicants, and (except in such special or urgent cases as may be considered by the Governors to require the relaxation of this rule) no appointment of any inmate shall be made until after the expiration of one calendar month at the least from the date of his or her application for admission. In making the appointments preference shall in all cases be given by the Governors, as far as possible, to the most deserving candidates, qualified as aforesaid, regard being had to the age, personal character, and the circumstances and necessities of each candidate.

12. The master shall receive a yearly salary of 70*l.*, to be paid to him by the Governors half-yearly out of the income of the Charity, and an allowance of 5*l.* annually for coals, and shall occupy such rooms within the hospital as may from time to time be assigned by the Governors for his use. The Governors, however, with the consent in writing of the Archbishop of Canterbury, and with the sanction of the Charity Commissioners, may from time to time vary the amount of the stipend and allowance to be paid to the master.

13. The Governors shall pay to each of the brethren and sisters respectively such weekly or other stipends or allowances, not exceeding the rate of 8*s.* per week, as the income and resources of the Charity will from time to time admit; provided that if the available income of the Charity at any time will not admit of the payment of a stipend at the rate of 5*s.* per week to each brother and sister the

Governors

Governors shall be at liberty, with the consent of the Charity Commissioners, to suspend the appointment of the full number of inmates, so that such inmate may receive a stipend amounting to that weekly rate at the least.

The Governors shall also be at liberty to make reasonable allowances of coal or other necessaries to each of the brethren and sisters, to be provided out of the income of the Charity, in addition to their pecuniary stipends, whenever such income shall be sufficient for the purpose.

14. The salary of the master and the weekly stipend of each brother and sister hereafter to be elected shall commence from the day of his or her admission to the hospital; but the Governors shall be at liberty, if they so think fit, to set apart any proportion, not exceeding one half of such salary or stipend, for a period not exceeding three months, towards defraying the expense of cleansing, papering, or painting the apartment of such master, brother, or sister.

15. One room in the hospital shall be assigned by the Governors to each brother and sister for his or her exclusive use, and every such room with its fixtures shall be maintained and kept in repair out of the income of the Charity.

16. The Governors shall from time to time inspect the apartments of the master, brethren, and sisters respectively, and whenever they shall consider it necessary shall direct the same to be cleansed and whitewashed, and the windows to be mended, at the expense of the occupier, and they may defray the cost by deducting the same from his or her stipend, at their discretion.

17. The Governors shall have the power of removing the master and any of the brethren or sisters, in case they shall cease to be objects of the Charity, or for immorality, insubordination, or other misconduct; provided that the removal of the master shall not be valid without the approval in writing of the Archbishop of Canterbury.

18. The master may at any time, with the concurrence of one Governor or more, suspend any brother or sister, for misconduct, from the receipt of any allowance or benefit from the Charity until the case can be reported by the master to the Governors, and decided upon by them.

19. One of the brethren shall be appointed by the Governors to be the vice-master, and during his tenure of such appointment shall receive a salary at the rate of 4*l.* per annum, to be paid to him quarterly, in addition to his stipend as a brother.

The Governors shall be at liberty at any time to remove such vice-master, at their discretion, and to appoint another in his place.

20. The oaths hitherto administered to the master, brethren, and sisters respectively shall in future be discontinued. The sisters shall also be relieved from the duty of attending the sick; and the stipend of 13*s.* 4*d.* allowed as a remuneration for such service, and all allowances and gifts to the inmates, other than those directed or provided by this scheme, shall respectively cease.

All existing regulations and usages now in force with respect to the administration of the Charity, which are in any way at variance with this scheme or any of the provisions or objects thereof, shall also respectively cease and be discontinued.

21. Subject to the provisions of this scheme, the Governors may from time to time prescribe such reasonable rules and regulations as they may think expedient for the government and conduct of the hospital, and the master, inmates, and officers thereof, and all such rules and regulations shall be observed by the persons affected thereby.

22. If any doubt or question shall arise amongst the Governors or any of them as to the proper construction or application of any of the provisions of this scheme, or the management of the Charity, application may be made by the Governors to the Charity Commissioners for England and Wales, for their opinion and advice thereon, which opinion and advice, when given, shall be binding on the Governors and on all other persons affected thereby; and if any of the provisions hereof relating to the detailed management of the Charity, and not prescribing or defining the principal objects thereof, shall be found to be unsuitable or practically inconvenient, the same may be modified or altered or annulled by the Governors, with the sanction of the said Commissioners.

23. This scheme shall be printed, and a copy given to every person who shall become a member of the governing body of the Charity, and to every master and inmate of the hospital.

CAP. XXXIII.

An Act to enable the Commissioners of Her Majesty's Works to acquire additional Land for the Purposes of the Public Offices Extension Act of 1859. [11th *July* 1861.]

'WHEREAS by The Public Offices Extension Act, 1859, Twenty-second *Victoria*, Chapter Nine- 22 & 23 Vict.
'teen, the Commissioners of Her Majesty's Works and Public Buildings are empowered to c. 19.
'acquire the Land and Hereditaments therein mentioned, situate near *Whitehall* and Her Majesty's
'Palace of *Westminster*, as a Site for the Erection of Public Offices, as therein mentioned: And
'whereas it has been found necessary for the Purposes of the said Act that the said Commissioners

'should

' should also be empowered to acquire the additional Land and Hereditaments described in the First ' Schedule to this Act: And whereas a Plan describing the Land to be acquired by the said Commis- ' sioners under the Authority of this Act has been prepared by or under the Direction of the said ' Commissioners :' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Construction of recited Act as to Lands in Schedule.

1. The said Act shall be read and construed to all Intents and Purposes whatsoever (except as expressly varied by this Act) as if the Land and Hereditaments comprised and described in the Schedule to this Act were comprised and described in the First Schedule to the said Act.

Plan to be deposited at Office of Commissioners of Works.

2. The said Plan prepared as aforesaid, describing the Land to be acquired by the said Commissioners under the Authority of this Act, shall, when signed by the Commissioners for executing the Office of Lord High Treasurer, be deposited at the Office of the Commissioners of Her Majesty's Works and Public Buildings, and shall remain at the said Office, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection.

Compulsory Powers to continue for Three Years.

3. The compulsory Powers hereby or by the said Act given to the said Commissioners of Her Majesty's Works and Public Buildings for purchasing or taking the Land and Hereditaments comprised in the said First Schedule hereto shall continue for Three Years from the passing of this Act, but no longer; and it shall be lawful for the said Commissioners and they are hereby authorized to purchase the said Land and Hereditaments, with and out of any Monies which have been or which may be appropriated by Parliament, or by Her Majesty's Principal Secretary of State for *India* in Council, and placed at the Disposal of the said Commissioners for that Purpose.

Commissioners of Works to pay 2,470*l.* to Commissioners of Woods for the Property of the Crown, and such Property thereupon to vest in the Commissioners of Works for the Purposes of this Act.

4. ' And whereas it has been referred to *James Pennethorne* of *Whitehall Yard* in the City of *West-* ' *minster*, Surveyor, to ascertain on behalf of Her Majesty on the one Part, and the Commissioners of Her ' Majesty's Works and Public Buildings on the other Part, the Value of a certain Portion of the Hereditа- ' ments comprised in the First Schedule to this Act, the Property of Her Majesty in right of Her Crown, ' as more particularly described in the Second Schedule to this Act, subject to the Leases or Agreements ' for Leases affecting the same as mentioned in such Second Schedule, and such Value has been ascer- ' tained by the said *James Pennethorne* to be the Sum of Two thousand four hundred and seventy Pounds: Be it enacted, That out of the First Monies which have been or which may be appropriated and placed at the Disposal of the Commissioners of Her Majesty's Works and Public Buildings by Parliament, or by Her Majesty's Principal Secretary of State for *India* in Council, for that Purpose, the said last-mentioned Commissioners shall pay the said Sum of Two thousand four hundred and seventy Pounds to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, to be by them applied to the same Purposes as Monies arising from the Sale of Estates belonging to the Crown are by an Act of the Tenth Year of the Reign of King *George* the Fourth, Chapter Fifty, directed to be applied; and upon such Payment being made, the Hereditaments belonging to Her Majesty, as more particularly mentioned in the said Second Schedule to this Act, with their and every of their Rights, Members, and Appurtenances, and the Freehold and Inheritance of the same in Fee Simple, shall (subject to the Leases or Agreements for Leases in the said Second Schedule to this Act mentioned or referred to) be and become by force and virtue of this Act vested in the Commissioners of Her Majesty's Works and Public Buildings, their Successors and Assigns, for ever, who shall be deemed in Law to be in the actual Seisin and Possession thereof, subject to the Leases or Agreements for Leases mentioned in the said Second Schedule, and with the same or the like Power of Recovery of the Rents, and compelling the Performance of the Covenants in the said Leases or Agreements respectively reserved or contained, and on the Part of Tenants to be paid and performed, as were possessed by Her Majesty immediately before the passing of this Act, but freed and discharged and absolutely exonerated of and from all former and other Estates, Rights, Titles, Uses, Trusts, Intents, and Purposes, Interests, Claims, and Demands heretofore created, limited, or declared of or affecting the same, in trust nevertheless for the Purposes of this Act: Provided always, that in any Case in which other Hereditaments are comprised in the same Lease as that by which is demised any Part of the Hereditaments mentioned in the Second Schedule to this Act, nothing herein contained shall affect or prejudice the Covenants, Conditions, and Agreements contained in such Lease, so far as the same relate to the Hereditaments not mentioned in the same Schedule, it being the Intention of this Act that upon the said Payment being made to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, all Covenants, Conditions, and Agreements contained in any such Lease, and the Rents thereby reserved, shall be distributed so that the same shall thenceforth be enforceable and recoverable by the Commissioners of Her Majesty's Works and Public Buildings with respect to the Hereditaments mentioned in the said Second Schedule to this Act, and by Her Majesty, Her Heirs and Successors, or by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them, with respect to the other Hereditaments comprised in such Lease.

Maximum Sum payable for making up

5. ' Whereas by the Forty-eighth Section of the Public Offices Extension Act, 1859, after reciting ' that by reason of taking the Land mentioned in the Schedule to the said Act, and for the Purposes ' thereof,

'thereof, there might be Deficiencies in the Produce of the Assessments for the Relief of the Poor, and 'making certain Payments, directed by Act of Parliament to be made out of the Poor's Rate, as also in 'the Produce of other Assessments directed to be raised and levied on the Persons and in respect of the 'Property by Law rateable to the Relief of the Poor of the Parishes of *Saint Margaret* and *Saint John* '*the Evangelist, Westminster*, and reciting, that the Rates of the said Parishes had been mortgaged, 'and were then charged with and subject to the Repayment of certain Sums, amounting in the aggregate 'to Thirty-five thousand four hundred and three Pounds, or thereabouts, Principal Money, with 'Interest thereon, and which Charges it was calculated would be wholly paid off on or before the 'Twenty-fifth Day of *December* One thousand eight hundred and seventy-three, and that it was 'expedient that Provision should be made for a Contribution for a limited Time by the said Commis-'sioners in aid of the Poor Rates and other Rates to be raised and levied as therein-before mentioned, it 'was enacted, that the said Commissioners should, from and after the Twenty-ninth Day of *September* 'One thousand eight hundred and fifty-nine, yearly and every Year until the Twenty-ninth Day of '*September* One thousand eight hundred and seventy-three, by and out of such Monies as Parliament 'might from Time to Time place at their Disposal for that Purpose, pay and make good, in manner 'therein mentioned, to the said Parishes, such Sum or Sums of Money, not exceeding the Sum of Four 'hundred Pounds *per Annum*, as should be deficient in respect of the said Rates by reason or means of 'taking the Land mentioned in the Schedule to the said Act, for the Purposes thereof, such Deficiencies 'to be calculated and ascertained with reference to the Sum of Three hundred and seventy-five Pounds, 'being the Amount actually collected for and in respect of such Rates made in the Year One thousand 'eight hundred and fifty-eight in respect of Houses and Buildings which might be shut up or taken 'down, or of Ground taken and used by the Commissioners for the Purposes of the said Act, and by the 'Forty-ninth Section of the said Act it was provided that the first Payment in respect of such Deficiencies 'should be made on the Twenty-ninth Day of *September* One thousand eight hundred and sixty:' Now be it enacted, That in consideration of the additional Land to be taken as aforesaid, the maximum Sum of Four hundred Pounds *per Annum*, payable as in the said Act mentioned, for making up such Deficiency as aforesaid, shall be increased to a Sum not exceeding Five hundred and twenty Pounds *per Annum*, and the annual Amount with reference to which such Deficiencies shall be calculated and ascertained, as in the said Act mentioned, shall be the Sum of Four hundred and ninety-eight Pounds, in lieu of the Sum of Three hundred and seventy-five Pounds in the said Act mentioned, and the First Payment in respect of the Deficiencies arising by reason of or with reference to the Land comprised in the First Schedule to this Act shall be made on the Twenty-ninth Day of *September* One thousand eight hundred and sixty-two.

Deficiency in Rates to be increased.

6. 'Whereas by the Fifty-third Section of the said Act it is provided, that in every Action or Suit 'brought or prosecuted for anything done in pursuance thereof, as therein mentioned, the Defendant 'shall and may, at his Election, plead specially or plead the General Issue, and give the said Act and 'the special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in 'pursuance and by the Authority of the said Act:' Be it enacted and declared, That in case any Defendant shall plead the General Issue, as aforesaid, in any Action or Suit relating to the Land and Hereditaments comprised in the said First Schedule hereto or any Part thereof, or to anything done in respect thereof, he may in like Manner give the special Matter in Evidence, and that the same was done in pursuance and by the Authority of the said Act and of this Act.

If Defendant shall plead the General Issue in any Action he may give the special Matter in Evidence.

7. This Act may be cited as "The Supplemental Public Offices Extension Act, 1861."

Short Title.

The FIRST SCHEDULE referred to in the foregoing Act.

The Parish of Saint Margaret, Westminster, in the County of Middlesex.

No. on Plan.	No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		Duke Street.			
1	13	Dwelling House, Offices, and Yard.	Caroline Molesworth, Rev. Ralph Colley Smith, Richard Hunter, Frederick Gwatkin.	John Swift and John Edward Errington, Executors of Joseph Locke, deceased; John Edward Errington.	John Swift and John Edward Errington, Executors of Joseph Locke, deceased; John Edward Errington.
2	14	Dwelling House and Yard.		Frederick Yates - -	Frederick Yates.
3	15	Public Offices and Yard.		Sir Robert Gyll and the Secretary-at-War.	The Adjutant General.
4	16	Public Offices and Yard.		The Commissioners of Her Majesty's Works and Public Buildings.	Unoccupied.

Public Offices Extension.

The Parish of Saint Margaret, Westminster, in the County of Middlesex—*continued.*

No. on Plan.	No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		Duke Street—continued.			
5	—	Garden Ground and Outbuildings.	The Crown	Caroline Molesworth, Rev. Ralph Colley Smith, Richard Hunter, Frederick Gwatkin, John Edward Errington.	John Swift and John Edward Errington, Executors of Joseph Locke, deceased; John Edward Errington.
6	—	Garden Ground and Outbuildings.	The Crown	Caroline Molesworth, Rev. Ralph Colley Smith, Richard Hunter, Frederick Gwatkin, Frederick Yates.	Frederick Yates.
7	—	Offices	The Crown	Caroline Molesworth, Rev. Ralph Colley Smith, Richard Hunter, Frederick Gwatkin, Sir Robert Gyll, and the Secretary-at-War.	The Adjutant General.
8	—	Garden Ground and Outbuildings.	The Crown	Caroline Molesworth, Rev. Ralph Colley Smith, Richard Hunter, Frederick Gwatkin, the Commissioners of Her Majesty's Works and Public Buildings.	Unoccupied.
9	—	Public Street	- - - - -	- - - - -	The Board of Works for the Westminster District, the Chelsea Waterworks Company, the Equitable Gas Company, the Chartered Gas Company, the London Gas Company, and the Public.

The SECOND SCHEDULE referred to in the foregoing Act.

The Parish of Saint Margaret, Westminster, in the County of Middlesex.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Tenure.	Amount of apportioned annual Rent.
						£ s.
5	Garden Ground and Outbuildings.	The Crown	Caroline Molesworth, Reverend Ralph Colley Smith, Richard Hunter, Frederick Gwatkin, John Edward Errington.	John Swift and John Edward Errington, Executors of Joseph Locke, deceased, John Edward Errington.	Agreement for Lease for a Term of 30 Years, from the 5th April 1857, at the Rent of 63*l.* per Annum apportioned.	18 0
6	Ditto	Ditto	Caroline Molesworth, Reverend Ralph Colley Smith, Richard Hunter, Frederick Gwatkin, Frederick Yates.	Frederick Yates		18 0
7	Offices	Ditto	Caroline Molesworth, Reverend Ralph Colley Smith, Richard Hunter, Frederick Gwatkin, Sir Robert Gyll, and the Secretary-at-War.	The Adjutant General.		27 0
8	Garden Ground and Outbuildings.	Ditto	Caroline Molesworth, Reverend Ralph Colley Smith, Richard Hunter, Fredrick Gwatkin, the Commissioners of Her Majesty's Works and Public Buildings.	Unoccupied	Lease (with other Property) to John Fraser and Ralph Colley Smith, Executors to the Will of General Buckley, to 5th April 1881.	4 15

CAP. XXXIV.

An Act to extend the Provisions of the Acts to facilitate the Improvement of Landed Property in *Ireland*, and to further provide for the Erection of Dwellings for the Labouring Poor in *Ireland*. [11th *July* 1861.]

'WHEREAS an Act was passed in the Twenty-third Year of Her Majesty, intituled *An Act to extend the Act to facilitate the Improvement of Landed Property in* Ireland, *and the Acts amending the same, to the Erection of Dwellings for the Labouring Classes in* Ireland, and thereby, after reciting an Act passed in the Tenth Year of Her Majesty, being an Act for facilitating the Improvement of Landed Property in *Ireland;* and a certain other Act of the Twelfth and Thirteenth Years of Her Majesty, Chapter Twenty-three; and a certain other Act of the Thirteenth and Fourteenth Years of Her Majesty, Chapter Thirty-one, it was enacted, that out of any Money authorized to be advanced for facilitating the Improvement of Landed Property in *Ireland*, under the Provisions of the said therein-recited Acts, Loans might be made for the Erection of Dwellings for Labourers and their Families, in such Cases, and upon such Conditions, as are therein mentioned and provided: And whereas by the said Act of the Thirteenth and Fourteenth Years of Her Majesty, Chapter Thirty-one, it is provided that the Commissioners of Public Works in *Ireland* should not make any Order for any Loan under the said Acts or any of them to the same Owner for a larger Sum than Five thousand Pounds, or if any previous Order or Orders should have been made under the said Acts for a Loan or Loans to the same Owner in respect of the same or any other Lands, or to any previous Owner of the same Lands in respect of such Land, the said Commissioners should not make such Order for a Loan to a larger Amount than would, with the Sum that had been or might be issued under such previous Order or Orders, make up Five thousand Pounds: And whereas it is expedient that, for the Purpose of facilitating the Erection of Dwelling Houses for Labourers and their Families, Loans may be authorized to be made under the Provisions of the said Acts beyond the said limited Sum of Five thousand Pounds:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 23 Vict. c. 19.

1. That notwithstanding that an Order or Orders may have been or may be made by the said Commissioners of Public Works in *Ireland*, under the said Acts or any of them, for a Loan or Loans either to the same Owner in respect of the same or any other Land, or to several Owners in respect of the same Lands, amounting in the whole to the said Sum of Five thousand Pounds, it shall be lawful nevertheless for the said Commissioners to make a further Loan or further Loans under the Provisions of the said Act of the Twenty-third Year of Her Majesty, Chapter Nineteen, and of the said Acts therein recited, for the Purpose only of erecting Dwellings for Labourers and their Families: Provided always, that such further Loan or Loans so to be made in excess of the said Sum of Five thousand Pounds shall not exceed the Sum of One thousand Pounds. Loans may be made for Erection of Dwellings for Labourers notwithstanding previous Loans.

CAP. XXXV.

An Act to increase the Facilities for the Transfer of Stocks and Annuities transferable at the Bank of *Ireland*, and to make further Provision respecting the mutual Transfer of Capital in certain Public Stocks or Funds transferable at the Banks of *England* and *Ireland* respectively, and for other Purposes. [22d *July* 1861.]

'WHEREAS it is expedient that more effectual Regulations should be made for facilitating the Transfer of Government Stocks, Funds, and Annuities now by Law transferable at the Bank of *Ireland*, and also to facilitate the mutual Transfer of Capital in certain public Stocks or Funds transferable at the Bank of *England* to certain public Stocks or Funds transferable at the Bank of *Ireland*, and in like Manner from certain public Stocks or Funds transferable at the Bank of *Ireland* to certain public Stocks or Funds transferable at the Bank of *England:* And whereas the said Governor and Company of the Bank of *Ireland* have heretofore closed the Books for Transfer of the various Capital Stocks and Annuities created by Parliament transferable at the Bank of *Ireland* forming Part of the unredeemed Public Debt for a certain Number of Days prior to the Days fixed for the Payment of the half-yearly Dividend thereon respectively, in order to their Convenience in calculating the Dividends due to the several Proprietors thereof and preparing the Warrants for the same, and during the Period of such closing no Transfers have been permitted except under Circumstances of special Necessity, and such Transfers have been attended with great Inconvenience by reason of the Stocks so transferred carrying the Right to the current Half Year's Dividend: And whereas it is desirous to increase the Facilities for the Transfer of such Stocks:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. It shall be lawful for the said Governor and Company of the Bank of *Ireland* to close the Books for the Transfer of the said several Stocks and Annuities on any Day not exceeding Fifteen Days prior to that on which the Dividends thereon respectively shall by Law be payable; and the Persons Provision for Increase of Facilities for the Transfer of

Stocks and Annuities.

or Person who on the Day of the closing of such Book was or were inscribed as the Proprietor or Proprietors of any Share or Shares of and in such Stocks and Annuities respectively, shall, as between him, her, or them and the Transferee or Transferees thereof, be the Person or Persons entitled to the then current Half Year's Dividend thereon; and the Person or Persons to whom any Transfer shall be made after the Day of the closing of such Books shall not be entitled to the then current Half Year's Dividend on such Stock, but shall take and accept the same, exclusive of the Right to the said half-yearly Dividends.

Provision for limiting Periods for closing the Books against mutual Transfers of Stocks, &c. in England and Ireland.

2. 'And whereas it is desirable to increase the Facilities for the mutual Transfer of Capital in the 'Public Stocks, Annuities, or Funds transferable at the Banks of *England* and *Ireland* respectively, 'and to curtail the Time during which the Books of the said Governor and Company of the Bank of '*England* and of the said Governor and Company of the Bank of *Ireland* respectively are now by Law 'closed against such Transfers:' Be it therefore enacted, That it shall not be lawful for any Person or Persons to make any Transfer or Transfers, for the Purposes of said Act, of any Stocks, Funds, or Annuities from *England* to *Ireland*, or from *Ireland* to *England*, respectively, during the Period of Three clear Days preceding the Day or Days on which the Books of the said Governor and Company of the Bank of *England*, and of the said Governor and Company of the Bank of *Ireland*, respectively, shall from Time to Time be closed for the Purpose of Dividend prior to the Day or Days fixed for Payment of the same.

Extending Powers of 56 G. 3. c. 60. as to the Re-transfer of Unclaimed Dividends and Stock.

3. 'And whereas by an Act of Her present Majesty's Reign passed in the last Session of Parliament, intituled *An Act to make Provision as to Stocks and Dividends unclaimed in* Ireland, and 'reciting an Act of Fifty-sixth Year of King *George* the Third, Chapter Sixty, all the Provisions of 'said last recited Act were extended to all Stocks, Funds, and Annuities constituting Part of the 'National Debt, and transferable at the Bank of *Ireland*, and to the Dividends thereon, and to the 'Governor and Company of the Bank of *Ireland* and their Officers, and to the Court of Chancery in '*Ireland*: And whereas by said recited Acts Power is vested in the Governor and Deputy Governor 'of the Bank of *Ireland* for the Time being to authorize and direct the Accountant General or Secretary 'of the Governor and Company of the Bank of *Ireland* for the Time being to re-transfer any Capital 'Stock which shall have been transferred to the Commissioners for the Reduction of the National 'Debt under the Circumstances therein mentioned: And whereas it is expedient to extend the 'Authority in the said Acts contained to the Deputy Accountant General and Deputy or Assistant 'Secretary for the Time being of the said Governor and Company of the Bank of *Ireland*:' Be it therefore enacted, That all Transfers directed to be made under the Provisions in that Behalf contained in the said recited Acts or any of them, to and from the Account of the said Commissioners, shall be as valid and effectual, if made by the Deputy Accountant General or the Deputy or Assistant Secretary of the said Governor and Company of the Bank of *Ireland* for the Time being, as if the same had been made by the Accountant General or Secretary of the said Governor and Company for the Time being.

5 G. 4. c. 53. ss. 11, 12. repealed.

4. The Eleventh and Twelfth Sections of the Act Fifth *George* the Fourth, Chapter Fifty-three, are hereby repealed.

CAP. XXXVI.

An Act to amend the Boundaries of Burghs Extension (*Scotland*) Act. [22d *July* 1861.]

20 & 21 Vict. c. 70.

'WHEREAS by the Act Twentieth and Twenty-first *Victoria*, Chapter Seventy, it is provided 'that the Boundaries of Royal and Parliamentary Burghs in *Scotland* may be extended for 'Municipal Purposes only, including the Right of voting for Town Councillors, and all Matters 'connected with Police, and it is expedient that Provision should be made for the Division into Wards 'of the District comprehended within the extended Boundaries of such Burghs as have been or may be 'divided into Wards:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Extended District may be formed into Wards or annexed to existing Wards by the Sheriff on Application of the Town Council.

1. Where the recited Act has been or shall be adopted in any Royal or Parliamentary Burgh in *Scotland* which has been or shall be divided into Wards, and the extended Boundaries of such Burgh have been or shall be fixed in manner therein provided, it shall be lawful for the Sheriff of the County in which such Burgh is situate, or any of his Substitutes, on the Application of the Town Council of such Burgh, to form the District comprehended within such extended Boundaries into a Ward or Wards, or to annex such District or any Part thereof to any One or more of the existing Wards of such Burgh, and to fix and arrange the Limits of such extended Wards, and the Number of Councillors to be elected for each existing and extended Ward of such Burgh, in such Manner as he shall think fit, and to take all such Proceedings for these Purposes as may be necessary or expedient.

Notice of Limits of Wards and Number of

2. On such Formation or Annexation of Wards being made and completed, a Notice signed by such Sheriff or Sheriff Substitute specifying the Limits of the extended Wards, and the Number of Councillors to be elected for each existing and extended Ward of such Burgh, as fixed and arranged by him, shall be published once in the *Edinburgh Gazette*, and once in each of Two successive Weeks in a Newspaper

Newspaper published in such Burgh, or, if no Newspaper be published therein, in a Newspaper published in the County in which such Burgh is situate; and thereafter the qualified Electors of all such Wards, whose Names shall be on the List or Roll of Electors of such Burgh in force for the Time being, shall be entitled to vote in the Election of Councillors for such Burgh, for as many qualified Persons to be Councillors in and for such Wards respectively as are specified in such Notice, in the Manner provided by the Acts Third and Fourth *William* the Fourth, Chapters Seventy-six and Seventy-seven; and all Orders or Deliverances made or pronounced by such Sheriff or Sheriff Substitute in the Execution of this Act shall be final, and not subject to Appeal, Review, or Reduction in any Court or by any Process whatsoever. Councillors to be published.

3. In the event of the Boundaries of any Burgh being extended into another County than that in which such Burgh is situate, it shall be lawful for the Sheriff or Sheriff Substitute of the County in which such Burgh is situate to act, in carrying into execution the Provisions of this Act with respect to the District comprehended within such extended Boundaries in another County, in the same Manner and to the same Effect as if such District had been situate in the County of which he is Sheriff or Sheriff Substitute. Sheriff may act when extended Boundaries are in another County.

4. All Expenses incurred in or with respect to the Proceedings under this Act in any Burgh shall be paid by the Town Council of such Burgh. Expenses to be paid by Town Council.

CAP. XXXVII.

An Act to simplify the Mode of raising the Assessment for the Poor in *Scotland*.

[22d *July* 1861.]

'WHEREAS it is expedient to simplify the Mode of imposing the Assessment for raising the Funds 'for the Relief of the Poor in *Scotland:*' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. From and after the First Day of *January* One thousand eight hundred and sixty-two so much of Section Thirty-four of the Act of the Eighth and Ninth Years of Her Majesty, intituled *An Act for the Amendment and better Administration of the Laws relating to the Relief of the Poor in* Scotland, as makes it lawful for any Parochial Board of any Parish or Combination of Parishes in *Scotland* to raise One Half of the Funds requisite for the Relief of the poor Persons entitled to Relief from the Parish or Combination by Assessment upon the Owners of all Lands and Heritages within the Parish or Combination, according to the annual Value of such Lands and Heritages, and the other Half upon the whole Inhabitants, according to their Means and Substance, other than Lands and Heritages situated in *Great Britain* and *Ireland*, or to raise such Funds by Assessment, imposed as an equal Per-centage upon the annual Value of all Lands and Heritages, within the Parish or Combination, and upon the estimated annual Income of the whole Inhabitants from Means and Substance other than Lands and Heritages situated in *Great Britain* or *Ireland*, is hereby repealed: and every Parochial Board of any Parish or Combination of Parishes now raising such Funds in Terms of the Parts of the said recited Act which are hereby repealed as aforesaid shall, before ceasing to raise such Funds, and within Two Months after the passing of this Act, resolve to adopt the First Mode of Assessment specified in Section Thirty-four of the recited Act, and to classify Lands and Heritages equitably in Terms of the Thirty-sixth Section of the said recited Act, and shall forthwith report such Resolution to the Board of Supervision, which is hereby authorized and required to determine whether or not the Classification so resolved on is equitable, and, in the event of their considering the Classification thereby made is not equitable, to vary or alter the same as to them shall seem just; and until the said First Mode of Assessment so resolved on, with relative Classification, shall have been approved of by the Board of Supervision, the Assessment for Relief of the Poor in any Parish where the Classification may not be approved of shall continue to be raised according to the Mode now in operation in such Parish; and after the proposed Classification in any Parish shall have been approved of by the Board of Supervision, it shall not be altered or departed from without the Sanction of the said Board: Provided always, that nothing in this Act shall be construed to prevent the Parochial Board of any Parish or Combination of Parishes from collecting any such Assessments actually imposed prior to the First Day of *January* One thousand eight hundred and sixty-two, according to the Mode legally in force in the Parish or Combination at the Date when such Assessments were imposed. So much of Sect. 34. of 8 & 9 Vict. c. 83. as to Means and Substance Mode of Assessment abolished.

CAP. XXXVIII.

An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners.

[22d *July* 1861.]

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The "Acts for the Inclosure, Exchange, and Improvement of Land," issued their Provisional 'Orders for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and the 'requisite Consents thereto have been given since the Date of their Sixteenth Annual General Report: 'And whereas the said Commissioners have by a Special Report certified their Opinion that such

'proposed Inclosures would be expedient; but the same cannot be proceeded with without the previous 'Authority of Parliament:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Inclosures may be proceeded with.

1. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Short Title.

2. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use either the Expression "The Second Annual Inclosure Act, 1861," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Chaldon Commons	Surrey	10th January 1861.
Llanfihangel Rhydithon	Radnor	7th February 1861.
Ambleside	Westmorland	24th January 1861.
Thorpe Low Common	Norfolk	14th March 1861.
High and Low Hartsopp Pastures	Westmorland	28th February 1861.
Llanddew Common	Brecon	29th November 1860.
Talwen Common	Brecon	29th November 1860.
Armscote Field	Worcester	11th April 1861.
Llanfihangel-fechan	Brecon	29th November 1860.
Garthbrengy Common	Brecon	29th November 1860.
Merthyr Cynog	Brecon	29th November 1860.
Thoralby	York	25th April 1861.
Whichwood (Pudlicot)	Oxford	25th April 1861.
East Orchard	Dorset	17th May 1860.
Dilwyn	Hereford	14th March 1861.
Walderton Down	Sussex	25th April 1861.
Talachddu	Brecon	25th April 1861.
Loweswater	Cumberland	22d April 1858.
Bedworth	Warwick	25th April 1861.
Upshire	Essex	14th March 1861.
Spencers Wood Common	Berks	14th March 1861.
Swallowfield	Berks	14th March 1861.
Cleeton	Salop	23d May 1861.
Linton	York	25th April 1861.
Writtle and Roxwell	Essex	6th June 1861.
Radnor Forest	Radnor	14th March 1861.

CAP. XXXIX.

An Act to confirm certain Provisional Orders under the Local Government Act (1858), relating to the Districts of *Brighton, East Cowes, Preston, Morpeth, Bromsgrove,* and *Durham;* and for other Purposes in relation thereto. [22d *July* 1861.]

'WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's 'Principal Secretaries of State, has, under the Provisions of "The Local Government Act, 1858," 'duly made certain Provisional Orders, which are contained in the Schedule to this Act annexed, and it 'is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity what-'ever until they shall have been confirmed by Parliament; and it is expedient that the said Orders 'should be so confirmed, and further Provision made in relation thereto:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders in Schedule confirmed.

1. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the passing of this Act, be absolute, and be as binding, and of the like Force and Effect, except the Clause numbered 2. in the Provisional Order for *Morpeth* in the County of *Northumberland,* as if the Provisions of the same had been expressly enacted in this Act.

Provisional Order for Morpeth not to affect

2. Nothing in the Provisional Order for the *Morpeth* District in this Schedule contained shall affect the Election or Selection of the Local Board of Health for the said District, except as regards the Members

Members elected in and for the Parish of *Bedlington*, who shall, from and after the passing of this Act, cease to be Members of the said Board. Election of Local Board, save, &c.

3. 'Whereas a Debt of Three hundred and twenty-six Pounds Nine Shillings and Sevenpence, with 'Interest thereon at the Rate of Four *per Cent. per Annum*, is now owing by the Local Board of Health 'for the *Morpeth* District, and such Debt is secured on Mortgage of the Special District Rates of the 'said District for the unexpired Period of Twenty-three Years: And whereas it is expedient to deter- 'mine the Proportions in which such Debt shall be paid by Rates levied respectively within the Parts 'into which the said District is divided by the Provisional Order in the Schedule to this Act annexed:' Be it enacted, That from and after the Division of the said District the Parish of *Bedlington* shall contribute towards the Payment of such Debt the Sum of One hundred and eighty-three Pounds Sixteen Shillings and One Halfpenny, with Interest thereon at the Rate of Four *per Cent. per Annum*, and the Local Board of Health for the District of *Morpeth* as altered by the Provisional Order aforesaid shall contribute towards the same Object the Sum of One hundred and forty-two Pounds Thirteen Shillings Sixpence and One Halfpenny, with the like Interest thereon; and that it shall be lawful for the Overseers within the said Parish of *Bedlington* to raise the annual Instalments required to pay off the said Sum of One hundred and eighty-three Pounds Sixteen Shillings and One Halfpenny, with Interest thereon at the Rate of Four *per Cent. per Annum*, in the Name and as Part of the Rates levied by them within such Parish for the Relief of the Poor thereof: Provided always, that in assessing to the Rate for the Purpose of paying off such Instalment and Interest, all the Kinds of Property which would be assessed to General District Rates under the Local Government Act, 1858, in the Proportion of One Fourth Part only of the net annual Value thereof, shall be assessed in the same Proportion only of such Value to the Rate levied under this Enactment. Apportionment of existing Debt between Morpeth and Bedlington.

4. The Inhabitants of the Parts of the Parish of *Bromsgrove* separated from the District of the Local Board by the Provisional Order in the Schedule to this Act annexed shall, within One Month from the passing of this Act, assemble and elect One or more Persons to serve the Office of Surveyor, under the Provisions of the General Highways Act, in the same Manner as they would have assembled for the Election of Surveyors of Highways at *Easter* now last past, if the Local Government Act aforesaid had not then been in force within such Parts. Surveyors of Highways to be elected for Parts of Bromsgrove separated from District.

5. This Act shall be deemed to be incorporated with "The Local Government Act, 1858," and shall be as if this Act and the said Local Government Act were One Act. 21 & 22 Vict. c. 98. and this Act incorporated.

6. In citing this Act in any other Act, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1861." Short Title.

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. BRIGHTON.—Repealing and altering Parts of Local Acts in force within the District.
2. EAST COWES.—Repealing a Local Act in force within the District.
3. PRESTON.—Repealing and altering Parts of a Local Act in force within the District; extending the Borrowing Powers of the Preston Local Board of Health; extending the Time for paying off Sums borrowed by such Board; and for other Purposes.
4. MORPETH.—Altering the Boundaries of the District of Morpeth, as constituted for the Purposes of the Public Health Act, 1848.
5. BROMSGROVE.—Altering the Boundaries of the District of Bromsgrove, as constituted for the Purposes of the Local Government Act, 1858.
6. DURHAM.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands otherwise than by Agreement.

BRIGHTON.

Provisional Order repealing and altering Parts of Local Acts in force within the District of the Brighton Local Board.—Local Government Act, 1858.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Brighton, in which the Local Government Act, 1858, has been duly adopted, have, in pursuance of the said Act, presented a Petition to the Right Honourable Sir George Cornewall Lewis, as one of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of certain Local Acts of Parliament in force within the said Borough, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the Sixth year of the reign of King George the Fourth, intituled "An Act for the better regulating, paving, improving, and managing the town of Brighthelmston in the County of Sussex, and the poor thereof:"

An Act passed in the Thirteenth year of the reign of Queen Victoria, intituled "An Act to enable the Commissioners acting under an Act passed in the Sixth year of the reign of His late Majesty King George the Fourth, for better regulating, paving, improving, and managing the town of Brighthelmston

Brighthelmston in the County of Sussex, and the poor thereof, to purchase, improve, and manage the Royal Pavilion at Brighton, and the grounds thereof, and to enlarge, extend, and apply the Powers and Provisions of the same Act with reference thereto :"

An Act passed in the Eighteenth year of the reign of Her said Majesty, intituled " An Act to transfer to the Corporation of the Town of Brighton the property, powers, privileges, and liabilities of the Brighton Improvement Commissioners."

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said Borough in respect of the several matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such order can be valid without the confirmation of Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The parts of the Local Act specified in the Schedule hereunto annexed shall be repealed.

2.—The Provisions of the Public Health Act, 1848, as to Byelaws shall extend to all Byelaws made under the said herein-before recited Local Acts.

3.—The kinds of property exempted by the Proviso to the 133d Section of the said Local Act 6 Geo. 4. c. 179. from Rates under that Act shall be exempt from rating under the said Local Government Act, 1858, and the Acts incorporated therewith, but shall be liable to all Highway Rates levied by the Local Board within the said Borough.

4.—No re-appointment shall be necessary of Officers or persons appointed by the Commissioners or Town Council under the said Local Acts, but such Officers shall act, and all Securities given by them shall continue in force, as if the Appointments had been made and the Securities given under the said Public Health Act and the Local Government Act, and all powers under any of the parts of the said Local Acts not repealed by any Act of Parliament confirming this Order may be exercised in the manner directed by the Public Health Act, 1848, and the Local Government Act, 1858, for the exercise of powers under those Acts respectively, and the provisions of the said last-mentioned Acts shall extend and apply to matters arising under the unrepealed parts of the said Local Acts ; and the said Public Health Act and Local Government Act shall be incorporated with the unrepealed parts of the said Local Acts, and the purposes of the said unrepealed parts shall be taken and deemed to be purposes of the said Public Health Act and Local Government Act.

Given under my hand this Twenty-fourth day of April 1861.

(Signed) G. C. Lewis.

SCHEDULE to which this Order refers.

The parts of the Local Act 6 Geo. 4. c. 179., herein-before referred to in this Order, to be repealed, are as follow, that is to say :

The Sections numbered respectively in the copies of the said Act of the 6 Geo. 4. printed by the King's Printers, viz. :—Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 29, 30, 33, 34, 35, 36, 37, 38, 39, 40, 50, 53, 54, 55, 56, 57, 60, 61, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 77, 78, 79, 80, 81, 83, 84, 85, 86, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 119, 120, 121, 122, 123, 124, 125, 126, 127, 132, 133, 134, 135, 136, 137, 138, 161, 188, 189, 193, 195 (except as relates to boats and bathing machines), and 196 (except as relates to boatmen and boats).

EAST COWES.

Provisional Order repealing a Local Act in force within the District of the East Cowes Local Board.—Local Government Act, 1858.

Whereas the Local Board for the District of East Cowes in the Isle of Wight, in which District the Local Government Act, 1858, has been duly adopted, have, in pursuance of the said Act, presented a Petition to the Right Honourable Sir George Cornewall Lewis, as one of Her Majesty's Principal Secretaries of State, praying for the repeal of a certain Local Act of Parliament in force within the Isle of Wight aforesaid, so far as such Act affects the said District of East Cowes, the said Act having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit ; that is to say,

An Act passed in the Twenty-third year of the reign of King George the Third, intituled " An Act for amending the Roads and Highways in the Isle of Wight."

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the several matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such order can be valid without the confirmation of Parliament.

Now,

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The said Local Act shall be repealed so far as such Act affects the District of the aforesaid Local Board of East Cowes.

Given under my hand this Twenty-fourth day of April 1861.

(Signed) G. C. Lewis.

PRESTON.

Provisional Order for repealing and altering Parts of a Local Act in force within the District of Preston; for extending the Borrowing Powers of the Preston Local Board of Health; for extending the Time for paying off Sums borrowed by such Board; and for other Purposes.—Local Government Act, 1858, *Sect.* 78.

Whereas the Public Health Act, 1848, has been duly applied to the Borough of Preston in the County of Lancaster, and the said Act and the Local Government Act, 1858, are respectively in force within and for the District of Preston aforesaid.

And whereas the said Local Board of Health received authority from the General Board of Health, under the Public Health Act, 1848, to borrow a sum of 55,000*l.* on mortgage of the Special District Rates of the Township of Preston, which Township forms a portion of the aforesaid District, and have borrowed under such authority sums amounting in the whole to 34,850*l.* for the Main Drainage of such Township, and the remaining portion of the first herein-before mentioned sum of 55,000*l.* will be required to complete such works.

And whereas also, under the herein-before recited Acts, the said Local Board must repay the money borrowed for such works, with all interest thereon, within a period of thirty years from the date of the borrowing of such money.

And whereas the said Local Board of Health have further borrowed, on mortgage of the Rates authorized to be made under the Preston Waterworks Act, 1853, the sum of 135,225*l.* to defray the cost of purchasing from the Preston Waterworks Company their undertaking, and the further sum of 80,000*l.* that being the full amount, above and exclusive of the herein-before mentioned purchase money, which the said Local Board are authorized to borrow under the Preston Waterworks Act aforesaid.

And whereas by that Act the said Local Board are required, in order to pay off any monies borrowed under it, to set aside in every year, from and after the expiration of five years from the passing of such Act, not less than 1,600*l.* as a sinking fund to be applied in paying off such monies.

And whereas the said several sums borrowed under the said Preston Waterworks Act are not sufficient to enable the said Local Board of Health to complete the Works necessary for supplying the said Borough with water, and a further sum will be required for the completion of such Works; but such further sum, with that already borrowed under the authority of the said Act, and under the authority of the Public Health Act, 1848, exceed the amount authorized to be borrowed by the several herein-before recited Acts.

And whereas the said Local Board have now, under the authority of the 78th section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, that the time allowed for the repayment of loans borrowed or to be borrowed on account of the Main Drainage Works within the aforesaid district of Preston may be extended from thirty to fifty years; that the time provided and fixed by the Preston Waterworks Act, 1853, (sec. 56,) for the commencement of a sinking fund to be applied under the provisions of that Act in paying off the money borrowed or to be borrowed on account of the waterworks of the aforesaid District, may be extended; and that the said Local Board may be empowered to borrow (for the completion of the Works for supplying water to such District), on mortgage of the Waterworks and Water Rates under the provisions of the Preston Waterworks Act, 1853, and of the rates leviable by the Preston Local Board of Health under the powers of the Public Health Act, 1848, and of the Local Government Act, 1858, such further sum or sums of money as, together with the amount already borrowed under the said several Acts, shall not exceed in the whole two years assessable value of the premises assessable within the District in respect of which such further sum or sums may be borrowed.

And whereas, after due inquiry and report by William Ranger esquire, the inspector appointed by me for the purpose, I am of opinion that the prayer of such petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the powers now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order under my hand, direct as follows:—

That from and after the passing of any Act of Parliament confirming this present Order—

1.—The Local Board of Health for the District of Preston aforesaid shall have power and authority to borrow or to reborrow for the completion of the works for supplying water to that District, and on mortgage of their Waterworks and of the Rates leviable under the authority of the

Preston

Preston Waterworks Act, 1853, and of the Public Health Act, 1848, and Local Government Act, 1858, such a sum or sums of money as shall not together with the amount already borrowed, exceed in the whole two years assessable value of the premises within the District in respect of which such sum or sums may be so borrowed or reborrowed; the said borrowing or reborrowing of such further sum or sums of money for the completion of such works being subject to the provisions of the Local Government Act, 1858, and of the Preston Waterworks Act, 1853, in respect to the borrowing of money on security of the Rates leviable under such Acts.

2.—The period within which the Preston Local Board of Health should, under the Provisions of the Public Health Act, 1848, and of the Local Government Act, 1858, repay the amount borrowed or to be borrowed by them on security of the Rates leviable under the said Acts, to defray the cost of the Main Drainage Works executed by them within such District, be extended from thirty years to a period of fifty years from the date of the borrowing thereof, within which period of fifty years such amount borrowed for the execution of such Main Drainage Works shall, with all interest thereon, be repaid.

3.—Section 56 of the Preston Waterworks Act, 1853, be repealed, so far as it fixes the date at which the said Local Board of Health shall commence setting aside an annual sum to provide a sinking fund for the purposes therein set forth, and that in order to pay off the monies borrowed under the authority of the said Act, such Local Board of Health shall, in every year after the expiration of seven years from the passing of the Act confirming this Order, set apart not less than one thousand six hundred pounds as a sinking fund, for the purposes and in the manner set forth in the aforesaid fifty-sixth section of the said Preston Waterworks Act.

Given under my hand this Twenty-fourth day of April 1861.

(Signed) G. C. Lewis.

MORPETH.

Provisional Order for altering the Boundaries of the District of Morpeth in the County of Northumberland, as constituted for the Purposes of the Public Health Act, 1848.—*Local Government Act,* 1858.

Whereas, by a Provisional Order of the General Board of Health, bearing date the Twenty-sixth day of May 1851, confirmed by the Public Health Supplemental Act, 1851 (No. 2), the Public Health Act, 1848, was duly applied to the Parliamentary Borough of Morpeth in the County of Northumberland.

And whereas a petition has been duly presented to me, as one of Her Majesty's Principal Secretaries of State, under the Provisions of the 77th Section of the Local Government Act, 1858, and duly signed by a majority of the owners and ratepayers in the Parish of Bedlington, which forms part of the District of Morpeth under the Public Health Act, 1848, praying for an alteration of the boundaries of the said District of Morpeth, by the separation of the Parish of Bedlington from such District as it was constituted under the herein-before recited Provisional Order, and the Act confirming the same.

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition, and report has been made to me thereon by William Ranger esquire, the Inspector appointed for the purpose.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct,—

That, from and after the passing of any Act of Parliament confirming this Order—

1.—The District of the aforesaid Local Board of Health for Morpeth in the County of Northumberland, constituted as herein-before described for the purposes of the Public Health Act, 1848, be altered by so much of the aforesaid District as is comprised within the Parish of Bedlington in the County of Northumberland, being excluded from the District of the aforesaid Local Board of Health.

2.—At every election of members of the Local Board of Health aforesaid which shall take place after the passing of the Act of Parliament confirming this Order, the members to be elected shall be elected for the whole of the District as altered by this Order, and by the votes of owners of, and ratepayers in respect of, property situate within the district so constituted.

Given under my hand this Third day of May 1861.

(Signed) G. C. Lewis.

BROMSGROVE.

Provisional Order for altering the Boundaries of the District of Bromsgrove in the County of Worcester, under the Local Government Act, 1858.—*Local Government Act,* 1858.

Whereas the Local Government Act, 1858, was, on the Fourteenth day of October 1859, duly adopted within the Parish of Bromsgrove in the County of Worcester by the Commissioners acting under and by virtue of the Bromsgrove Improvement and Small Tenement Act, 1846; and whereas the

the aforesaid Local Government Act, 1858, has had the force of law within such Parish from and after the Fourteenth day of December 1859.

And whereas a Petition has been duly presented to me, as one of Her Majesty's Principal Secretaries of State, under the provisions of the 77th Section of the Local Government Act, 1858, signed by owners and ratepayers of that part of the Parish of Bromsgrove in the County of Worcester which is not comprised within the limits of the Town of Bromsgrove, as described and defined in the Bromsgrove Improvement and Small Tenement Act, 1846 (9 & 10 Vict. c. 124), praying that such part of the said Parish may be separated from the District of the Bromsgrove Local Board; or, otherwise, that the Local Board for carrying into effect the last herein-before mentioned Act may be so constituted that the owners of property without the Town District may be enabled to vote in the election of such Board, that the scales of votes and method of voting prescribed in the Public Health Act, 1848, may be employed in such election, and that the qualifications of voters and commissioners may be those prescribed in the said Public Health Act, 1848.

And whereas, in pursuance of the said Local Government Act, inquiry has been directed and held in the said District in respect of the several matters mentioned in the said Petition, and report has been made to me thereon by Henry Austin esquire, the Inspector appointed for the purpose.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct,—

That, from and after the passing of any Act of Parliament confirming this Order—

All that portion of the District of Bromsgrove in the County of Worcester, under and for the purposes of the Local Government Act, 1858, which is not comprised within the limits of the Town of Bromsgrove, as such limits are defined in the 64th Section of the herein-before recited Bromsgrove Improvement and Small Tenement Act, 1846 (9 & 10 Vict. c. 124,) shall be separated from the said District, and the District of Bromsgrove, under the Local Government Act, 1858, shall be confined within the limits of the Town of Bromsgrove, as the same are defined by the herein-before recited Bromsgrove Improvement and Small Tenement Act, 1846.

2.—The Local Board for the time being for the District of Bromsgrove shall be the Local Board for the District as altered by this Order and the Act of Parliament confirming the same.

Given under my hand this Twenty-fourth day of April 1861.

(Signed) G. C. Lewis.

DURHAM.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Durham Local Board of Health, for the Purchase of Lands by the said Board for Street Improvements.—Local Government Act, 1858.

Whereas the Mayor, Aldermen, and Citizens of the City of Durham and Framwellgate, by the Council of the said City, being the Local Board of Health in and for the District of the said City, to which the Public Health Act, 1848, was duly applied by a Provisional Order of the General Board of Health, confirmed by the Public Health Supplemental Act, 1849, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase certain pieces of land and certain buildings for the purpose of widening, opening, enlarging, and improving certain streets and highways in the said City, such land and buildings being all situate within the District of the said Local Board.

And whereas the said Petition duly set forth in the Schedule annexed thereto the several pieces of land and the several buildings intended to be taken by such Board for such purpose, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition, Her Majesty's Principal Secretary of State for the Home Department directed William Ranger esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition and has duly reported thereon.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That, from and after the passing of any Act of Parliament confirming this Order,—

1.—The Mayor, Aldermen, and Citizens of the City of Durham and Framwellgate, by the Council of the said City, being the Local Board of Health for the District of that City, shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed,

annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement; provided always that nothing in this Order contained shall authorize the aforesaid Local Board of Health to interfere with the Public Highway now existing between Elvet Bridge Street and Sadler Street in the said city.

Given under my hand this Twenty-ninth day of April 1861.

(Signed) G. C. Lewis.

Schedule referred to in the preceding Order.

The pieces of Land and the Buildings proposed to be taken, as described on the following Order, are the following:

A messuage, dwelling-house, shop, cellar, and premises, with the appurtenances, situate, standing, and being between the street called Sadler Street and Elvet Bridge, at the junction of the said streets, all in the parish of St. Nicholas in the said city of Durham, and which said messuage, dwelling-house, shop, cellar, and premises belong to George Bailes, and are now occupied by the said George Bailes and George Bailes the younger.

And also a messuage, shop, dwelling-house, and premises with the appurtenances, situate in the said parish of Saint Nicholas, fronting the street of Elvet Bridge, and adjoining the said last-described messuage, dwelling-house, shop, cellar, and premises, and which said messuage, shop, dwelling-house, and premises belong to the said George Bailes, and are now occupied by Barbara Brown as tenant thereof.

And also a messuage, shop, and premises, with the appurtenances thereunto belonging, situate in the parish of Saint Nicholas, on the level with the said street of Sadler Street, and perpendicularly above the premises lastly described, and underneath a portion of the premises firstly before-mentioned, and extending from the last-named street to Elvet Bridge aforesaid; and having a floor area of 22½ yards but no ground area, and which said premises belong to Michael Bailes, George Bailes the younger, and Thomas Bailes, and are now in the occupation of the said Thomas Bailes.

And also, all that messuage, dwelling-house, shop, cellar, warehouse, and premises, with the appurtenances, lying between Sadler Street and Elvet Bridge, in the said parish of Saint Nicholas, belonging to the said Local Board of Health, the said shop, warehouse, or cellar, being now in the occupation of William Alexander Malcolm, and the remainder unoccupied, which said premises adjoin on the south side of the hereditaments and premises belonging to the said George Bailes, Michael Bailes, George Bailes the younger, and Thomas Bailes.

And also, all that piece or parcel of land, with the stairs or steps thereon, with their appurtenances, situate in the said parish of Saint Nicholas, commonly known by the name of the Magdalen Stairs, otherwise Maudlin Stairs, or Steps; and which said piece or parcel of land and stairs are now vested in the said Local Board of Health, and are used as a public road, way, or passage from the said street of Sadler Street to the street of Elvet Bridge, and abuts on the north side thereof on the premises lastly before mentioned.

CAP. XL.

An Act to make further Provision for the Management of Her Majesty's Forest of *Dean*, and of the Mines and Quarries therein and in the Hundred of *Saint Briavels* in the County of *Gloucester*. [22d *July* 1861.]

1 & 2 Vict. c. 43.

'WHEREAS the Commissioners appointed by the Act of the First and Second Years of Her present Majesty, Chapter Forty-three, intituled *An Act for regulating the opening and working of Mines and Quarries in the Forest of* Dean *and Hundred of* Saint Briavels *in the County of* Gloucester, duly made and published in pursuance of the Provisions in the said Act contained Three several Awards relating respectively to Coal Mines, Iron Mines, and Quarries, and dated respectively the Eighth Day of *March*, the Twentieth Day of *July*, and the Twenty-fourth Day of *July*, in the Year One thousand eight hundred and forty-one, which Awards contained Rules and Regulations for working the Coal Mines, Iron Mines, and Quarries respectively within the said Forest and Hundred: And whereas by the said Act a Power of Appeal to Her Majesty in Council against the Awards to be made by the said Commissioners within Three Months from the making and publishing of such Awards was reserved to all Parties who might deem themselves aggrieved thereby, but no such Appeal was ever made against any of the said Awards, whereby the said Awards have now become absolute and indefeasible: And whereas both before and since the passing of the said Act the Gales of Coal and Iron in the said Forest and Hundred have been granted without any Limitation or Declaration of the Estate or Interest of the Galee, or Words of Inheritance, (but with Power under the Act to transfer the same,) and by reason of such Omission Doubts might be entertained whether Grants of Gales conferred more than Estates for Life or for some other partial Interest; but inasmuch as it has been commonly supposed that such Grants enured for the Benefit of the Galees, their Heirs and Assigns, so long as the Mine, Vein, or Work galed or granted remained unexhausted, and the Galees, their Heirs or Assigns, duly observed and performed the Conditions subject to which it was galed or granted, Her Majesty, being minded to quiet all Doubts on the Subject, is willing and has consented that the Rights

'or Interests of Galees should be defined and declared in accordance with the common Opinion afore-'said to the Extent and in manner herein-after contained: And whereas it is also expedient to alter 'and amend certain Parts of the said Act, and of the said Rules and Regulations made in pursuance 'thereof, and to make certain other Provisions with reference to the Mines and Quarries within the 'said Forest and Hundred:' Be it enacted and declared by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Declaration of the Interest conferred on a Galee by the Grant of a Gale.

1. The Grant of a Gale of Coal or Iron, or of a Stone Quarry, shall be deemed to have conferred and shall confer on the Galee, his Heirs and Assigns, a Licence to work the Mine, Vein, or Pit therein comprised, and such Grant shall be deemed to have conferred on the Grantee, his Heirs and Assigns, an Interest of the Nature of Real Estate, such Licence nevertheless being conditional on the Payment of all the Rents, Royalties, and other Dues from Time to Time payable to Her Majesty, Her Heirs and Successors, in respect thereof, and the Observance and Performance of the several Enactments, Provisions, Rules, and Regulations for the Time being in force for the proper opening, working, Use, and Management of the Gale.

Conditions on which all Leases of Stone, Clay, or Sand are held.

2. Every Lease of Stone, Clay, or Sand granted or to be granted shall in like Manner be deemed to have been granted and to be granted conditionally on the Payment of all the Rents, Royalties, and other Dues from Time to Time payable to Her Majesty, Her Heirs and Successors, in respect thereof, and the Observance and Performance of the several Enactments, Provisions, Rules, and Regulations for the Time being in force for the proper opening, working, Use, and Management thereof, and of the Covenants in the Lease contained (if any).

Act not to affect Right of Re-entry, &c.

3. Provided always, That nothing in this Act contained shall enlarge or diminish, or in anyway affect any Right of Re-entry or Eviction or Liability to Forfeiture; but every Gale, Pit, Level, Work, and Quarry shall be subject in all respects to the same Liability to Forfeiture and Eviction, and no other, as if this Act had not been passed.

Person in actual Possession or Receipt of Proceeds of Gale to pay the Rent.

4. The Obligation to pay the Rent, Royalty, and other Dues from Time to Time becoming payable in respect of every Gale of Coal, Iron, or Stone granted or to be granted, and to observe and perform the several Enactments, Provisions, Rules, and Regulations for the Time being in force for the proper opening, working, Use, and Management of the same, shall from Time to Time be and become a personal Obligation on the Person for the Time being in the actual Possession or Receipt of the Proceeds of the Gale, whether as Owner thereof for an Estate of Freehold, or as Lessee or Under-lessee or otherwise howsoever, and every such Person making default in the Payment of any such Rent, Royalty, or Due, or in the Observance or Performance of any such Enactment, Provision, Rule, or Regulation as aforesaid, may be proceeded against by or on behalf of Her Majesty, Her Heirs and Successors, in like Manner as if he had entered into a Covenant with Her Majesty, Her Heirs and Successors, to pay such Rent, Royalty, or other Due, and to observe and perform all such Enactments, Provisions, Rules, and Regulations: Provided nevertheless, that the Liability of every such Person shall cease and determine on the Cesser of such Title to the Possession or Receipt of Proceeds as aforesaid, except so far as shall relate to Rents, Royalties, or Payments due, and to Defaults in Observance or Performance of any of the said Enactments, Provisions, Rules, or Regulations committed before the Time of such Cesser of Title to Possession or Receipt of Proceeds: Provided also, that the Provisions in this Section shall be by way of Addition to and not substitutional for any Covenants, Conditions, or Stipulations in any Grant, and shall not extend to diminish or alter any Liabilities otherwise existing.

Empowering the Gaveller to sue in the County Court.

5. Any Rent, Royalty, and other Payment now due or which at any Time hereafter shall become due to Her Majesty, Her Heirs or Successors, under or in respect of the said Award, or any Gale, Lease, or Licence, or other Instrument granted or awarded under or in pursuance of the said Act or this Act, not exceeding in Amount the Sum of Fifty Pounds, or any Number of such Rents, Royalties, or other Payments due from the same Person or Persons in respect of any Number of such Gales, Leases, or Licences, not exceeding altogether the Amount aforesaid, may be sued for and recovered for and on behalf of Her Majesty, Her Heirs or Successors, by and in the Name of the Gaveller for the Time being in the County Court of the District within which such Rent, Royalty, or Payment, Rents, Royalties, or Payments, or any of them or any Part thereof, arose or became payable; and no Action commenced or continued by any Gaveller as aforesaid shall abate by reason of his Death, Removal, or Retirement, but shall and may be continued by and in the Name of his Successor for the Time being; and any Judgment for the Plaintiff in any such Action as aforesaid may be enforced by and in the Name of the Gaveller for the Time being, without any Process in the Nature of a Scire facias; and all Enactments, Rules, Orders, and Regulations for the Time being in force in respect of Proceedings in the County Courts shall and may, so far as the same shall be applicable to any such Action commenced or continued as aforesaid in the Name of any Gaveller, be applied to and observed in respect of any such Action.

Enlarging the Powers conferred by 25th Section of the recited Act as to Leases of

6. 'Whereas under the Twenty-fifth Section of the said Act the Commissioners for the Time being of 'Her Majesty's Woods, Forests, and Land Revenues have Power from Time to Time to grant Leases as 'therein mentioned for Terms not exceeding Thirty-one Years to any free Miner or other Person entitled 'to a Gale or Mining Work of any Part of the unenclosed Waste Land of the said Forest for the Purpose 'of erecting thereon any House, Building, or Machinery for the more convenient working of any Mine,

Land for Mining Purposes.

' or for any Purpose connected with any Mine or Work, so as there be not included more than One Acre ' and a Half of Land in any such Lease:' Be it enacted, That henceforth any Quantity of Land, either at One Spot or in several Spots, not exceeding One Acre and a Half in the whole for a Quarry, and Six Acres in the whole for a Coal or Iron Mine, may be leased under the said Section, and any such Land may be leased to the Owner or Holder of any Quarry, as well as to the Owners or Holders of Mines, and in addition to the Purposes in the said Section mentioned, any such Lease may be granted generally for any Purposes connected with the convenient working of any Mine, Work, or Quarry, or Disposition or Manufacture of the Produce thereof, whether involving the Erection of any House, Building, Furnace, or Machinery or not, or for the Purpose of any Garden or any other Convenience to any House erected or to be erected on any Land so leased; and any such Lease may contain such Proviso and Agreement as may be agreed on between the Commissioners and the Lessee for the Renewal from Time to Time of such Lease so long as the Mine, Work, or Quarry in respect of which the Lease shall have been granted shall not have been worked out.

Provision as to the Days for the Cesser and Determination of the Galeage and other Rents.

7. ' Whereas by the Forty-sixth Section of the said Act it was enacted, that as regarded Gales, Pits, ' Levels, or Works then existing, the Galeage, Rent, Royalty, or Tonnage Duty payable to Her Majesty, ' Her Heirs and Successors, should, at the End of Twenty-one Years from the making of the Award, and ' so on thereafter at the End of every subsequent Twenty-one Years, cease, if the Gaveller or Deputy ' Gaveller, or the Person or Persons entitled to such Gale, Pit, Level, or Work, should so elect, and ' as regarded Gales, Pits, Levels, or Works, thereafter to be granted, the Galeage, Rent, Royalty, or ' Tonnage Duty payable to Her Majesty, Her Heirs or Successors, under or by virtue or in respect of ' any Gale thereafter to be granted should, at the End of Twenty-one Years, and so on thereafter at the ' End of every subsequent Twenty-one Years from the granting thereof, cease, if the said Gaveller or ' Deputy Gaveller, or the Person or Persons entitled to the said Gale, Pit, Level, or Work, should so ' elect, and that upon any such Cesser the Gaveller or Deputy Gaveller for the Time being should fix ' the Amount of the new Galeage Rent, Royalty, or Tonnage Duty to be paid for the Twenty-one ' Years then next ensuing, the Cesser and Determination of the former Galeage Rent, Royalty, or ' Tonnage Duty in manner by the said Act provided: And whereas by the said Award of the said ' Commissioners relating to Coal Mines, which was dated the Eighth Day of *March* One thousand eight ' hundred and forty-one as aforesaid, there were reserved and made payable to Her Majesty, Her Heirs ' and Successors, in respect of the said several Gales of Coal thereby awarded or confirmed up to *Mid-* ' *summer* then next, the former Galeage Rents, and thenceforward the several Royalties or Tonnage ' Duties in the said Award specified payable on the Twenty-fourth Day of *June* and the Twenty-fifth ' Day of *December* in every Year, and also a Rent commonly called a Galeage or Dead Rent, payable on ' the Twenty-fourth Day of *June* in every Year; and by the said Award of the said Commissioners ' relating to Iron Mines, which was dated the Twentieth Day of *July* as aforesaid, there were reserved ' and made payable to Her Majesty, Her Heirs and Successors, in respect of the several Gales of Iron ' thereby awarded or confirmed up to *Christmas* then next, the former Galeage Rents, and thenceforward ' the several Royalties or Tonnage Duties in the same Award specified, payable on the Twenty-fourth ' Day of *June* and the Twenty-fifth Day of *December* in every Year, and also a Rent commonly called ' a Galeage or Dead Rent, payable on the Twenty-fifth Day of *December* in every Year: And whereas ' in or by the Gales as well of Coal as of Iron which have been granted since the making of the said ' Awards respectively the Royalty or Tonnage Duty thereby reserved has been made payable on the ' Twenty-fourth Day of *June* and the Twenty-fifth Day of *December* in every Year, and the Rent ' commonly called the Galeage or Dead Rent has been made payable on the Twenty-fourth Day of *June* ' in every Year in respect of Gales both of Coal and Iron, but few (if any) of such Gales have been ' granted on the Twenty-fourth Day of *June*: And whereas the said Act contains no express Provision ' as to the Galeage Rents, Royalties, or Tonnage Duties accruing between the said respective Days of ' Payment and the Days of such Cesser or Determination as aforesaid, and it is expedient to make some ' Provision respecting the same:' Be it enacted, That in lieu of the Days mentioned in the said Act for such Cessers or Determinations as aforesaid, the Days for the same shall be in the Case of all Gales of Coal at the End of Twenty-one Years from the Twenty-fourth Day of *June* next following the Date of the Award or the Date of the Grant (as the Case may be), and in the Case of Gales of Iron Ore held under the Award at the End of Twenty-one Years from the Twenty-fifth Day of *December* next following the Date of the Award, and in the Case of Gales of Iron Ore granted since the Award at the End of Twenty-one Years from the Twenty-fourth Day of *June* next following the Date of the Grant, and so on thereafter at the End of every subsequent Twenty-one Years, and all new Galeage Rents, Royalties, or Tonnage Duties to be fixed as aforesaid, shall commence on such Cesser or Determination of the old Rents, Royalties, or Duties.

Extending Powers of the Arbitrator under 27th, 47th, and other Sections of the recited Act.

8. ' Whereas under the Twenty-seventh and Forty-seventh and other Sections of the said Act it is ' provided that in case the Amount and Nature of the new Galeage or other Rent, Royalty, or Tonnage ' Duty to become payable at the Expiration of every Term of Twenty-one Years as aforesaid should not ' be fixed and agreed on by the Parties as therein mentioned, the same should be referred to the Decision ' of an Arbitrator to be appointed by the Court of Exchequer in manner therein mentioned: And ' whereas it is probable that many of the Disputes which may arise as to the Amount and Nature of such

' new

' new Rents, Royalties, or Dues as aforesaid, although relating to separate Gales, Quarries, or Works' ' may involve One common Principle only, and much unnecessary Delay and Expense might be avoided ' by referring all such Disputes at once to the same Arbitrator; and it is also advisable to facilitate the ' Appointment of such Arbitrator :' Be it enacted, That the Powers given by the said Act to the Court of Exchequer may be exercised by any Judge of the said Court at Chambers, and that any Number of Disputes relating to the Nature and Amount of such new Rents, Royalties, or Duties as aforesaid, to become payable in respect of any Number of separate Gales, Quarries, or Works may, with the Consent of all Parties, be referred together to the Decision of One Arbitrator to be appointed as aforesaid, and may be determined and disposed of by such Arbitrator in and by One and the same Award, or (if he shall think fit) in and by Two or more separate Awards; and it shall be lawful for the Arbitrator in and by his Award or Awards, or One of them, to apportion in such Proportions and Manner as he shall think fit that Moiety of his Remuneration and of the Costs and Expenses attending the Arbitration, which by the said Act is not to be borne by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, amongst the several Persons other than the said Commissioners who shall have concurred in such united Reference as aforesaid.

Power to Gaveller or Deputy Gaveller to refuse the Registry of any Transfer until the Rent has been paid.

9. In case any Rent, Royalty, or other Payment shall be due to Her Majesty, Her Heirs or Successors, in respect of any Gale, Quarry, or Work at the Time when a Transfer of the Gale or Lease thereof shall be brought to the Office of the Gaveller or Deputy Gaveller for Registration, as by the said Act required, it shall be lawful for the Gaveller or Deputy Gaveller, if he shall think fit, to refuse to register such Transfer until the whole of such Rent, Royalty, or other Payment shall have been paid and satisfied; and in order that intending Purchasers of any Gale or Lease may be able to ascertain whether any such Rents, Royalties, or other Payments are in arrear, the Gaveller or Deputy Gaveller shall at all reasonable Times, and without Fee or Reward, give to any Person who may apply for the same a Statement of the Amount of Rent, Royalty, or other Payments then due in respect of any Gale or Lease, or a Certificate that no such Rent, Royalty, or other Payment is due, and any such Statement or Certificate shall be conclusive as between Her Majesty, Her Heirs and Successors, and such intending Purchaser, but not for any other Purpose.

As to Form of Minute of Registry.

10. For the more convenient and orderly Registration of Transfers of Gales or Leases, as by the said Act required, be it enacted, That the Minute or Docket to be brought for Registration shall be in the Form given in the Schedule to this Act, or as near thereto as Circumstances will admit of.

Power to refuse the Registry of any Transfer which is imperfect.

11. In all Cases where a Transfer or Devolution of any Gale or Lease as aforesaid has been or shall have been effected, or has taken or shall have taken place by Will or Descent, or in any other Manner than by a Deed requiring Registration under the said Act, the Gaveller or Deputy Gaveller shall be at liberty to refuse to register any subsequent Transfer thereof, unless the Deed effecting such subsequent Transfer contained a Recital of the Circumstances under which such unregistered Transfer or Devolution took place.

Gaveller or Deputy Gaveller may endorse Memorandum of Entry of Transfer on last preceding Transfer instead of upon original Certificate of Grant of a Gale.

12. ' Whereas by the Fifty-eighth Section of the said Act it is enacted, that upon the Entry of all ' Minutes or Dockets of Transfers of Gales in the Books of the Gaveller or Deputy Gaveller, the ' Gaveller or Deputy Gaveller shall endorse and sign a Memorandum of such Entry and the Date thereof ' on such Transfer, or in the Case of an Assignment of a Gale granted after the passing of the said Act ' on the original Certificate of the Grant thereof: And whereas in some Cases such original Certificates ' have become covered with such Memorandums of Transfer, so that there is no Room for further ' Memorandums, and others may hereafter become so covered; and other such original Certificates have ' been or may be lost or accidentally destroyed, and it is expedient that the Gaveller or Deputy Gaveller ' should have Power in such and similar Cases to endorse such Memorandums as aforesaid on the last ' preceding Transfer instead of on the original Certificate :' Be it enacted, That it shall be lawful for the Gaveller or Deputy Gaveller, if under the Circumstances of any Case he shall deem it fit or expedient so to do, to endorse the Memorandum in the said Fifty-eighth Section of the said Act mentioned on the then last preceding Transfer of a Gale instead of on the original Certificate of the Grant thereof.

Provision as to Fee for Entry of Minute of Transfer.

13. In lieu of the Fee in the said Fifty-eighth Section of the said Act mentioned, the Fee for the Entry of every Minute or Docket entered after the passing of this Act shall be, if the same shall not exceed Five Folios of Seventy-two Words each, the Sum of Two Shillings and Sixpence, and if the same shall exceed Five Folios but not exceed Ten Folios, the Sum of Five Shillings, and if the same shall exceed Ten Folios, then the Sum of Five Shillings, with an additional Sum of Fourpence for every Folio or Part of a Folio above Ten.

Unregistered Transfers void.

14. All Transfers requiring Registration under the said Act shall in default of such Registration be void, subject nevertheless and without Prejudice to the Power of making Entries *nunc pro tunc*, provided by the Fifty-ninth Section of the said Act.

Empowering the Commissioners of Woods to grant Licences to sink Pits and to use or exercise other

15. ' Whereas under the Sixty-fifth Section of the said Act the Commissioners for the Time being of ' Her Majesty's Woods, Forests, and Land Revenues have Power (if they in their Discretion shall see fit) ' to grant Licences to such Person or Persons as they may think proper for sinking Air Shafts in any ' Inclosures belonging to Her Majesty, Her Heirs and Successors, and for forming any Railroad or ' Tramroad along or across any of such Inclosures, subject nevertheless to the Conditions, Restrictions, and Provisoes in the said Section contained or referred to :' Be it enacted, that the Power in the said Section contained shall also extend to the Grant of Licences to sink or open and work and use any Pits, Shafts,

Rights and Easements, &c. in Inclosures and other Lands in the Forest.

Shafts, or Levels for any Purpose, and to make Roads other than Railroads or Tramroads therein, and to the Grant of Licences to use any Rights of Way or Water, or of Outstroke or Instroke, and any other Easements, Privileges, or Conveniences whatsoever for the more convenient Use, Working, Enjoyment, or Disposal of the Produce of any Gale, Quarry, or Work; and any such Right, Privilege, or Easement as in the said Sixty-fifth Section of the said Act or in this Section mentioned, may be granted in, upon, through, or under any of the Waste Lands or any of the inclosed Lands belonging to Her Majesty, Her Heirs or Successors, within the said Forest, or under any Mine, Quarry, Land, or Work comprised in any existing Gale, Lease, or Grant: Provided nevertheless, that the Grantee of any such Licence as in this Section mentioned or referred to shall do as little Damage in the Use or Enjoyment of such Rights, Privileges, or Easements as reasonably may be, and shall pay to all Persons damaged or injured a reasonable Compensation for all Damage or Injury done or occasioned in or by the Use or Enjoyment thereof, the Amount whereof in case the Parties shall differ shall be settled by Arbitration, as provided in the Rules and Regulations comprised in the said Awards, and also that any such Grantee or Licencee, his Heirs, Executors, or Administrators, shall as soon as reasonably may be after he or they shall have ceased to use or to require any such Right, Privilege, or Easement, shall at his and their own Costs and Charges well and effectually level, fill up, arch over, or otherwise make good and restore to their former Condition, to the Satisfaction of the Gaveller or Deputy Gaveller, all the Places in or over which he or they may have exercised any such Right, Privilege, or Easement as aforesaid, unless required by the Gaveller or Deputy Gaveller to leave the same in their then present Condition; and every such Grant or Licence as in this Section or the said Sixty-fifth Section of the said Act mentioned shall be deemed to be conditional on the due Observance and Performance of all the Conditions, Restrictions, Regulations, and Provisoes, and Payment of all the Rents or Reservations under and subject to which the same shall be granted.

Varying the Powers of the Gaveller as to awarding Compensation for Surface Damage to inclosed Lands.

16. 'And whereas the Provisions of the Sixty-eighth Section of the said Act, as to the Compensation 'to be paid by every Free Miner or other Person entitled to any Gale, Pit, Level, or Work within any 'inclosed Lands of the said Hundred for Surface Damage, require Amendment, and it is expedient to 'amend the same in manner herein-after provided:' Be it enacted, That, with respect to any Damage done after the passing of this Act, it shall be lawful for the Gaveller or Deputy Gaveller for the Time being to determine whether such Compensation shall consist of an annual Payment or a Sum in gross, or partly of the one and partly of the other, and either absolutely or on Condition, and to make such Order in reference thereto and as to the Payment of or the giving Security for the Payment of the same or any Part thereof respectively as he shall think just and expedient, and to assess such Compensation notwithstanding any such Gale, Pit, Level, or Work may have been previously actually opened and worked; and that no Action or Suit for Recovery of such Compensation or of Damages in lieu thereof, shall be commenced or instituted until the Award of the Gaveller or Deputy Gaveller shall have been made on such an Application.

Commissioners of Woods may grant Leases of any Clay or Sand which may be found in any Mine or Pit.

17. 'Whereas by the Eighty-fourth Section of the said Act the Commissioners for the Time being of 'Her Majesty's Woods, Forests, and Land Revenues have Power to grant Leases to any Person or 'Persons for any Term not exceeding Twenty-one Years, to dig and get Clay or Sand off and from any 'of the Open or Waste Lands of the said Forest, subject to such Rents or Duties, Covenants, Conditions, 'and Provisoes as in the said Section are mentioned or referred to:' Be it declared and enacted, That the said Section shall extend to empower the said Commissioners for the Time being to grant such Leases as therein mentioned of any Clay or Sand which may be found in any Pit, Level, Quarry, or Work, to the Person or Persons entitled to such Gale, Pit, Level, Quarry, or Work; and also to grant such Leases as in the said Section are mentioned of any Part or Parts of the Open or Waste Lands of the said Forest, for the Purpose of erecting Kilns and other Works and Buildings for the Manufacture and Burning of any Clay, already leased or to be leased under the said Section or this present Section, into Bricks or Tiles: Provided that the Leases granted under this Clause, of any Clay or Sand which may be found in any Gale, Pit, Level, Quarry, or Work, shall enure only to the Benefit of the Person or Persons for the Time being entitled to such Gale, Pit, Level, Quarry, or Work, so that the Right of working Clay or Sand, and the Right of working the Gale, Pit, Level, Quarry, or Work, shall always be vested in the same Person or Persons.

Varying the Third Rule relating to Surrender of Quarries by substituting Michaelmas Day for Lady Day.

18. 'Whereas by Number Three of the Rules and Regulations relating to Quarries made by the 'Commissioners appointed by the said Act as aforesaid, it was provided that all Persons then holding One 'or more Gale or Gales of Stone Quarry or Quarries, as ascertained by the said Award, should be at 'liberty to give up all or any of such Gales at *Lady Day* in any Year after the Date thereof, upon giving 'Three Months previous Notice in Writing to the Gaveller or Deputy Gaveller as therein mentioned: 'And whereas in the Leases of Stone Quarries which have been granted under the Eighty-third Section 'of the said Act, there has been commonly contained a Proviso that it shall be lawful for the Lessee to 'determine the Lease at *Michaelmas* in any Year on giving Six Months Notice; and also a Covenant or 'Declaration that the Lease was granted subject to the Rules and Regulations contained in the said 'Award, which last-mentioned Covenant or Declaration is not consistent with the Third Rule herein-'before mentioned:' Be it enacted, That the said Third Rule shall be varied as regards all Surrenders for which Notice shall not have been given before the passing of this Act, by substituting therein *Michaelmas*

Michaelmas Day for *Lady Day*, and that the aforesaid Provisoes contained in Leases of Quarries granted as aforesaid shall be deemed valid and effectual notwithstanding such Inconsistency with the said Rule as aforesaid.

All Gales of Coal or Iron Mines, and all Gales or Leases of Quarries determined by Notice to be void without any Deed, Surrender, or other Act.

19. 'Whereas by Number Six of the Rules and Regulations relating to Coal Mines and to Iron 'Mines respectively made by the said Commissioners as aforesaid it is provided, that all Persons then 'or at any Time thereafter holding One or more Gale or Gales of any Mine or Mines of Coal and Iron 'Ore respectively, should be at liberty to give up all or any of such Gales on giving such Notice in 'Writing to the Gaveller or Deputy Gaveller as therein mentioned:' Now be it enacted and declared, That all Gales of Coal or Iron Ore, and also all Gales or Leases of Quarries which have been or shall be surrendered or given up under the said Rules mentioned in this and the last preceding Section (as varied by this present Act), did and shall on the Expiration of the Notice required as aforesaid become absolutely void, without any Deed or any further Surrender or other Act by the Galee or by any other Person, except only so far as related or shall relate to the Rights and Powers of Her Majesty, Her Heirs or Successors, for the Recovery of any Rents, Royalties, or other Payments due in respect or by reason of such surrendered Gale.

Surrenders other than by Notice may be made and accepted by the Gaveller on behalf of Her Majesty.

20. With regard to the Surrender of Gales and Leases other than the Surrenders mentioned or referred to in the last preceding Two Sections, be it enacted and declared, That in addition to the Rights or Powers of Surrender specified in the Rules and Regulations contained in the said Awards, any Gale, Quarry, or Work, whether comprised in the said Awards or subsequently granted or leased or hereafter to be granted or leased, and any Land granted or leased or hereafter to be granted or leased in connexion with any Gale, Quarry, or Work, may be lawfully surrendered to Her Majesty, Her Heirs and Successors, if Her Majesty, Her Heirs or Successors, shall think fit to accept the same, and any such Surrender may be accepted by the Gaveller for and on behalf of Her Majesty, Her Heirs and Successors, on such Terms and Conditions as he shall think expedient and proper, whether such Terms and Conditions shall be in accordance with the said Rules and Regulations contained in the said Awards or not; and every such Surrender shall be registered in the same Manner as Transfers of Gales or Leases, but shall be valid and effectual, whether registered or not; and that all such Surrenders as in this Section mentioned heretofore made to and accepted by or on behalf of Her Majesty (whether registered or not) are and were valid and effectual; and further, that all Gales, Quarries, Land, and Works surrendered or to be surrendered as aforesaid, from and immediately after the Completion of such Surrender, were and became or shall be deemed to be or to have been Gales, Quarries, Land, or Works ungaled or unleased.

Gaveller, with Consent of Owners, may unite or divide Two or more Gales, &c. and regrant them to Persons entitled after Surrender duly made.

21. In case the Owner or Owners of any existing or future Gale of Coal, Iron, or Stone shall be desirous to have the same divided into Two or more Parts, and to hold such several Parts either as separate Gales or as Parts of other Gales, it shall be lawful for the Gaveller or Deputy Gaveller, if he shall think fit, notwithstanding anything in the Sixtieth or any other Section of the said Act or in the said Awards contained, to effect such Division by granting new Gales to any Person or Persons who shall or may surrender any Gale for that Purpose, provided that the whole of the original Gale be comprised in every such Surrender, and be immediately regranted as aforesaid: Provided also, that on any such Regrant it shall be lawful for the Gaveller to reserve such Galeage and other Rents, Royalties, and other Payments, and to make such Conditions and Reservations as he shall deem necessary to prevent any Loss or Detriment to Her Majesty, Her Heirs or Successors, by reason of such Division.

All Instruments already made or hereafter to be made by or on behalf of Her Majesty in relation to the Forest or Hundred to be exempt from Stamp Duty.

22. 'Whereas by the Seventy-seventh Section of the Act of the Tenth Year of King *George* the 'Fourth, Chapter Fifty, it is provided that no Memorandum, Contract, or Agreement to be made or 'entered into by or with the Commissioners of Her Majesty's Woods, Forests, and Land Revenues for 'the Time being, under the Powers and Provisions of that Act, for the Sale, Purchase, or Exchange 'of any Hereditaments by the said Commissioners, nor any Deed, Receipt, or other Instrument which 'shall be given, granted, entered into, executed, or made for the Purpose of carrying into effect any 'Sale, Purchase, or Exchange to be made by the said Commissioners under the Powers and Authorities 'of the said Act, or which shall be incidental to or connected with any such Purchase, Sale, or 'Exchange, nor any Grant by the said Commissioners under the Authority of the said Act, nor any 'Lease, or Contract or Agreement for any Lease, nor any Counterpart of any Lease to be entered into, 'made, executed, or granted under the Powers and Authorities of the said Act, nor any Appointment 'of Officers to be made by the said Commissioners under the Authority of the said Act, nor any Cer'tificate for any Gamekeeper appointed or to be appointed under the Authority of the said Act, nor 'any Bond to be given by or for any Receiver or other Officer or Agent, from whom any Security may 'be required by the said Commissioners, shall be subject to any *ad valorem* or other Stamp Duty what'soever imposed by any Act or Acts then in force, nor to any *ad valorem* or other Stamp Duty to 'be imposed by any future Act or Acts, unless the same shall be specially subjected thereto in and by 'such future Act or Acts:' Now be it enacted and declared, That all and singular the Exemptions from Stamp Duty conferred by the said Act as aforesaid, did and shall extend to all Grants of Gales and other Grants, Leases, Licences, Surrenders, Contracts, Agreements, Appointments, Certificates, Awards,

Awards, and Bonds already made, granted, accepted, or entered into, or hereafter to be made, granted, accepted, or entered into, by, with, or to Her Majesty, Her Heirs and Successors, or the Commissioners of Her Majesty's Woods, Forests, and Land Revenues for the Time being, or the Gaveller or Deputy Gaveller for the Time being, on behalf of Her Majesty, in relation to the Hereditary Possessions and Land Revenues of Her Majesty within the said Forest of *Dean* or Hundred of *Saint Briavels*.

Gaveller to settle any Disputes as to Boundaries, and to alter (with Consent of Owners) Boundaries of adjoining Gales.

23. 'Whereas by Number Twenty-one of the said Rules and Regulations relating to Coal Mines, 'and Number Nineteen of the said Rules and Regulations relating to Iron Mines, Power is given to 'the Gaveller or Deputy Gaveller to settle Disputes respecting the Position of any Workings in manner 'therein mentioned, in all Cases where the Boundary of any Tract of Coal or Iron Ore is defined by the 'Workings of another Tract of Coal or Iron Ore:' Be it enacted, That the Gaveller or Deputy Gaveller (if he shall think fit) may, with the Consent of the Owner or Owners of any adjoining Gales or Workings of Coal or Iron Ore, alter the Boundary between such adjoining Gales or Workings; and for the Purposes of this Section, Gales or Workings divided only by a Barrier which has been directed to be left unworked shall be deemed adjoining Gales or Workings.

Power to the Gaveller or Deputy Gaveller to license the working and disposing of the Coal in any Barrier.

24. In all Cases where, either under the Award made as aforesaid or under any Gale granted or to be granted, the Boundary of any Gale or Vein of Coal is or shall be declared to be a Barrier of Coal lying between such Gale or Vein and any adjoining Gale, Vein, or Work, or the Galee shall be directed to leave such a Barrier, it shall be lawful for the Gaveller or Deputy Gaveller, whenever he shall consider that the Coal contained in such Barrier or any Part thereof may be safely and properly worked and got, to grant to the Owners of the several Gales or Works on the Two Sides of such Barrier, or to the Owner of the Gale or Work for the Protection of which such Barrier was in the Opinion of the Deputy Gaveller left, Licence to work, win, and dispose of all or any Part of the Coal in such Barrier, subject nevertheless to the like Royalties, Payments, Conditions, Rules, and Regulations as the Remainder of the Coal in the Gale to the Owner whereof such Licence is granted is or shall be subject to, and to such other Conditions, Rules, and Regulations as the Gaveller shall think proper to impose, and thereupon such Coal so permitted to be worked shall be deemed to be Part of the Mine or Work originally awarded or galed to such Owner or to those through whom he claims: Provided that no Grant shall be made under the Provisions of this Clause until Notice of the Intention to make the same shall have been published during Three successive Weeks in a Newspaper circulating in the Forest of *Dean*, and all Persons who before the Expiration of a Week from the Publication of the last of such Notices shall have claimed to be Persons who would be affected by any such Grant shall be heard by themselves, their Counsel, Agents, and Witnesses, on such Day as the Gaveller or Deputy Gaveller shall have appointed or may appoint for that Purpose.

Explaining the Provisions of the 10 G. 4. c. 50. and 1 & 2 Vict. c. 42. as to Trespasses in the Forest.

25. 'Whereas under the Provisions of the said Act of the Tenth Year of King *George* the Fourth, 'Chapter Fifty, and the Act of the First and Second Years of Her present Majesty, Chapter Forty-'two, intituled *An Act to empower the Commissioners of Her Majesty's Woods, Forests, and Land 'Revenues to confirm the Titles to and to grant Lease of Encroachments in the Forest of* Dean *in the 'County of* Gloucester, the Verderers of the said Forest of *Dean* have Powers to inquire into all 'unlawful Inclosures, Trespasses, and Encroachments within the said Forest, and to proceed against 'Persons guilty of the same, but Doubts have been entertained as to the Nature of the Trespasses com-'prised within the said Provisions:' Be it enacted and declared, That the Provisions now in force under and by virtue of the said Acts or either of them relating to Trespasses within the said Forest of *Dean*, and the Punishment thereof, did and shall extend to all Cases of Trespass by cutting, taking, or carrying away of Turf, Gravel, Stone, Sand, or other Soil within the said Forest, in addition to all other Trespasses within the Purview of the said Acts or either of them.

Provision as to Woodmen's or Labourers Cottages in the Forest.

26. 'Whereas in the Inclosures made or to be made in the said Forest under the Authority of the 'several Acts of Parliament relating thereto, small Portions of Land have been and may be appropriated 'by the Crown for Cottages and Buildings for Woodmen or Labourers with Gardens attached thereto, 'and it may not be expedient that such small Portions of Land should in all Cases be liable to be 'thrown open with the rest of the Inclosures in which they are situate:' Be it enacted, That notwithstanding anything in the said Acts or any of them contained, Cottages or Buildings erected or to be erected for Woodmen in any Inclosure within the said Forest, and the Sites thereof, with a Garden and Orchard attached to each of such Cottages not exceeding in each Case Two Acres in Extent, may, if and so long as the Commissioners of Her Majesty's Woods, Forests, and Land Revenues shall think fit, remain and be held in severalty in the actual Possession of the Crown freed and discharged from all Rights of Common and other Rights, Titles, or Claims whatsoever: Provided always, that the total Quantity of Land within the said Forest which Her Majesty, Her Heirs and Successors, are by the said Acts or any of them authorized to hold and keep inclosed and in severalty shall not be thereby increased.

As to Acts authorized to be done by Commissioners of Woods, &c.

27. All Acts, Matters, and Things to be done or authorized to be done by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, in pursuance of this Act or of the said recited Acts or any of them, may be done by the Commissioner or other Officer for the Time being of Her Majesty in charge of the said Forest.

28. The

28. The said Act of the First and Second Years of Her Majesty, Chapter Forty-three and this Act, shall, so far as is practicable, be read and construed together as One Act, and the Rules and Regulations contained in the said Awards as varied by this Act shall be deemed applicable to the Provisions of this Act. 1 & 2 Vict. c. 43. and this Act to be as One.

THE SCHEDULE.

A MEMORIAL to be registered of an Indenture bearing Date the Day of 18 , made between *A.B.* of, *&c.* of the one Part, and *C.D.* of, *&c.* of the other Part.

[*In the Case of a Transfer or Devolution of any Gale or Lease by Will or Descent, or in any other Manner than by a Deed requiring Registration under this Act, here recite the Circumstances under which such unregistered Transfer or Devolution took place*].

For the Considerations therein mentioned, [*transcribe Parcels*], with their Rights and Appurtenances, were conveyed [*or* assigned] unto and to the Use of the said *C.D.*, his Heirs and Assigns [*or* unto the said *C.D.*, his Executors, Administrators, and Assigns].

[*In case of a Mortgage*], "by way of Mortgage."

Which said Indenture as to the Execution thereof by the said *A.B.* and *C.D.* is witnessed by, *W.Z.* of, *&c.*

CAP. XLI.

An Act to enable the Admiralty to acquire Property for the Enlargement of Her Majesty's Dockyard at *Chatham* in the County of *Kent*, and to embank Part of the River *Medway*; and for other Purposes connected therewith. [22d *July* 1861.]

'WHEREAS it is expedient for Her Majesty's Service that Her Majesty's Dockyard at *Chatham* 'in the County of *Kent* should be enlarged, and for such Purpose that the Commissioners for 'executing the Office of Lord High Admiral of *Great Britain* and *Ireland* (herein-after styled the 'Commissioners) should have the Powers herein-after mentioned conferred upon them: And whereas 'Plans and Sections and a Book of Reference relating to the Enlargement of the said Yard and to the 'Embankments and Works herein-after referred to have been deposited with the Clerk of the Peace 'for the County of *Kent*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. In the Construction of this Act— Interpretation of Terms.

The Word "Ways" shall mean Turnpike Roads, Highways, Streets, Lanes, Occupation Roads, or Ways, Footpaths, Causeways, Passages, and other Ways of every Kind soever:

The Word "Lands" shall include Lands, Messuages, Buildings, Tenements, Landing Places, Wharves, Fisheries, and Hereditaments of every Description and every Tenure, and all public and private Rights, Liberties, Appurtenances, Easements, and Privileges of every Description, in, over, upon, under, or through any Lands, Messuages, Tenements, and Hereditaments:

The Words "Special Act" in the Act incorporated herewith shall mean this Act, and the Words "Promoters of the Undertaking" and "Company" in the Act incorporated herewith shall mean the Commissioners:

The Word "Person" shall include a Body Corporate.

2. The several Provisions of "The Lands Clauses Consolidation Act, 1845," except Sections 11, 12, 13, 14, 16, 17., 123., 127, 128, 129, 130, 131, 132, 133, 134., 140., 148., 150, and 151. of such Act, shall, so far as the same Provisions may be respectively applicable to and not inconsistent with or modified by the Provisions of this Act, be incorporated with and form Part of this Act as if re-enacted herein, and shall be applicable to the Purposes hereof. Certain Clauses of 8 & 9 Vict. c. 18. incorporated.

3. Subject and according to the Provisions of this Act, it shall be lawful for the Commissioners, if they think fit, at any Time hereafter to purchase or take all or any of the Lands delineated on the said Plans and mentioned in the said Book of Reference so deposited with the Clerk of the Peace for the County of *Kent* as aforesaid, or any Estate, Lease, Term, Share, or Interest thereof or therein, and to vary or extinguish any Rights or Privileges connected with any of such Lands which they may at any Time consider requisite for the Enlargement or Improvement of the said Dockyard, or for the Purposes of this Act, and to enter into, execute, and make and do all such Contracts, Assurances, and Things as may seem to them necessary or proper in that Behalf, and when so purchased or taken the same Lands shall be and become and continue vested in the Commissioners and their Successors in Office for the Time being, according to the Nature and Quality thereof respectively, and to the Estate, Term, Share, or Interest acquired therein respectively by the Commissioners, to be held and enjoyed by the Commissioners for the Time being in succession in trust for Her Majesty, Her Heirs and Successors, for the Public Service, or as the Commissioners or their Successors in Office may at any Time or Times direct. Power to Admiralty to purchase Lands.

 4. When

Power to the Commissioners to stop up Creeks and abolish Landing Places, Ferries, and Roads.

4. When the Commissioners shall have acquired or purchased in perpetuity the Fundus or Soil of *Saint Mary's Creek*, otherwise *Swinborough Creek*, in the Parishes of *Chatham* and *Gillingham*, or One of them, in the County of *Kent*, and of any other Creek or Inlet shown on the said Plans or One of them, and have compensated the Mayor and Aldermen and Company of Free Dredgers of the City of *Rochester* for the Destruction of the Fishery in the said Creeks, or any or either of them, it shall be lawful for the Commissioners, without any Writ being issued or other legal Proceeding being adopted, to embank and stop up both or either of the Ends of such Creeks, or of any or either of them, the Fundus or Soil of which shall have been so purchased or acquired, and in respect of which Compensation for the Destruction of the said Fishery shall have been made as aforesaid, and to reclaim the Fundus or Soil, and divert the Waters of such Creeks or any or either of them, and to abolish the Ferry across the River *Medway* from the Hard or Landing Place called *Prince's Bridge* to and from the opposite Shore of the said River at *Upnor*, and to stop up and abolish the Highway, Carriageway, and Footpath passing on the Outside of and adjacent to the Eastern and Northern Boundary Walls of Her Majesty's Dockyard at *Chatham*, extending from the Lower End of *Westcourt Street* in the Town of *Brompton* in the Parish of *Chatham* in the County of *Kent* to the said Hard or Landing Place called *Prince's Bridge*, and the Ends nearest the said Highway, Carriageway, and Footpath of all Ways leading into, across, or from the said Highway, Carriageway, and Footpath, passing on the Outside of or adjacent to the said Boundary Walls, and also all Ways over, through, or across any of the Lands acquired or to be acquired under the Provisions of this Act, and also to abolish the Hards or Landing Places at *Prince's Bridge* and *Gillingham Bridge*, and the Parish Wharf near thereto, or any or either of them, or any Part or Parts thereof; and the Fundus or Soil of the said Creeks and each of them, when so purchased or acquired respectively as aforesaid, and of the said Hards and Landing Places, and the Site and Soil of the said Highway, Carriageway, and Footpath, shall vest absolutely and exclusively in the Commissioners, as is herein provided with respect to Lands purchased, taken, or acquired by the Commissioners under this Act; and it shall be lawful for the Commissioners to make such Openings in the Embankments or Walls of the said Creeks, or any or either of them, at any Time or Times, as they the Commissioners may deem expedient for Her Majesty's Service.

Before abolishing certain existing Landing Places Admiralty to construct a public Wharf at Eastern Side of proposed new Boundary Wall of Dockyard.

5. Notwithstanding anything in this Act contained, the Commissioners shall, before abolishing the said Ferries or Landing Places called respectively *Prince's Bridge* and *Gillingham Bridge*, and taking possession of the Wharf and Land belonging to the said Parish of *Gillingham*, and the Roads approaching thereto, construct and complete a public Wharf up to Low-water Mark at Spring Tides for the said Parish as near as may be to the Eastern Side of the proposed new Boundary Wall of the said Dockyard, such Wharf to be of the Length of Six hundred Feet or thereabouts, with a Wharf One hundred Feet in Width for the whole Length, with an inclined Road or Draw Dock for loading and unloading Barges, and shall in carrying out the Arrangement give adequate and sufficient Protection from the Sea up *Gillingham Reach* for Vessels when lying alongside the Wharf, either by an Embankment carried along the Line of Low-water Mark and raised above High-water Mark, or by forming the opposite or East Wall of the *Camber*, or by placing the *Camber* itself and Draw Dock on the West Side of the Wharf, or in some Manner to the Satisfaction of the Board of Surveyors of the said Parish of *Gillingham*, which may be equally efficient, and also make proper and sufficient Roads and Approaches to the said Wharf to and from the High Road near thereto, and that the Expenses of the Solicitor and Engineer of the Board of Surveyors connected with this Clause up to the Insertion thereof, and any necessary Expenses for conveying to the Commissioners the said Wharf and Land, Hards, Landing Places, Highways, Carriageways, and Footpaths authorized to be stopped up and abolished by this Act, and for vesting the new Wharf and the Roads approaching thereto in the Board of Surveyors of the Parish of *Gillingham*, shall be defrayed by the Commissioners; but the Board of Surveyors of the said Parish of *Gillingham* shall not be entitled to any pecuniary or further Compensation for such Conveyance by them to the Commissioners.

Power to the Commissioners to make Embankments.

6. It shall be lawful for the Commissioners to make at any Time or Times such other Embankments or Walls in the River *Medway* and on its Shores or Banks as they may think fit, either on the Sites indicated on the said Plans and Sections or any of them, or anywhere within the Limits of Deviation marked thereon, and to purchase or acquire the Fundus or Soil of such Parts of the River *Medway*, and of any of its Creeks or Inlets, and of its Shores or Banks, as may be necessary for such Embankments or Walls, and to have or leave within the same such Parts of such Fundus or Soil, and to make such Openings, Culverts, Quays, Hards, Landing Places, and Wharves in, through, or upon all or any of such Embankments or Walls, or any of the Lands acquired or to be acquired under this Act, as the Commissioners may at any Time or Times deem necessary; and after such respective Purchases or Acquisitions the Sites of such Embankments or Walls, and the Fundus or Soil of such Parts of the River *Medway* and of its Creeks and Inlets, and of its Shores or Banks, as may be within the same, shall vest absolutely and exclusively in the Commissioners for the Purposes of this Act.

Power to Admiralty to stop up Sewers, &c.

7. It shall be lawful for the Commissioners, without any Writ being issued or other legal Proceeding being adopted, to stop up or divert or alter all Sewers, Streams, Watercourses, Drains, or Pipes, be the same for Gas or Water or other Purposes, in, under, or through or affecting any of the Lands acquired or to be acquired by them under this Act, they, at the Cost of Her Majesty, if necessary, previously making,

making, opening, or laying down another good and sufficient Sewer, Drain, or Pipe, or a good and sufficient Course for the Stream or Watercourse, in lieu of any such diverted, altered, or stopped up, and at such convenient Distance therefrom as to the Commissioners shall seem proper and necessary; and upon such substituted Sewer, Drain, Pipe, or Course being completed or opened, or in case the same shall not be necessary, then as soon as Possession shall be taken by the Commissioners, the Site of so much of any such Sewer, Stream, Watercourse, Drain, or Pipe diverted, altered, or stopped up as lies or passes in, under, over, or across any of the Lands acquired or to be acquired under the Provisions of this Act, and all Interest therein, shall vest absolutely in the Commissioners and their Successors for ever, in manner herein-before provided with respect to Lands purchased, taken, or acquired by the Commissioners under this Act, and the new Sewer, Drain, Pipe, or Course shall vest in the same Bodies Corporate, Commissioners, Trustees, or other Persons, and for the same Estate and Interest, in whom and for which the Sewer, Drain, Pipe, or the Course of the Stream or Watercourse so diverted, altered, or stopped up was vested at the Time of the Diversion, Alteration, or Stoppage thereof by the Commissioners.

Power to survey.

8. It shall be lawful for the Commissioners, their Surveyors, Officers, Agents, Servants, and Workmen, at all reasonable Times, and causing as little Damage or Inconvenience as may be, to enter into or upon any such Lands as the Commissioners are empowered to take under this Act, and to survey and value the same, without being liable to any Action or Suit in respect thereof.

Lands purchased to be liable to Land Tax.

9. All Lands purchased, taken, or acquired under the Authority of this Act which may be charged with the Land Tax shall continue liable thereto as they would have been had such Lands not been so purchased, taken, or acquired, but so nevertheless that the Commissioners shall have Power to redeem the Land Tax under the Acts in that Behalf made, if and when they think fit.

Services of Notices, &c.

10. Any Notice, Summons, Writ, or other Document required to be served on the Commissioners for the Purposes of this Act may be served by being delivered to their Solicitor for the Time being, or by being sent to him by Post addressed to him, either at his Office or at the *Admiralty, Whitehall, London*, or by being left for him at One of those Places; and any Notice, Summons, Writ, or other Document required to be given by, from, or on behalf of the Commissioners for the Purposes of this Act shall be given under the Hand of their Solicitor for the Time being.

Power for Admiralty to withdraw Notice.

11. If in any Case, after Notice has been given by the Commissioners for the taking of any Lands under this Act, it appears to them, from a Change of Circumstances or other Reasons, unnecessary or inexpedient to complete the taking of such Lands or any Part thereof, it shall be lawful for them to give a further Notice to the Effect that they thereby withdraw the Notice for the taking of the Lands comprised in the first Notice, or such Part thereof as they may think fit, and thereupon the Lands comprised in the Notice of Withdrawal shall be wholly discharged from the Effect of the first Notice, and may be dealt with as if the first Notice had not been given, and the Commissioners shall be wholly discharged from any Obligation to take such Lands, without Prejudice nevertheless to any Claim of the Owner of such Lands for Compensation for such Damage (if any) as he may have sustained in consequence of the giving of the first Notice; provided that every such Notice of Withdrawal be given within Two Months after the giving of the first Notice; provided also, that nothing in this Enactment contained shall be construed to give to any Person receiving from the Commissioners a Notice for the taking of Lands any further or other Right as against the Commissioners than he would have had if this Enactment had not been contained in this Act.

Errors on Plan or in Book of Reference may be corrected by Justices who shall certify the same.

12. If any Error, Omission, Mis-statement, or wrong Description shall have been made of any Lands, or of the Owners, Lessees, or Occupiers of any Lands, described on the said Plans or Sections or in the said Book of Reference deposited as aforesaid, the Commissioners, after giving Ten Days Notice to the Owners, Lessees, and Occupiers of the Lands affected by such proposed Correction, may apply to Two Justices of the Peace for the Correction thereof; and if it appear to such Justices that such Error, Omission, Mis-statement, or wrong Description arose from Mistake, they shall certify the same accordingly, and shall in such Certificate state the Particulars of any such Error, Omission, Mis-statement, or wrong Description; and such Certificate, with the other Documents to which it relates, shall be deposited with the Clerk of the Peace for the County of *Kent;* and such Certificate shall be kept by such Clerk of the Peace with the other Documents to which they relate, and thereupon such Plans, Sections, or Book of Reference shall be deemed to be corrected according to such Certificate, and the Commissioners may acquire the Lands mentioned in such Certificate, under or by virtue of this Act, as if such Error, Omission, Mis-statement, or wrong Description had not been made.

Certificate, &c. to be deposited.

Undertaking in lieu of Bond.

13. In lieu of a Bond, and with the same Effect as if a Bond were given, as mentioned in Sections Eighty-five and Eighty-seven of "The Lands Clauses Consolidation Act, 1845," it shall be lawful for the Commissioners to give to the Person who under the said Act would otherwise be entitled to such Bond a written Undertaking, without any Surety therein, for such Payment or Deposit as in and by the said Act is in that Behalf provided, and according to the Condition of such Bond as therein is described, so far as such Provisions and Conditions respectively shall and may be applicable to Proceedings under this Act, and the Commissioners shall not be required or be liable to be called upon to give any such Bond.

Power for the Admiralty to sell and let Lands.

14. It shall be lawful for the Commissioners from Time to Time to sell, exchange, or in any Manner dispose of or to let or demise any Lands acquired by or vested in them under this Act, which at any Time shall not in the Opinion of the Commissioners be required for the Public Service, and in case of a Sale to sell the same either by Public Auction or by Private Contract, and it shall be lawful for them to convey, surrender, and assign, or to grant or demise the same or any Part thereof, to any Person who shall be willing to purchase or take the same, and for that Purpose to make and execute all such Conveyances, Assurances, Leases, and Agreements as may be thought proper, and it shall also be lawful for the Commissioners to do any other Act, Matter, or Thing in relation to Lands acquired by or vested in them under this Act which shall by them be deemed beneficial for the Public Service in relation thereto, or for the better Management thereof, and which might be done by any other Person having in such Lands the like Estate, Term, Share, or Interest as they shall have therein, and all Lands obtained by the Commissioners in Exchange shall vest in the Commissioners and their Successors in manner herein-before provided with respect to Lands purchased by the Commissioners.

How Purchase Money to be paid.

15. The Monies to arise and to be produced by Sale or Exchange, or which may be paid by way of Premium for any Lease, of any Lands which shall be sold, let, exchanged, conveyed, or surrendered by the Commissioners under the Provisions of this Act, shall be paid by the Purchaser or Lessee thereof, or the Person making any such Exchange, to Her Majesty's Paymaster General for the Time being, whose Receipt for such Monies (endorsed on the Conveyance, Assurance, or Lease,) shall effectually discharge the Purchaser or Person by whom or on whose Account the same shall be so paid.

On Payment of Money Purchasers to stand seised of Lands purchased by them.

16. Immediately from and after the Payment of any such Monies, and the Execution of any such Conveyance, Assurance, or Lease as aforesaid, by the Commissioners, the Purchaser or Lessee therein named shall be deemed to stand seised or possessed of the Lands thereby conveyed or made over or leased to him, or (as the Case may require) the Lands taken in Exchange from the Commissioners shall go to the Uses therein expressed or referred to, in every Case freed and absolutely discharged of and from all and all manner of prior Estates, Rights, Interests, Charges, Incumbrances, and Demands whatsoever which can or may be had, made, or set up in respect of the Lands so conveyed, made over, leased, or taken in Exchange by any Person whomsoever, by, from, under, or in trust for Her Majesty, Her Heirs and Successors, or on any Account whatsoever, save and except such Estates, Rights, Interest, Charges, Incumbrances, Claims, and Demands (if any) as in any such Conveyance, Assurance, or Lease shall be excepted.

Admiralty may sue and be sued, and pay and recover Costs.

17. It shall be lawful for the Commissioners to bring, prosecute, and maintain any Action of Ejectment or other Proceeding at Law or in Equity for recovering Possession of any Lands acquired by or vested in them under this Act, and to distrain or sue for any Arrears of Rent which shall become due for or in respect thereof, under any Parol or other Demise, from the Commissioners, and also to bring, prosecute, and maintain, or to defend any other Action or Suit in respect of such Lands, or of any Trespass or Encroachment committed thereon, or Damage or Injury done thereto; and in every such Action, Proceeding, or Suit by or against the Commissioners they shall be called "the Commissioners for executing the Office of Lord High Admiral of the United Kingdom," without any of them being named, and no such Action or Suit shall abate by the Death, Resignation, or Removal of the Commissioners or any of them, and the Commissioners shall in all such Actions, Suits, and Proceedings be entitled to recover and be liable to pay Costs, as in ordinary Actions, Suits, and Proceedings between Subject and Subject.

Purchase Money, &c. how to be provided.

18. All Monies which under this Act shall be agreed to be paid by or shall be recovered against the Commissioners by way of Purchase or Compensation Money, Damages, Costs, or otherwise, shall be paid by Monies to be provided and appropriated for that Purpose by Parliament.

Act may be applied to Lands already purchased.

19. The Provisions of this Act shall, so far as the Commissioners may at any Time or Times deem expedient for effecting any of the Objects of this Act, extend and be applicable to any of the said Lands purchased or taken or agreed to be purchased or taken by them before the passing of this Act, as also to all the Lands which shall hereafter be purchased or taken by virtue of this Act.

Not to lessen Powers of Admiralty.

20. Nothing in this Act shall extend to take away, lessen, or prejudice any Powers, Rights, or Authorities which would or might have been vested in or exercised by the Commissioners if this Act had not been passed.

Protection to Commissioners.

21. The Commissioners shall not, by reason of anything done or omitted to be done under this Act, be liable, collectively or individually, to any Fine, Penalty, or Forfeiture, or to Execution of any Process against the Person or Property.

Any Two Commissioners may execute Powers.

22. All Acts, Deeds, Matters, and Things hereby authorized to be done or executed by the Commissioners, and all Powers and Authorities hereby given to or conferred upon the Commissioners, may be done, executed, and exercised by any Two of them, and when so done, executed, or exercised the same shall be as valid and effectual as if the same were and had been done, executed, or exercised by all the Commissioners, and all Privileges hereby given to the Commissioners shall be enjoyed and may be exercised by any Two of them.

Lord High Admiral to have the same

23. If it shall please Her Majesty, Her Heirs and Successors, to appoint a Lord High Admiral of the United Kingdom, then and so long and as often as there shall be a Lord High Admiral of the United Kingdom all the Powers, Privileges, and Exemptions vested in or given to and all the Lands vested

vested in the Commissioners under or by virtue of this Act shall be and become vested in the Lord High Admiral of the United Kingdom for the Time being, and all such Lands shall vest in him according to the Nature and Quality thereof respectively, and to the Estate, Term, Share, or Interest acquired therein respectively by him or the Commissioners, in trust for Her Majesty, Her Heirs and Successors, for the Public Service, and in any Action or Suit respecting any such Lands the Lord High Admiral shall be called "the Lord High Admiral of the United Kingdom," without being named, and no such Action or Suit shall abate by the Death, Resignation, or Removal of any Lord High Admiral; and in the Construction of the said incorporated Provisions in connexion with this Act the Lord High Admiral for the Time being shall be deemed to be himself solely the "Promoters of the Undertaking," and he shall have the sole Authority for carrying this Act into effect, and generally in all respects, as far as may be, the Lord High Admiral for the Time being shall come in Place of the Commissioners for the Purposes of this Act. Powers as Commissioners.

24. Nothing herein contained shall extend or be construed to extend to take away, lessen, prejudice, alter, damage, or affect any Estate, Right, Title, or Interest of the Queen's most Excellent Majesty of, in, or to the Bed, Soil, Banks, and Shores of the River *Medway*, and of, in, or to all or any Arms, Creeks, Streams, and Indraughts thereof, or otherwise, or of, in, or to any Tolls, Dues, Duties, Rents, Issues, Franchises, Profits, Powers, or Authorities, Customs, Immunities, Rights, or Privileges, belonging to the Queen's Majesty, other than and except as regards such Portions of the Bed, Soil, Banks, and Shores of the said River, Arms, Creeks, Streams, and Indraughts, and such Rights and Privileges, which the Commissioners are authorized to purchase or acquire under the Provisions of this Act. Saving Rights of the Crown.

25. Nothing herein contained shall extend or be construed to extend to take away, lessen, prejudice, alter, damage, or affect any Estate, Right, Title, or Interest of the Mayor, Aldermen, and Citizens of the City of *Rochester* of, in, or to the Bed, Soil, Banks, and Shores of the River *Medway*, and of, in, or to all or any Arms, Creeks, Streams, and Indraughts thereof, or otherwise, or of, in, or to any Tolls, Dues, Duties, Rents, Issues, Franchises, Profits, Powers, or Authorities, Customs, Immunities, Rights, or Privileges, of or belonging to or claimed by the said Mayor, Aldermen, and Citizens of the said City of *Rochester*, other than and except as regards such Portions of the Bed, Soil, Banks, and Shores of the said River, Arms, Creeks, Streams, and Indraughts, and such Rights and Privileges, which the Commissioners are authorized to purchase or acquire under the Provisions of this Act. Saving Rights of Corporation of Rochester.

26. Nothing herein contained shall extend to prejudice or derogate from the Estates, Rights, Interests, Privileges, Franchises, or Authority of the Mayor and Commonalty and Citizens of the City of *London* or their Successors, or of the Lord Mayor of the said City for the Time being, or to prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which, at the Time of making this Act, the Mayor and Commonalty and Citizens of the City of *London*, or the Lord Mayor of the said City for the Time being, as Conservators of the River *Medway*, did or might lawfully claim, use, or exercise, save and except so far as the Execution of the Works hereby authorized may prejudice or derogate from any such Estates, Rights, Interests, Privileges, Franchises, or Authority, or defeat, alter, or diminish any such Power, Authority, or Jurisdiction. Saving Rights of the Corporation of London.

27. The compulsory Powers hereby given for effecting Purchases of and taking Lands shall not be exercised after the Expiration of Five Years from the passing of this Act. As to compulsory Purchases.

28. This Act may be cited as "The *Chatham* Dockyard Act, 1861." Short Title.

CAP. XLII.

An Act to continue the Duties levied on Coal and Wine by the Corporation of *London*.

[22d *July* 1861.]

'WHEREAS by an Act passed in the Session holden in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, Chapter Ten, intituled *An Act for the Relief of the Orphans and other Creditors of the City of* London, it was enacted, amongst other things, that towards raising a Fund as therein mentioned a Duty of Four Shillings *per* Tun should be imposed upon all Sorts of Wines whatsoever which, from and after the Fourth Day of *June* One thousand six hundred and ninety-four, should be imported into the Port of the City of *London* or the Members thereof, by way of Merchandise, over and above the then present Duties charged or chargeable thereupon, and so proportionably for a greater or lesser Quantity, which said Duty should from Time to Time for ever be paid by the Importer thereof unto the Mayor, Commonalty, and Citizens of the City of *London*, herein-after called "the Corporation of *London*:" And whereas by the Acts herein-after mentioned, and herein-after referred to as the Coal Duties Acts; (that is to say,)

'1. An Act passed in the Session of Parliament holden in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, Chapter Seventy-six, intituled *An Act for regulating the Vend and Delivery of Coals in the Cities of* London *and* Westminster, *and in certain Parts of the Counties of* Middlesex, Surrey, Kent, Essex, Hertfordshire, Buckinghamshire, *and* Berkshire: 1 & 2 W. 4. c. 76.

'2. An

1 & 2 Vict. c. 101. '2. An Act passed in the Session of Parliament holden in the First and Second Years of the Reign ' of Her present Majesty, Chapter One hundred and one, intituled *An Act to continue for Seven ' Years an Act for regulating the Vend and Delivery of Coals in* London *and* Westminster, *and ' in certain Parts of the adjacent Counties:*

8 & 9 Vict. c. 101. '3. An Act passed in the Session of Parliament holden in the Session of the Eighth and Ninth ' Years of the Reign of Her said Majesty, intituled *An Act to continue until the Fifth Day of July ' One thousand eight hundred and sixty-two the Acts for regulating the Vend and Delivery of ' Coals in* London *and* Westminster, *and in certain Parts of the adjacent Counties; and to ' alter and amend the said Acts:*

14 & 15 Vict. c. 146. '4. An Act passed in the Session of Parliament holden in the Fourteenth and Fifteenth Years of the ' Reign of Her said Majesty, intituled *An Act to amend the Acts relating to the Vend and ' Delivery of Coals in* London *and* Westminster, *and in certain Parts of the adjacent Counties; ' and to allow a Drawback on Coals conveyed beyond certain Limits:* and which Acts are ' herein-after referred to as the Coal Duties Acts,

' or some or One of such Acts, Two several Duties of One Penny and Twelvepence *per* Ton are ' authorized to be levied by the Corporation of *London* upon all Coals, Culm, and Cinders brought to ' any Place within the Port of *London*, or within the Cities of *London* and *Westminster* and the ' Borough of *Southwark*, or to any Place within the Distance of Twenty Miles from the General Post ' Office in the City of *London*, by any Railway already constructed or hereafter to be constructed, or by ' Inland Navigation, or by any other Means of Conveyance: And whereas it is apprehended that the ' Duty of Eightpence, Part of the said Duty of Twelvepence, will expire in the Year One thousand ' eight hundred and sixty-one, and the said Duty of One Penny in the Month of *July* One thousand ' eight hundred and sixty-two, unless Provision be made by Parliament for the Continuance of such ' Duties: And whereas it is expedient that the said Duties of Four Shillings on Wines and Twelvepence ' and One Penny on Coals, Culm, and Cinders should be continued for a Period of Ten Years:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Continuance of Wine Duties. **1.** The above-mentioned Duty of Four Shillings a Tun on Wines shall continue and be levied in all respects in the same Manner as the same is now leviable until the Fifth Day of *July* One thousand eight hundred and seventy-two.

Continuance of Coal Duties. **2.** All Duties authorized by the Coal Duties Acts or any of them to be levied upon Coal, Culm, and Cinders shall continue and be levied in the same Manner in which the same are now leviable until the Fifth Day of *July* One thousand eight hundred and seventy-two, subject to the following Qualification; that, notwithstanding anything contained in the said Acts, no Duties shall be payable in respect of any Coal, Culm, or Cinders unless the same is contained in some Ship or Vessel arriving at her Moorings within some Part of the Port of *London* to the Westward of *Gravesend*, within the Limits of the Metropolitan Police District as defined by Act of Parliament, or be brought by Railway or by Inland Navigation, or by some other Mode of Conveyance within the said Limits of the Metropolitan Police District, including the Cities of *London* and *Westminster*.

Metropolitan Police District substituted for London District. **3.** After the passing of this Act the Expression "*London* District" used in the said recited Act of the Fourteenth and Fifteenth *Victoria*, Chapter One hundred and forty-six, shall no longer have the Meaning assigned to it by that Act, but shall mean so much of the several Counties of *Middlesex*, *Surrey*, *Kent*, *Herts*, *Essex*, *Bucks*, and *Berks* as shall be situate within the Metropolitan Police District, and shall include the Cities of *London* and *Westminster*.

Commencement of Metropolitan Police District to be marked in Canals, Railways, and Roads. **4.** All the Directions, Powers, and Provisions in the said recited Act of the Fourteenth and Fifteenth *Victoria*, Chapter One hundred and forty-six, with respect to Returns, Certificates, and Accounts, and to the Erection of Boxes and Stations and Boundary Stones or Permanent Marks on the Point of any Canal, Inland Navigation, or Railway, or any Turnpike or Public Road which shall be distant Twenty Miles from the General Post Office, and all other Matters and Things relating thereto, shall apply to Returns, Certificates, and Accounts, and to the Erection of Boxes and Stations and Boundary Stones or Permanent Marks on the Point where any Canal, Inland Navigation, or Railway, or any Turnpike or Public Road, first enters or comes within the Metropolitan Police District.

Application of Duties. **5.** The Duty of One Penny *per* Ton on Coals, Culm, and Cinders shall from and after the passing of this Act, and the said Duty of Four Shillings *per* Tun on Wines, and the Duty of Eightpence, Part of the said Duty of Twelvepence, on Coals, Culm, and Cinders, shall, from and after such Time as all Charges on the *London Bridge* Approaches Fund may be satisfied, be paid to an Account to be opened in the Name of the Lords Commissioners of Her Majesty's Treasury at the Bank of *England*, to be intituled "The *Thames* Embankment and Metropolis Improvement Fund," and such Fund shall be applied to the Improvement of the Metropolis in such Manner as may hereafter be determined by Parliament.

Application of the Duty of 4*d.* to the Payment **6.** That the Nett Proceeds of the Duty of Fourpence, Part of the said Duty of Twelvepence, on Coal, Culm, and Cinders, shall, from the Date of the passing of this Act, and during the Continuance thereof, be applied by the Mayor, Commonalty, and Citizens of the City of *London*, in the first instance,

in

in Payment of the Interest and in Discharge of the Principal of the following Sums raised by the said Mayor, Commonalty, and Citizens of the City of *London*, and charged by them upon the said Duty; viz., the Sums Three hundred thousand Pounds, Two hundred thousand Pounds, and Forty thousand Pounds, raised for making and improving *Cannon Street* in the City of *London*, and for effecting other Improvements in the said City, as authorized by the Acts of Parliament of the Tenth and Eleventh *Victoria*, Chapter Two hundred and eighty, Thirteenth and Fourteenth *Victoria*, Chapter Fifty-six, and the Fifteenth and Sixteenth *Victoria*, Chapter Seventy-two, and that an Account of the Receipt and Application of the said Duty be kept separate and distinct from the Accounts of the said Mayor, Commonalty, and Citizens, and that an Abstract of the said Account be annually laid by the Chamberlain of the said City before both Houses of Parliament, and that after discharging the said Sums and Interest the said Duty of Fourpence shall be applied by the said Corporation of *London* towards or in aid of such a public Improvement or Improvements in or adjacent to the City of *London* as Parliament shall hereafter sanction. of the Interest and Principal of Sums charged thereupon for Improvements.

7. There shall be allowed with respect to Coals brought within the Port of *London* or within the Metropolitan Police District, and afterwards conveyed to any Place beyond the Port of *London* or the Metropolitan Police District, a Drawback of the same Amount and upon the same Conditions as is allowed by the said recited Act of the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, Chapter One hundred and forty-six, and the Coal Duties, *London*, &c., Drawback Act, 1857, or One of such Acts, in respect of the Coals therein mentioned, and the Lord Mayor, Aldermen, and Commons of the City of *London* in Common Council assembled shall have Power, with the Consent of the Board of Trade, to alter, vary, or dispense with any of the Forms in relation to the Drawback upon Coals contained in the said recited Act of the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, Chapter One hundred and forty-six. Drawback upon Coals to continue to be allowed.

8. The Monies from Time to Time paid to the Account created by this Act shall, when received, be laid out and invested in the Purchase of Stock in some of the Public Stocks or Funds, or upon Government or Real Securities, at Interest, in the Name of the said Commissioners, and the said Commissioners shall from Time to Time lay out or invest the yearly Dividends or Interest of the Stocks, Funds, and Securities so to be purchased in their Names on the Account aforesaid, in like Manner, for the Purpose of Accumulation in the meantime, until the said Fund is appropriated by Parliament to the Execution of Improvements in the Metropolis. Duty to form accumulating Fund for Improvements till appropriated by Parliament.

9. All Monies, Stocks, Funds, and Securities standing to the Account of the Metropolis Improvement Fund Account created by the Act of the Session of the Eighth and Ninth Years of the Reign of Her present Majesty Queen *Victoria*, Chapter One hundred and one, shall from and after the passing of this Act, and all Monies, Stocks, Funds, and Securities standing to the Account of the *London Bridge* Approaches Fund shall, from and after such Time as all Charges on the said Funds may be satisfied, be carried to and form Part of the *Thames* Embankment and Metropolis Improvement Fund created by this Act, and the said *London Bridge* Approaches Fund shall thereupon cease and determine. Consolidation of Improvement Funds.

10. Subject to the Provisions of this Act, the said Act of the Session of the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, Chapter Ten, so far as relates to the levying of the said Wine Duties and the said Coal Duties Acts and all Matters therein contained, shall be continued until the Fifth Day of *July* One thousand eight hundred and seventy-two; and all the Provisions contained in the said Act of the Session of the First and Second Years of King *William* the Fourth, Chapter Seventy-six, to take effect at the End of Seven Years, therein mentioned, shall take effect as if the Fifth Day of *July* One thousand eight hundred and seventy-two had been inserted in the said last-mentioned Act instead of the said Term of Seven Years. Continuance of above-mentioned Acts, except as altered.

11. This Act may be cited for all Purposes as "The *London* Coal and Wine Duties Continuance Act, 1861." Short Title.

CAP. XLIII.

An Act to facilitate the Remedies on Bills of Exchange and Promissory Notes in *Ireland* by the Prevention of frivolous or fictitious Defences to Actions thereon. [22d *July* 1861.]

'WHEREAS *bonâ fide* Holders of dishonored Bills of Exchange and Promissory Notes are often unjustly delayed and put to unnecessary Expense in recovering the Amount thereof by reason of frivolous or fictitious Defences to Actions thereon, and it is expedient that greater Facilities than now exist should be given for the Recovery of Money due on such Bills and Notes:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. From and after the Twenty-first Day of *October* One thousand eight hundred and sixty-one, all Actions upon Bills of Exchange or Promissory Notes commenced within Six Months after the same shall have become due and payable, may, in case the Plaintiff shall desire to proceed under this Act, be commenced as herein-after mentioned; that is to say, the Summons and Plaint shall be in the Form prescribed by the Common Law Procedure Amendment Act (*Ireland*), 1853; but, in addition thereto, From and after 21st Oct. 1861 all Actions upon Bills of Exchange, &c.

may, if Plaintiff desires to proceed under Act, be in the Form prescribed by 16 & 17 Vict. c. 113., &c.

thereto, and to any Particulars or Indorsements required by the said Act, such Summons and Plaint shall have at the Head thereof a Notice in the Form contained in the Schedule (A.) to this Act annexed; and in any Case in which the Summons and Plaint shall be in such Form it shall not be lawful for the Defendant to file any Appearance or Defence to the said Action unless he shall obtain Leave from a Judge, as herein-after mentioned, so to appear and defend; and in default of his obtaining such Leave, or of Appearance and Defence in pursuance thereof, the Plaintiff shall be entitled to mark Judgment with Costs, in pursuance of the Provisions of the Common Law Procedure Amendment Act (*Ireland*), 1853, for any Sum not exceeding the Sum mentioned in the Notice at the Commencement of the Summons and Plaint.

Defendant showing a Defence upon the Merits, to have Leave to appear.

2. A Judge of any of the Superior Courts of Common Law in *Ireland* may, upon Application made within the Period of Twelve Days from such Service, or at any Time before Judgment marked, give Leave to appear and defend such Action on the Defendant paying into Court the Sum claimed by the Summons and Plaint, or upon Affidavits satisfactory to the Judge, which disclose a legal or equitable Defence, or such Facts as would make it incumbent on the Holder to prove Consideration or such other Facts as the Judge may deem sufficient to support the Application, and on such Terms as to Security, or otherwise, as to the Judge may seem fit.

Judge may set aside Judgment.

3. After Judgment the Court or a Judge may, under special Circumstances, set aside the Judgment, and, if necessary, stay or set aside Execution, and may give Leave to appear and defend the Action, if it shall appear to be reasonable to the Court or Judge to do so, and on such Terms as to the Court or Judge may seem just.

Judge may order Bill to be deposited, &c.

4. In any Proceedings under this Act it shall be competent to the Court or a Judge to order the Bill or Note sought to be proceeded upon to be forthwith deposited with an Officer of the Court, and further to order that all Proceedings shall be stayed until the Plaintiff shall have given Security for the Costs thereof.

As to Recovery of Expenses of noting dishonored Bill.

5. The Holder of every dishonored Bill of Exchange or Promissory Note shall have the same Remedies for the Recovery of the Expenses incurred in noting the same for Nonacceptance or Non-payment or otherwise, by reason of such Dishonor, as he has under this Act for the Recovery of the Amount of such Bill or Note.

Common Law Procedure Acts and Rules incorporated.

6. The Provisions of the "Common Law Procedure Amendment Act (*Ireland*), 1853," and the "Common Law Procedure Amendment Act (*Ireland*) 1856," and all Rules made under or by virtue of either of the said Acts, shall, so far as the same are or may be made applicable, extend and apply to all Proceedings to be had or taken under this Act.

Judges to frame Rules.

7. The Judges of the Superior Courts of Common Law in *Ireland* shall have Power to frame all Rules and Process necessary thereto.

Extent of Act.

8. This Act shall apply to *Ireland* only.

Short Title.

9. In citing this Act in any Instrument, Document, or Proceeding, it shall be sufficient to use the Expression "The Summary Procedure on Bills of Exchange (*Ireland*) Act, 1861."

SCHEDULE referred to in the forgoing Act.

A.

The following Notice is to be printed at the Commencement of the Summons and Plaint, and before the Name and Title of Her Majesty.

The Defendant [*Richard Roe*] is hereby warned and required to take notice,

That this Action being brought on the under-mentioned Bill of Exchange [*or* Promissory Note] is brought under the "Summary Procedure on Bills of Exchange (Ireland) Act, 1861;" and that unless within Twelve Days from the Service hereof he shall obtain Leave from One of the Judges of the Superior Courts of Law in Dublin to appear and defend the Action, and shall within that Time file his Appearance and Defence, the Plaintiff [*John James*] will be entitled, without any further Notice whatever, to issue Execution against him for the Sum of Pounds [*here state the Sum claimed*], and the Costs of this Action.

Leave to appear may be obtained on an Application to any of the Judges, supported by Affidavit, showing that there is a Defence to the Action on the Merits, or that it is reasonable that the Defendant should be allowed to appear and defend the Action, or by lodging the Amount claimed in Court.

CAP. XLIV.

An Act to remove Doubts respecting the Authority of the Legislature of *Queensland*, and to annex certain Territories to the Colony of *South Australia*, and for other Purposes.

[22d *July* 1861.]

5 & 6 Vict. c. 76.

'WHEREAS by an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of Her Majesty, intituled *An Act for the Government of* New South Wales *and* Van Diemen's Land, it was enacted that it should be lawful for Her Majesty, by Letters Patent to be from Time to Time issued under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, to define, as to

'to Her Majesty should seem fit, the Limits of the Colony of *New South Wales*, and to erect into a 'separate Colony or Colonies any Territories which then were or were reputed to be or thereafter might 'be comprised within the said Colony of *New South Wales*; provided always, that no Part of the 'Territories lying Southward of the Twenty-sixth Degree of South Latitude in the said Colony should 'by any such Letters Patent be detached from the said Colony: And whereas by a Bill passed by the 'Legislative Council of *New South Wales*, in the Seventeenth Year of Her Majesty, intituled *An Act* 'to confer a Constitution upon New South Wales, and to grant a Civil List to Her Majesty, which said 'Act was, with certain Amendments, assented to by Her Majesty in Council under Authority of an 'Act of Parliament passed in the Session holden in the Eighteenth and Nineteenth Year of Her 'said Majesty, intituled *An Act to enable Her Majesty to assent to a Bill as amended of the Legislature* 18 & 19 Vict. c. 54., Schedule 1. s. 46. 'of New South Wales to confer a Constitution upon New South Wales, and to grant a Civil List to 'Her Majesty, it was provided that nothing in the said Bill contained should be deemed to prevent Her 'Majesty from altering the Boundary of *New South Wales* on the North in such Manner as to 'Her Majesty might seem fit, nor from detaching from the said Colony that Portion of the same which 'lies between the Western Boundary of *South Australia* and the One hundred and twenty-ninth Degree 'of East Longitude, reckoning from the Meridian of *Greenwich*: And whereas by the last-recited 'Act of Parliament Provision was made respecting the Exercise by Her Majesty of the Power given 'Her by the said Bill of altering the Northern Boundary of *New South Wales* and it was declared that 'it should be lawful for Her Majesty, by Letters Patent to be from Time to Time issued under the 'Great Seal of the United Kingdom of *Great Britain* and *Ireland*, to erect into a separate Colony 'or Colonies any Territories which might be separated from *New South Wales* by such Alteration 'as aforesaid of the Northern Boundary thereof, and in and by such Letters Patent or by Order in 'Council to make Provision for the Government of any such Colony, and for the Establishment of a 'Legislature therein in manner as nearly resembling the Form of Government and Legislature which 'should be at such Time established in *New South Wales* as the Circumstances of such Colony would 'allow, and that full Power should be given in and by such Letters Patent or Order in Council to the 'Legislature of the said Colony to make further Provision in that Behalf: And whereas in virtue of the 'Powers herein-before set forth Her Majesty did, by certain Letters Patent bearing Date the Sixth Day 'of *June* in the Year One thousand eight hundred and fifty-nine, separate certain Territories therein 'mentioned from the Colony of *New South Wales*, and did erect the said Territories into a separate 'Colony under the Name of *Queensland*, and did also, by a certain Order in Council, also bearing Date 'the said Sixth Day of *June* One thousand eight hundred and fifty-nine, make Provision for the 'Government of the said Colony of *Queensland*, and for the Establishment of a Legislature therein, 'but the Form of Government and Legislature so established did not in all respects resemble the Form 'of Government and Legislature at that Time established in *New South Wales*: And whereas Doubts 'are entertained whether the Powers intended to be conferred upon the said Government and Legislature 'by the said Order in Council, and the Acts done by them, may not be invalid by reason of such Want 'of Resemblance as aforesaid: And whereas Doubts are also entertained whether it is competent to Her 'Majesty by Letters Patent to annex to any existing Colony any Part of *New South Wales* which may 'be detached therefrom, or to detach from *New South Wales* that Portion thereof which lies between the 'Western Boundary of *South Australia* and the One hundred and twenty-ninth Degree of East 'Longitude: And whereas it is expedient to set at rest all such Doubts as aforesaid, and also to detach 'from *New South Wales* the last-mentioned Portion thereof, and to annex the same to *South Australia*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Certain Territories detached from New South Wales and annexed to South Australia.

1. So much of the Colony of *New South Wales*, being to the South of the Twenty-sixth Degree of South Latitude, as lies between the Western Boundary of *South Australia* and the One hundred and twenty-ninth Degree of East Longitude, shall be and the same is hereby detached from the Colony of *New South Wales* and annexed to the Colony of *South Australia*, and shall for all Purposes whatever be deemed to be Part of the said last-mentioned Colony from the Day on which this Act of Parliament shall be proclaimed therein.

Power to annex to existing Colonies Territories now Part of New South Wales.

2. It shall be lawful for Her Majesty by such Letters Patent as aforesaid to annex to any Colony which is now or may hereafter be established on the Continent of *Australia* any Territories which, in exercise of the Powers herein-before mentioned, might have been erected into a separate Colony: Provided always, that it shall be lawful for Her Majesty in such Letters Patent to reserve such Powers of revoking or altering the same as to Her Majesty shall seem fit, or to declare the Period during which such Letters Patent shall remain in force; and also on the Revocation or other Determination of such Letters Patent again to exercise, in respect of the Territories referred to therein or any Part thereof, all such Powers and Authority as might have been exercised if the said Letters Patent had never been made.

Provisions of Letters Patent of 6th June 1859, &c. valid.

3. All the Provisions made in the afore-mentioned Letters Patent and Order in Council of the said Sixth Day of *June* One thousand eight hundred and fifty-nine, for establishing the Colony of *Queensland*, and for the Government of the said Colony, and for the Establishment of a Legislature therein, shall be and

and be deemed to have been valid and effectual for all Purposes whatever, and all Acts and Proceedings of the said Government and Legislature shall be and be deemed to have been from the Date of the said Order in Council of the same Force and Effect as if the last-mentioned Order in Council had been in all respects valid and free from Doubt.

18 & 19 Vict. c. 54. s. 7. repealed.

4. 'And whereas in the event of any Territories being hereafter separated from *New South Wales* 'and erected into a separate Colony, it may not be expedient that the Form of the Government and 'Legislature to be established in the said Colony should depend upon the Form of Government and 'Legislature which may, at the Time of such Separation, be established in *New South Wales:*' Be it enacted as follows:

So much of the secondly herein recited Act of Parliament as requires that the Government and Legislature of any Colony so erected as aforesaid shall, as nearly as the Circumstances of the said Colony shall allow, resemble the Form of Government and Legislature which shall be at such Time established in *New South Wales*, shall be and the same is hereby repealed.

Provision for determining Boundaries.

5. 'Whereas the Boundaries of certain of Her Majesty's Colonies on the Continent of *Australia* may 'be found to have been imperfectly or inconveniently defined, and it may be expedient, from Time to 'Time, to determine or alter such Boundaries:' Be it therefore further enacted, as follows:

It shall be lawful from Time to Time for the Governors of any contiguous Colonies on the said Continent, with the Advice of their respective Executive Councils, by any Instrument under their joint Hands and Seals, to determine or alter the common Boundary of such Colonies; and the Boundary described in any such Instrument shall be deemed to be, within the Limits there laid down, the true Boundary of said Colonies, so soon as Her Majesty's Approval of such Instrument shall have been proclaimed in either of such Colonies by the Governor thereof.

Providing Mode of apportioning Public Debt in the event of any Territory being separated from any Australian Colony.

6. In the event of any Territory being hereafter separated from any *Australian* Colony, and either erected into a separate Colony or annexed to any other Colony, if the Governor of the Colony to which such Territory belonged before Separation, or the Governor of the Colony to which it shall belong or which it may constitute after Separation, shall represent to One of Her Majesty's Principal Secretaries of State that a Question has arisen between the Governments of the Two Colonies as to the Proportions in which the Public Debt of the Colony from which such Territory has been separated should be borne by the Two Colonies respectively after Separation, or as to the Division of the Public Monies in the Treasury of such first-mentioned Colony at the Time of Separation, it shall be lawful for Her Majesty, through One of Her Principal Secretaries of State, to require the Governors of the Two Colonies, with the Advice of their respective Executive Councils, each to appoint a Commissioner, and it shall be lawful for Her Majesty to appoint a Third Commissioner, not being a Resident in or employed in the Public Service of either Colony, and to fix the Time and Place of the First Meeting of the Commissioners, and such Commissioners shall determine the Proportion in which such Monies or Debt shall be divided between the Two Colonies; and the Award of such Commissioners, or of any Two of them, when confirmed by Her Majesty in Council, shall be final and conclusive against both Colonies: Provided always, that nothing herein contained, and no Award as aforesaid, shall in any way prejudice or affect the Security of any Debentures which may have been issued before the Separation of any Territory by the Government of the Colony from which such Territory may be separated, or the absolute Right and Claim of the Holders thereof to demand and receive Payment of the Amounts thereby respectively purporting to be secured, as well out of the Revenues of the Colony from which such Territory has been separated as out of the Revenues of the Colony to which such Territory shall belong or which it may constitute.

CAP. XLV.

An Act to facilitate the Formation, Management, and Maintenance of Piers and Harbours in *Great Britain* and *Ireland*. [1st *August* 1861.]

'WHEREAS it is expedient to encourage and facilitate the Formation, Management, and Maintenance of Piers and Harbours in *Great Britain* and *Ireland:* And whereas in certain Cases 'where it is now necessary to apply to Parliament for special Local Acts the Expense of obtaining 'such Special Acts serves to prevent many necessary Works being undertaken:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

Short Title.

1. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Words and Figures "The General Pier and Harbour Act, 1861."

Interpretation of Terms.

2. The following Words and Expressions in this Act shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say,

The Expression "the Lords of the Admiralty" shall mean the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral:

The

The Expression "Board of Trade" shall mean the Lords of the Committee of Her Majesty's Privy Council for Trade and Plantations:

The Expression "Person or Persons" shall include Companies, Corporations, Commissioners, Trustees, Undertakers, Conservators, or Individuals:

The Word "Promoters" shall apply to and include any Person or Persons who shall make Application for a Provisional Order under this Act:

The Word "Works" shall include any Pier, Harbour, Quay, Wharf, Jetty, or Excavation, whether complete or incomplete, on or near the Shore of the Sea, or of any Creek, Bay, Arm of the Sea, or navigable River communicating therewith:

The several Words and Expressions contained in the Clauses of any Acts incorporated with this Act shall have the Meanings assigned to them by such Act or Acts, except in Cases in which other Meanings are expressly assigned to them by this Act.

Persons may apply to Board of Trade to grant Provisional Orders.

3. Persons desirous of obtaining Authority to construct any Works under this Act, or to levy Rates at any existing or at any new Works, may make Application by Memorial to the Board of Trade to grant Provisional Orders as herein-after mentioned: Provided always, that this Act shall not apply in any Case where the estimated Expenditure upon any proposed Works shall exceed the Sum of One hundred thousand Pounds.

Subscribers to Memorial to be Promoters.

4. The Persons whose Names shall be subscribed to such Memorial shall be deemed to be the Promoters; and it shall be lawful for the Board of Trade to require and take Security from the Promoters for the Payment of all Costs, Charges, and Expenses necessarily incurred by the said Board of Trade in relation to any such Provisional Order, and such Costs shall be a Debt due to Her Majesty from the Promoters, and be recoverable by Action in any Court of Law of competent Jurisdiction.

Promoters to deposit Copies of Memorial and Plans at the Office of the Clerk of the Peace.

5. In case the Promoters shall be desirous of executing any Works under this Act, they shall in the Months of *October* and *November* deposit Copies of the Memorial they may have submitted to the Board of Trade in relation thereto, and of the Plans, Sections, Working Drawings of the Harbour and of any proposed Works, at the Office of the Clerk of the Peace of any County, Riding, or Division in *England* or *Ireland*, or in the Office of the Principal Sheriff Clerk of any County, District, or Division of any County in *Scotland*, in which the proposed Works are to be executed, there to remain open for public Inspection, and all Persons shall at all seasonable Hours of the Day be at liberty to inspect and to make Copies or Extracts therefrom; and the Deposit of such Copies and Advertisement of such Deposit shall be certified in such Manner as may be required by the Board of Trade; and Notice of the Deposit of a Copy of such Memorial, and of the Plans, Sections, and Working Drawings of the proposed Works as aforesaid, shall be published once in each of Two consecutive Weeks in some Newspaper circulated within the County wherein such Works are proposed to be undertaken, and once in the *London*, *Edinburgh*, or *Dublin* Gazette.

Notice of Deposit to be given by Advertisement.

Promoters to deposit Plans with the Admiralty.

6. The Promoters shall deposit at the Admiralty Office, *Whitehall*, a Copy of such Memorial, and Plans and Sections and Working Drawings of the Harbour and the proposed Works connected therewith, and shall make Application to the Admiralty to sanction such Works, and thereupon the Admiralty, so soon as may be, shall give or withhold their Sanction to the proposed Works, or shall indicate what Alterations, if any, shall be made in the proposed Works.

Application of 14 & 15 Vict. c. 49. to this Act.

7. The Preliminary Inquiries Act, 1851, shall apply, *mutatis mutandis*, in respect of any Application for such Approval, as if the same were an Application to Parliament for such a Bill as is in that Act mentioned.

Power to Admiralty to remove Works not approved by them.

8. Notwithstanding anything in this Act contained, the proposed Works shall only be undertaken and executed upon such Conditions and according to such Plans as shall be previously approved by the Lords of the Admiralty as aforesaid; and if any Works shall at any Time be commenced or completed contrary to the Provisions of this Act, it shall be lawful for the Lords of the Admiralty to abate and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of any Commissioners or other Person or Persons that may for the Time being have the Management of any such Works, and the Amount thereof shall be a Debt due to the Crown, and be recoverable accordingly.

Levying of Rates.

Regulations as to levying of Rates upon Application to Board of Trade.

9. In case the Promoters or any Persons being the Owners or Proprietors of any Works, or any Persons having the Management of or Powers to construct any such Works under any Local Act of Parliament, or any Town Council of any Seaport Town not having any constituted Harbour Trust, shall be desirous of levying any Rates for the Maintenance of such Works, or of altering the Schedule of Rates then leviable thereat, they shall prepare,—

Publication of Schedule.

(1.) A Schedule of such Rates which they may think reasonable and proper to be levied at such Works, and shall publish such Schedule once at the least in each of Two consecutive Weeks in the Months of *October* and *November* in some Newspaper circulated within the District or some Part of the District in which such Works are or may be proposed to be constructed:

Deposit of Schedule with Clerks of the Peace.

(2.) And shall also deposit a printed Copy of such Schedule at the Office of the Clerk of the Peace of any County, Riding, or Division in *England* or *Ireland*, or in *Scotland* in the Office of the Sheriff Clerk and Clerk of the Peace of the County where such Works are or may be proposed to be constructed:

Deposit of Schedule with Board of Trade.

(3.) And shall also transmit a Copy of such Schedule to the Board of Trade, and therewith a Statement showing the State of any existing Works, and the Rates then leviable thereat, the average Revenue derived at such Works for the Three Years preceding the Date of the First of such Advertisements as aforesaid, and the probable or estimated Amount of the Rates proposed to be levied under such Schedule at any existing Works, or at any new Works proposed to be constructed; and also the estimated Amount of Money, if any, proposed to be expended upon any existing or upon any new Works:

Shipowners, Traders, &c., may forward Objections to Board of Trade.

(4.) And it shall be competent to any Shipowner or Trader within the Limits of such Port, Harbour, or Place, or to any registered Elector or Landowner in the County in which such Works may be situate, or in which it is proposed to construct any new Works, to forward any Objections to such Schedule in Writing to the Board of Trade within Fourteen Days after the last Insertion of such Schedule in any Newspaper as aforesaid:

Board of Trade to adjust Schedule, and may empower Promoters to levy Rates.

(5.) The Board of Trade, after the said Fourteen Days shall have elapsed, and after the Receipt of such Schedule and Statement, shall, as soon as conveniently may be, take the same into consideration, and make such Inquiries and obtain such further Information in reference to the several Matters therein set forth, and to the Objections, if any, that may have been forwarded as aforesaid, as they may deem expedient, and shall finally adjust and fix a Schedule of Rates not exceeding the Rates specified in the Schedule to "The Burgh Harbours (*Scotland*) Act, 1853," and thereupon the Board of Trade may by Provisional Order empower any of the Persons in this Section mentioned, or their Assigns, to levy and recover Rates according to such Schedule, and to borrow Money on the Security of such Rates, upon such Terms and Conditions and under such Regulations as may be deemed expedient.

Consent of Commissioners of Woods, &c. to be obtained.

10. No Provisional Order, except such as relate to the levying and Recovery of Rates only, shall be made under this Act without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues being first had and obtained.

Saving Rights of the Crown.

11. Nothing in this Act contained shall extend to abrogate or prejudice any Estate, Right, Title, Interest, Prerogative, Royalty, Jurisdiction, or Authority of or appertaining to the Queen's most Excellent Majesty, Her Heirs or Successors, in right of Her Crown, or of Her Duchy or County Palatine of *Lancaster*.

Saving Rights of the Duchy of Cornwall.

12. Nothing contained in this Act, or in the Acts incorporated herewith, shall extend to take away, diminish, alter, prejudice, or affect any Property, Rights, Profits, Privileges, Powers, or Authorities for the Time being vested in or enjoyed by Her Majesty, Her Heirs or Successors, in right of the Duchy of *Cornwall*, or in or by the Duke of *Cornwall* for the Time being.

Saving Rights of Conservators of the Rivers Thames and Mersey, &c.

13. Nothing in this Act contained shall extend or be applicable to the Port of *London*, or to the River *Thames* within the Limits defined by "The *Thames* Conservancy Act, 1857," nor to the Port and Harbour of *Liverpool*, or to the River *Mersey*, as defined by an Act passed in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for better preserving the Navigation of the River* Mersey, nor to the Port and Harbour of *Glasgow* and the Limits of the River *Clyde*, as defined by "The *Clyde* Navigation Consolidation Act, 1858," nor to the Port and Haven of *Sunderland* and River *Wear*, within the Limits defined by "The River *Wear* and *Sunderland* Dock Act, 1859," nor to the Port of *Kingston-upon-Hull* or the River *Humber*, within the Limits defined by "The River *Humber* Conservancy Act, 1852," nor to the River *Tyne* or to the Port and Harbour of *Newcastle-upon-Tyne*, and the Limits thereof as defined by "The *Tyne* Improvement Act, 1850."

Promoters not to do any Act which shall prejudice any Right acquired by Royal Charter, &c.

14. The Promoters shall not, by any Provisional Order under this Act, or by any Act of Parliament confirming such Order, be authorized to do any Act, Matter, or Thing which shall prejudice or affect any Right, Privilege, Power, Jurisdiction, or Authority acquired by or given or reserved to any Person or Persons by Royal Charter, by Prescription, or by any Local or Personal or Private Acts, for the Purpose of executing any Works such as are contemplated by this Act, or for the Management and Conservancy thereof, or for protecting the Navigation of any tidal Waters or navigable River, or for making any River navigable, or otherwise improving, maintaining, or continuing the navigable Passage thereof, or any Works connected therewith, or which shall or shall tend to prejudice or injuriously affect the Access to or Passage from any Quay, Pier, Harbour, Basin, Dock, or Inland Navigation, or the Channels or Passages thereof, or leading thereto or therefrom, or the Use or Enjoyment of any Quay, Pier, Harbour, Basin, Dock, or Inland Navigation, without the Consent in every Case of such Person or Persons, and such Consent shall be expressed in Writing, in the Case of a Corporation under their Common Seal, and in the Case of a Company, Undertakers, Commissioners, Conservators, Trustees, or Individuals, under the Hand of their Clerk or other duly authorized Officer or Agent.

Board of Trade may grant Provisional Orders,

15. After such Inquiries as the Board of Trade may think expedient, and after the Consent of the Admiralty, and of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and, if required, of the Persons mentioned in the last preceding Section, shall have been obtained, and the same shall

shall have been certified to the Board of Trade in such Manner as they may require, the Board of Trade may settle and make a Provisional Order; and every such Order shall be made and shall take effect subject and according to the following Provisions:— subject to Provisions herein named.

It shall specify who are to be the Undertakers of the Works, and may provide (where requisite) for the Election or Appointment of Commissioners as Undertakers of the Works, and may (where requisite) incorporate the Undertakers into a Body Corporate, with an appropriate Name, perpetual Succession, and a Common Seal:

It may empower the Undertakers to make and alter Byelaws for the Management of such Works, subject in *England* and *Ireland* to the Approval of the Court of Quarter Sessions of the Peace for the County in which the Works are situated, and in *Scotland* to the Approval of the Sheriff or Sheriff Substitute of such County:

It may empower the Undertakers to take Land on Lease or otherwise, to an Extent limited by the Order, by Agreement:

It may empower the Undertakers to levy and to recover Rates at such Works, and may provide for the Application of the Monies accruing from the Rates to be levied, and (where requisite) may provide for the due Audit of the Accounts of Receipt and Expenditure at such Works:

It may empower the Undertakers for the Purposes of such Works to borrow on Mortgage or Bond, at a maximum Rate of Interest to be therein specified, upon Security of the Rates, to an Extent limited by the Order, with Provisions for Payment of Interest and Repayment of Principal:

It may incorporate by Reference "The Commissioners Clauses Act (1847)," "The Companies Clauses Act (1845)," "The Companies Clauses (*Scotland*) Act (1845)," "The Harbour, Docks, and Piers Clauses Act (1847)," "The Lands Clauses Consolidation Act (1845)," "The Lands Clauses Consolidation (*Scotland*) Act (1845)," or any Part of such Acts, except so much of the said Two last-mentioned Acts as relates to the Purchase of Land otherwise than by Agreement; the Expression the "Special Act" used in such incorporated Acts shall be deemed to apply to such Provisional Order.

16. After the making of any Order under this Act, the Promoters shall deposit a Copy of the same at the Office of the Clerk of the Peace of any County, Riding, or Division in *England* or *Ireland*, or in the Office of the Principal Sheriff Clerk of any County, District, or Division in *Scotland*, in which the proposed Works referred to in such Order may be situate; and Notice of such Deposit shall be given by Advertisement once in the *London*, *Edinburgh*, or *Dublin* Gazette, and in some Newspaper circulated in the County as aforesaid; and after it shall have been certified to the Board of Trade by the Promoters that such Deposit and Advertisement as last aforesaid have been made, and that Fourteen Days have elapsed from the Date of such Advertisement, the Board of Trade shall, within Three Calendar Months from the Beginning of the Session of Parliament in any Year, cause a Bill to be introduced into either House of Parliament for the Purpose of obtaining an Act for the Confirmation of such Order, and the Order to be confirmed shall be specified in a Schedule to the Bill introduced for confirming the same, and shall be set out at Length therein, and until such Confirmation no Provisional Order shall be of any Validity or Force whatever; and every Act of Parliament confirming such Order shall be deemed a Public General Act. Order to be deposited with Clerk of the Peace. Notice of Deposit by Advertisement. Board of Trade to obtain Confirmation of Provisional Order by Parliament.

17. In case any Petition shall be presented to either House of Parliament against any Provisional Order framed in pursuance of this Act, in the Progress through Parliament of the Bill confirming the same, the Bill, so far as it relates to the Order so petitioned against, may be referred to a Select Committee, and the Petitioner shall be allowed to appear and oppose as in the Case of Private Bills. Where Petition presented against an Order, Bill confirming same may be referred to Select Committee.

18. All Orders, Notices, Consents, Approvals, and other Acts of the Board of Trade or of the Lords of the Admiralty in execution of this Act shall be in Writing or in Print, or partly in Writing and partly in Print, and shall be signed by One of the Secretaries or Assistant Secretaries of the Board of Trade, or by the Secretary of the Admiralty for the Time being, as the Case may be. Orders, &c. by whom to be signed.

19. The Board of Trade shall make and lay before both Houses of Parliament in the Month of *February* in each Year, if Parliament be then sitting, or if Parliament be not then sitting, then within One Week after the next Meeting thereof, a general Report of their Proceedings under this Act, stating the several Cases in which Applications have been made to them under the Provisions of this Act, and the Board of Trade may from Time to Time make and lay before Parliament such special Reports in relation to all or any of the Matters aforesaid as they may think fit. Board of Trade to report to Parliament.

20. It shall be lawful for the Promoters of any Harbour constructed under the Provisions of this or any other Act, whether Local or otherwise, to make, and for Her Majesty's Principal Secretary of State for the War Department to accept, a Grant either in Fee or for a Term of Years not less than Nine hundred and ninety-nine Years of any Lands, Tenements, and Hereditaments proper for Sites for Batteries or Fortifications, not exceeding in Quantity in any One Place what may be sufficient for building and erecting thereon a Battery or Fortification for the Protection of such Harbour, and for making a proper or sufficient Access or Approach thereto, and to enter into any Covenant or Stipulation with the said Principal Secretary of State and his Successors not to build or do any Act prejudicial to the said Batteries or Fortifications on the Land adjacent to the Sites so granted as aforesaid, within the Line of Fire from such Batteries or Fortifications to be erected thereon, and which Sites when conveyed as aforesaid shall be held by the said Principal Secretary and his Successors on behalf of Her Majesty. Power to Secretary of State for War to take and hold Land, &c. for Batteries, &c.

CAP. XLVI.

An Act to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts, and to extend the Provisions of the said Act. [1st *August* 1861.]

14 & 15 Vict. c. 38.

'WHEREAS, by an Act of the Fifteenth Year of Her Majesty, Chapter Thirty-eight, "to facilitate Arrangements for the Relief of Turnpike Trusts, and to make certain Provisions "respecting Exemptions from Tolls," herein-after referred to as the Principal Act, Power is given to One of Her Majesty's Principal Secretaries of State to make Provisional Orders for reducing the Rate of Interest and for extinguishing the Arrears of Interest on Mortgage Debts charged or secured on the Revenues of Turnpike Roads, in Cases where such Revenues are insufficient for the Payment in full of the Interest charged thereon: And whereas by the annual Turnpike Acts Continuance Act, 1860, the Principal Act is extended to Turnpike Roads the Acts relating to which are continued by such last-mentioned Act, although their Revenues are not insufficient for such Payments as aforesaid: And whereas in pursuance of the Principal Act and the said Act extending the same, the several Provisional Orders referred to in the Schedule hereto have been made by Her Majesty's Principal Secretary of State for the Home Department, and there are stated in the said Schedule the Dates of such Orders and such Particulars relating thereto as are therein specified: And whereas it is expedient that the said Provisional Orders should be confirmed and made absolute, and that the Provision made by the said Annual Continuance Act, 1860, should be extended to Turnpike Roads the Acts relating to which are continued by any Annual Continuance Acts:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders confirmed.

1. The several Provisional Orders the Dates of which are set forth in the First Column of the said Schedule are hereby confirmed, and the Provisions thereof shall be of the like Force and Effect as if they had been expressly enacted by Parliament.

Provisions of 15 Vict. c. 38. extended to Cases herein named.

2. So much of the Principal Act as confines the Operation thereof to Cases where the Revenues of a Turnpike Road are insufficient for the Payment in full of the Interest charged on such Revenues shall, so far only as relates to any Turnpike Road in *England* the Act in relation to which is continued by any Annual Turnpike Acts Continuance Act, be repealed; and in the Case of any such Turnpike Road the Provisions of the Principal Act shall be applicable (although the Revenues of such Turnpike Road be not insufficient for such Payment as aforesaid).

SCHEDULE.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Arrears of Interest to be extinguished to the following Dates.
1860.		£ s. d.		
26 Oct.	3 Vict. c. 11., "An Act for making a "Turnpike Road from West Kennet to "Amesbury in the County of Wilts, "with Branches therefrom."	5,900 0 0	3*l.* per Cent.	24 June 1859.
16 Nov.	6 Geo. 4. c. 46., "An Act for repairing "the Road from Kingston-upon-Thames "to Leatherhead in the County of "Surrey."	10,301 5 0	1*l.* 10*s.* per Cent.	No arrears extinguished.
30 Nov.	10 Geo. 4. c. 65., "An Act for more effectually repairing the Roads from "Alfreton to Higham and Tibshelf in "the County of Derby."	3,050 0 0	3*l.* per Cent.	1 Nov. 1861.
26 Dec.	59 Geo. 3. c. 25., "An Act for repairing "the Road from Shelton's Lane in "Bury in the County of Huntingdon to "a House formerly called The Spread "Eagle in the Hamlet of Stratton, in "the Parish of Biggleswade in the "County of Bedford."	6,530 0 0	3*l.* 10*s.* per Cent.	No arrears extinguished.

Turnpike Trusts Arrangements. *Harbours.*

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Arrears of Interest to be extinguished to the following Dates.
1860.		£ s. d.		
31 Dec.	10 Geo. 4. c. 87., "An Act for making "and maintaining a Road from Sheep- "scar, through Woodhouse Carr, to "Meanwoodside in the Parish of Leeds "in the West Riding of the County of "York."	2,000 0 0 3,427 17 9	3*l.* per Cent. 2*l.* per Cent.	No arrears extinguished.
31 Dec.	4 Will. 4. c. 31., "An Act for improving "and maintaining certain Roads in the "Counties of Montgomery, Merioneth, "Salop, and Denbigh," so far as the same relates to "The Third District of "the Montgomeryshire Roads."	11,237 0 0	4*l.* per Cent.	No arrears extinguished.
1861. 18 Jan.	10 Geo. 4. c. 26., "An Act for more ef- "fectually repairing and improving the "Road from Kipping's Cross in the "County of Kent to Flimwell Vent in "the County of Sussex, and certain "other Roads therein described."	7,400 0 0	2*l.* per Cent.	No arrears extinguished.
19 March	10 Geo. 4. c. 56., "An Act for more ef- "fectually repairing the Road from the "Brick Kilns on East Malling Heath "to Pembury Green, and from Brand- "bridges to the Four Wents near Mat- "field Green, and from the said Road "into the Mereworth and Hadlow "Road, in the County of Kent."	7,351 17 6	3*l.* 10*s.* per Cent.	31 Dec. 1860.
16 May	2 Will. 4. c. 58., "An Act for more ef- "fectually repairing and maintaining "the Turnpike Road from or near a "Place called the Five Oaks in the "Parish of Billingshurst, to join the "Horsham and Guildford Turnpike "Road on Broadbridge Heath in the "County of Sussex."	5,415 0 0	1*l.* 10*s.* per Cent.	31 Dec. 1860.
29 June	10 Geo. 4. c. 81., "An Act for maintain- "ing and repairing the Road from the "River at Swathling through Botley "to the Road at Sherril Heath in the "County of Southampton."	1,650 0 0	1*l.* 10*s.* per Cent.	31 Dec. 1860.

CAP. XLVII.

An Act to facilitate the Construction and Improvement of Harbours by authorizing Loans to Harbour Authorities; to abolish Passing Tolls; and for other Purposes. [1st *August* 1861.]

'WHEREAS it is expedient that Provision should be made for the Construction and Improvement 'of Harbours by authorizing Loans from the Public Funds to Harbour Authorities, and that 'Provision should also be made for the Abolition of Passing Tolls, of Tolls levied on Shipping for the 'Purpose of Charities, of Differential Dues on Foreign Shipping, and of Compensation payable in 'respect thereof out of the Public Monies; and for making Arrangements for the Preservation of the 'Rights of Creditors and for other Purposes:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Preliminary.

Short Title.

1. This Act may be cited for all Purposes as "The Harbours and Passing Tolls, &c. Act, 1861."

Interpretation of Terms:

2. In the Construction of this Act the following Expressions shall have the Meanings hereby assigned to them, unless such Meanings are inconsistent with the Context; that is to say,

"Board of Trade:" The Expression "Board of Trade" shall mean the Committee of Privy Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations:

"Harbour:" The Word "Harbour" shall include Harbours properly so called, whether natural or artificial, Estuaries, navigable Rivers, Piers, Jetties, and other Works in or at which Ships can obtain Shelter, or ship and unship Goods or Passengers:

"Harbour Authority:" "Harbour Authority" shall include all Persons, or Bodies of Persons, corporate or unincorporate, being Proprietors of or intrusted with the Duty of constructing, improving, managing, maintaining, or lighting any Harbour:

"Limited Estate:" The Expression "Limited Estate," shall mean the Estate of any Person entitled under any Settlement at Law or in Equity for his own Benefit to the Possession or Receipt of the Rents and Profits of Land of any Tenure for the Term of his own Life or of the Life of any other Person, whether such Land is or is not subject to Incumbrances:

"Settlement:" The Word "Settlement" shall include any Act of Parliament, Will, Deed, or other Assurance whereby particular Estates or particular Interests in Land are created with Remainders or Interests expectant thereon, and any Deed of Entail; and every Estate and Interest created by Appointment made in the Exercise of any Power contained in any Settlement or derived from any Settlement shall be considered as having been created by the same Settlement; and an Estate or Interest, by way of resulting Use or Trust to or for the Settlor, or his Heirs, Executors, or Administrators, shall be deemed to be an Estate or Interest under the same Settlement:

"Pilotage Authority:" "Pilotage Authority" shall include all Bodies and Persons authorized to appoint or license Pilots, or to fix or alter Rates of Pilotage, or to exercise any Jurisdiction in respect of Pilotage:

"Shipping Purposes:" The Expression "Shipping Purposes" shall include the constructing or doing any Work or Thing that conduces to the Safety or Convenience of Ships, or that facilitates the shipping or unshipping of Goods, and the Management and superintending the same, and shall also include the Maintenance of any Lifeboat or other Means of preserving Life in case of Shipwreck:

"Differential Dues." The Expression "Differential Dues" shall include any Dues, Rates, or Taxes levied on Foreign Ships, or on Goods carried in Foreign Ships, which are not levied under like Circumstances on *British* Ships or on Goods carried in *British* Ships; and shall also include any Excess of Dues, Rates, or Taxes levied on Foreign Ships, or on Goods carried in Foreign Ships, over the Dues or Taxes levied under like Circumstances on *British* Ships or on Goods carried in *British* Ships; excepting always such Duties as the Commissioners of Customs may be empowered to levy for the Use of Her Majesty under any Act of Parliament in the Events therein mentioned.

PART I.—LOANS TO HARBOURS.

Advances of Money to Harbour Authorities.

3. The Public Works Loan Commissioners, as defined by the Act of the Nineteenth Year of the Reign of Her present Majesty, Chapter Seventeen, may, out of the Funds for the Time being at their Disposal or provided by Parliament for the Purpose, advance to any Harbour Authority, for the Purpose of constructing, improving, maintaining, or lighting any public Harbour, or for carrying into effect any other Shipping Purpose, such Sum or Sums of Money as may be required, subject to the following Regulations:

(1.) No Harbour Authority shall borrow any Money from the said Commissioners under this Act without the Approval of the Board of Trade, in Writing, signed by One of their Secretaries or Assistant Secretaries:

(2.) When the aggregate Amount of Principal Monies due to the said Commissioners from any One Harbour Authority in pursuance of this Act does not exceed One hundred thousand Pounds, the Interest payable in respect thereof shall be at the Rate of Three Pounds Five Shillings *per Annum* on each Hundred Pounds; but when such aggregate Amount exceeds One hundred thousand Pounds, the Interest payable in respect of One hundred thousand Pounds shall be at the Rate aforesaid, and the Interest payable in respect of the Excess shall be at such higher Rate as the said Commissioners may determine, not exceeding Five Pounds *per Annum* on each Hundred Pounds:

(3.) The Period for Repayment of any Sums advanced shall not exceed Fifty Years:

(4.) The Repayment of any Advances and of the Interest thereon shall be secured upon all or any of the Rates leviable by the Harbour Authority to whom such Advances are made, either alone, or together with such other Property or Income as may be agreed on, and it shall not be incumbent on the Public Works Loan Commissioners to require any other Security:

(5.) Any

(5.) Any Harbour Authority which has for the Time being Power to levy Rates and Tolls immediately or prospectively, or is or may be entitled to any other Income or Property applicable to Shipping Purposes, shall have Power to borrow Money from the said Commissioners under this Act on the Security of the said Rates, Tolls, Income, and Property, or any Part thereof, and to charge the same accordingly:

(6.) For the Purposes of Loans made to any Public Harbour Authority under this Act the Clauses of "The Commissioners Clauses Act, 1847," with respect to the Mortgages to be executed by the Commissioners, except so far as the same may be inconsistent with the Clauses and Provisions of the said Public Works Loan Act and the Acts therein mentioned, shall be incorporated with this Act; and in the Construction of this Act, and of the said incorporated Clauses, this Act shall be deemed to be the Special Act, and the Harbour Authority to which an Advance is made shall be deemed to be the Commissioners:

(7.) No Harbour Authority, being the Proprietor of any private Harbour, shall borrow any Money from the said Commissioners under this Act unless such Regulations are made in respect of the Rates to be taken in such Harbour, and the User thereof by the Public as the Board of Trade may approve; and for the Purpose of making and enforcing such Regulations, it shall be lawful for Her Majesty, by Order in Council, to declare that "The Harbours, Docks, and Piers Clauses Act, 1847," shall apply to such Harbour, and to fix a Schedule of Rates not exceeding the Rates specified in the Schedule to "The Burgh Harbours (*Scotland*) Act, 1853," to be taken in the said Harbour; and thereupon the said Harbours Clauses Act, with the Exception of such Clauses as may be excepted in the said Order, shall apply to the said Harbour in the same Manner as if it had been declared to apply thereto by Act of Parliament: And in the Construction of this Act and of the said incorporated Act this Act shall be deemed to be the Special Act; and the Expression "the Undertaker" shall be deemed to mean the Proprietor of the said Harbour, and the "Rates" shall be deemed to be such Rates as may be sanctioned by the said Order in Council:

(8.) Where any Harbour Authority, being the Proprietor of any Harbour, is entitled to a "limited Estate" therein, he shall have Power to make the Repayment of any Monies borrowed by him under this Act, with the Interest, a Charge on his limited Estate in the said Harbour, and on the Estate and Interest of every Person taking under the same Settlement any Estate or Interest in such Harbour in defeasance or expectancy or by Destination on the Determination of the said limited Estate, but it shall be subject to all Incumbrances on the Harbour subsisting at the Time of the Charge:

(9.) No Advance or Part of any Advance shall be made in pursuance of this Act to any Person entitled to a limited Estate so as to charge the Estate or Interest of any Person taking in defeasance or expectancy or by Destination, except to an Amount to be specified in Certificates to be from Time to Time issued under the Hand of One of the Secretaries or Assistant Secretaries of the Board of Trade; and no such Certificate shall be issued until it has been proved to the Satisfaction of the Board of Trade, that the Amount specified in the Certificate has been properly expended upon the said Harbour.

PART II.—ABOLITION OF PASSING TOLLS.

Abolition of Passing Tolls.

4. From and after the First Day of *January* One thousand eight hundred and sixty-two all Tolls and Rates ordinarily known by the Name of Passing Tolls, leviable in respect of any Harbours on Ships which pass but do not enter such Harbours, or on Goods carried in any such Ships, shall cease to be levied.

Indemnity to Creditors on Passing Tolls.

5. If on the First Day of *January* One thousand eight hundred and sixty-two any Debts legally incurred before the Fifteenth Day of *March* One thousand eight hundred and sixty-one remain charged on the Passing Tolls hereby abolished, then, subject to the special Provisions herein-after contained, the Creditors to whom such Debts are due shall be indemnified out of the Consolidated Fund and the growing Produce thereof for any Loss they may sustain by reason of such Abolition; but any Income or other Property that may be charged with the said Debts in common with such Tolls shall (except in the Case of Debts legally charged upon the Tolls or Revenues of the Harbours of *Whitby* and *Bridlington* previously to the Fifteenth Day of *March* One thousand eight hundred and sixty-one) be liable to make good any Payments made in pursuance of this Act for the Indemnity of the Creditors.

PART III.—ABOLITION OF DUES LEVIED BY CHARITABLE CORPORATIONS.

Abolition of Dues leviable by Charitable Authorities.

6. All Rates, Dues, Duties, and Imposts (herein-after included in the Term Shipping Dues) leviable by any of the Charitable Authorities named in the First Schedule annexed hereto on Ships, or on Goods carried in Ships, shall, except so far as the same may be required for the Execution of such Shipping Purposes as have hitherto been executed by means of the said Dues, cease to be levied on and after the First Day of *January* One thousand eight hundred and seventy-two.

7. Whenever

Dues levied for Shipping Purposes on Ships or Goods which derive no Benefit.

7. Whenever any of the said Shipping Dues leviable by any of the said Authorities named in the First Schedule are applicable to Shipping Purposes, but such Shipping Purposes are not for the Benefit of Ships or Goods carried therein at the Port or Place at which such Dues are levied, such Dues shall cease to be levied on and after the First Day of *January* One thousand eight hundred and seventy-two.

Provision for Payment of Pensions granted before 15th March 1861, and for Application of Surplus.

8. During the Period prior to the said First Day of *January* One thousand eight hundred and seventy-two, the Shipping Dues levied by each of the Authorities named in the said First Schedule, including the Compensation for Differential Dues herein-after mentioned, shall, subject to the Execution of any Shipping Purposes to which the same or any Part thereof may be applicable, be applied in Payment of any Pensions which have been lawfully granted, or in which a vested Interest, absolute or contingent, has been lawfully created before the Fifteenth Day of *March* One thousand eight hundred and sixty-one; and any Surplus arising from the said Dues during the said Period, after providing for the said Shipping Purposes, and Payment of the said Pensions for the Time being, and such Payments for Charitable or other Purposes as have heretofore ordinarily been made by the said Authority out of the said Dues, shall, with the Interest thereon, after the Termination of the said Period, be applied in Payment of such, if any, of the said Pensions as have not then ceased; and subject to such Payment, the said Surplus shall become Part of the Charitable Funds of the said Authority, and shall be held and administered by them upon the same Trusts and for the same Purposes upon and for which the said Dues would have been held and applied if this Act had not passed: If at any Time after the Expiration of the said Period it is made to appear to Her Majesty in Council that any of the said Pensions are still in existence, and that after duly accounting for the Surplus aforesaid, the Authority by which such Pensions were granted is unable, either out of the said Surplus or out of their other Funds applicable to Charitable Purposes to pay the said Pensions, it shall be lawful for Her Majesty from Time to Time, by Order in Council, to declare that the Shipping Dues theretofore levied by the said Authority shall continue for such Time and to such Extent as may by such Order be declared to be necessary for Payment of the said Pensions; and thereupon the said Shipping Dues shall continue to be leviable according to the Terms of such Order: Provided that nothing in this Act contained shall enable any of the said Authorities to apply any Part of the said Dues to any Purposes to which they could not lawfully have applied the same if this Act had not passed.

List of Pensions to be made out and sent to Board of Trade.

9. Each of the said Authorities shall, as soon as they conveniently can after the passing of this Act, make out and send to the Board of Trade a List of all Pensions to be paid by them which have been granted, or in which a vested Interest has been created, before the Fifteenth Day of *March* One thousand eight hundred and sixty-one, accompanied by such Vouchers and Explanations as the Board of Trade may require; and each of the said Authorities shall, as early as possible, in every Year during the said Period of Ten Years, publish in some local Newspaper a Statement of their gross Receipts from the said Shipping Dues, and of the Manner in which the same have been expended or applied in the preceding Year.

Part IV.—Abolition of Differential Dues, and Compensation therefor.

Abolition of Differential Dues.

10. All Differential Dues shall cease and be abolished on and after the First Day of *January* One thousand eight hundred and sixty-two.

Compensation for Differential Dues, when to cease.

11. All Payments which would but for such Abolition have been made out of Public Monies by way of Compensation for Differential Dues, under the Authority of the Acts enumerated in the Second Schedule hereto annexed, or of any other Act or Acts relating to such Dues, shall continue until the First Day of *January* One thousand eight hundred and seventy-two, and shall then cease.

Compensation, whilst continued, to be limited.

12. From and after the Thirty-first Day of *December* One thousand eight hundred and sixty-one the Compensation for Differential Dues paid to any Corporation, Body of Persons, or Person in any One Year shall be the Amount paid to such Corporation, Body, or Person in the Year One thousand eight hundred and sixty; and the Commissioners of Her Majesty's Treasury may cause the said Compensation to be paid to the said Corporations, Bodies, or Persons, without requiring them to transmit their Claims to the *Trinity House of Deptford Strond* for Examination.

Commutation of Compensation.

13. The Commissioners of Her Majesty's Treasury may at any Time, on giving Three Months Notice of their Intention so to do, commute annual Payments by way of Compensation for Differential Dues, by paying to the Parties entitled thereto a gross Sum, equal to such Number of Years Purchase as may for the Time being remain unexpired of the Period for which the said Payments are to continue, after deducting Interest on the anticipated Payments at the Rate of Four *per Cent.*

Indemnity to Public Authorities.

14. All such Harbour and Pilotage Authorities and other Bodies Corporate, Bodies of Persons, and Persons as have heretofore applied to Shipping Purposes or to other public Purposes, Compensation paid to them for Differential Dues, or as have contracted Debts for such Purposes, may, from and after such Time as such Compensation ceases to be paid to them, with the Consent of Her Majesty in Council, indemnify themselves for the Loss thereof by raising any Rates which they have Power to levy, to such an Amount as will produce a Sum that will enable them to perform such Services, subject to this Proviso, that no Rates or Dues of any Kind shall in pursuance of the Power hereby given be made payable in respect of any Foreign Ship, or Goods carried in any Foreign Ship, over and above

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the Rates and Dues made payable under like Circumstances in respect of *British* Ships and the Goods carried in *British* Ships.

Power to recover increased Dues.

15. In the event of any Increase of Taxes or Rates being sanctioned by Her Majesty in Council, the Body Corporate, Persons, or Body of Persons empowered to increase the same shall, notwithstanding any Act of Parliament, Charter, or Usage to the contrary, have the same Powers and Remedies for levying such increased Taxes or Rates as they had for levying the same Taxes or Rates previously to such Increase.

Saving of Rights of Creditors.

16. Nothing herein contained shall prejudice or affect the Right of any Creditor who may have advanced Monies either wholly or partially on the Security of any Differential Dues, or of any Payments out of the Public Monies made by way of Compensation for Differential Dues; but if the Commissioners of Her Majesty's Treasury make any Payment to such Creditor in respect of such Compensation the Sum so paid shall be deemed to be a Debt due to the Crown from the Persons or Body to whom the Creditor made the Advance in respect of which the Payment is made, and shall be recoverable accordingly.

PART V.—POWER TO TOWN CORPORATIONS, &C. TO TRANSFER SHIPPING DUES TO HARBOUR AUTHORITIES.

Power to transfer Dues.

17. Any Body Corporate or Person having Power to levy Shipping Dues may, with the Consent of Her Majesty in Council, by Deed transfer, upon such Terms as they or he think fit, all or any Portion of the Shipping Dues leviable by them or him to any Authority entrusted with the Duty of constructing, maintaining, or improving any public Harbour within which such Dues or any Portion thereof may be levied; and the Transferees of such Dues shall be possessed of all the Rights and Privileges in respect of such Dues of which the Transferors were possessed previously to such Transfer, and shall apply the said Dues to Shipping Purposes within the said Harbour.

Notice of intended Transfer to be given.

18. Previously to making any such Transfer as aforesaid, the Parties proposing to make the same, herein-after called the Transferors, shall give Notice of the Terms on which it is proposed to be made, by publishing such Terms twice at least in some local Newspaper or Newspapers, or by issuing Advertisements naming a Time and Place at which a Copy of the proposed Terms may be inspected; and it shall be lawful for any Persons or Body of Persons interested in the Matter, to lay before them in Writing such Objections or Observations with reference thereto as they think expedient, and it shall be the Duty of the Transferors and of the said Harbour Authority to take the same into consideration and to make such Modifications in or Additions to the said Terms (if any) as they may think fit to adopt, and it shall likewise be their Duty, in applying for the Consent of Her Majesty in Council, to forward all such Objections and Observations, with their Answer thereto for the Consideration of Her Majesty in Council.

Evidence of Transfer.

19. Upon the Completion of the Transfer, a Copy of the Order in Council approving of the Transfer, accompanied with a Copy of the Instrument of Transfer, shall be published in the *London Gazette;* and the Production of the *London Gazette* containing such Copy shall be Evidence that the said Transfer has been effected.

Power to borrow Money in order to effect such Transfer.

20. Every Harbour Authority may from Time to Time borrow at Interest, on the Security of any Property belonging to them, or of any Rate or Rates which they have Power to levy, any Sum or Sums they may require for procuring any such Transfer as aforesaid to be made to them; and for the Purposes of such borrowing, the Clauses of "The Commissioners Clauses Act, 1847," with respect to the Mortgages to be executed by the Commissioners (except the Clause numbered 84.) shall be incorporated with this Act. The said Transferors shall hold and apply all Monies paid to them by way of Consideration for any such Transfer as aforesaid upon the same Trusts, if any, and for the same Purposes, upon and for which the said Shipping Dues, if not so transferred, would have been held and applied.

PART VI.—ABOLITION OF SPECIAL TAXES AT DUBLIN.

Abolition of Special Taxes at Dublin.

21. All Taxes on Ships, or Goods carried in Ships, leviable within the Port of *Dublin,* which are mentioned in the Third Schedule hereto, shall cease to be levied on and after the First Day of *January* One thousand eight hundred and sixty-two.

PART VII.—MAINTENANCE OF RAMSGATE, DOVER, WHITBY, AND BRIDLINGTON HARBOURS.

Ramsgate Harbour.

Transfer of Ramsgate Harbour to Board of Trade.

22. On and after the First Day of *January* One thousand eight hundred and sixty-two the Harbour of *Ramsgate* and the Soil thereof, and all Property, Real and Personal, vested in the Trustees of the said Harbour, or in any Person in trust for the Purposes of the said Harbour, with their actual and reputed Appurtenances, subject to all Leases, Contracts, Charges, or other Liabilities affecting the same, shall be transferred to and are hereby vested in the Board of Trade.

Transfer of Powers to Board of Trade.

23. All Powers, Rights, and Privileges of imposing, collecting, or recovering any Taxes or Rates, of purchasing any Lands, or of doing any other Matter or Thing relating to the said Harbour of *Ramsgate,* or the Property belonging thereto, which may by virtue of any Act of Parliament, Charter, or otherwise,

be vested in or exerciseable by the Trustees of *Ramsgate* Harbour, shall be transferred to and are hereby vested in the Board of Trade.

Debts, &c. of Trustees enforceable against Board of Trade.

24. All Debts and Obligations incurred, all Contracts entered into, and all Matters and Things engaged to be done by, with, or for the Trustees of *Ramsgate* Harbour, in respect of any Property, Powers, Rights, or Privileges hereby transferred to the Board of Trade, shall be deemed to have been incurred, entered into, or engaged to be done by, with, or for the Board of Trade, and all such Debts, Obligations, Contracts, Matters, and Things, and all Securities for the same, and all Penalties and Forfeitures for the Nonperformance thereof, shall be enforceable by or against the Board of Trade, to the same Extent as the same would, if no such Transfer had taken place, have been enforceable by or against the said Trustees of *Ramsgate* Harbour.

Accounts of Trustees of Ramsgate Harbour to be made up.

25. The Accounts for the Trustees of *Ramsgate* Harbour for the Period antecedent to the said Transfer shall be finally made up, and shall be audited, settled, allowed, approved, and transmitted to the Honourable the House of Commons, as required by the Acts relating to the Harbour; and thenceforth the Trustees and all Persons who at any Time shall have been Trustees of the Harbour, and their respective Representatives, shall be freed from all Liabilities whatsoever, under or by virtue of the Acts relating to the Harbour or any of them.

Indemnification of Trustees of Ramsgate Harbour.

26. The Board of Trade shall out of the *Ramsgate* Harbour Fund indemnify the Trustees of *Ramsgate* Harbour and their respective Representatives from all Liabilities not arising from their own personal wrongful Act or Default, to which the Trustees at the Time of this Act coming into operation are or but for this Act would become subject.

Rates to be taken in Ramsgate Harbour.

27. On and after the First Day of *January* One thousand eight hundred and sixty-two the Board of Trade may, for the Purpose of maintaining and improving the Harbour of *Ramsgate*, in lieu of the Rates heretofore levied, impose and levy Rates on Vessels entering and using the said Harbour, and on Goods shipped or unshipped in the said Harbour, not exceeding the Rates specified in the Schedule (A.) annexed to "The Burgh Harbours (*Scotland*) Act, 1853," with the Exceptions and Modifications hereinafter mentioned; that is to say,

(1.) In the Case of any Vessel carrying Passengers the Board of Trade may, instead of levying a Tonnage Rate on the Vessel, levy on every Passenger embarking from or landing on the Pier or Piers of the said Harbour on or from the said Vessel, a Rate not exceeding Threepence, to be paid if demanded before the Passenger is allowed to embark or land:

(2.) On every Ton of Coal, Coke, or Culm shipped or unshipped in the said Harbour, the Board of Trade may levy a Rate not exceeding Sixpence:

(3.) Whenever any Vessel enters the Harbour in distress, and for the Purpose of repairing the said Vessel any Goods are unshipped therefrom, and the Rates upon the Unshipment of such Goods are duly paid, then if such Goods are afterwards re-shipped in the said Harbour without any Change in the Ownership thereof having taken place, no further Rates shall be leviable upon the said Goods in respect of such Reshipment:

(4.) No Rates shall be levied on Fishing Boats belonging to *Ramsgate:*

(5.) No Rate shall be levied on Vessels using the said Harbour solely as a Harbour of Refuge, and remaining therein not more than Sixty Hours:

And the Board of Trade may from Time to Time vary such Rates by reducing or raising the same, so that they do not exceed the Rates herein-before authorized.

Board of Trade to receive Per-centage on Salvage.

28. On and after the First Day of *January* One thousand eight hundred and sixty-two, the Board of Trade shall be entitled to receive a Per-centage of Five Pounds in the Hundred on all Salvage paid or liable to be paid in respect of any Ship or Boat, or Cargo or Apparel of any Ship or Boat, or any Wreck or other Property, which may be brought into the said Harbour; and such Per-centage shall be deducted from the Salvage, and shall be paid to the Board of Trade before the Remainder of the Salvage is paid over to the Salvors, and shall be recoverable by the same Means by which the Salvage is recoverable.

Gross Sum of 2,000*l.* to be paid to Mayor, &c. of Sandwich in lieu of annual Payment of 200*l.*

29. From and after the First Day of *January* One thousand eight hundred and sixty-two, the Sum of Two hundred Pounds a Year heretofore paid to the Mayor, Aldermen, and Burgesses of *Sandwich* out of the Revenues of the Harbour of *Ramsgate* shall cease, and in lieu thereof there shall be paid to them, on or before that Day, by the Board of Trade, out of the *Ramsgate* Harbour Fund hereinafter mentioned, a single Sum of Two thousand Pounds.

Application of the said Sum of 2,000*l.*

30. The said Mayor, Aldermen, and Burgesses shall apply the said Sum of Two thousand Pounds in Payment or Part Payment of any Debts lawfully charged on the said annual Sum of Two hundred Pounds, heretofore paid to them either alone or in common with other Property or Income of the said Mayor, Aldermen, and Burgesses; and the Remainder, if any, of such Debts shall be paid by the said Mayor, Aldermen, and Burgesses out of any Rate or Rates they may have Power to levy in respect of the Harbour of *Sandwich;* and the said Mayor, Aldermen, and Burgesses may, notwithstanding any Prohibition contained in any Act of Parliament as to the maximum Amount of such Rate or Rates, raise the same to such Amount as may be necessary for satisfying such Debts as aforesaid.

As to Income of Ramsgate Harbour.

31. All Money and Income received by the Board of Trade in pursuance of this Act shall be carried to a separate Account, entitled "The *Ramsgate* Harbour Fund Account," and, subject to any other

Charges

Charges specified in this Act, the same shall be applied to the Management, Maintenance, and Improvement of the said Harbour.

Ramsgate Harbour Accounts to be rendered to Treasury, &c.;

32. The Board of Trade shall, whilst *Ramsgate* Harbour remains in their Hands, render to the Commissioners of Her Majesty's Treasury periodical Accounts of the whole of the Receipts and Expenditure in respect thereof, such Accounts to be signed and declared to by the Accountant appointed by the Board of Trade for that Purpose, and the said Commissioners shall cause the same to be examined and audited in such Manner as they think fit.

and laid before Parliament.

33. The Board of Trade shall, as soon as practicable after the Meeting of Parliament in every Year, cause the Accounts of *Ramsgate* Harbour for the preceding Year to be laid before both Houses of Parliament.

Board of Trade may continue Ramsgate Harbour Superannuation Fund or wind up the same.

34. 'Whereas the Trustees of *Ramsgate* Harbour have established a Benefit or Superannuation Fund 'for Persons employed by them at weekly Wages, by means of Contributions from the Workmen, and 'of Sums added out of the Revenues of the Harbour: And whereas there is a considerable Capital now 'standing to the Credit of the said Fund:' Be it enacted, That the Board of Trade shall either continue the said Benefit or Superannuation Fund in accordance with the Regulations now in force with respect to the same, or such other Regulations as may from Time to Time be approved by them, or shall wind up the said Fund in such a Manner that every Pension granted by the Trustees before the Fifteenth Day of *March* One thousand eight hundred and sixty-one, or granted by them after that Day and allowed by the Board of Trade, shall be fully paid, and that every Contributor not in receipt of a Pension granted before such Time as aforesaid shall be repaid the Amount he has contributed, with Interest at Three *per Centum per Annum:* In case the said Fund is wound up, the Capital of the said Fund now in the Hands of the Trustees shall be employed in satisfying its Liabilities; if the said Capital is insufficient for the Purpose, the Deficiency shall be made up out of the *Ramsgate* Harbour Fund, but if the said Capital is more than sufficient for the Purpose, any Surplus shall be carried to the Credit of the last-mentioned Fund.

Board of Trade may allow Compensation to Persons deprived of Offices.

35. The Board of Trade shall allow Compensation or Superannuation Allowance to any Person in the Employ of the Trustees of *Ramsgate* Harbour not having Claims on the Benefit or Superannuation Fund herein-before mentioned, whose Salary or Emoluments are by reason of the passing of this Act abolished or made less than they were before the Fifteenth Day of *March* One thousand eight hundred and sixty-one, or who being continued in the Employ of the Board of Trade afterwards retires from the Service, so that no such Compensation or Superannuation Allowance shall exceed the Proportion of Salary or Emoluments which might be granted under similar Circumstances to a Person in the Public Civil Service, and so that no such Compensation or Superannuation Allowance shall be granted, except in the Cases and upon the Conditions in and upon which the same would or might be granted if such Persons had been employed in the Public Civil Service; and any Compensation or Superannuation Allowance so allowed shall be paid out of the *Ramsgate* Harbour Fund.

Deficiency of Income to be supplied by Monies voted by Parliament.

36. If at any Time whilst the Harbour of *Ramsgate* is vested in the Board of Trade, the Income and Revenue applicable to the Purposes of managing, maintaining, and improving the said Harbour of *Ramsgate* are insufficient for such Purposes, or for the other Purposes to which the said *Ramsgate* Harbour Fund is applicable, it shall be lawful for the Commissioners of Her Majesty's Treasury to advance such Sums as may be requisite for the said Purposes out of Monies to be provided for the Purpose by Parliament.

Harbour to be free from Rates.

37. The Harbour of *Ramsgate* shall not be assessed, rated, or liable to pay to any County, Parochial, or other Rates or Cesses; and *Ramsgate* Harbour, and all Property and Income vested in or belonging to the Board of Trade in respect of the said Harbour, and all Premises or Property used or applied by the Board of Trade for the Purpose of the said Harbour, and all Instruments or Writings used by the Board of Trade in respect of the said Harbour, shall be exempted from all Public Taxes and Duties of every Kind; save only that Parochial or other local Rates shall still be payable on those Parts of the said Property at *Ramsgate* on which they have heretofore been paid.

Town Dues on Coal not to be levied in certain Cases.

38. No Dues shall be levied by the Commissioners for paving, lighting, watching, and improving the Town of *Ramsgate* on Coal, Culm, and Coke imported, landed, or shipped within the Parish or Harbour of *Ramsgate* in the following Cases; that is to say,

(1.) When the same are wholly and in good Faith consumed in and for the Purposes of the said Harbour or in Vessels lying in the said Harbour:

(2.) When the same are wholly and in good Faith consumed by the Engines or on the Premises of any Railway Company having Access by means of a continuous Line of Railway or Tramway to the said Harbour:

(3.) When the same are conveyed on any such Railway to and delivered from the same at any Place beyond the Parish of *Ramsgate*, and the adjoining Parish of *Saint Lawrence*, and are not thereafter delivered within either of those Parishes:

And if, in any of such Cases, Dues have in the first instance been paid to the said Commissioners, the Parties who have paid them shall be allowed a Drawback or Return thereof, to be paid by the said Commissioners out of any Funds under their Control; but if any Person fraudulently obtains or endeavours to obtain the said Drawback without being legally entitled to the same, he shall be liable for

for every such Offence to a Penalty not exceeding Fifty Shillings; and such Penalty may be recovered and shall be applied in the same Manner as Penalties are recovered and applied under the Act (Local and Personal) of the First and Second Years of the Reign of Her present Majesty, intituled *An Act for better paving, lighting, watching, and improving the Parish of* Ramsgate *in the County of* Kent, *and for regulating the Police thereof.*

1 & 2 Vict. c. lxx. (Local.)

10 & 11 Vict. c. 17. incorporated with this Act.

39. For the Purposes of *Ramsgate* Harbour, "The Harbours, Docks, and Piers Clauses Act, 1847," shall be deemed to be incorporated with this Act, and for the Purposes of such Incorporation this Act shall be deemed to be "the Special Act;" the Rates and Monies hereby made leviable on account of the Harbour of *Ramsgate* shall be deemed to be "the Rates authorized to be levied by the Special Act;" and the Board of Trade shall be deemed to be "the Undertakers."

Certain Parts of Property of Trust to be within Ramsgate Police Jurisdiction.

40. So much of the Sea Shore belonging to the Trustees of *Ramsgate* Harbour, and lying either to the Eastward or Westward of the said Harbour, as is for the Time being used as a public Highway, or as lies between High and Low Water Mark, shall be deemed to be a public Highway within the Parish, so far and so far only as relates to any Offences committed thereon contrary to the Provisions of the said Act (Local and Personal) of the First and Second Years of the Reign of Her present Majesty, intituled *An Act for better paving, lighting, watching, and improving the Parish of* Ramsgate *in the County of* Kent, *and for regulating the Police thereof,* for which the Offenders would have been liable to Fine, Penalty, or Forfeiture in case the same Offences had been committed on any other public Highway within the said Parish of *Ramsgate.*

1 & 2 Vict. c. lxx. (Local.)

Dover Harbour.

Harbour of Dover to be vested in a Board of Trustees to be called "The Dover Harbour Board."

41. From and after the passing of this Act, the Harbour of *Dover* and the Soil thereof, and all Property, Real and Personal, vested in the Warden and Assistants of the Harbour of *Dover* in the County of *Kent*, or in any Person in trust for the Purposes of the said Harbour, with their Actual and reputed Appurtenances, subject to all Liabilities affecting the same, shall be transferred to and vested in a Board of Trustees, to be called "The *Dover* Harbour Board," constituted as herein-after mentioned; and the said *Dover* Harbour Board shall be a Body Corporate, with a perpetual Succession and a Common Seal, and having a Capacity to hold Lands subject to the Provisions of this Act.

Rights of imposing Rates transferred to Dover Harbour Board.

42. All Rights and Privileges of imposing, collecting, or recovering any Taxes or Rates, of purchasing any Lands, or of doing any other Matter or Thing relating to the said Harbour of *Dover*, or the Property belonging thereto, or to the said Warden and Assistants of *Dover* Harbour, which may, by virtue of any Act of Parliament, Charter, or otherwise, be vested in or exerciseable by the Warden and Assistants of *Dover* Harbour, shall, on and after the passing of this Act, by force and virtue of this Act, be transferred to and vested in the said *Dover* Harbour Board.

Existing Debts, &c. enforceable by or against Board.

43. All Debts and Obligations incurred, all Contracts entered into, and all Matters and Things engaged to be done by, with, or for the Warden and Assistants of *Dover* Harbour, in respect of any Property, Powers, Rights, or Privileges transferred to the said *Dover* Harbour Board as aforesaid, shall be deemed to have been incurred, entered into, or engaged to be done by, with, or for the *Dover* Harbour Board; and all such Debts, Obligations, Contracts, Matters, and Things, and all Securities for the same, and all Penalties and Forfeitures for the Nonperformance thereof, shall on and after the passing of this Act, be enforceable by or against the said *Dover* Harbour Board to the same Extent as the same would, if no such Transfer had taken place, have been enforceable by or against the said Warden and Assistants of *Dover* Harbour.

After 1st January 1862 Board may impose Rates for Harbour Purposes.

44. After the First Day of *January* One thousand eight hundred and sixty-two the said *Dover* Harbour Board may, for the Purpose of maintaining and improving the said Harbour, with the Consent of Her Majesty in Council, impose Rates on Vessels using the Harbour, and on Goods landed or shipped in the Harbour, not exceeding the Rates specified in Schedule A. annexed to "The Burgh Harbours (*Scotland*) Act (1853)," and may from Time to Time, with the like Consent, vary such Rates by reducing or raising the same, so that they do not exceed the Rates mentioned in the said Schedule; and any Rates so imposed may be either in lieu of or in addition to any other Rates leviable by the said Warden and Assistants, and which by this Act the said *Dover* Harbour Board are authorized, on and after the said First Day of *January* One thousand eight hundred and sixty-two, to levy as aforesaid.

Debts incurred prior to 15th March 1861, and secured on Passing Tolls, shall be paid by Board out of Rates.

45. Subject to the Right of the Creditor as reserved by this Act, all Debts legally incurred previously to the Fifteenth Day of *March* One thousand eight hundred and sixty-one, and secured on the Passing Tolls levied in respect of *Dover* Harbour, either alone or in common with other Property, shall be paid by the said Harbour Board out of any Rates they may have Power to levy, and out of any Real or Personal Property of which they may have become seised or possessed; and for the Purpose of paying such Debts, and the permanent Improvement of the said Harbour, the said Harbour Board may sell the Real and Personal Property vested in them as aforesaid, or any Part thereof, and apply the Monies arising from such Sale accordingly.

Compensation to Officers not re-appointed by Board to Offices of equal Value.

46. If any of the present Officers of the Warden and Assistants of *Dover* Harbour shall not be appointed by the said Harbour Board to the same Offices as those they now hold, or to others of an equal annual Value, then the said Harbour Board may, with the Consent of the Board of Trade, allow such Compensation or Superannuation Allowance as the said Harbour Board may think fit to any such

Officer

Officer or Officers, but so that no such Compensation or Superannuation Allowance shall exceed the Proportion of Salary or Emoluments which might be granted under similar Circumstances to a Person in the Public Civil Service under the Act of the Twenty-second Year of the Reign of Her present Majesty, Chapter Twenty-six, or of any other Act for regulating such Compensation or Superannuation Allowance for the Time being in force; and any Compensation or Superannuation Allowance so allowed shall be paid out of the Revenue of the said Harbour Board.

Constitution of Dover Harbour Board.

47. The said *Dover* Harbour Board shall consist of Seven Members, Four of whom shall form a Quorum; the said Seven Members shall be the Lord Warden for the Time being of the Cinque Ports, Two Burgesses of the Borough of *Dover* elected by the Town Council every Three Years, and to be eligible for Re-election, a Member to be from Time to Time appoined by the President of the Board of Trade for the Time being, a Member to be from Time to Time appointed by the First Lord of the Admiralty for the Time being, a Member to be from Time to Time appointed by the *South-eastern* Railway Company under their Common Seal, and a Member to be from Time to Time appointed by the *London, Chatham, and Dover* Railway Company under their Common Seal: Provided, that in the event of either or both of the said Railway Companies failing or declining to appoint a Member of the said Harbour Board within One Calendar Month after having been required so to do by the President of the Board of Trade, then such President shall, from and after such Default, be entitled thereafter to appoint from Time to Time another Member or Members in lieu thereof, as the Case may be; and the said Lord Warden shall *ex officio* be Chairman of the said Harbour Board; and the said Lord Warden shall also from Time to Time nominate under his Hand One of the Members of the said Harbour Board to be his Deputy, to preside at all Meetings at which the said Lord Warden shall not be present; and in the event of an Equality of Votes at any Meeting of the said Board the Chairman of such Meeting shall be entitled to a Casting Vote in addition to his ordinary Vote.

Members of Board not to hold Places of Profit or be concerned in Contracts.

Penalty for so offending.

48. No Member of the said Harbour Board shall enjoy any Office or Place of Profit under this Act; and no such Member shall directly or indirectly by himself or his Partner have any Share or Interest in or be in any Manner concerned in any Contract or Bargain relating to any Works to be ordered, done, or executed under the Provisions of this Act or any other Act, or any Charter relating to *Dover* Harbour, or in the Execution of any such Works, or in the supplying of any Materials for any such Works, or for the Use of the said Harbour or Board; and if any Member of the said Board shall disobey this Enactment, every such Member so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, and shall, upon being convicted of any such Offence, become then and be for ever afterwards incapable of being or acting as a Member of the said Board; and no such Contract or Bargain as aforesaid, which any such offending Member has entered into contrary to the Intent of this Enactment shall be enforced against the said Board: Provided nevertheless, that all Acts and Proceedings of any Person acting as a Member of the said Board previous to his being convicted of any such Offence, shall, notwithstanding such Conviction, be good, valid, and effectual.

Contracts and Bargains made contrary hereto to be void.

Debts paid out of Public Monies to be Debts due to the Crown.

49. If at any Time any Debts hereby made payable by the said *Dover* Harbour Board are paid out of Monies provided by Parliament in pursuance of this Act, the Amount so paid shall be deemed to be a Debt due to the Crown from the said *Dover* Harbour Board, and shall be recoverable accordingly.

No new Debts to be incurred till existing Debts are discharged, &c.

50. Until the Debts charged on the Revenues of *Dover* Harbour previously to the said Fifteenth Day of *March* One thousand eight hundred and sixty-one are discharged, it shall not be lawful for the *Dover* Harbour Board to charge the said Revenues or any Part thereof with any new Debt, or to undertake any new Works, without the Consent of the Commissioners of Her Majesty's Treasury.

Power to Corporation of Dover to transfer Dues to Harbour.

51. The Mayor, Aldermen, and Burgesses of *Dover*, herein-after called the Corporation, may at any Time hereafter, by Deed under their Common Seal, transfer to the said *Dover* Harbour Board, to be applied by them to the Purposes of the Harbour, all or any of their Powers, Rights, and Privileges, whether exercised by them in the Capacity of Corporation or of Local Board of Health, of levying Rates and Dues on Coal, Culm, and Coke imported, and of levying Rates and Dues on Ships or on Goods carried in Ships; and thereupon the said *Dover* Harbour Board may exercise the Powers, Rights, and Privileges so transferred in as full a Manner as but for such Transfer the said Corporation might have exercised the same.

Corporation and Harbour Board may apportion Debts.

52. The said Corporation and the said *Dover* Harbour Board may, on any such Transfer as aforesaid, enter into such Arrangements as they may think fit, for the apportioning as between themselves the Incidence of any Debt charged on the Rates and Dues so transferred, and for granting Indemnities to each other for the Purpose of carrying such Arrangements into effect.

Reservation of Rights of Creditors.

53. Any Creditor shall, in respect of any Advance made by him on the Security of the Rates and Dues hereby authorized to be transferred to the said *Dover* Harbour Board, have the same Claim against the said Rates and Dues when transferred to the said *Dover* Harbour Board, and against the said *Dover* Harbour Board to the Extent of the Rates and Dues so transferred, as he would, if such Transfer had not been made, have had in respect of the same Debt against such Rates and Dues in the Hands of the said Corporation and against the said Corporation in respect thereof,

Whitby and Bridlington Harbours.

Debts on Harbours to be paid out of Consolidated Fund.

54. The Principal and Interest of all Debts which have previously to the Fifteenth Day of *March* One thousand eight hundred and sixty-one been legally charged on the Tolls or Revenues of the Harbours of *Whitby* or *Bridlington*, shall be chargeable upon the Consolidated Fund of the United Kingdom, and shall be paid in such Manner as the Commissioners of Her Majesty's Treasury may direct; and the Debt payable to the Public Works Loan Commissioners charged upon the Tolls or Revenues of the Harbour of *Bridlington* shall cease from the First Day of *January* One thousand eight hundred and sixty-two.

Compensation to Servants of Whitby Trustees.

55. The Commissioners of Her Majesty's Treasury may allow out of Monies to be voted by Parliament such Compensation or Superannuation Allowance as they may think fit to any Person in the Employ of the Trustees of *Whitby* Harbour who by reason of the passing of this Act is deprived of any Salary or Emolument, so that no such Compensation or Superannuation Allowance exceeds the Proportion of Salary or Emoluments which might be granted under similar Circumstances to a Person in the Public Civil Service.

Passing Tolls not to be charged with further Debts.

56. It shall not be lawful for the Trustees of *Whitby* Harbour or the Commissioners of *Bridlington* Harbour to charge the Passing Tolls levied by them with any new Debts; nor shall it be lawful for them, until the First Day of *January* One thousand eight hundred and sixty-two, to undertake any new Works without the Consent of the Commissioners of Her Majesty's Treasury.

Power to Trustees of Whitby Harbour to levy Rates.

57. The Trustees of *Whitby* Harbour may, for the Purpose of maintaining and improving the Harbour, with the Consent of Her Majesty in Council, impose Rates on Vessels using the Harbour, and on Goods shipped or unshipped in the Harbour, not exceeding the Rates specified in Schedule A. annexed to "The Burgh Harbours (*Scotland*) Act, 1853," and may from Time to Time, with the like Consent, vary such Rates by reducing or raising the same, so that they do not exceed the Rates mentioned in the said Schedule; and any Rates so imposed may be either in lieu of or in addition to any other Rates leviable by the said Trustees.

Power to Town Commissioners of Whitby to transfer Dues to Harbour.

58. The Commissioners acting under the Act of the Seventh Year of the Reign of King *William* the Fourth, intituled *An Act for better paving, cleansing, lighting, watching, and improving the Town of* Whitby *in the North Riding of the County of* York, may, if they shall think fit, at any Time hereafter, by Deed transfer to the said Trustees of *Whitby* Harbour, to be applied by them to the Purposes of the Harbour, all or any of the Powers, Rights, and Privileges which they may possess of levying Rates and Dues on Coal or other Articles imported, or of levying Rates and Dues on Ships or on Goods carried in Ships; and thereupon the said Trustees may exercise the Powers, Rights, and Privileges so transferred in as full a Manner as but for such Transfer the said Commissioners might have exercised the same.

Reservation of Rights of Creditors.

59. Any Creditor shall, in respect of any Advance made by him on the Security of the Rates and Dues hereby authorized to be transferred to the said Trustees of *Whitby* Harbour, have the same Claim against the said Rates and Dues when transferred, and against the said Trustees to the Extent of the Rates and Dues so transferred, as he would, if such Transfer had not been made, have had in respect of the same Debt against such Rates and Dues in the Hands of the said Commissioners, and against the said Commissioners in respect thereof.

Trustees and Commissioners may apportion Debt.

60. The said Trustees and Commissioners may, on every such Transfer as last aforesaid, enter into such Arrangements as they may think fit for the apportioning as between themselves the Incidence of any Debt charged on the Rates and Dues so transferred, and for granting Indemnities to each other for the Purpose of carrying such Arrangements into effect.

Vessels using Whitby Harbour to pay Toll for Support of Tide Lights.

61. On and after the First Day of *January* One thousand eight hundred and sixty-two, all Vessels exceeding Ten Tons entering or leaving the Harbour of *Whitby* shall pay to the Trustees of *Whitby* Harbour such Sum or Toll, not exceeding One Penny *per* Ton, as such Trustees may from Time to Time direct to be paid to them, for the Support, Maintenance, and Improvement of the existing or any future Tide Lights at the Entrance of the Harbour: Provided always, that any Vessel which shall have paid such Toll on entering the Harbour may again leave the Harbour without further Payment of Toll.

Power to Commissioners of Bridlington Harbour to levy Rates.

62. The Commissioners of *Bridlington* Harbour may, for the Purpose of maintaining and improving the Harbour, with the Consent of Her Majesty in Council, impose Rates on Vessels using the Harbour, and on Goods shipped or unshipped in the Harbour, not exceeding the Rates specified in Schedule (A.) annexed to "The Burgh Harbours (*Scotland*) Act, 1853," and may from Time to Time, with the like Consent, vary such Rates by reducing or raising the same, so that they do not exceed the Rates mentioned in the said Schedule; and any Rates so imposed may be either in lieu of or in addition to any other Rates leviable by the said Commissioners.

Incorporation of Harbours, Docks, and Piers Clauses Act.

63. For the Purpose of the Rates to be taken at the Harbours of *Dover*, *Whitby*, and *Bridlington*, so much of "The Harbours, Docks, and Piers Clauses Act, 1847," as relates to the Collection and Recovery of Rates, shall be deemed to be incorporated with this Act, and for the Purposes of such Incorporation this Act shall be deemed to be "the Special Act;" the Rates and Monies hereby made leviable on account of the said Harbours shall be deemed to be "the Rates authorized to be levied by the Special Act;" and each of the Authorities hereby authorized to levy such Rates shall be deemed to be "the Undertakers."

PART VIII.—MISCELLANEOUS.

Nothing in 22 & 23 Vict. c. 29. deemed to revive Taxes, &c. which, but for 9 & 10 Vict. c. cccxlvi., would have been payable to Marine Society.

64. 'Whereas by the Act of the Ninth and Tenth *Victoria*, Chapter Three hundred and forty-six, 'Local and Personal, a Tax of Two Shillings was made payable to the Marine Society by certain Fishing 'Vessels passing the *Nore*, and the said Fishing Vessels were exempted from all other Claims, Dues, and 'Customs: And whereas by the Act of the Twenty-second and Twenty-third *Victoria*, Chapter Twenty-'nine, the said Provisions of the Act of the Ninth and Tenth *Victoria*, Chapter Three hundred and 'forty-six, were repealed: And whereas Doubts are entertained whether such Repeal may not have 'revived other Taxes formerly payable by Fishing Vessels to the said Marine Society, and it is expedient 'that such Doubts be removed:' Be it enacted, That nothing in the said Act of the Twenty-second and Twenty-third *Victoria*, Chapter Twenty-nine, shall be deemed to have revived any Taxes or Rates which, but for the said Act of the Ninth and Tenth *Victoria*, Chapter Three hundred and forty-six, would have been payable to the said Marine Society.

Title of Board of Trade.

65. The Lords of the Committee of Privy Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations may be described in all Acts of Parliament, Deeds, Contracts, and other Instruments, by the official Title of "the Board of Trade," without expressing their Names, and all Acts of Parliament, Contracts, Deeds, and other Instruments wherein they are so described shall be as valid as if the said Lords or any of them had been named therein.

Vesting of Property in Board of Trade.

66. All Lands and Hereditaments heretofore purchased or taken by or in the Name or Names of any Person or Persons, for the Use of the Department of the Board of Trade, and all Lands and Hereditaments hereby transferred to and vested in the Board of Trade, and all Lands and Hereditaments that may hereafter be conveyed to the Board of Trade, or to any other Person or Persons for the Use of the Department of the Board of Trade, shall, upon and after the passing of this Act, vest in the Persons for the Time being constituting the Board of Trade, and upon their vacating their Offices shall be transferred to and vested in their Successors in Office, in a perpetual Succession, and shall be held by such Persons and their Successors in Office on trust for Her Majesty, Her Heirs and Successors, for the Public Service.

Execution of Instruments.

67. Any Deed, Contract, or other Instrument to be executed by or on behalf of the Board of Trade shall be valid if under the Seal of the Board of Trade and signed by the President or Vice President thereof, or signed, if there be no President or Vice President, by any One of Her Majesty's Principal Secretaries of State.

Disposition of Monies arising from Sale.

68. The Monies to arise by any Sale of Land made by the Board of Trade shall be paid to such Persons as the said Board appoint, and a Receipt signed by the President or Vice President of the said Board, or, if there be no such Officers, by any One of Her Majesty's Principal Secretaries of State, shall be an effectual Discharge to the Purchaser.

Power of Board of Trade to purchase Lands.

69. The Board of Trade may purchase any Lands they may require for the Public Service; and for the Purposes of such Purchase the Clauses of "The Lands Clauses Consolidation Act, 1845," and of "The Lands Clauses Consolidation (*Scotland*) Act, 1845," and of any Act amending the same, with the Exception of such Clauses of the said Acts as relate to the Purchase of Lands otherwise than by Agreement, and to Access to the Special Act, shall be incorporated with this Act.

FIRST SCHEDULE.

NAME of AUTHORITY.

The Trinity House of Kingston-upon-Hull.
The Trinity House of Newcastle-on-Tyne.
The Fraternity of Hostmen of Newcastle-on-Tyne.
The Society of Keelmen on the River Tyne.
The Trinity Corporation of Leith.
The Guildry Incorporation of Perth.
The Fraternity of the Masters and Seamen of Dundee.

SECOND SCHEDULE.

STATUTES referring to DIFFERENTIAL DUES.

Year and Chapter.	Title of Act.	Sections.
59 Geo. 3. c. 54. -	An Act to carry into effect a Convention of Commerce concluded between His Majesty and the United States of America, and a Treaty with the Prince Regent of Portugal.	Section 9.
8 & 9 Vict. c. 90. -	An Act for granting Duties of Customs - -	Sections 9, 10, 11, & 12.
20 & 21 Vict. c. 62. -	An Act for the Alteration and Amendment of the Laws and Duties of Customs.	Section 17.

THIRD SCHEDULE.

SPECIAL TAXES at DUBLIN.

Name of Tax.	Act under which levied.
Duty on Vessels of Twopence per Ton - - - - - -	45 G. 3. c. 18. (Schedule D.)
Two Shillings and Sixpence upon every Entry Inwards made in the Port of Dublin.	
Two Shillings and Sixpence upon every Entry Outwards made in the Port of Dublin.	
Duties leviable in respect of the several Persons and Matters specified in the Schedule to the Act mentioned in the next Column.	56 G. 3. c. 62.

CAP. XLVIII.

An Act to provide for the Costs of certain Proceedings to be taken under the Landlord and Tenant Law Amendment (*Ireland*) Act (1860). [1st *August* 1861.]

23 & 24 Vict. c. 154.

'WHEREAS by an Act passed in the Twenty-third and Twenty-fourth Years of Her Majesty, Chapter One hundred and fifty-four, intituled *An Act to consolidate and amend the Law of Landlord and Tenant in* Ireland, the Jurisdiction of the Civil Bill Courts in *Ireland* has been enlarged, and additional Jurisdiction has been given to the Chairmen of Quarter Sessions in *Ireland*, and it is necessary to make Provision for Payment of the Costs and Expenses in respect of such enlarged or additional Jurisdiction:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Five or more Chairmen of Quarter Sessions in Ireland to be appointed by the Lord Chancellor to fix a Scale of Fees, and to make Regulations as to Taxation of Costs.

1. It shall be lawful for any Five or more of the Chairmen of Quarter Sessions in *Ireland*, to be from Time to Time appointed by the Lord Chancellor of *Ireland* for the Purpose, to fix a Scale of Fees to be paid to the Process Server, Clerk of the Peace, Attorney, Counsel, Sheriff or other Officers, or Persons engaged in the Service, Conduct, and Execution of Proceedings under the enlarged and additional Jurisdiction created by the said recited Act, and to be chargeable against any Plaintiff or Defendant, Appellant or Respondent, or other Person entitled to institute, intervene in, or become Party to any Proceeding in the Courts of such Chairmen under the enlarged or additional Jurisdiction created by the said recited Act; and such Chairmen so appointed shall make such Regulations as to the Taxation and Payment of such Costs, Fees, and Expenses as shall appear to them expedient, and shall from Time to Time, as Occasion may require, alter and amend the same: Provided always, that such Costs, Fees, Expenses, and Regulations shall not be of any Validity until the same shall have been sanctioned by the Chief Justice of *Ireland*, by the Chief Justice of the Court of Common Pleas in *Ireland*, and by the Chief Baron of the Court of Exchequer in *Ireland*, or by Two of such Judges.

Fees, &c. so fixed shall alone be allowed to be taken in any Proceeding under the Act.

2. The Scale of Fees, Costs, and Expenses which shall from Time to Time be fixed by the Chairmen of Quarter Sessions so appointed for the Purpose as the Fees, Costs, and Expenses payable under the enlarged or additional Jurisdiction given by the said recited Act shall be the Fees, Costs, and Expenses chargeable as between Party and Party against any Plaintiff or Defendant, Appellant or Respondent, or other Person instituting or intervening in any Proceeding under the said recited Act, and no other Fees or Charges shall be allowed in any Bill of Costs, between Party and Party, or in any Decree or Dismiss, or in any Order for Payment of Costs, other than those which shall be so fixed by the said Chairmen named as aforesaid.

14 & 15 Vict. c. 57. and 21 & 22 Vict. c. 88. to be construed with this Act as One Act.

Interpretation of Terms.

3. The Act passed in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Fifty-seven, intituled *An Act to consolidate and amend the Laws relating to Civil Bills and the Courts of Quarter Sessions in* Ireland, *and to transfer to the Assistant Barristers certain Jurisdiction as to Insolvent Debtors*, and the Act passed in the Twenty-first and Twenty-second Years of Her Majesty, Chapter Eighty-eight, amending the said last-mentioned Act, shall be construed with this Act as One Act; and Words interpreted in the said Acts passed in the Fourteenth and Fifteenth Years of Her Majesty, and in the Twenty-first and Twenty-second Years of Her Majesty respectively, and in the Act passed in the Twenty-third and Twenty-fourth Years of Her Majesty, Chapter One hundred and fifty-four, intituled *An Act to consolidate and amend the Law of Landlord and Tenant in* Ireland, shall, when used in this Act, have the same Meanings as are assigned to them respectively by the said hereinbefore mentioned Acts.

CAP. XLIX.

An Act to enable Justices in *Ireland* to commit to Local Bridewells Persons convicted of Drunkenness. [1st *August* 1861.]

'WHEREAS it is expedient to amend the Law relating to the Imprisonment of Persons convicted 'of Drunkenness in *Ireland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may for all Purposes be cited as "The Petty Sessions, *Ireland*, Amendment Act, 1861."

Committal for Drunkenness for not less than 48 Hours, may be to a local Bridewell.

2. In every Case in which any Justice of the Peace shall order any Person to be committed to Gaol for Drunkenness for a Period not exceeding Forty-eight Hours, such Committal may be to any local or neighbouring Bridewell, although the same may not be a District or certified Bridewell, any Act or Acts of Parliament or Law to the contrary in anywise notwithstanding.

CAP. L.

An Act for facilitating the Transfer of Mortgages and Bonds granted by Railway Companies in *Scotland*. [1st *August* 1861.]

16 & 17 Vict. c. 59.

'WHEREAS by an Act passed in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty Queen *Victoria*, (Chapter Fifty-nine,) it is provided that "where on the "original making and issuing of any Bond or Mortgage given by Public Companies under the Pro- "visions of Acts of Parliament, as Securities for Money which such Companies are by the said Acts "expressly empowered or authorized to borrow, and before any Transfer or Assignment thereof, such "Bond or Mortgage shall be stamped with an Amount of Stamp Duty equal to Three Times the "Amount of the *ad valorem* Stamp Duty chargeable thereon by Law, and over and above the said "*ad valorem* Duty, then every Transfer or Assignment thereafter made of such Bond or Mortgage "by Endorsement thereon shall be deemed to be exempt from the Stamp Duty which would other- "wise be payable in respect of such Transfer or Assignment:" And whereas it is expedient to make 'Provision for regulating the Force and Effect of Bonds and Mortgages so stamped granted by Railway 'Companies in *Scotland*, and of the Transfer or Assignment thereof by Endorsement thereon:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Mortgages and Bonds by Railway Companies bearing a certain Stamp Duty may be transferred by Endorsement.

1. From and after the passing of this Act, any Person entitled to any Mortgage or Bond granted by any Railway Company in *Scotland*, under the Powers contained in any Act of Parliament, may from Time to Time transfer his Right to and Interest in such Mortgage or Bond to any other Person by signing on the Back of such Mortgage or Bond an Endorsement in the Form prescribed by the Schedule to this Act, or to the like Effect; provided always, that such Mortgage or Bond shall, on the original making and issuing thereof, and before any Transfer or Assignment thereof, have been stamped with an Amount of Stamp Duty equal to Three Times the Amount of the *ad valorem* Stamp Duty chargeable thereon by Law, and over and above the said *ad valorem* Duty, and have been duly registered in the Books of such Company, in Terms of the Companies Clauses Consolidation (*Scotland*) Act, 1845.

Endorsements to be exempt from Stamp Duty, &c.

2. Every such Endorsement shall be exempt from Stamp Duty, and shall have the same Force and Effect in all respects as the Transfer of any Mortgage or Bond by Deed executed according to the Form and registered in Terms of the Provisions prescribed by the said Companies Clauses Consolidation (*Scotland*) Act, 1845.

"Person."

3. In this Act the Expression "Person" shall include Company, Firms, and Incorporations.

Short Title.

4. In citing this Act, it shall be sufficient for all Purposes to use the Expression "The Railway Companies Mortgage Transfer (*Scotland*) Act, 1861."

SCHEDULE.

FORM OF ENDORSEMENT.

I *A.B.* of transfer to *C.D.* of

In witness whereof I have subscribed this Endorsement at on the Day of before these Witnesses, *E.F.* of and *G.H.* of

[*Signature of Endorser.*]

[*Signatures of Witnesses.*]

CAP. LI.

An Act for granting Pensions to some Officers and Men in the Metropolitan Police Force; and for other Purposes. [1st *August* 1861.]

23 & 24 Vict. c. 135.

'WHEREAS in the Session of Parliament holden in the Twenty-third and Twenty-fourth Years of Her Majesty's Reign an Act was passed for the Employment of the Metropolitan Police 'Force in Her Majesty's Yards and Military Stations: And whereas some of the Officers and Men

'who formerly acted as the Police in Her Majesty's Yards were permitted to join the Metropolitan 'Police Force, and it is necessary to make Provision for Pensions for such Officers and Men who 'would or might have been entitled to Pensions had they continued to act as Police in Her Majesty's 'Yards without being appointed Constables in the Metropolitan Police Force; and it is also expedient 'to give further Protection to the Metropolitan Police Force employed in Her Majesty's Yards and 'Military Stations when in the Execution of their Duty:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provision for Pensions.

1. There shall be paid to the Receiver of the Metropolitan Police District or other proper Officer, out of such Monies as may at any Time or from Time to Time be provided by Parliament for the Purpose, such Sum and Sums of Money as shall be sufficient to pay to such Officers and Men who formerly acted as the Police in Her Majesty's Yards, and who joined the Metropolitan Police Force, such Amount of Pensions as the said Officers and Men would or might have become entitled to had they continued to act as Police in Her Majesty's Yards without being appointed Constables in the Metropolitan Police Force.

Exemption from Deduction from Pay authorized by 2 & 3 Vict. c. 47. s. 22.

2. The Officers and Men who formerly acted as the Police in Her Majesty's Yards, and who joined the Metropolitan Police Force as aforesaid, are hereby exempted from the yearly Rate of Deduction from their Pay which by the Twenty-second Section of the Act passed in the Session holden during the Second and Third Years of Her Majesty's Reign is authorized to be deducted from the Pay of every Constable belonging to the Metropolitan Police Force.

Penalty for assaulting, &c. Police when in execution of their Duty.

3. If any Person shall assault or resist any Constable belonging to the Metropolitan Police Force acting in the Execution of his Duty, or shall aid or incite any Person so to assault or resist, every such Offender, being summarily convicted thereof before any Two Justices of the Peace, shall for every such Offence forfeit and pay such Sum, not exceeding Five Pounds, as the said Justices shall think meet, or, in the Discretion of the Justices before whom he is convicted, may be imprisoned for any Term not exceeding One Calendar Month; and the said Justices are hereby authorized to issue Warrants of Distress to levy any such Sum or Sums by Distress and Sale of the Offender's Goods; and every such Sum which shall be so paid or levied shall be applied as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral, or the Principal Secretary of State for the War Department, shall direct, any Law, Statute, Charter, or Custom to the contrary notwithstanding.

Application of Penalties.

CAP. LII.

An Act to empower the Governors of the several *Australian* Colonies to regulate the Number of Passengers to be carried in Vessels plying between Ports in those Colonies.

[1st *August* 1861.]

18 & 19 Vict. c. 119.

'WHEREAS by the Thirteenth and Fourteenth Sections of the Passengers Act, 1855, certain Rules 'are prescribed for determining the Number of Passengers to be carried in Passenger Ships, and 'the Decks on which Passengers may be carried: And whereas it is expedient to empower the Governor 'of any of Her Majesty's Colonies in *Australasia* to substitute, if he shall think fit, other Rules on 'these Points for Vessels carrying Passengers from any such Possession to any other of Her Majesty's 'Possessions in *Australasia*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Governors of Australian Colonies may regulate Number of Passengers in Ships plying between Australian Ports.

1. It shall be lawful for the Governor of each of Her Majesty's Colonies already or hereafter to be established in *Australasia*, by any Proclamation to be by him from Time to Time issued for the Purpose (which Proclamation shall take effect from the issuing thereof, if no Day shall be named therein for the Purpose), to prescribe such Rules as he shall think proper for determining the Number of Passengers to be carried in any Passenger Ship which shall proceed from any such Colony to any other of Her Majesty's Possessions for the Time being in *Australasia*, and for determining on what Deck or Decks, and subject to what Reservations or Conditions, Passengers may be carried, and also to prescribe such Penalties for the Infraction or Nonobservance of such Rules as to such Governor may seem proper.

While Proclamation in force, Passengers Act, 1855, not to apply to Inter-colonial Voyages.

2. From the Time when any such Proclamation shall take effect, and so long as the same shall continue in force, the Rules and Enactments contained in the said Passengers Act, 1855, relating to the Number of Passengers to be carried in any "Passenger Ship," and the Deck or Decks whereon they are to be carried, shall cease to apply to any Vessel to which such Proclamation shall be applicable, save only as to the Recovery and Application of any Penalty for any Offence committed against the said Act before such Proclamation shall take effect.

Proclamations to be enforced in all British Possessions as if Part of Passengers Act, 1855.

3. The Provisions and Requirements of every such Proclamation shall be enforced in the same Manner, and in all Her Majesty's Dominions, as if they were incorporated in the said Passengers Act, or in any Act of a like Nature which may hereafter be passed by the Legislature of the United Kingdom, and a Copy of any such Proclamation, purporting to be under the Hand of the Governor of the Colony wherein the same may have been issued, and under the Public Seal of such Colony, shall in any Part of Her Majesty's Dominions wherein the same shall be produced be received as good and sufficient

Evidence

Evidence of the due issuing and of the Contents of such Proclamation, unless it shall be proved that such Copy is not genuine.

Interpretation of Terms.

4. The Expression "Governor," "Passenger Ship," "Passenger," shall in this Act have respectively the same Signification as in the said Passengers Act, 1855; and the Term "*Australasia*" shall signify and include *New Zealand* and *Tasmania* as well as *Australia* Proper; and Words of One Number shall import both Numbers, unless inconsistent with the Context.

CAP. LIII.

An Act to provide that Votes at Elections for the Universities may be recorded by means of Voting Papers. [1st *August* 1861.]

'WHEREAS it is expedient to afford greater Facilities for voting to the Electors at Elections for 'Burgesses to serve in Parliament for the Universities of *Oxford*, *Cambridge*, and *Dublin*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Electors to vote by means of Voting Papers.

1. It shall be lawful for such Electors, in lieu of attending to vote in Person, to nominate any other Elector or Electors of the same University, competent to make the Declaration herein-after mentioned, to deliver for them at the Poll Voting Papers containing their Votes, as by this Act provided. Every such Voting Paper shall bear Date subsequently to Notice given by the Returning Officer of the Day for proceeding to Election, and shall contain the Name or Names of the Candidate or Candidates thereby voted for, and the Name or Names of the Elector or Electors authorized on behalf of the Voter to tender such Voting Paper at the Poll, and shall be according to the Form or to the Effect prescribed in the Schedule to this Act annexed. Such Voting Paper, the aforesaid Date and Names being previously filled in, shall, on any Day subsequent to Notice given by the Returning Officer of the Day for proceeding to Election, be signed by the Voter in the Presence of a Justice of the Peace for the County or Borough in which such Voter shall be then residing; and the said Justice shall certify and attest the Fact of such Voting Paper having been so signed in his Presence, by signing at the Foot thereof a Certificate or Attestation in the Form or to the Effect prescribed in the said Schedule, with his Name and Address in full, and shall state his Quality as a Justice of the Peace for such County or Borough.

Voting Papers to be read, and Votes recorded.

2. The Voting Paper, signed and certified as aforesaid, may be delivered to the Vice Chancellor of the University for which the Election is held, or to any Pro Vice Chancellor appointed by him, or, in the Case of the University of *Dublin*, to the Provost of *Trinity College*, or to any Person lawfully deputed to act for him, at any One of the appointed Polling Places, during the appointed Hours of Polling, by any One of the Persons therein nominated in that Behalf, who shall, on tendering such Voting Paper at the Poll, read out the same; and the said Vice Chancellor, Pro Vice Chancellor, Provost, or Deputy shall receive the Voting Papers as the same shall be delivered, and shall cause the Votes thereby given, or such of them as may not appear to be contrary to the Provisions of this Act, to be recorded in the Manner heretofore used, in all respects as if such Votes had been given by the Electors attending in Person; and all Votes so recorded shall have the same Validity and Effect as if they had been duly given by the Voters in Person: Provided always, that no Person shall be entitled to sign or vote by more than One Voting Paper at any Election, and that no Voting Paper containing the Names of more Candidates than there are Burgesses to be elected at such Election shall be received or recorded: Provided also, that no Voting Paper shall be received or recorded unless the Person tendering the same shall make the following Declaration, which he shall sign at the Foot or Back thereof:

'I Solemnly declare, That I am personally acquainted with *A.B.* [the Voter], and I verily believe that 'this is the Paper by which he intends to vote pursuant to the Provisions of the Universities 'Elections Act.'

Provided also, that no Voting Paper shall be so received and recorded if the Voter signing the same shall have already voted in Person at the same Election: Provided also, that every such Elector shall be entitled to vote in Person, notwithstanding that he has duly signed and transmitted a Voting Paper to another Elector, if such Voting Paper has not been already tendered at the Poll.

Voting Papers may be inspected by any Person now entitled to object to Votes.

3. It shall be lawful for any Person now by Law or Custom authorized on behalf of any Candidate to object to Votes to inspect any Voting Paper tendered at the Poll before the same shall be received or recorded, and to object to it on One or more of the following Grounds:

1. That the Person on whose Behalf the Voting Paper is tendered is not qualified to vote:
2. That the Person tendering the Voting Paper is not duly qualified in that Behalf:
3. That the Person in whose Behalf the Voting Paper is tendered has already voted at that Election in Person or by Voting Paper:
4. That the Voting Paper bears Date anterior to Notice given by the Returning Officer of the Day for proceeding to Election:
5. That the Voting Paper is forged or falsified:

And

1.0339

And the Returning Officer, his Deputy or Assessor, or any Officer having by Law or Custom Power to decide Objections in respect of Votes tendered by Voters attending the Poll in Person, shall have Power to put Questions to the Person tendering such Voting Paper, and to reject, receive, and record, or receive and record as objected to or protested against, any Votes tendered by Voting Papers: Provided, that in case the Objection offered to any Voting Paper shall be that it is forged or falsified, such Returning or other Officer shall receive and record such Voting Paper, having previously written upon it, "Objected to as forged," or "Objected to as falsified," together with the Name of the Person making such Objection.

Voting Papers to be filed.

4. All Voting Papers received and recorded at such Election, as well as any Voting Papers rejected for Informality or on any other Ground, shall be filed and kept by the Officer entrusted with the Care of the Poll Books or other Documents relating to the said Election; and any Person shall be allowed to examine such Voting Papers at all reasonable Times, and to take Copies thereof, upon Payment of a Fee of One Shilling.

Penalty for falsely signing Voting Papers.

5. Any Person falsely or fraudulently signing any Voting Paper in the Name of any other Person, either as a Voter or as a Witness, whether such other Person shall be living or dead, and every Person signing, subscribing, endorsing, attesting, certifying, tendering, or transmitting as genuine any false or falsified Voting Paper, knowing the same to be false or falsified, and any Person falsely making any such Declaration as aforesaid, or such Declaration as is contained in the Schedule, or with fraudulent Intent altering, defacing, destroying, withholding, or abstracting any Voting Paper, and any Person wilfully making a false Answer to any Question put to him by the Returning or other Officer as herein-before provided, shall be guilty of a Misdemeanor, and punishable by Fine or Imprisonment for a Term not exceeding One Year.

Voting Papers not liable to Stamp Duty.

6. No such Voting Paper as herein-before mentioned shall be liable to any Stamp Duty.

SCHEDULE.

UNIVERSITY ELECTION, 18 .

I *A.B.* [*the Christian and Surnames of the Elector in full, his College or Hall, if any, and his Degree or Academical Rank or Office, if any, to be here inserted*], do hereby declare, that I have signed no other Voting Paper at this Election, and do hereby give my Vote at this Election for

And I nominate - *C.D.*
E.F.
G.H.

or One of them, to deliver this Voting Paper at the Poll.

Witness my Hand this Day of 18 .

(Signed) *A.B.* of [*the Elector's Place of Residence to be here inserted*].

Signed in my Presence by the said *A.B.*, who is personally known to me, on the above-mentioned Day of 18 , the Name [*or* Names] of as the Candidate [*or* Candidates] voted for having been previously filled in.

(Signed) *Z.M.* of [*the Witness's Place of Residence to be here inserted,*] a Justice of the Peace for .

CAP. LIV.

An Act to confirm certain Appointments in *India*, and to amend the Law concerning the Civil Service there. [1st *August* 1861.]

33 G. 3. c. 52.

'WHEREAS by Section Fifty-six of an Act of the Thirty-third Year of King *George* the Third, Chapter Fifty-two, it was enacted that all the Civil Servants of the *East India* Company in *India* under the Rank or Degree of Members of Council should have and be entitled to Precedence in the Service of the said Company at their respective Stations according to their Seniority of Appointment, and that no such Civil Servant should be capable of being advanced or promoted to any higher Station, Rank, or Degree therein than he should be entitled to according to the Length of his Service; and by Section Fifty-seven of the same Act it was enacted that all Vacancies happening in any of the Offices, Places, or Employments in the Civil Line of the Company's Service in *India* (being under the Degree of Counsellor) should be from Time to Time filled up and supplied from amongst the Civil Servants of the said Company belonging to the Presidency wherein such Vacancies should respectively happen: And whereas by reason of the Exigencies of the Public Service Vacancies in certain Offices, Places, and Employments in *India* have been filled up by the Appointment of Persons not being Civil Servants, or not being Civil Servants belonging to the Presidency wherein the Vacancies have happened, and otherwise not in accordance with the Provisions of the said Enactments, and it is expedient that such Appointments should be rendered valid, and also that the Authorities in *India* should be empowered to make such Appointments in like Cases in future:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. All

East India (Civil Service).

1. All Appointments made by the Authorities in *India* to any such Offices, Places, or Employments shall be and be deemed to have been as valid and effectual as if the Act herein-before recited or referred to had not been passed. Appointments contrary to 33 G. 3. c. 52. valid.

2. All Vacancies happening in any of the Offices, Places, or Employments specified in the Schedule annexed to this Act, and all such Offices which may be created hereafter, shall be filled up and supplied, except as herein-after provided, from amongst the Covenanted Civil Servants of the Crown in *India*. Vacancies in Offices how to be supplied.

3. Where it appears to the Authority in *India* by whom an Appointment should be made to any Office, Place, or Employment specified in the said Schedule, that such Appointment, under the special Circumstances of the Case, should be made without regard to the recited Qualifications, Conditions, and Restrictions of the said Act, it shall be lawful for such Authority to make such Appointment accordingly; provided that no Person shall be so appointed who has not resided for at least Seven Years in *India*, and that every Person previously to his being so appointed to any of the Offices in the Revenue and Judicial Departments specified in the said Schedule shall pass an Examination in the vernacular Language of the District in which he is to be employed, where such Examination is now required, and shall be subject to all the departmental Tests and other Qualifications and Restrictions which are or may be imposed in the like Case on Covenanted Civil Servants. Persons not Covenanted Civil Servants may, under special Circumstances, be appointed to such Offices, subject to certain Restrictions.

4. Every such Appointment shall be provisional only, and shall forthwith be reported to the Secretary of State in Council of *India*, together with the special Reasons for making the same; and unless the Secretary of State in Council shall approve such Appointment, with the Concurrence of a Majority of Members present at a Meeting, and shall within Twelve Months from the Date of such Appointment notify such Approval to the Authority by whom the Appointment was made, then such Appointment shall be cancelled. Such Appointment in each Case to be reported to the Secretary of State.

5. All Vacancies happening in any other Offices, Places, or Employments than those mentioned in the said Schedule, and all other Offices than those so mentioned that may hereafter be created in *India*, may be filled up and supplied without regard to the Qualifications, Conditions, and Restrictions prescribed by the said Act. Certain Offices may be filled up.

6. Provided always, That this Act shall not apply to the Office of Lieutenant Governor of any Part of Her Majesty's Dominions in *India*, or to any Offices for the Supply of which Provision may be made by any other Act of the present Session of Parliament. Act not to apply to Office of Lieutenant Governor, &c.

7. Section Fifty-six of the said Act of the Thirty-third Year of King *George* the Third, and so much of the other Sections of the said Act and of any other Act now in force as requires Seniority as a Condition or Qualification for the Appointment of Civil Servants to Offices, Places, or Employments, shall be repealed. 33 G. 3. c. 52. as to Seniority, &c. for Appointments repealed.

SCHEDULE.

Secretaries, Junior Secretaries, and Under Secretaries to the several Governments in India, except the Secretaries, Junior Secretaries, and Under Secretaries in the Military, Marine, and Public Works Departments.

Accountant General.
Civil Auditor.
Sub-Treasurer.

Judicial.

1. Civil and Session Judges, or Chief Judicial Officers of Districts in the Provinces now known as Regulation Provinces.
2. Additional and Assistant Judges in the said Provinces.
3. Magistrates or Chief Magisterial Officers of Districts in the said Provinces.
4. Joint Magistrates in the said Provinces.
5. Assistant Magistrates or Assistants to Magistrates in the said Provinces.

Revenue.

1. Members of the Board of Revenue in the Presidencies of Bengal and Madras.
2. Secretaries to the said Boards of Revenue.
3. Commissioners of Revenue or Chief Revenue Officers of Divisions in the Provinces now known as Regulation Provinces.
4. Collectors of Revenue or Chief Revenue Officers of Districts in the said Provinces.
5. Deputy or Subordinate Collectors where combined with the Office of Joint Magistrate in the said Provinces.
6. Assistant Collectors or Assistants to Collectors in the said Provinces.
7. Salt Agents.
8. Controller of Salt Chowkies.
9. Commissioners of Customs, Salt, and Opium.
10. Opium Agents.

CAP. LV.

An Act to amend the Laws regarding the Removal of the Poor and the Contribution of Parishes to the Common Fund in Unions. [1st *August* 1861.]

'WHEREAS it is desirable that the Laws for the Removal of the Poor should be amended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

9 & 10 Vict. c. 66. s. 1. as to Residence of 5 Years to be altered to 3.

1. That after the Twenty-fifth Day of *March* next the Period of Three Years shall be substituted for that of Five Years specified in the First Section of the Statute Ninth and Tenth *Victoria*, Chapter Sixty-six, and the Residence of a Person in any Part of a Union shall have the same Effect in reference to the Provisions of the said Section as a Residence in any Parish.

Provision for Orphan Children under 16 Years of Age.

2. Where a Child under the Age of Sixteen Years, residing with its surviving Parent, shall be left an Orphan, and such Parent shall at the Time of Death have acquired an Exemption from Removal by reason of a continued Residence, such Orphan shall, if not otherwise irremovable, be exempt from Removal in like Manner and to the same Extent as if it had then acquired for itself an Exemption from Removal by Residence.

Provision for deserted Wives.

3. Where a married Woman shall have been or shall be deserted by her Husband, and shall after his Desertion reside for Three Years in such a Manner as would, if she were a Widow, render her exempt from Removal, she shall not be liable to be removed from the Parish wherein she shall be resident, unless her Husband return to cohabit with her.

Chargeability of Wayfarers.

4. Where any destitute Wayfarer, Wanderer, or Foundling shall be or become chargeable upon the Common Fund of any Union, the Cost of the Relief of such Wayfarer, Wanderer, or Foundling shall continue to be charged to such Common Fund until the Relief shall be discontinued.

Chargeability of sick Persons.

5. When any Person shall be or become chargeable upon the Common Fund of a Union, by reason of some Accident or Sickness which will not produce permanent Disability, the Chargeability upon such Fund shall cease when the Person shall be cured, and thenceforth, if the Relief continue, the Cost thereof shall be charged to the Parish where the poor Person shall be then residing unless he shall be in the Workhouse of the Union, and in such Case it shall be charged to the Parish wherein he was residing when he was removed to such Workhouse, and the Overseers of the Parish so charged may apply for and obtain an Order of Removal.

Lunatics to be chargeable upon the Common Fund.

6. The Cost of the Examination of any Lunatic Pauper, present or future, of his Removal to and from, and his Maintenance in any Asylum, Licensed House, or Registered Hospital, who would under any Provision of the Sixteenth and Seventeenth *Victoria*, Chapter Ninety-seven, be chargeable to a Parish in a Union, shall from and after the Twenty-fifth Day of *March* next be borne by the Common Fund of the Union comprising such Parish.

Orders in Lunacy may be obtained, &c. by Boards of Guardians.

Proviso for pending Appeals.

7. The Guardians of any Union may obtain Orders upon the Guardians of any other Union, or upon the Guardians or Overseers of any Parish not comprised in a Union, or upon the Treasurer of the County, and may appeal against or defend any Orders in respect of any Lunatic Paupers hereby made chargeable upon the Common Fund of the Union, in like Manner and subject to the same Incidents and Provisions as are contained in the said last cited Act, in respect of Lunatic Paupers chargeable to any Parish in such Union: Provided that every Appeal now pending may be continued and determined as though this Act had not been passed.

As to Chargeability of Union Paupers.

8. The temporary Provisions of the several Statutes whereby the Costs of the Relief, Burial, and Maintenance of certain Paupers have been made chargeable upon the Common Fund of Unions until the End of this Session of Parliament are hereby made perpetual.

Parishes comprised in Unions formed under 4 & 5 W. 4. c. 76. to contribute to Common Fund according to annual Value of rateable Property.

Proviso as to Liabilities,

9. 'And whereas it is also expedient to alter the Mode in which the Contributions of Parishes to 'the Common Fund of the Union in which they are comprised are now calculated:' Be it therefore enacted, That after the Twenty-fifth Day of *March* next the several Parishes comprised in any Union already formed or hereafter to be formed under the Provisions of the Fourth and Fifth of *William* the Fourth, Chapter Seventy-six, shall contribute to the Common Fund thereof, in proportion to the annual rateable Value of the Lands, Tenements, and Hereditaments in such Parishes respectively assessable by the Laws in force for the Time being to the Relief of the Poor, and in no other Manner, whether the Lands, Tenements, and Hereditaments shall be actually rated or not, and whether the Rate levied shall be collected in full or upon any Composition: Provided always, that nothing herein contained shall alter or affect the Liability of any Parish comprised in any such Union in regard to any Charge lawfully created in the said Union, and secured upon the Poor Rates of all or any of the Parishes comprised therein which shall have been created at any Time previous to the said Twenty-fifth Day of *March*; but the same shall continue to be charged and payable in like Manner as it would by Law have been charged and payable if this Act had not been passed; provided also, that nothing herein contained shall apply to any Contribution which shall be in arrear from any Parish in such Union on the said Twenty-fifth Day of *March*, but the same shall be recoverable and shall be applicable in the same Manner as if this Act had not been passed.

Proviso for Contributions in arrear.

10. The

Mode of ascertaining the annual rateable Value.

10. The Guardians of every such Union, in computing the Amount of Contribution to the Common Fund from the several Parishes, shall take the annual rateable Value of such Property in every Parish therein from the Valuation upon which such Parish was assessed to the County Rate, or, where there is no County Rate, to the Borough or Ward Rate, or other Rate in the Nature of a County Rate, in the last Assessment made not less than One Month next preceding the Day when the Order for such Contribution is made.

No Order for Contribution to be deemed void by reason of Error in the Calculation.

11. No Order of Guardians for Contribution purporting to be made in accordance with this Act shall be deemed to be void by reason of any Error in the Estimate of the rateable Value of the Property in any Parish in the Union upon which the Contribution shall have been calculated; but every Parish affected by such Error shall be entitled to have the same set right in the making out and closing of the Accounts of the Union or at the Audit thereof.

Interpretation of Terms, and Consolidation of the Acts.

12. The Words used in this Act shall be construed in the like Manner as in the said Act of King *William* the Fourth; and the Provisions contained therein and in the subsequent Acts explaining and extending the same, and not repealed, shall, so far as they shall be consistent herewith, be extended to this Act.

CAP. LVI.

An Act to make Provision for Salaries for the Revising Barristers for the City of *Dublin*.

[1st *August* 1861.]

20 & 21 Vict. c. 68.

'WHEREAS under the Provisions of an Act passed in the Twentieth and Twenty-first Years of Her Majesty, Chapter Sixty-eight, the Lord Lieutenant of *Ireland* appointed Two Barristers for the Revision of Lists and Registry of Voters for the City of *Dublin*, therein called "*Dublin* Revising Barristers:" And whereas it is expedient that the said Act should be amended:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Dublin Revising Barristers to be paid an annual Salary.

1. The Two Barristers for the Revision of Lists and Registry of Voters for the City of *Dublin* respectively appointed or hereafter to be appointed under the Provisions of the said recited Act shall from and after the passing of this Act be respectively paid the annual Salary of Two hundred Guineas in lieu of the Remuneration now authorized to be paid to such Barristers respectively, and such Salary to such Barristers respectively shall be paid out of such Monies as may be provided by Parliament for that Purpose.

Barristers appointed to act for others during Illness to be paid out of their Salaries.

2. Any Barrister who shall be appointed under the Provisions of the said recited Act to do the Duty of any such Revising Barrister who may be unable from unavoidable Absence or Illness to discharge his Duties as such Revising Barrister shall be paid such Compensation for his Labour and Trouble therein, not exceeding Five Guineas for every Day that he shall be so employed, as the Lord Chancellor, Keeper, or Commissioner of the Great Seal of *Ireland* for the Time being shall think fit; such Sums to be paid out of the Salary by this Act provided for such Revising Barrister.

20 & 21 Vict. c. 68. and this Act to be as One.

3. This Act shall be deemed to be incorporated with the said recited Act, and shall be as if this Act and the said recited Act were One Act.

CAP. LVII.

An Act to continue an Act of the Fifth and Sixth Years of Her Majesty relating to private Lunatic Asylums in *Ireland*. [1st *August* 1861.]

[*Continues* 5 & 6 *Vict. c.* 123. *until August* 1, 1865, *and until the End of the then next Session of Parliament.*]

CAP. LVIII.

An Act to continue an Act of the Eleventh and Twelfth Years of Her Majesty relating to the Collection of County Cess in *Ireland*. [1st *August* 1861.]

[*Continues* 11 & 12 *Vict. c.* 32., *as amended by* 20 & 21 *Vict. c.* 7., *until August* 1, 1863, *and until the End of the then next Session of Parliament.*]

CAP. LIX.

An Act to facilitate Proceedings before Justices under the Acts relating to Vaccination.

[1st *August* 1861.]

'WHEREAS it is expedient to make further Provisions in relation to Proceedings before Justices under the following Acts; that is to say,—

3 & 4 Vict. c. 29.

'An Act passed in the Session holden in the Third and Fourth Years of the Reign of Her present Majesty, Chapter Twenty-nine, intituled *An Act to extend the Practice of Vaccination:*

4 & 5 Vict. c. 32.

'An Act passed in the Session holden in the Fourth and Fifth Years of the Reign of Her present Majesty, Chapter Thirty-two, intituled *An Act to amend an Act to extend the Practice of Vaccination;*

16 & 17 Vict. c. 100.

'An Act passed in the Session holden in the Sixteenth and Seventeenth Years of the Reign of Her 'present Majesty, Chapter One hundred, intituled *An Act further to extend and make compulsory 'the Practice of Vaccination:*'

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The Vaccination Acts Amendment Act, 1861."

As to Institution of legal Proceedings and Payment of Expenses of the same.

2. The Guardians of any Union or Parish, or the Overseers of any Parish where the Relief to the Poor is not administered by Guardians, may appoint some Person to institute and conduct Proceedings for the Purpose of enforcing Obedience to the said Acts or any of them within their Union or Parish; and as to all Expenses incurred by any Person so appointed, or by any Registrar of Births and Deaths, or by any Medical Officer of Health appointed under an Act of Parliament, in Proceedings for enforcing Penalties under the said Acts or any of them, if the Justices or Court before whom such Proceedings are had certify that such Expenses ought to be allowed, such Court or Justices shall ascertain the Amount thereof, and such Amount shall be payable out of the Rates for the Relief of the Poor of the Parish where the Person for the Time being dwells in respect of whose Default or Offence the same were instituted; and the Court or Justices shall ascertain the Amount of such Expenses. And Proceedings for enforcing Penalties under any of the said Acts, on account of Neglect to have a Child vaccinated, may be taken at any Time during which the Parent or Guardian is in default.

CAP. LX.

An Act to amend the Act of the Thirteenth and Fourteenth Years of Her Majesty, Chapter Sixty-nine, so far as relates to the Time thereby limited for the Publication of the Lists of Voters objected to in *Ireland*. [1st *August* 1861.]

13 & 14 Vict. c. 69.

'WHEREAS the Time limited by the Act passed in the Thirteenth and Fourteenth Years of Her 'Majesty, Chapter Sixty-nine, for the Publication of the List of Voters objected to in *Ireland*, 'has been found inconvenient, and it is expedient that the said Act should be amended:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Clerk of the Peace and Town Clerk respectively shall publish Lists of Voters, &c. objected to on or before 24th August.

1. From and after the passing of this Act, the Clerk of the Peace of every County, and the Town Clerk of every City, Town, or Borough in *Ireland*, entitled to return a Member or Members to serve in Parliament, shall respectively publish the List of the Names of Voters, or Persons claiming to vote, against whom Notice of Objection shall have been given to such Clerk of the Peace or Town Clerk respectively, in the Manner provided by the said recited Act, on or before the Twenty-fourth Day of *August* in every Year, instead of on or before the Twenty-second Day of *August* in every Year, as required by the said recited Act.

This Act incorporated with recited Act.

2. This Act shall be deemed to be incorporated with the said recited Act, and shall be as if this Act and the said recited Act were One Act.

CAP. LXI.

An Act to amend the Local Government Act. [1st *August* 1861.]

'WHEREAS it is expedient to amend "The Local Government Act, 1858:"' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provision as to Costs of Proceedings with a view to adopting the Local Government Act, when that Act is not adopted.

1. Ratepayers or Owners making a Requisition for the summoning of Meetings for the Purpose of deciding as to the Adoption of "The Local Government Act, 1858," shall, if required, give Security in a Bond, with Two sufficient Sureties, for Repayment to the Summoning Officer, in the event of the Act not being adopted, of the Costs incurred in relation to such Meetings or Polls taken in pursuance of any Demand made at such Meetings, the Amount of the Security to be given by such Sureties, and their Sufficiency, and the Amount of such Costs, to be settled by Agreement between the Summoning Officer and such Ratepayers or Owners, or in the event of Disagreement between them by any Justice of the Peace acting in and for the Place in which it is proposed that the said Act shall be adopted.

Local Authority having Powers of Town Government may adopt Part of Local Government Act: Provision for Election of such Local Authorities

2. The Power of adopting any Part of "The Local Government Act, 1858," given by the Fifteenth Section of that Act to any Corporation or Body of Commissioners exercising Powers for sanitary Regulation under the Provisions of any Local Act, shall extend to every Local Authority invested with Powers of Town Government and Rating by any Local Act, by whatever Name such Local Authority is called, and the Words "Local Board" or "Board of Commissioners" as used in the said Local Government Act shall apply to such Local Authority: Provided always, that whenever the Members of such Local Authority are elected for Life they shall adopt, in lieu of the Provisions for Elections contained in the Local Act, the Provisions for and in relation to Elections prescribed by "The Public Health Act, 1848," and "The Local Government Act, 1858," and within One Month of such Adoption One Third of the Members of such Local Authority shall retire, the Order of Retirement to be fixed by the

the Local Authority, and the Election of Members in lieu of such retiring Members shall be governed in all respects by the said "Public Health Act, 1848," and "Local Government Act, 1858," and be conducted by the Chairman of the Local Authority: Provided also, that such Adoption shall not affect the Qualification fixed for Members of such Local Authority by the Local Act under which it is constituted, or the Qualification and Tenure of Office of *ex-officio* Members of such Local Authority.

when elected for Life at the Time of adopting Local Government Act.

3. When any Board of Improvement Commissioners acquires Powers of rating or borrowing Money under the Fifteenth Section of the "Local Government Act, 1858," the Provisions in relation as to Audit of that Act, or of any Act amending that Act, shall be in force in the Case of such Commissioners, as if such Provisions were contained in the Local Act under which they are constituted; and when the Provisions as to Audit of such Local Act are repugnant to or inconsistent with those of the Local Government Act, or any Act amending that Act, then the Audit shall be conducted under the Provisions of the last-mentioned Act.

Accounts of Improvement Commissioners acquiring borrowing Powers to be subject to Provisions as to Audit.

4. Local Boards may exercise the Powers given by the Forty-fifth Section of "The Public Health Act, 1848," also without their District, for the Purpose of Outfall or Distribution of Sewage, upon making due Compensation, to be settled in the Manner provided in the One hundred and forty-fourth Section of "The Public Health Act, 1848:" Provided always, that nothing herein contained shall give or be construed to give Power to any Local Board to construct or use any Outfall Drain or Sewer for the Purpose of conveying Sewage or filthy Water into any natural Watercourse or Stream until such Sewage or filthy or refuse Water be freed from all excrementitious or other foul or noxious Matter, such as would affect or deteriorate the Purity and Quality of the Water in such Stream or Watercourse.

Local Board may exercise Powers of 11 & 12 Vict. c. 63. s. 45. for Purposes of Outfall, &c. on making Compensation.

5. Provided also, That no Sewer or other Work shall be constructed or extended, under the Enactment lastly herein-before contained, unless Three Months at the least before the Commencement of such Work Notice of the intended Work, describing the Nature thereof, and stating the intended Termini thereof, and the Names of the Parishes, Townships, and Places, and the Turnpike Roads and Streets or Places laid out or intended for Streets, and other Lands, if any, through, across, or under which the Work is to be made, and naming a Place where a Plan of the intended Work is open for Inspection at all reasonable Hours, shall be given by Advertisement in One or more of the Newspapers usually circulated in the Place where the Work is to be made, and a written or printed Copy of such Notice shall be served in manner directed by "The Public Health Act (1848)" on the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the said Lands, and on the Overseers of such Parishes, Townships, or Places, and the Trustees, Surveyors of Highways, or others, having the Care of such Roads or Streets.

Previous Notices of the intended Works before Commencement.

6. In case any of such Owners, Lessees, or Occupiers, or such Overseers, Trustees, Surveyors, or others as aforesaid, or any other Owner, Lessee, or Occupier who would be affected by the proposed Work, object to such Work, and serve Notice in Writing of such Objection on the Local Board at any Time within the said Three Months, the proposed Work shall not be made or commenced without the Sanction of One of Her Majesty's Principal Secretaries of State, after such Inquiry and Report as herein-after mentioned (unless such Objection be withdrawn).

If Objection made Work not to be made without Sanction of Secretary of State.

7. It shall be lawful for the Secretary of State, upon Application of any Local Board, to appoint an Inspector to make Inquiry on the Spot into the Propriety of any such Work as aforesaid, and into the Objections thereto, and to hold One or more Meeting or Meetings for the Purpose of hearing all Persons desirous of being heard before him on the Subject of such Inquiry, and to report to such Secretary of State upon the Matters with respect to which such Inquiry was directed.

Inspector to be appointed to make Inquiry and report to Secretary of State.

8. Where already or hereafter any Premises not being within the Limits of the District of the Local Board have a Drain communicating, directly or indirectly, with a Sewer within the District, and maintained by the Local Board, and any Sewage from the Premises flows into the Sewer, there shall (except in Cases where the Owner is entitled to use such Sewer without making any Payment) be paid to the Local Board in respect thereof such a yearly Sum as is agreed on between them and the Owner of the Premises, or, failing Agreement between them, as on the Application of the Local Board is determined by Two Justices; and the yearly Sum so agreed on or determined shall be Private Improvement Expenses, and shall be charged on the Premises, and be paid and recoverable accordingly, as if the Premises were within the District: Provided, that the yearly Sum so charged shall cease to be payable if and when the Connexion between the Drain from the Premises and the Sewer is discontinued, so that a proportionate Part thereof up to the Time of the Discontinuance shall alone be payable; but if after the Discontinuance the Connexion be re-established the yearly Sum shall again become payable, and so from Time to Time.

Yearly Sum to be paid for Premises without District drained into Sewer within District.

9. The Sub-division numbered (4.) in the Thirty-seventh Section of the said Local Government Act, 1858, shall be and the same is hereby repealed; and in lieu thereof be it enacted as follows:

(1.) Where Part of a Township or Place not comprised within any District in which the said "Local Government Act (1858)" is in force, and which Part is herein-after referred to as "the excluded Part," was, before the said Act came into force in such District, liable to contribute to the Highway Rates for such Township or Place, such excluded Part shall for all Purposes connected with the Repairs of Highways and the Payment of Highway Rates, be considered to be and be treated as if forming Part of such District:

Provision Repair of Highways in Parts of Parishes or Townships not included in Districts under Local Government Act as herein stated.

(2.) It shall be lawful for a Meeting of Ratepayers of the excluded Part (to be convened and conducted in the Manner prescribed by the Thirteenth Section of the said Local Government Act (1858), with respect to Districts, not being Corporate Boroughs or Towns, under the Jurisdiction of Improvement Commissioners,) to decide that such excluded Part shall be formed into a separate Highway District, and thereupon the excluded Part shall for all Purposes connected with Highways, Surveyors of Highways, and Highway Rates, be considered and treated as a Township maintaining its own Highways:

(3.) The Requisition for holding such Meeting as last mentioned shall, in any excluded Part where the said Local Government Act (1858) has been in force before the passing of this Act, be presented within Six Calendar Months after the passing of this Act, and in all other Cases within Six Calendar Months after the Adoption of the said Local Government Act (1858); but nothing in this Section before contained shall apply to Districts constituted under the Public Health Act (1848), including a Part only of any Parish, Township, or Place which before the Constitution of such District maintained its own Highways.

Enabling Local Boards to act instead of Inhabitants in Vestry of Townships in their Districts in all Matters arising under the Provisions of 5 & 6 W. 4. c. 50.

10. All the Powers, Authorities, and Discretion which in and by the Act of the Fifth and Sixth Years of the Reign of King *William* the Fourth, Chapter Fifty, are vested in and given to the Inhabitants in Vestry assembled of any Parish, Township, or Place, shall, within the Districts where the Local Government Act is in force, be vested in and exerciseable by the Local Boards, or Commissioners exercising the Powers of such Local Boards, under the Provisions of this Act and of "The Public Health Act (1848)," and of "The Local Government Act (1858)"; and all Acts or Consents already done or given or purporting to be so done or given by such Local Boards, under and by virtue of the said Act of the Fifth and Sixth Years of *William* the Fourth, Chapter Fifty, acting or assuming to act in lieu of the Inhabitants in Vestry assembled of any Parish, Township, or Place within the District of the Local Board, shall operate and be as valid and effectual as if the same had been done and given or executed by such Inhabitants in Vestry.

Service of Notices and Repayment of Costs under Sects. 69, 70, 71, 73, and 74 of 10 & 11 Vict. c. 34.

11. In Districts where the "Local Government Act, 1858," is in force, Notices for Alterations under the Sixty-ninth, Seventieth, and Seventy-first Sections, Directions under the Seventy-third Section, and Orders under the Seventy-fourth Section of the "Towns Improvement Clauses Act, 1847," may, at the Option of the Local Board, be served upon Owners instead of Occupiers, or upon Owners as well as Occupiers, and the Cost of Works done under any of these Sections may, when Notices have been so served upon Owners, be recovered from Owners instead of Occupiers, and when such Cost is recovered from Occupiers they shall be entitled to make the same Deduction from the Rents payable for the Premises where the Work is done in respect of such Cost as they are entitled to make in respect of Private Improvement Rates by the "Public Health Act, 1848."

Special District Rates leviable as General District Rates in certain Cases.

12. Where in any District, Special District Rates are levied over the same Area as General District Rates, the Local Board may make and levy such Special District Rates as Part, and under the Name, of General District Rates: Provided always, that the levying of such Rates by the Means aforesaid shall in no way prejudicially affect any Mortgages now or hereafter to be made upon such Special District Rates.

Debts due on Special District Rates may, with Sanction of Secretary of State, and of Mortgagees, and of Owners and Ratepayers, be repaid, and Money raised for such Repayment on Credit of General District Rate.

13. Where any Local Board of Health have incurred Expenses in or about any Works of a permanent Nature, and have made and levied a Special District Rate upon or in respect of the Premises situate in Part of their District, and have borrowed and taken up at Interest on the Credit of the said Special District Rate any Sums of Money necessary for defraying such Expenses, it shall be lawful for such Local Board, with the Sanction of One of Her Majesty's Principal Secretaries of State, and with the Consent of all Persons having advanced Money on the Security of the said Special District Rate, and with the Consent of the Owners and Ratepayers of the District, to be expressed by Resolution in the Manner herein provided with respect to Resolutions for the Adoption of the said Local Government Act, to pay off and discharge the Sums so borrowed and taken up at Interest on the Credit of the said Special District Rate, or such Part thereof as shall then remain due, and to re-borrow and take up at Interest on the Credit of the General District Rates of the said Local Board any Sums of Money which shall have been so paid off and discharged, and for the Purpose of securing the Repayment of any Sums so borrowed, together with Interest thereon, the Local Board may mortgage the said General District Rates to the Persons by or on behalf of whom such Sums are advanced, subject to the Regulations prescribed by the Fifty-seventh Section of the Local Government Act, 1858.

The Sanction of the Secretary of State substituted for the Sanction of the General Board of Health, which has ceased to exist.

14. In all Cases in which prior to the passing of "The Local Government Act" all or any of the Powers or Provisions of "The Public Health Act, 1848," relative to the borrowing of Money or the mortgaging of Rates, are repeated in any Local Act of Parliament, or in which it is declared in and by such Local Act that the same shall be read and construed as if all or any of such Powers and Provisions had been repeated therein, so as to confer thereunder upon any such Local Board of Health or Board of Improvement Commissioners Powers corresponding with all or any of the borrowing or mortgaging Powers contained in "The Public Health Act, 1848," and where the Sanction, Consent, Direction, or Approval of the General Board of Health is rendered requisite in or by any such Local Act to the due Exercise of any of the Powers vested thereby in any Local Board of Health or Board of Improvement Commissioners, such Powers or any of them shall and may be henceforth exercised with and under the Sanction,

Sanction, Consent, Direction, and Approval of One of Her Majesty's Principal Secretaries of State, in lieu of the Sanction, Consent, Direction, and Approval of the General Board of Health aforesaid, and not otherwise.

Making up Accounts for Audit.

15. Seven clear Days at least before the Day fixed for the Audit of Accounts of any Local Board, the Local Board shall cause their Rate Books and other Accounts to be made up and balanced, and the Books and Accounts so made up and balanced shall forthwith be deposited at the Office of the said Local Board for the Inspection of Owners and Ratepayers, and the Notice of Audit shall include a Notice of such Deposit of Accounts; and any Officer of a Local Board duly appointed in that Behalf neglecting to make up such Books and Accounts, or altering such Books and Accounts, or allowing them to be altered when so made up, or refusing to allow Inspection thereof, shall be liable on Conviction thereof to forfeit Forty Shillings; and it shall be lawful for any Ratepayer or Owner of Property in the District to be present at the Audit of the Accounts of the Local Board, and to make any Objection to such Accounts before the Auditor; and such Ratepayers and Owners shall have the same Right of Appeal against Allowances by an Auditor, as they have by Law against Disallowances.

Before giving Notice for paving, &c. of Streets not being Highways, Plans and Sections to be deposited with Local Board.

16. Before giving the Notice mentioned in the Sixty-ninth Section of "The Public Health Act, 1848," the Local Board shall cause Plans and Sections of the Works intended to be executed under that Section and the Thirty-eighth Section of "The Local Government Act, 1858," to be made, under the Direction of their Surveyor, on a Scale of not less than One Inch for Eighty-eight Feet for a horizontal Plan, and on a Scale of not less than One Inch for Ten Feet for a vertical Section, and, in the Case of a Sewer, showing the Depth of such Sewer below the Surface of the Ground; and such Plans and Sections shall be deposited in the Office of the Local Board, and shall be open at all reasonable Hours for the Inspection of all Persons interested therein during the Period for which such Notice is required to be given, and a Reference to such Plans and Sections in such Notice shall be held sufficient without requiring any Copy of such Plans and Sections to be annexed to such Notice.

Form of Notice.

17. The Form of Notice in the Schedule (A.) to this Act annexed, or to the like Effect, may be used for any of the Purposes of the Sixty-ninth Section of "The Public Health Act, 1848," and of the Thirty-eighth Section of "The Local Government Act, 1858," and of this Act, for which such Form is applicable, and such Form shall accordingly, to all Intents, be deemed sufficient for such Purposes.

Interpretation of "Special Act" in construing 8 & 9 Vict. c. 18.

18. In the Construction of "The Lands Clauses Consolidation Act, 1845," for the Purposes of any Provisional Order under "The Local Government Act, 1858," conferring Powers for the taking of Land otherwise than by Agreement, the Term "Special Act" shall mean the Act confirming such Order, and "the Date of the passing of the Special Act" shall mean the Date of the passing of the Act confirming such Order.

Extension of 21 & 22 Vict. c. 104. s. 78. to Cases in which Local Boards incur Expenses, &c.

19. The Powers granted by the Seventy-eighth Section of "The Local Government Act, 1858," may be exercised in any Case where any Local Board or Board of Improvement Commissioners exercising the borrowing Powers of "The Public Health Act, 1848," or "The Local Government Act, 1858," or of any Local Act, has contributed to, purchased, or executed any permanent Works, or proposes to contribute to, purchase, or execute such Works, at a Cost exceeding or estimated to exceed One Year's assessable Value of the Premises assessable within the District in respect of which the Money for such Works may be borrowed.

Local Boards may make Agreements for Water Supply in certain Cases.

20. In Districts where no Water Companies are established by Act of Parliament all Local Boards may make Agreements for the Supply of Water to Persons on such Terms as may be agreed upon between the Local Board and the Persons receiving such Supply, and shall have the same Powers for recovering Water Rents accruing under such Agreements as they have for the Recovery of Water Rates by the Law in force for the Time being.

Local Boards of Health may repair Fences surrounding Burial Grounds.

21. All Local Boards of Health constituted Burial Boards may from Time to Time repair and uphold the Fences surrounding any Burial Ground which shall have been discontinued as such within their Jurisdiction, or take down such Fences and substitute others in lieu thereof, and shall from Time to Time take the necessary Steps for preventing the Desecration of such Burial Grounds, and placing them in a proper sanitary Condition; and where such Burial Boards are a Local Board of Health, they may from Time to Time pass Byelaws for the Preservation and Regulation of all Burial Grounds within their Limits, and the Expense of carrying this Section into execution may be defrayed out of any Rates authorized to be levied by any Local Board constituted a Burial Board.

Powers of Local Boards as to Land purchased under 21 & 22 Vict. c. 104.

22. Local Boards shall have the same Powers with regard to any Lands purchased by them under or for the Purposes of "The Local Government Act (1858)," or any Act incorporated therewith, which they now have with regard to Lands purchased for the Purpose of making or enlarging Streets under the Powers of the said Act.

Provision for Recovery of Charges for Private Improvements.

23. The Expenses which have been incurred by any Local Board of Health as and for Private Improvement Expenses under the "Public Health Act, 1848," as also the Expenses stated in the Sixty-second Section of "The Local Government Act, 1858," to be a Charge on the Premises, with Interest after the Rate of Five *per Centum per Annum*, may, by Order of the Local Board of Health, be declared payable by annual Instalments, with Interest after the Rate aforesaid, during a Period not exceeding Thirty Years, until the whole Amount be paid; and any such Instalments and Interest, or any Part thereof, may be recovered from the Owner or Occupier of such Premises in the same Manner as General District

District Rates, and may be deducted from the Rent of such Premises in the same Proportions as are allowed in the Case of Private Improvement Rates under the Ninety-first Section of "The Public Health Act, 1848."

Demands below 20*l.* recoverable in County Courts.

24. Proceedings for the Recovery of Demands below Twenty Pounds, which Local Boards are now empowered by Law to recover in a summary Manner, may, at the Option of the Local Board, be taken in the County Court as if such Demands were Debts within the Cognizance of such Courts.

Local Board may make Byelaws for licensing Horses, &c. for Hire.

25. The Local Board may make Byelaws for licensing and regulating Horses, Ponies, Mules, or Asses standing for Hire in the District, and for prescribing and regulating the Stands, and fixing the Rates of Hire, and ordering the Conduct of the Drivers or Attendants thereof, and also for licensing, regulating, and fixing the Rates of Hire of Pleasure Boats or Vessels, and the Persons in charge of the same.

Application of 5 & 6 W. 4. c. 50. s. 69.

26. Where a Board of Improvement Commissioners, or other Local Authority, exercising any of the Powers of "The Local Government Act, 1858," maintains and repairs the Highways within the Area of its Jurisdiction, the Sixty-ninth Section of the Act of the Fifth and Sixth *William* the Fourth, Chapter Fifty, shall be held to apply to all Encroachments on such Highways.

Repayment of Costs by Provisional Orders.

27. The Provision for the Repayment of Costs, Charges, and Expenses incurred by the Secretary of State in relation to any Provisional Order under the Seventy-fifth Section of "The Local Government Act, 1858," shall extend to all Provisional Orders under the said Act.

No House to be brought forward without Consent of Local Board.

28. It shall not be lawful at any Time or Times hereafter, within the District of any Local Board, to bring forward any House or Building forming Part of any Street, or any Part thereof, beyond the Front Wall of the House or Building on either Side thereof, nor to build any Addition thereto beyond the Front of such House or Building on either Side of the same as aforesaid, without the previous Consent of such Local Board.

Application of General Acts to Local Boards of Health.

29. 'And whereas Doubts exist whether Local Boards of Health, constituted under or by virtue of 'Local Acts, are affected by the Provisions of "The Local Government Act, 1858," or by the Provisions 'of "The Nuisances Removal Act for *England*, 1855," and "The Diseases Prevention Act, 1855," and 'it is desirable to remove such Doubts:' Be it therefore enacted, That all the Provisions of "The Local Government Act, 1858," as amended by this Act, and of "The Nuisances Removal Act for *England*, 1855," and "The Diseases Prevention Act, 1855," as amended by the "Act to amend the Acts for the Removal of Nuisances and Prevention of Diseases," which Acts are herein-after designated the General Acts, shall extend and apply to all Local Boards of Health constituted under or by virtue of Local Acts, with and subject to the Two following Qualifications; (that is to say,)

(1.) Provisions of the General Acts opposed to or restrictive of the Provisions (whether adopted or original) of any such Local Act shall be of no Force in the District for which the Local Act was passed:

(2.) Wherever the General Acts and a Local Act contain Provisions for effecting the same or a similar Object, but in different Modes, the Local Board of Health may proceed under the General Acts or the Local Act:

And every future Act for amending or repealing any of the General Acts aforesaid shall, subject to the aforesaid Qualifications, also extend and apply to every such Local Board of Health.

Incorporation and Construction of Acts.

30. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be read as if this Act and the said Local Government Act were One Act.

Short Title.

31. In citing this Act it shall be sufficient to use the Words and Figures "Local Government Act (1858) Amendment Act, 1861."

SCHEDULE.

Local Board of Health for . The of in the County of .

To the Owner of certain Premises fronting, adjoining, or abutting upon a certain Street called , within the said [Borough *or* District, *as the Case may be*].

Whereas the said Street is not sewered, levelled, paved, flagged, and channelled to the Satisfaction of the above-named Local Board of Health; and whereas your said Premises front, adjoin, or abut on certain Parts of the said Street which require to be sewered, levelled, paved, flagged, and channelled: Now, therefore, the said Local Board of Health hereby give you Notice (in pursuance of the Statute in that Case made and provided) to sewer, level, pave, flag, and channel the same within the Space of [*state the Time*] from the Date hereof, in manner following; (that is to say,) the Sewers to be laid or made [*here describe the Mode to be adopted and Material to be used*], of the Sizes and Forms, and at the Rate or Rates of Inclination shown on the Plans and Sections of the Works as prepared by the Surveyor of the Local Board.

Each Gully for Surface Draining, and its Connection with the Sewer, to be placed as shown on the said Plans, and to be constructed of the Forms, Materials, and Dimensions as shown on the said Plans.

A Founda-

A Foundation for the Carriageway and Footway in the said Street to be formed in the following Manner [*here describe the Mode to be adopted and the Material to be used*], and the said Carriageway and Footway to be paved [*here describe the Mode to be adopted and the Material to be used*].

The Channel Stones to be [*here describe the Mode to be adopted and the Material to be used*]. The Curb or Side Stones to be [*here describe the Mode to be adopted and the Material to be used*].

The whole of the above-mentioned Works to be executed by you in accordance with the Plans and Sections herein-before referred to, and now lying for Inspection by you at the Office of the Local Board, situate in Street, in aforesaid, and the Dimensions, Widths, and Levels shown thereon, and to be done in a good, workmanlike, and substantial Manner, to the Satisfaction of the said Local Board of Health or their Surveyor.

Dated this Day of One thousand eight hundred and

Clerk to the said Local Board of Health.

CAP. LXII.

An Act to amend the Act of the Ninth Year of King *George* the Third, Chapter Sixteen, for quieting Possessions and Titles against the Crown, and also certain Acts for the like Object relating to Suits by the Duke of *Cornwall*. [1st *August* 1861.]

'WHEREAS by an Act passed in the Ninth Year of King *George* the Third, Chapter Sixteen, 'Provision is made for limiting the Right of the King's Majesty to sue and implead any Person 'for or concerning Lands and Hereditaments, or the Rents, Issues, or Profits thereof, and for quieting 'Possessions and Titles against the Crown: And whereas the good Purpose of that Act has not been 'fully obtained by reason of the Provisions therein relating to Lands and Hereditaments which have 'been in charge to Her Majesty or have stood insuper of Record, and also by reason of certain Pro-'visions therein relating to Lands and Hereditaments Part or Parcel of Honours, Manors, or other 'Hereditaments:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Crown not to sue after Sixty Years by reason of Lands having been in charge, &c.

1. The Queen's Majesty, Her Heirs and Successors, shall not at any Time hereafter sue, impeach, question, or implead any Person or Persons for or in anywise concerning any Manors, Lands, Tenements, Rents, Tithes, or Hereditaments whatsoever (other than Liberties or Franchises) which such Person or Persons, or his or their or any of their Ancestors or Predecessors, or those from, by, or under whom they do or shall claim, have, or shall have held or enjoyed or taken the Rents, Revenues, Issues, or Profits thereof by the Space of Sixty Years next before the filing, issuing, or commencing of every such Action, Bill, Plaint, Information, Commission, or other Suit or Proceeding as shall at any Time or Times hereafter be filed, issued, or commenced for recovering the same or in respect thereof, by reason only that the same Manors, Lands, Tenements, Rents, Tithes, or Hereditaments, or the Rents, Revenues, Issues, or Profits thereof, have or shall have been in charge to Her Majesty or Her Predecessors or Successors, or stood insuper of Record, within the said Space of Sixty Years, but that such having been in charge and such standing insuper of Record shall be as against such Person and Persons, and all claiming by, from, or under them or any of them, of no Force and Effect.

Provisions of this Act to apply to Actions by the Duke of Cornwall, and to Provisions of 7 & 8 Vict. c. 105. and 23 & 24 Vict. c. 53.

2. 'And whereas an Act was passed in the Session held in the Seventh and Eighth Years of Her 'Majesty, Chapter One hundred and five, "for quieting Titles within the County of *Cornwall* as '"against the Duchy of *Cornwall*, and other Purposes:" And whereas another Act was passed in the 'Session held in the Twenty-third and Twenty-fourth Years of Her Majesty, Chapter Fifty-three, '"for the Limitation of Actions and Suits by the Duke of *Cornwall* in relation to Real Property, and '"for other Purposes:" And whereas it is expedient that the Limitation applicable to Actions and 'Suits by the Crown should be made applicable to Actions and Suits by the Duke of *Cornwall*:' Be it enacted, That the Provisions of this Act herein-before contained applicable to the Queen's Majesty shall extend and be applicable to the Duke of *Cornwall* and to the said Two last-recited Acts, in the same Manner as if the Duke of *Cornwall* were herein-before mentioned or referred to where the Queen's Majesty is mentioned or referred to; and this Act shall be construed together with and be deemed to form Part of the said Two last-recited Acts.

Provision as to the answering of Rent, &c. to the Crown.

3. The Queen's Majesty, Her Predecessors and Successors, shall not be held, deemed, or taken, for the Purposes of the said Act of the Ninth Year of King *George* the Third, to have been answered the Rents, Revenues, Issues, or Profits of any Lands, Manors, Tenements, Rents, Tithes, or Hereditaments which shall have been held or enjoyed, or of which the Rents, Revenues, Issues, or Profits shall have been taken, by any other Persons or Person, by the Space of Sixty Years next before the filing, issuing, or commencing of any such Action, Suit, Bill, Plaint, Information, Commission, or other Suit or Proceeding for recovering the same or in respect thereof, as in the said Act is mentioned, by reason only of the same Lands, Manors, Tenements, Rents, Tithes, or Hereditaments having been Part or Parcel of any Honour or Manor or other Hereditaments of which the Rents, Revenues, Issues, or Profits shall have been answered to Her Majesty or Her Predecessors or Successors, or some other Person under whom Her Majesty hath or lawfully claimeth or shall hereafter have or lawfully claim as aforesaid,

aforesaid, or of any Honour, Manor, or other Hereditaments which shall have been duly in charge to Her Majesty, Her Predecessors or Successors, or stood insuper of Record as aforesaid.

Preserving Right to Reversionary Interests.

4. In the Construction of the said Act of the Ninth Year of King *George* the Third and of this Act the Right or Title of the Queen's Majesty, Her Heirs or Successors, or of the Duke of *Cornwall*, to any Manors, Lands, Tenements, Rents, Tithes, or Hereditaments which are now or shall at any Time hereafter be subject to or comprised in any Demise or Lease for any Term or Terms of Years, or for any Life or Lives, granted by or on behalf of Her Majesty, or any of Her Royal Predecessors or Successors, or the Duke of *Cornwall*, shall not be deemed to have first accrued or grown until the Expiration or Determination of such Demise or Lease as against any Person or Persons whose Possession, Holding, or Enjoyment of such Manors, Lands, Tenements, Rents, Tithes, or Hereditaments, or whose Receipt of the Rents, Issues, or Profits thereof, shall have commenced during the Term of such Demise or Lease, or who shall claim from, by, or under any Person or Persons whose Possession, Holding, or Enjoyment of such Manors, Lands, Tenements, Rents, Tithes, or Hereditaments, or whose Receipt of the Rents, Issues, or Profits thereof, shall have so commenced as aforesaid.

Act not to apply to existing Suits.

5. Nothing contained in this Act shall extend to any Action, Bill, Plaint, Information, Commission, or other Suit or Proceeding instituted or commenced before the passing of this Act and now pending.

CAP. LXIII.

An Act to enable Grand Juries in *Ireland* to increase the Remuneration of County Surveyors, and for other Purposes. [1st *August* 1861.]

6 & 7 W. 4. c. 116.

'WHEREAS by an Act passed in the Sixth and Seventh Years of King *William* the Fourth, Chapter One hundred and sixteen, certain Provisions are made relating to the Salaries of County 'Surveyors and of their Assistants in *Ireland:* And whereas it is expedient to make other Provisions 'relating to the said Offices, and to amend the said Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The County Surveyors, &c. (*Ireland*) Act, 1861."

Act incorporated with recited Act.

2. This Act shall be deemed to be incorporated with the said recited Act, and shall be as if the said recited Act (except such Parts thereof as have been amended by this Act) and this Act were One Act.

Interpretation of Terms.

3. In the Construction and for the Purposes of this Act (if not inconsistent with the Context or Subject Matter) the following Terms shall have the respective Meanings herein-after assigned to them; that is to say, "County" shall mean and include Riding, and "Assizes" shall include Presenting Term.

Grand Jury at Summer Assizes held after passing of this Act may resolve that Salary of County Surveyor be altered.

4. It shall be lawful for the Grand Jury of any County mentioned in Schedule A., if they shall so think fit, at any Summer Assizes for such County which shall be held after the passing of this Act, to determine by Resolution that the annual Salary payable to any County Surveyor shall be altered to such annual Salary as such Grand Jury shall think fit, not exceeding the Amount specified in the said Schedule (A.) to this Act annexed for such County, and the Foreman of the Grand Jury shall endorse on such Resolution the Word "approved," and the Amount of such annual Salary so approved of, and the Secretary of the Grand Jury shall submit the same to the next Presentment Sessions for the County at large.

Grand Jury at next succeeding Assizes may adopt or reject such Application, or agree to it in a modified Form.

5. The Resolution, so endorsed as aforesaid, shall be placed upon the Schedule of Presentments, and considered by the next Presentment Sessions for the County at large, and may be approved of either with or without Modification, or may be rejected; and if such Resolution be approved, either with or without Modification by such Sessions, then it shall be lawful for the Grand Jury at the then next Assizes to determine whether the same shall be adopted; and such Grand Jury may, if they so think fit, determine that the annual Salary payable to such County Surveyor shall be altered to such annual Salary as shall have been so approved as aforesaid, and the Amount of such annual Salary shall be so fixed accordingly; and the Grand Jury at such Assizes and at each succeeding Assizes shall present for each such Surveyor, to be raised off the County at large, the Moiety of such annual Salary for the Half Year last past, and Payment of the same shall be made accordingly, subject to such Provisions with respect to Neglect, Misconduct, or otherwise as are contained with respect to the Salaries of County Surveyors in the said recited Act.

Grand Jury may, on Increase of Salary to County Surveyor, require that he shall not engage in private Practice.

6. It shall be lawful for the Grand Jury of any County in *Ireland*, at any Assizes, if they shall so think fit, in case it shall have been determined that the annual Salary payable to the County Surveyor of such County shall be increased under the Provisions of this Act, to order and direct that such County Surveyor shall not engage in any private professional Practice so long as he shall continue to hold such Office; and in case such Order shall be made by such Grand Jury, the Payment of such Increase of Salary to such County Surveyor shall be subject to the Condition contained in such Order, and may be at any Time withheld if such Condition shall not have been complied with.

Grand Juries may increase Salaries of

7. 'And whereas it is provided by the said first-recited Act that it shall be lawful for every County 'Surveyor to appoint so many Persons as the Grand Jury of each County shall, with reference to the 'Extent of the County and of the Duties to be performed, think necessary to be Assistants to such 'Surveyors,

'Surveyors, and that each of such Assistants shall be paid such Salary not exceeding Fifty Pounds *per* '*Annum* as the Grand Jury shall direct:' Be it enacted, That each of such Assistants shall be paid such Salary, not exceeding Eighty Pounds *per Annum*, as such Grand Jury shall direct, and the same shall be presented by the Grand Jury by half-yearly Instalments at each Assizes. Assistants to Surveyors.

SCHEDULE (A.)

TABLE of CLASSIFICATION of COUNTIES.

	Counties.			
	Class 1.	Class 2.	Class 3.	
Salaries of County Surveyors.	£ 600	£ 500	£ 400	Class 1. comprehends the Counties of East Cork, Down, Antrim, Kerry, Clare, Wexford, West Cork, South Tipperary, Londonderry, and Meath. Class 2. comprehends the Counties of Roscommon, Waterford, Armagh, Kilkenny, North Tipperary, North Donegal, West Galway, Wicklow, Cavan, East Galway, Fermanagh, South Tyrone, Queen's, Sligo, North Tyrone, and Kildare. Class 3. comprehends the Counties of Monaghan, East Limerick, South Donegal, Westmeath, King's, North Mayo, Leitrim, South Mayo, West Limerick, Louth, Carlow, and Longford.

CAP. LXIV.

An Act to continue certain Turnpike Acts in *Great Britain.* [1st *August* 1861.]

'WHEREAS it is expedient to continue for limited Times the Acts herein-after specified:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The Acts mentioned in the Schedule to this Act annexed shall continue in force until the First Day of *November* One thousand eight hundred and sixty-two, and no longer, unless Parliament in the meantime continues the same; but every other Act now in force for regulating, making, amending, or repairing any Turnpike Road in *Great Britain* which will expire at or before the End of the next Session of Parliament shall continue in force until the First Day of *November* One thousand eight hundred and sixty-two and to the End of the then next Session of Parliament, except an Act of the Fifty-fourth Year of King *George* the Third, Chapter Fifty-nine, "for continuing and amending Two "Acts of His present Majesty, for repairing the Road from the Guide Post at the West End of the "Town of *Hampton*, over *Sunbury Common*, to the Town of *Staines*, in the County of *Middlesex*;" an Act of the Fifty-sixth Year of King *George* the Third, Chapter Fourteen, "for enlarging the Term "and Powers of an Act of His present Majesty, for repairing and widening the Road from *Preston* "*Candover* to *Basingstoke*, and from thence to *Alton*, in the County of *Southampton*;" an Act of the Fourth Year of King *George* the Fourth, Chapter One hundred and ten, "for repairing and improving "the Road leading from *Skipton* in the County of *York* to *Colne* in the County of *Lancaster*;" an Act of the Sixth Year of King *George* the Fourth, Chapter One hundred and forty-nine, "for repairing, "widening, improving, and maintaining in Repair the Turnpike Roads from *Leeds* to *Halifax*, and the "several Branches and Roads therein mentioned, in the West Riding of the County of *York*;" and an Act of the Tenth Year of King *George* the Fourth, Chapter One hundred and thirteen, "for continuing "certain Powers to the Trustees of the Road leading from the Borough of *Southwark* to the *Kent Road* "in the County of *Surrey*, called *Great Dover Street*, for the Purposes therein mentioned." Continuation of Acts, except 54 G. 3. c. lix., 56 G. 3. c. xiv., 4 G. 4. c. cx., 6 G. 4. c. cxlix., 10 G. 4. c. cxiii.

2. This Act may be cited for all Purposes as "The Annual Turnpike Acts Continuance Act, 1861." Short Title.

SCHEDULE.

An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Roads leading from the Parishes of Yoxford, Saxmundham, and Benhall, in the County of Suffolk, to the Town of Aldeburgh in the said County. 53 G. 3. c. xxiv.

An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from Canterbury Lane, within the Liberty of the Town of Folkestone, to a Place in the Parish of Folkestone, called Mudshole, and other Roads therein mentioned, in the County of Kent. 54 G. 3. c. xiv.

Turnpike Acts Continuance.

54 G. 3. c. cxxi. An Act for continuing and amending an Act of His present Majesty, for repairing the Road from Dunstable to Hockliffe in the County of Bedford.

55 G. 3. c. lxi. An Act for more effectually repairing the Roads leading into and through the Town of Ross in the County of Hereford, and several Roads communicating therewith.

60 G. 3. and 1 G. 4. c. v. An Act for enlarging the Term and Powers of Two Acts of His late Majesty, for repairing the Road from Buildwas Bridge, to join the Watling Street Road, at Tern Bridge in the County of Salop.

4 G. 4. c. xli. An Act for more effectually repairing the Road from Alfreton in the County of Derby to the Town of Derby.

4 G. 4. c. cxx. An Act for repairing the Roads from Oxdown Gate in Popham Lane to the City of Winchester, and from the said City through Hursley to Chandler's Ford, and from Hursley aforesaid to the Turnpike Road at Romsey, and from the Hundred at Romsey through Chilworth to the River at Swathling in the County of Southampton; and from the said Turnpike Road at Romsey, through Ringwood in the said County, to Longham Bridge and Wimborne Minster in the County of Dorset.

6 G. 4. c. lxxxvii. An Act for more effectually repairing and improving the Roads from Sheet Bridge to Portsmouth and from Petersfield to the Alton and Alresford Turnpike Road near Ropley in the County of Southampton, and for making and maintaining a new Branch of Road to communicate therewith.

6 G. 4. c. cxliii. An Act for maintaining and improving certain Roads leading to and from the Town of Cirencester in the County of Gloucester.

6 G. 4. c. cxliv. An Act for repealing Two Acts for repairing the Roads from Little Sheffield in the County of York to Sparrow Pit Gate in the County of Derby; and also an Act for making a Road from Banner Cross in the West Riding of the County of York to Fox House in the County of Derby; and for consolidating the Trusts of certain Roads mentioned in the said Acts; and for amending and making certain other Roads to communicate therewith; and for other Purposes relating thereto.

10 G. 4. c. xviii. An Act for amending, altering, and improving the Roads leading to the Town of Okehampton in the County of Devon, and making and maintaining a certain new Road to communicate therewith.

10 G. 4. c. xxiii. An Act for repairing the Road from Stockershead, at the Top of Charing Hill, to a Place called Bagham's Cross in the Parish of Chilham in the County of Kent.

10 G. 4. c. lxxvii. An Act for making and maintaining a Turnpike Road between the Town of Tarporley in the County Palatine of Chester and the Town of Whitchurch in the County of Salop.

10 G. 4. c. xcii. An Act for improving and maintaining the Road from the Town of Kingston-upon-Hull to Kirk-Ella in the County of the said Town.

11 G. 4. c. v. An Act for better repairing the Second District of Turnpike Roads leading to and from the Town of Bridport in the County of Dorset, and for making and maintaining several Branch Roads to communicate with the same.

11 G. 4. c. vi. An Act for more effectually repairing and improving the Road from Horsham to the Road leading to Guildford at Aldford Cross Ways, with Two Branches therefrom, and for making and maintaining a new Branch of Road to communicate therewith, all in the Counties of Sussex and Surrey.

11 G. 4. c. vii. An Act for repairing and improving the Road from the Nottingham and Mansfield Turnpike Road, through Kirkby and Pinxton, to Carter Lane, and to the Colliery near Pinxton Green in the Counties of Nottingham and Derby.

11 G. 4. c. xviii. An Act for more effectually repairing and maintaining the Road from New Chappel in the County of Surrey to Ditcheling Bost Hills in the County of Sussex, and from thence to the Town of Brighthelmston in the same County; and also for making and maintaining a Branch of Road from the Town of Ditcheling to Clayton in the County of Sussex.

11 G. 4. c. xix. An Act for more effectually repairing and improving the Roads from the Town of Malmesbury to Copped Hall Turnpike, Sutton Benger Church, and Dauntsey Gate, in the County of Wilts.

11 G. 4. c. xxi. An Act for more effectually repairing, amending, widening, and improving the Road from the West Cowgate, near Newcastle-upon-Tyne, to the Alemouth Turnpike Road in the County of Northumberland, and for making and maintaining other Roads communicating therewith.

11 G. 4. c. xxvi. An Act for maintaining the Road from Catterick Bridge in the County of York by the Towns of Yarm and Stockton, and through the Town of Sedgefield to the City of Durham.

11 G. 4. c. xxx. An Act for more effectually repairing and improving the Road from Bolton-le-Moors to Blackburne in the County Palatine of Lancaster, with Two Branches of Road therefrom, and for making and maintaining a Branch of Road to or near the Village of Lower Darwen.

11 G. 4. c. xxxii. An Act for repairing, amending, and maintaining the Road from Congleton in the County of Chester to a Branch of the Leek Turnpike Road at Thatchmarsh Bottom in the Parish of Hartington in the County of Derby, and from the Lowe to the Havannah Mills in the said County of Chester.

11 G. 4. c. xxxvii. An Act for more effectually repairing the Road from Wootton Bassett in the County of Wilts to the Two-Mile Stone in the Turnpike Road leading from Swindon to Marlborough in the said County.

11 G. 4. c. xxxix. An Act for making a Turnpike Road from the Bridge over the River Bure at Great Yarmouth to Acle (with certain Branches therefrom), all in the County of Norfolk.

11 G. 4. c. lxxxi. An Act for more effectually repairing and improving the Road from Wendover to the Town of Buckingham in the County of Buckingham.

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An Act for altering, improving, diverting, and maintaining the Road from Rotherham to the Four Lane Ends, near Wortley, in the West Riding of the County of York. 11 G. 4. c. lxxxiv.

An Act for more effectually repairing the Road from Blackburn to Walton Cop within Walton-in-le-Dale in the County of Lancaster. 11 G. 4. c. lxxxv.

An Act for repairing the Turnpike Road from the Top of Whitesheet Hill to the Wilton Turnpike Road at or near Barford in the County of Wilts. 11 G. 4. c. lxxxviii.

An Act for repairing, altering, and improving the Roads from Ashbourne to Sudbury, and from Sudbury to Yoxall Bridge, and from Hatton Moor to Tutbury, and from Uttoxeter to or near the Village of Draycott-in-the-Clay, and from Hadley Plain on the late Forest or Chase of Needwood to Callingwood Plain on the same late Forest or Chase. 11 G. 4. c. lxxxix.

An Act for more effectually repairing and improving the Road from Temple Normanton to Buntingfield Nook in the County of Derby, and the Road from Tupton Nether Green to Stubbing Edge Lane and Knot Cross in the said County. 11 G. 4. c. xci.

An Act for more effectually repairing and improving certain Roads between the Towns of Derby, Mansfield, and Nutthall, in the Counties of Derby and Nottingham. 11 G. 4. c. xcv.

An Act for making and maintaining a new Turnpike Road from the Town of Kingston-upon-Hull in the County of the said Town to Hedon in the County of York. 11 G. 4. c. xcvi.

An Act for amending and improving the Road from Tonbridge to Ightham, and other Roads communicating therewith, in the County of Kent. 11 G. 4. c. xcix.

An Act for more effectually repairing and improving the Road from Cromford Bridge to the Turnpike Road at or near Langley Mill in the County of Derby. 11 G. 4. c. c.

An Act for more effectually repairing and improving several Roads leading from the Market Cross in the Town of Wareham, and in Purbeck, in the County of Dorset. 11 G. 4. c. ci.

An Act for more effectually repairing and improving the Roads from Saltfleet to the Town of Horncastle, and other Roads therein mentioned, all in the County of Lincoln. 11 G. 4. c. ciii.

An Act for improving and maintaining the Turnpike Roads from the Wirksworth Turnpike Road in the Hamlet of Ideridgehay to the Town of Duffield, and from the Market Place in Wirksworth to the Turnpike Road leading from Derby to Brassington, and from the said Market Place to the Turnpike Road leading from Wirksworth Moor to Matlock Bath, all in the County of Derby. 11 G. 4. c. cv.

An Act for more effectually repairing the Road from the Town of Rickmersworth in the County of Hertford, through the Village of Pinner, to or near the Swan Public House at Sudbury Common, in the Turnpike Road leading from Harrow to London. 11 G. 4. c. cxiii.

An Act for more effectually repairing the Road from Ashborne in the County of Derby to a Messuage or Public House in the Occupation of John Frost, near Belpar Bridge, in the said County of Derby. 11 G. 4. c. cxxx.

C. A P. LXV.

An Act to continue the Survey of *Great Britain*, *Berwick-upon-Tweed*, and the *Isle of Man*. [1st *August* 1861.]

[*Continues* 4 & 5 *Vict. c.* 30., *as amended by* 19 & 20 *Vict. c.* 61., *until December* 31, 1866.]

C A P. LXVI.

An Act to give Relief to Persons who may refuse or be unwilling, from alleged conscientious Motives, to be sworn in Criminal Proceedings. [1st *August* 1861.]

'WHEREAS it is expedient to grant Relief to Persons who may refuse or be unwilling, from alleged conscientious Motives, to be sworn in Criminal Proceedings:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Persons refusing from conscientious Motives to be sworn in Criminal Proceedings to be permitted to make a solemn Affirmation or Declaration.

1. If any Person called as a Witness in any Court of Criminal Jurisdiction in *England* or *Ireland*, or required or desiring to make an Affidavit or Deposition in the Course of any Criminal Proceeding, shall refuse or be unwilling, from alleged conscientious Motives, to be sworn, it shall be lawful for the Court or Judge, or other presiding Officer or Person qualified to take Affidavits or Depositions, upon being satisfied of the Sincerity of such Objection, to permit such Person, instead of being sworn, to make his or her solemn Affirmation or Declaration, in the Words following; *videlicet*,

'I *A.B.* do solemnly, sincerely, and truly affirm and declare, That the taking of any Oath is according to my Religious Belief unlawful; and I do also solemnly, sincerely, and truly affirm and declare,' &c.

Which solemn Affirmation and Declaration shall be of the same Force and Effect as if such Person had taken an Oath in the usual Form.

Punishment for making false Affirmation.

2. If any Person making such solemn Affirmation or Declaration shall wilfully, falsely, and corruptly affirm or declare any Matter or Thing which, if the same had been sworn in the usual Form, would have amounted to wilful and corrupt Perjury, every such Person so offending shall incur the same

Penalties as by the Laws and Statutes of this Kingdom are or may be enacted or provided against Persons convicted of wilful and corrupt Perjury.

Commencement of Act.

3. This Act shall come into operation on the First Day of *October* in the Year One thousand eight hundred and sixty-one.

CAP. LXVII.

An Act to make better Provision for the Constitution of the Council of the Governor General of *India*, and for the Local Government of the several Presidencies and Provinces of *India*, and for the temporary Government of *India* in the event of a Vacancy in the Office of Governor General. [1st *August* 1861.]

'WHEREAS it is expedient that the Provisions of former Acts of Parliament respecting the Constitution and Functions of the Council of the Governor General of *India* should be consolidated and in certain respects amended, and that Power should be given to the Governors in Council of the Presidencies of *Fort Saint George* and *Bombay* to make Laws and Regulations for the Government of the said Presidencies, and that Provision should be made for constituting the like Authority in other Parts of Her Majesty's *Indian* Dominions:' Be it therefore declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The *Indian* Councils Act, 1861."

Acts and Parts of Acts repealed.

2. Sections Forty, Forty-three, Forty-four, Fifty, Sixty-six, Seventy, and so much of Sections Sixty-one and Sixty-four as relates to Vacancies in the Office of ordinary Member of the Council of *India*, of the Act of the Third and Fourth Years of King *William* the Fourth, Chapter Eighty-five, for effecting an Arrangement with the *East India* Company, and for the better Government of Her Majesty's *Indian* Territories, till the Thirtieth Day of *April* One thousand eight hundred and fifty-four, Sections Twenty-two, Twenty-three, Twenty-four, and Twenty-six of the Act of the Sixteenth and Seventeenth Years of Her Majesty, Chapter Ninety-five, "to provide for the Government of "*India*," and the Act of the Twenty-third and Twenty-fourth Years of Her Majesty, Chapter Eighty-seven, "to remove Doubts as to the Authority of the Senior Member of the Council of the Governor "General of *India* in the Absence of the President," are hereby repealed, and all other Enactments whatsoever now in force with relation to the Council of the Governor General of *India*, or to the Councils of the Governors of the respective Presidencies of *Fort Saint George* and *Bombay*, shall, save so far as the same are altered by or are repugnant to this Act, continue in force, and be applicable to the Council of the Governor General of *India* and the Councils of the respective Presidencies under this Act.

Composition of the Council of the Governor General of India.

3. There shall be Five ordinary Members of the said Council of the Governor General, Three of whom shall from Time to Time be appointed by the Secretary of State for *India* in Council, with the Concurrence of a Majority of Members present at a Meeting, from among such Persons as shall have been, at the Time of such Appointment in the Service in *India* of the Crown, or of the Company and the Crown, for at least Ten Years, and if the Person so appointed shall be in the Military Service of the Crown he shall not, during his Continuance in Office as a Member of Council, hold any Military Command, or be employed in actual Military Duties, and the remaining Two, One of whom shall be a Barrister or a Member of the Faculty of Advocates in *Scotland* of not less than Five Years Standing, shall be appointed from Time to Time by Her Majesty by Warrant under Her Royal Sign Manual; and it shall be lawful for the Secretary of State in Council to appoint the Commander-in-Chief of Her Majesty's Forces in *India* to be an extraordinary Member of the said Council, and such extraordinary Member of Council shall have Rank and Precedence at the Council Board next after the Governor General.

Present Members of Council to continue.

4. The present ordinary Members of the Council of the Governor General of *India* shall continue to be ordinary Members under and for the Purposes of this Act; and it shall be lawful for Her Majesty, on the passing of this Act, to appoint by Warrant as aforesaid an ordinary Member of Council, to complete the Number of Five hereby established; and there shall be paid to such ordinary Member, and to all other ordinary Members who may be hereafter appointed, such Amount of Salary as may from Time to Time be fixed for Members of the Council of the Governor General by the Secretary of State in Council, with the Concurrence of a Majority of Members of Council present at a Meeting; and all Enactments of any Act of Parliament or Law of *India* respecting the Council of the Governor General of *India* and the Members thereof shall be held to apply to the said Council as constituted by this Act, except so far as they are repealed by or are repugnant to any Provisions of this Act.

Power of making provisional Appointments of Members of Council by Secretary of State.

5. It shall be lawful for the Secretary of State in Council, with the Concurrence of a Majority of Members present at a Meeting, and for Her Majesty by Warrant as aforesaid, respectively, to appoint any Person provisionally to succeed to the Office of ordinary Member of the Council of the Governor General, when the same shall become vacant by the Death or Resignation of the Person holding the said Office, or on his Departure from *India* with Intent to return to *Europe*, or on any Event

Event and Contingency expressed in any such Provisional Appointment, and such Appointment again to revoke; but no Person so appointed to succeed provisionally to such Office shall be entitled to any Authority, Salary, or Emolument appertaining thereto until he shall be in the actual Possession of such Office.

Provision on Absence of Governor General in other Parts of India.

6. Whenever the said Governor General in Council shall declare that it is expedient that the said Governor General should visit any Part of *India* unaccompanied by his Council, it shall be lawful for the said Governor General in Council, previously to the Departure of the said Governor General, to nominate some Member of the said Council to be President of the said Council, in whom, during the Time of such Visit, the Powers of the said Governor General in Assemblies of the said Council shall be reposed, except that of assenting to or withholding his Assent from, or reserving for the Signification of Her Majesty's Pleasure, any Law or Regulation, as herein-after provided; and it shall be lawful in every such Case for the said Governor General in Council, by an Order for that Purpose to be made, to authorize the Governor General alone to exercise all or any of the Powers which might be exercised by the said Governor General in Council in every Case in which the said Governor General may think it expedient to exercise the same, except the Power of making Laws or Regulations.

Provision on Absence of Governor General from Meeting.

7. Whenever the Governor General, or such President so nominated as aforesaid, shall be obliged to absent himself from any Meeting of Council (other than Meetings for the Purpose of making Laws and Regulations, as herein-after provided,) owing to Indisposition or any other Cause whatsoever, and shall signify his intended Absence to the Council, then and in every such Case the senior Member for the Time being who shall be present at such Meeting shall preside thereat, in such Manner, and with such full Powers and Authorities during the Time of such Meeting, as such Governor General or President would have had in case he had been present at such Meeting: Provided always, that no Act of Council made at any such Meeting shall be valid to any Effect whatsoever unless the same shall be signed by such Governor General or President respectively, if such Governor General or President shall at the Time be resident at the Place at which such Meeting shall be assembled, and shall not be prevented by such Indisposition from signing the same: Provided always, that in case such Governor General or President, not being so prevented as aforesaid, shall decline or refuse to sign such Act of Council, he, and the several Members of Council who shall have signed the same, shall mutually exchange with and communicate in Writing to each other the Grounds and Reasons of their respective Opinions, in like Manner and subject to such Regulations and ultimate Responsibility as are by an Act of the Thirty-third Year of King *George* the Third, Chapter Fifty-two, Sections Forty-seven, Forty-eight, Forty-nine, Fifty, and Fifty-one, provided and described in Cases where such Governor General shall, when present, dissent from any Measure proposed or agitated in the Council.

Power of Governor General to make Rules for Conduct of Business.

8. It shall be lawful for the Governor General from Time to Time to make Rules and Orders for the more convenient Transaction of Business in the said Council; and any Order made or Act done in accordance with such Rules and Orders (except as hereafter provided respecting Laws and Regulations) shall be deemed to be the Order or Act of the Governor General in Council.

Power to Council to assemble at any Place in India.

9. The said Council shall from Time to Time assemble at such Place or Places as shall be appointed by the Governor General in Council within the Territories of *India;* and as often as the said Council shall assemble within either of the Presidencies of *Fort Saint George* or *Bombay*, the Governor of such Presidency shall act as an extraordinary Member of Council; and as often as the said Council shall assemble within any other Division, Province, or Territory having a Lieutenant Governor, such Lieutenant Governor shall act as an additional Councillor at Meetings of the Council, for the Purpose of making Laws and Regulations only, in manner herein-after provided.

Additional Members to be summoned for the Purpose of making Laws and Regulations.

10. For the better Exercise of the Power of making Laws and Regulations vested in the Governor General in Council, the Governor General shall nominate, in addition to the ordinary and extraordinary Members above mentioned, and to such Lieutenant Governor in the Case aforesaid, such Persons, not less than Six nor more than Twelve in Number, as to him may seem expedient, to be Members of Council for the Purpose of making Laws and Regulations only, and such Persons shall not be entitled to sit or vote at any Meeting of Council, except at Meetings held for such Purpose: Provided that not less than One Half of the Persons so nominated shall be non-official Persons, that is, Persons who, at the Date of such Nomination, shall not be in the Civil or Military Service of the Crown in *India*, and that the Seat in Council of any non-official Member accepting Office under the Crown in *India* shall be vacated on such Acceptance.

Additional Members to be appointed for Two Years.

11. Every additional Member of Council so nominated shall be summoned to all Meetings held for the Purpose of making Laws and Regulations, for the Term of Two Years from the Date of such Nomination.

Resignation of additional Members.

12. It shall be lawful for any such additional Member of Council to resign his Office to the Governor General, and on Acceptance of such Resignation by the Governor General such Office shall become vacant.

Power to fill up Vacancy in Number of additional Members.

13. On the event of a Vacancy occurring by the Death, Acceptance of Office, or Resignation, accepted in manner aforesaid, of any such additional Member of Council, it shall be lawful for the Governor General to nominate any Person as additional Member of Council in his Place, who shall exercise the same Functions until the Termination of the Term for which the additional Member so dying, accepting Office,

Office, or resigning was nominated: Provided always, that it shall not be lawful for him by such Nomination to diminish the Proportion of non-official additional Members herein-before directed to be nominated.

Law not invalid if Number of non-official Members incomplete.

14. No Law or Regulation made by the Governor General in Council, in accordance with the Provisions of this Act, shall be deemed invalid by reason only that the Proportion of non-official additional Members hereby provided was not complete at the Date of its Introduction to the Council or its Enactment.

Senior ordinary Member of Council to preside at Meetings for making Laws, &c. in Absence of Governor General, &c.

15. In the Absence of the Governor General and of the President, nominated as aforesaid, the senior ordinary Member of the Council present shall preside at Meetings of the Council for making Laws and Regulations; and the Power of making Laws and Regulations vested in the Governor General in Council shall be exercised only at Meetings of the said Council at which such Governor General or President, or some ordinary Member of Council, and Six or more Members of the said Council, (including under the Term Members of the Council such additional Members as aforesaid,) shall be present; and in every Case of Difference of Opinion at Meetings of the said Council for making Laws and Regulations where there shall be an Equality of Voices, the Governor General, or in his Absence the President, and in the Absence of the Governor General and President such senior ordinary Member of Council there presiding, shall have Two Votes or the Casting Vote.

Quorum.

Governor General to appoint First Meeting for making Laws and Regulations.

16. The Governor General in Council shall, as soon as conveniently may be, appoint a Place and Time for the First Meeting of the said Council of the Governor General for making Laws and Regulations under this Act, and summon thereto as well the additional Councillors nominated by and under this Act as the other Members of such Council; and until such First Meeting the Powers now vested in the said Governor General of *India* in Council of making Laws and Regulations shall and may be exercised in like Manner and by the same Members as before the passing of this Act.

Power to appoint and adjourn Meetings for making Laws and Regulations.

17. It shall be lawful for the Governor General in Council from Time to Time to appoint all other Times and Places of Meeting of the Council for the Purpose of making Laws and Regulations under the Provisions of this Act, and to adjourn, or from Time to Time to authorize such President, or senior ordinary Member of Council in his Absence, to adjourn any Meeting for the Purpose of making Laws and Regulations from Time to Time and from Place to Place.

Governor General to make Rules for Conduct of Business at such Meetings.

18. It shall be lawful for the Governor General in Council to make Rules for the Conduct of Business at Meetings of the Council for the Purpose of making Laws and Regulations under the Provisions of this Act, prior to the First of such Meetings, but such Rules may be subsequently amended at Meetings for the Purpose of making Laws or Regulations, subject to the Assent of the Governor General; and such Rules shall prescribe the Mode of Promulgation and Authentication of such Laws and Regulations: Provided always, that it shall be lawful for the Secretary of State in Council to disallow any such Rule, and to render it of no effect.

Business to be transacted at such Meetings.

19. No Business shall be transacted at any Meeting for the Purpose of making Laws and Regulations, except as last herein-before provided, other than the Consideration and Enactment of Measures introduced into the Council for the Purpose of such Enactment; and it shall not be lawful for any Member or additional Member to make or for the Council to entertain any Motion, unless such Motion be for Leave to introduce some Measure as aforesaid into Council, or have reference to some Measure actually introduced thereinto: Provided always, that it shall not be lawful for any Member or additional Member to introduce, without the previous Sanction of the Governor General, any Measure affecting,—

1st. The Public Debt or Public Revenues of *India*, or by which any Charge would be imposed on such Revenues:

2d. The Religion or Religious Rites and Usages of any Class of Her Majesty's Subjects in *India*:

3d. The Discipline or Maintenance of any Part of Her Majesty's Military or Naval Forces:

4th. The Relations of the Government with Foreign Princes or States.

Assent of Governor General to Laws made at such Meetings.

20. When any Law or Regulation has been made by the Council at a Meeting for the Purpose of making Laws and Regulations as aforesaid, it shall be lawful for the Governor General, whether he shall or shall not have been present in Council at the making thereof, to declare that he assents to the same, or that he withholds his Assent from the same, or that he reserves the same for the Signification of the Pleasure of Her Majesty thereon; and no such Law or Regulation shall have Validity until the Governor General shall have declared his Assent to the same, or until (in the Case of a Law or Regulation so reserved as aforesaid) Her Majesty shall have signified Her Assent to the same to the Governor General, through the Secretary of State for *India* in Council, and such Assent shall have been duly proclaimed by the said Governor General.

Power of the Crown to disallow Laws made at such Meetings.

21. Whenever any such Law or Regulation has been assented to by the Governor General, he shall transmit to the Secretary of State for *India* an authentic Copy thereof; and it shall be lawful for Her Majesty to signify, through the Secretary of State for *India* in Council, Her Disallowance of such Law; and such Disallowance shall make void and annul such Law from or after the Day on which the Governor General shall make known, by Proclamation or by Signification to his Council, that he has received the Notification of such Disallowance by Her Majesty.

Extent of the Powers of the

22. The Governor General in Council shall have Power at Meetings for the Purpose of making Laws and Regulations as aforesaid, and subject to the Provisions herein contained, to make Laws and Regulations

Regulations for repealing, amending, or altering any Laws or Regulations whatever, now in force or hereafter to be in force in the *Indian* Territories now under the Dominion of Her Majesty, and to make Laws and Regulations for all Persons, whether *British* or Native, Foreigners or others, and for all Courts of Justice whatever, and for all Places and Things whatever within the said Territories, and for all Servants of the Government of *India* within the Dominions of Princes and States in Alliance with Her Majesty; and the Laws and Regulations so to be made by the Governor General in Council shall control and supersede any Laws and Regulations in anywise repugnant thereto which shall have been made prior thereto by the Governors of the Presidencies of *Fort Saint George* and *Bombay* respectively in Council, or the Governor or Lieutenant Governor in Council of any Presidency or other Territory for which a Council may be appointed, with Power to make Laws and Regulations, under and by virtue of this Act: Provided always, that the said Governor General in Council shall not have the Power of making any Laws or Regulations which shall repeal or in any way affect any of the Provisions of this Act:

Governor General in Council to make Laws and Regulations at such Meetings.

Or any of the Provisions of the Acts of the Third and Fourth Years of King *William* the Fourth, Chapter Eighty-five, and of the Sixteenth and Seventeenth Years of Her Majesty, Chapter Ninety-five, and of the Seventeenth and Eighteenth Years of Her Majesty, Chapter Seventy-seven, which after the passing of this Act shall remain in force:

Or any Provisions of the Act of the Twenty-first and Twenty-second Years of Her Majesty, Chapter One hundred and six, entitled *An Act for the better Government of* India; or of the Act of the Twenty-second and Twenty-third Years of Her Majesty, Chapter Forty-one, to amend the same:

Or of any Act enabling the Secretary of State in Council to raise Money in the United Kingdom for the Government of *India*:

Or of the Acts for punishing Mutiny and Desertion in Her Majesty's Army or in Her Majesty's *Indian* Forces respectively; but subject to the Provision contained in the Act of the Third and Fourth Years of King *William* the Fourth, Chapter Eighty-five, Section Seventy-three, respecting the *Indian* Articles of War:

Or any Provisions of any Act passed in this present Session of Parliament, or hereafter to be passed, in anywise affecting Her Majesty's *Indian* Territories, or the Inhabitants thereof:

Or which may affect the Authority of Parliament, or the Constitution and Rights of the *East India* Company, or any Part of the unwritten Laws or Constitution of the United Kingdom of *Great Britain* and *Ireland*, whereon may depend in any Degree the Allegiance of any Person to the Crown of the United Kingdom, or the Sovereignty or Dominion of the Crown over any Part of the said Territories.

Governor General may make Ordinances having Force of Law in Cases of urgent Necessity.

23. Notwithstanding anything in this Act contained, it shall be lawful for the Governor General, in Cases of Emergency, to make and promulgate from Time to Time Ordinances for the Peace and good Government of the said Territories or of any Part thereof, subject however to the Restrictions contained in the last preceding Section; and every such Ordinance shall have like Force of Law with a Law or Regulation made by the Governor General in Council, as by this Act provided, for the Space of not more than Six Months from its Promulgation, unless the Disallowance of such Ordinance by Her Majesty shall be earlier signified to the Governor General by the Secretary of State for *India* in Council, or unless such Ordinance shall be controlled or superseded by some Law or Regulation made by the Governor General in Council at a Meeting for the Purpose of making Laws and Regulations as by this Act provided.

No Law, &c. invalid for affecting Prerogative of Crown.

24. No Law or Regulation made by the Governor General in Council (subject to the Power of Disallowance by the Crown, as herein-before provided,) shall be deemed invalid by reason only that it affects the Prerogative of the Crown.

Laws made for the Non-Regulation Provinces declared valid.

25. 'Whereas Doubts have been entertained whether the Governor General of *India*, or the Governor 'General of *India* in Council, had the Power of making Rules, Laws, and Regulations for the Territories 'known from Time to Time as "Non-Regulation Provinces," except at Meetings for making Laws and 'Regulations in conformity with the Provisions of the said Acts of the Third and Fourth Years of King '*William* the Fourth, Chapter Eighty-five, and of the Sixteenth and Seventeenth Years of Her 'Majesty, Chapter Ninety-five, and whether the Governor, or Governor in Council, or Lieutenant 'Governor of any Presidency or Part of *India*, had such Power in respect of any such Territories:' Be it enacted, That no Rule, Law, or Regulation which prior to the passing of this Act shall have been made by the Governor General, or Governor General in Council, or by any other of the Authorities aforesaid, for and in respect of any such Non-Regulation Province, shall be deemed invalid only by reason of the same not having been made in conformity with the Provisions of the said Acts, or of any other Act of Parliament respecting the Constitution and Powers of the Council of *India* or of the Governor General, or respecting the Powers of such Governors, or Governors in Council, or Lieutenant Governors as aforesaid.

Provision for Leave of Absence to Member of Council.

26. It shall be lawful for the Governor General in Council, or Governor in Council of either of the Presidencies, as the Case may be, to grant to an ordinary Member of Council Leave of Absence, under Medical Certificate, for a Period not exceeding Six Months; and such Member, during his Absence, shall

shall retain his Office, and shall, on his Return and Resumption of his Duties, receive Half his Salary for the Period of such Absence, but if his Absence shall exceed Six Months, his Office shall be vacated.

Power of making temporary Appointments of Members of Council by Governor General or Governor of a Presidency.

27. If any Vacancy shall happen in the Office of an ordinary Member of the Council of the Governor General, or of the Council of either of the Presidencies, when no Person provisionally appointed to succeed thereto shall be then present on the Spot, then, and on every such Occasion, such Vacancy shall be supplied by the Appointment of the Governor General in Council, or the Governor in Council, as the Case may be; and until a Successor shall arrive the Person so nominated shall execute the Office to which he shall have been appointed, and shall have all the Powers thereof, and shall have and be entitled to the Salary and other Emoluments and Advantages appertaining to the said Office during his Continuance therein, every such temporary Member of Council foregoing all Salaries and Allowances by him held and enjoyed at the Time of his being appointed to such Office; and if any ordinary Member of the Council of the Governor General, or of the Council of either of the Presidencies, shall, by any Infirmity or otherwise, be rendered incapable of acting or of attending to act as such, or if any such Member shall be absent on Leave, and if any Person shall have been provisionally appointed as aforesaid, then the Place of such Member absent or unable to attend shall be supplied by such Person; and if no Person provisionally appointed to succeed to the Office shall be then on the Spot, the Governor General in Council, or Governor in Council, as the Case may be, shall appoint some Person to be a temporary Member of Council, and, until the Return of the Member so absent or unable to attend, the Person so provisionally appointed by the Secretary of State in Council, or so appointed by the Governor General in Council, or Governor in Council, as the Case may be, shall execute the Office to which he shall have been appointed, and shall have all the Powers thereof, and shall receive Half the Salary of the Member of Council whose Place he supplies, and also Half the Salary of his Office under the Government of *India*, or the Government of either of the Presidencies, as the Case may be, if he hold any such Office, the remaining Half of such last-named Salary being at the Disposal of the Government of *India*, or other Government as aforesaid: Provided always, that no Person shall be appointed a temporary Member of the said Council who might not have been appointed as herein-before provided to fill the Vacancy supplied by such temporary Appointment.

Governors of Fort Saint George and Bombay may make Rules, &c.

28. It shall be lawful for the Governors of the Presidencies of *Fort Saint George* and *Bombay* respectively from Time to Time to make Rules and Orders for the Conduct of Business in their Councils, and any Order made or Act done in accordance with such Directions (except as herein-after provided respecting Laws and Regulations) shall be deemed to be the Order or Act of the Governor in Council.

Power to summon additional Members to Council of Fort Saint George and Bombay for Purpose of making Laws and Regulations.

29. For the better Exercise of the Power of making Laws and Regulations herein-after vested in the Governors of the said Presidencies in Council respectively, each of the said Governors shall, in addition to the Members whereof his Council now by Law consists, or may consist, termed herein ordinary Members, nominate to be additional Members the Advocate General of the Presidency, or Officer acting in that Capacity, and such other Persons, not less than Four nor more than Eight in Number, as to him may seem expedient, to be Members of Council, for the Purpose of making Laws and Regulations only, and such Members shall not be entitled to sit or vote at any Meeting of Council, except at Meetings held for such Purpose; provided that not less than Half of the Persons so nominated shall be non-official Persons, as herein-before described, and that the Seat in Council of any non-official Member accepting Office under the Crown in *India* shall be vacated on such Acceptance.

Additional Members appointed for Two Years.

30. Every additional Member of Council so nominated shall be summoned to all Meetings held for the Purpose of making Laws and Regulations for the Term of Two Years from the Date of such Nomination.

Resignation of additional Members.

31. It shall be lawful for any such additional Member of Council to resign his Office to the Governor of the Presidency; and on Acceptance of such Resignation by the Governor of the Presidency such Office shall become vacant.

Power to fill up Vacancy in the Number of additional Members.

32. On the event of a Vacancy occurring by the Death, Acceptance of Office, or Resignation accepted in manner aforesaid, of any such additional Member of Council, it shall be lawful for the Governor of the Presidency to summon any Person as additional Member of Council in his Place, who shall exercise the same Functions until the Termination of the Term for which the additional Member so dying, accepting Office, or resigning was nominated: Provided always, it shall not be lawful for him by such Nomination to diminish the Proportion of non-official Members herein-before directed to be nominated.

Law not invalid from Number of non-official Members being incomplete.

33. No Law or Regulation made by any such Governor in Council in accordance with the Provisions of this Act shall be deemed invalid by reason only that the Proportion of non-official additional Members hereby established was not complete at the Date of its Introduction to the Council or its Enactment.

Senior Civil ordinary Member of Council to preside in Absence of Governor of Presidency.

34. At any Meeting of the Council of either of the said Presidencies from which the Governor shall be absent, the senior Civil ordinary Member of Council present shall preside; and the Power of making Laws and Regulations hereby vested in such Governor in Council shall be exercised only at Meetings of such Council at which the Governor or some ordinary Member of Council, and Four or more Members of Council (including under the Term Members of Council such additional Members as aforesaid), shall be present; and in any Case of Difference of Opinion at Meetings of any such Council for making Laws and Regulations, where there shall be an Equality of Voices, the Governor, or in his Absence the senior Member then presiding, shall have Two Votes or the Casting Vote.

35. The

Governor General to fix First Meeting of Councils of Presidencies.

35. The Governor General in Council shall, as soon as conveniently may be, appoint the Time for the First Meeting of the Councils of *Fort Saint George* and *Bombay* respectively, for the Purpose of making Laws and Regulations under this Act, and the Governors of the said Presidencies respectively shall summon to such Meeting as well the additional Councillors appointed by and under this Act as the ordinary Members of the said Councils.

Governors of Presidencies to appoint subsequent Meetings.

36. It shall be lawful for every such Governor to appoint all subsequent Times and Places of Meeting of his Council for the Purpose of making Laws and Regulations under the Provisions of this Act, and to adjourn or from Time to Time to authorize such senior ordinary Member of Council in his Absence to adjourn any Meeting for making Laws and Regulations from Time to Time and from Place to Place.

Governors to make Rules and Orders for Conduct of Business at such Meetings.

37. Previously to the First of such Meetings of their Councils for the Purpose of making Laws and Regulations under the Provisions of this Act, the Governors of the said Presidencies in Council respectively shall make Rules for the Conduct of Business at such Meetings, subject to the Sanction of the Governor General in Council; but such Rules may be subsequently amended at Meetings for the Purpose of making Laws and Regulations, subject to the Assent of the Governor: Provided always, that it shall be lawful for the Governor General in Council to disallow any such Rule, and render the same of no Effect.

Business to be transacted at such Meetings.

38. No Business shall be transacted at any Meeting of the Council of either of the said Presidencies for the Purpose of making Laws and Regulations (except as last herein-before provided) other than the Consideration and Enactment of Measures introduced into such Council for the Purpose of such Enactment; and it shall not be lawful for any Member or additional Member to make, or for the Council to entertain, any Motion, unless such Motion shall be for Leave to introduce some Measure as aforesaid into Council, or have reference to some Measure actually introduced thereinto: Provided always, that it shall not be lawful for any Member or additional Member to introduce, without the previous Sanction of the Governor, any Measure affecting the Public Revenues of the Presidency, or by which any Charge shall be imposed on such Revenues.

Governors to assent to Laws &c. of Presidencies.

39. When any Law or Regulation has been made by any such Council at a Meeting for the Purpose of making Laws and Regulations as aforesaid, it shall be lawful for the Governor, whether he shall or shall not have been present in Council at such Meeting, to declare that he assents to, or withholds his Assent from, the same.

Governor General to assent to Laws and Regulations of Presidencies.

40. The Governor shall transmit forthwith an authentic Copy of every Law or Regulation to which he shall have so declared his Assent to the Governor General, and no such Law or Regulation shall have Validity until the Governor General shall have assented thereto, and such Assent shall have been signified by him to and published by the Governor: Provided always, that in every Case where the Governor General shall withhold his Assent from any such Law or Regulation, he shall signify to the Governor in Writing his Reason for so withholding his Assent.

Power of the Crown to disallow Laws and Regulations of Presidencies.

41. Whenever any such Law or Regulation shall have been assented to by the Governor General, he shall transmit to the Secretary of State for *India* an authentic Copy thereof; and it shall be lawful for Her Majesty to signify, through the Secretary of State for *India* in Council, Her Disallowance of such Law or Regulation, and such Disallowance shall make void and annul such Law or Regulation from or after the Day on which such Governor shall make known by Proclamation, or by Signification to the Council, that he has received the Notification of such Disallowance by Her Majesty.

Extent of Power of Governor of Presidency in Council to make Laws and Regulations.

42. The Governor of each of the said Presidencies in Council shall have Power at Meetings for the Purpose of making Laws and Regulations as aforesaid, and, subject to the Provisions herein contained, to make Laws and Regulations for the Peace and good Government of such Presidency, and for that Purpose to repeal and amend any Laws and Regulations made prior to the coming into Operation of this Act by any Authority in *India*, so far as they affect such Presidency: Provided always, that such Governor in Council shall not have the Power of making any Laws or Regulations which shall in any way affect any of the Provisions of this Act, or of any other Act of Parliament in force, or hereafter to be in force, in such Presidency.

Governor of Presidency, except with Sanction of Governor General, not to make or take into consideration certain Laws or Regulations.

43. It shall not be lawful for the Governor in Council of either of the aforesaid Presidencies, except with the Sanction of the Governor General, previously communicated to him, to make Regulations or take into consideration any Law or Regulation for any of the Purposes next herein-after mentioned; that is to say,

1. Affecting the Public Debt of *India*, or the Customs Duties, or any other Tax or Duty now in force and imposed by the Authority of the Government of *India* for the general Purposes of such Government:
2. Regulating any of the current Coin, or the Issue of any Bills, Notes, or other Paper Currency:
3. Regulating the Conveyance of Letters by the Post Office or Messages by the Electric Telegraph within the Presidency:
4. Altering in any way the Penal Code of *India*, as established by Act of the Governor General in Council, No. 42 of 1860:
5. Affecting the Religion or Religious Rites and Usages of any Class of Her Majesty's Subjects in *India*:

6. Affecting the Discipline or Maintenance of any Part of Her Majesty's Military or Naval Forces:
7. Regulating Patents or Copyright:
8. Affecting the Relations of the Government with Foreign Princes or States:

Provided always, that no Law, or Provision of any Law or Regulation which shall have been made by any such Governor in Council, and assented to by the Governor General as aforesaid, shall be deemed invalid only by reason of its relating to any of the Purposes comprised in the above List.

Governor General may establish Councils for making Laws and Regulations in the Presidency of Fort William in Bengal, &c.

44. The Governor General in Council, so soon as it shall appear to him expedient, shall, by Proclamation, extend the Provisions of this Act touching the making of Laws and Regulations for the Peace and good Government of the Presidencies of *Fort Saint George* and *Bombay* to the *Bengal* Division of the Presidency of *Fort William*, and shall specify in such Proclamation the Period at which such Provisions shall take effect, and the Number of Councillors whom the Lieutenant Governor of the said Division may nominate for his Assistance in making Laws and Regulations; and it shall be further lawful for the Governor General in Council, from Time to Time and in his Discretion, by similar Proclamation, to extend the same Provisions to the Territories known as the North-western Provinces and the *Punjab* respectively.

Constitution of such Councils.

45. Whenever such Proclamation as aforesaid shall have been issued regarding the said Division or Territories respectively, the Lieutenant Governor thereof shall nominate, for his Assistance in making Laws and Regulations, such Number of Councillors as shall be in such Proclamation specified; provided that not less than One Third of such Councillors shall in every Case be non-official Persons, as herein-before described, and that the Nomination of such Councillors shall be subject to the Sanction of the Governor General; and provided further, that at any Meeting of any such Council from which the Lieutenant Governor shall be absent, the Member highest in official Rank among those who may hold Office under the Crown shall preside; and the Power of making Laws and Regulations shall be exercised only at Meetings at which the Lieutenant Governor, or some Member holding Office as aforesaid, and not less than One Half of the Members of Council so summoned as aforesaid, shall be present; and in any Case of Difference of Opinion at any Meetings of such Council for making Laws and Regulations, where there shall be an Equality of Voices, the Lieutenant Governor, or such Member highest in official Rank as aforesaid then presiding, shall have Two Votes or the Casting Vote.

Power to constitute new Provinces, and appoint Lieutenant Governors.

46. It shall be lawful for the Governor General, by Proclamation as aforesaid, to constitute from Time to Time new Provinces for the Purposes of this Act, to which the like Provisions shall be applicable; and further to appoint from Time to Time a Lieutenant Governor to any Province so constituted as aforesaid, and from Time to Time to declare and limit the Extent of the Authority of such Lieutenant Governor, in like Manner as is provided by the Act of the Seventeenth and Eighteenth Years of Her Majesty, Chapter Seventy-seven, respecting the Lieutenant Governors of *Bengal* and the North-western Provinces.

Power to alter Boundaries of Provinces.

47. It shall be lawful for the Governor General in Council, by such Proclamation as aforesaid, to fix the Limits of any Presidency, Division, Province, or Territory in *India* for the Purposes of this Act, and further by Proclamation to divide or alter from Time to Time the Limits of any such Presidency, Division, Province, or Territory for the said Purposes: Provided always, that any Law or Regulation made by the Governor or Lieutenant Governor in Council of any Presidency, Division, Province, or Territory shall continue in force in any Part thereof which may be severed therefrom by any such Proclamation until superseded by Law or Regulation of the Governor General in Council, or of the Governor or Lieutenant Governor in Council of the Presidency, Division, Province, or Territory to which such Parts may become annexed.

Former Provisions of this Act extended to future Councils.

48. It shall be lawful for every such Lieutenant Governor in Council thus constituted to make Laws for the Peace and good Government of his respective Division, Province, or Territory; and, except as otherwise herein-before specially provided, all the Provisions in this Act contained respecting the Nomination of additional Members for the Purpose of making Laws and Regulations for the Presidencies of *Fort Saint George* and *Bombay*, and limiting the Power of the Governors in Council of *Fort Saint George* and *Bombay* for the Purpose of making Laws and Regulations, and respecting the Conduct of Business in the Meetings of such Councils for that Purpose, and respecting the Power of the Governor General to declare or withhold his Assent to Laws or Regulations made by the Governor in Council of *Fort Saint George* and *Bombay*, and respecting the Power of Her Majesty to disallow the same, shall apply to Laws or Regulations to be so made by any such Lieutenant Governor in Council.

Previous Assent of the Crown necessary to give Validity to any such Proclamation.

49. Provided always, That no Proclamation to be made by the Governor General in Council under the Provisions of this Act for the Purpose of constituting any Council for the Presidency, Division, Provinces, or Territories herein-before named, or any other Provinces, or for altering the Boundaries of any Presidency, Division, Province, or Territory, or constituting any new Province for the Purpose of this Act, shall have any Force or Validity until the Sanction of Her Majesty to the same shall have been previously signified by the Secretary of State in Council to the Governor General.

Provision for the Supply of the Office of Governor Ge-

50. If any Vacancy shall happen in the Office of Governor General of *India* when no provisional Successor shall be in *India* to supply such Vacancy, then and in every such Case the Governor of the Presidency of *Fort Saint George* or the Governor of the Presidency of *Bombay* who shall have been first

first appointed to the Office of Governor by Her Majesty, shall hold and execute the said Office of Governor General of *India* and Governor of the Presidency of *Fort William* in *Bengal* until a Successor shall arrive, or until some Person in *India* shall be duly appointed thereto; and every such acting Governor General shall, during the Time of his continuing to act as such, have and exercise all the Rights and Powers of Governor General of *India*, and shall be entitled to receive the Emoluments and Advantages appertaining to the Office by him supplied, such acting Governor General foregoing the Salary and Allowances appertaining to the Office of Governor to which he stands appointed, and such Office of Governor shall be supplied for the Time during which such Governor shall act as Governor General, in the Manner directed in Section Sixty-three of the Act of the Third and Fourth Years of King *William* the Fourth, Chapter Eighty-five. neral in certain Circumstances.

51. If, on such Vacancy occurring, it shall appear to the Governor, who by virtue of this Act shall hold and execute the said Office of Governor General, necessary to exercise the Powers thereof before he shall have taken his Seat in Council, it shall be lawful for him to make known by Proclamation his Appointment, and his Intention to assume the said Office of Governor General, and after such Proclamation, and thenceforth until he shall repair to the Place where the Council may assemble, it shall be lawful for him to exercise alone all or any of the Powers which might be exercised by the Governor General in Council, except the Power of making Laws and Regulations; and all Acts done in the Exercise of the said Powers, except as aforesaid, shall be of the same Force and Effect as if they had been done by the Governor General in Council; provided that all Acts done in the said Council after the Date of such Proclamation, but before the Communication thereof to such Council, shall be valid, subject nevertheless to Revocation or Alteration by such Governor who shall have so assumed the said Office of Governor General; and from the Date of the Vacancy occurring until such Governor shall have assumed the said Office of Governor General the Provisions of Section Sixty-two of the Act of the Third and Fourth Years of King *William* the Fourth, Chapter Eighty-five, shall be and the same are declared to be applicable to the Case. If it appears to Governor necessary to exercise Powers before taking his Seat in Council, he may make his Appointment, &c. known by Proclamation.

52. Nothing in this Act contained shall be held to derogate from or interfere with (except as herein-before expressly provided) the Rights vested in Her Majesty, or the Powers of the Secretary of State for *India* in Council, in relation to the Government of Her Majesty's Dominions in *India*, under any Law in force at the Date of the passing of this Act; and all Things which shall be done by Her Majesty, or by the Secretary of State as aforesaid, in relation to such Government, shall have the same Force and Validity as if this Act had not been passed. Nothing in this Act shall derogate from the Powers of the Crown or Secretary of State for India in Council.

53. Wherever any Act or Thing is by this Act required or authorized to be done by the Governor General or by the Governors of the Presidencies of *Fort Saint George* and *Bombay* in Council, it is not required that such Act or Thing should be done at a Meeting for making Laws and Regulations, unless where expressly provided. Meaning of Term "in Council."

54. Except as herein-before specially provided, this Act shall commence and come into operation as soon as the same shall have been published by the said Governor General in Council by Proclamation. Time when Act shall come into operation.

CAP. LXVIII.

An Act to amend the Laws relating to Attorneys and Solicitors in *Ireland*. [1st *August* 1861.]

'WHEREAS it is expedient to amend the Laws relating to Attorneys and Solicitors in *Ireland* in 'manner herein-after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. In the Construction of this Act, unless there be something in the Subject or Context repugnant to such Construction, the Word "Attorney" shall mean Attorney of One or more of the Superior Courts of Law at *Dublin*, and the Word "Solicitor" shall mean Solicitor of the High Court of Chancery in *Ireland*. Interpretation of Terms.

2. Any Person having taken the Degree of Bachelor of Arts or Bachelor of Laws in the University of *Oxford*, *Cambridge*, *Dublin*, *Durham*, or *London*, or in the Queen's University in *Ireland*, or the Degree of Bachelor of Arts, Master of Arts, Bachelor of Laws, or Doctor of Laws in any of the Universities of *Scotland*, none of such Degrees being honorary Degrees, and who at any Time after having taken such Degree, and either before or after the passing of this Act, has been bound by and has duly served under Indentures of Apprenticeship to a practising Attorney or Solicitor for the Term of Three Years, and has been examined and sworn in manner directed by the Rules now in force or hereafter to be made by the Benchers of the Society of the *King's Inns* in *Dublin*, and in accordance with the Practice of the Court of Chancery or Superior Courts of Law in *Ireland*, may be admitted and enrolled as an Attorney or Solicitor, and where any Person has before the passing of this Act, and at any Time after having taken such Degree, been bound as aforesaid for any Period exceeding Three Years, he may, after having duly served Three Years of such Term, in such Manner as would have been required if he had been bound for Three Years only, and having been examined and sworn as aforesaid, and with the Consent in Writing (endorsed on his Indentures of Apprenticeship) of the Attorney or Solicitor to whom he may be bound to the immediate Determination of his Indentures of Apprenticeship, be admitted Persons having taken Degrees at certain Universities may be admitted after Three Years Service.

mitted and enrolled as an Attorney or Solicitor, and where such Consent is given as aforesaid, and acted upon, under this Provision, by the Person hereby made eligible to be admitted and enrolled as aforesaid, the Indentures of Apprenticeship shall be deemed to have determined as if they had determined by Effluxion of Time.

Persons having been at the Bar may be admitted after Three Years Service.

3. Every Person who, either before or after the passing of this Act, has been called to the Degree of Utter Barrister in *Ireland*, and after ceasing to be a Barrister has been bound by Indenture to serve as an Apprentice for any Term exceeding Three Years to a practising Attorney or Solicitor, and has in either of the said Cases continued in such Service for the Term of Three Years, and during the whole of such Three Years served in such Manner as is herein-before required in the Case of Persons who have taken Degrees in the said Universities, and been examined and sworn as aforesaid, after the Expiration of such Term of Three Years, may be admitted and enrolled as an Attorney and Solicitor: Provided always, that in the Case of any such Person as aforesaid who has been bound for a Period exceeding Three Years it shall be necessary for such Term to be determined with Consent, as herein-before provided in the Case of Persons having taken Degrees who may have been bound for a Period exceeding Three Years before the passing of this Act.

Persons having been bonâ fide Clerks to Attorneys or Solicitors for Ten Years may be admitted after Three Years Service.

4. Any Person who, either before or after the passing of this Act, shall for the Term of Ten Years have been a *bonâ fide* Clerk to an Attorney or Solicitor, or Attorneys or Solicitors, and during that Term shall have been *bonâ fide* engaged in the Transaction and Performance, under the Direction and Superintendence of such Attorney or Solicitor, or Attorneys or Solicitors, of such Matters of Business as are usually transacted and performed by Attorneys and Solicitors, and who shall produce to the Examiners satisfactory Evidence that he has faithfully, honestly, and diligently served as such Clerk, and who, after the Expiration of the said Term of Ten Years, and after having been examined as may have been or may be required for the Time being of Persons seeking to become Apprentices to Attorneys or Solicitors, has been bound by and has duly served under Indentures of Apprenticeship to a practising Attorney or Solicitor for the Term of Three Years, and has been examined and sworn in manner mentioned in Clause Two, may be admitted and enrolled as an Attorney and Solicitor; and where any such Person has, before the passing of this Act, been bound for any Period exceeding Three Years, he may, after having duly served Three Years of such Term, in such Manner as would have been required if he had been bound for Three Years only, and having been examined and sworn as mentioned in Section Two, and with the Consent in Writing (endorsed on his Indentures of Apprenticeship) of the Attorney or Solicitor to whom he may be bound to the immediate Determination of his Indentures of Apprenticeship, be admitted and enrolled as an Attorney and Solicitor; and where such Consent is given as aforesaid, and acted upon, under this Provision, by the Person hereby made eligible to be admitted and enrolled as aforesaid, the Indentures of Apprenticeship shall be deemed to have determined as if they had determined by Effluxion of Time.

Certain Apprentices not required to keep Terms.

5. No Apprentice within the Third Section and no Apprentice within the Fourth Section who shall have served Two Years or upwards of the said Term of Ten Years in the *Dublin* Office of an Attorney or Solicitor or Firm of Attorneys or Solicitors shall be required to attend Lectures or keep Terms in *Dublin* during his Apprenticeship.

When the Three or Five Years expire in any Vacation, Examination may take place in Term preceding such Vacation.

6. Whenever any of the Periods of Three Years and Five Years mentioned in this Act (whether the same Period shall have commenced before or after the passing of this Act) shall expire in any Vacation, then and in such Case any Person whose Period of Apprenticeship shall so expire shall be at liberty to pass his Examination in the Term immediately preceding the said Vacation, and at any Time in or after such Vacation; and after the said Period of Apprenticeship shall have expired, the Lord Chancellor of *Ireland*, or the Master of the Rolls, as to the Court of Chancery, and any One of the Judges as to the Courts of Common Law at *Dublin*, on being satisfied by Affidavit or otherwise that the Period of Apprenticeship of such Person has expired, may proceed to administer to him the Oath or Oaths usually taken in *Ireland* by Apprentices before being admitted, and may do and direct all other Acts necessary for or towards the Admission and Enrolment of such Person as an Attorney and Solicitor, as provided by any Act or lawful Regulation in that Behalf.

Not to prejudice Power of Courts, &c. to dispense with Rules.

7. Nothing in this Act contained shall prejudice or take away any Right or Power now possessed by any Court of Law or Equity, or by any of the Judges of such Courts, or by the Benchers of the Society of *King's Inn*, to dispense in any particular Case with any of the Rules or Conditions relating to the Admission or Examination of Attorneys or Solicitors, or Apprentices.

Extent of Act.

8. This Act shall only extend to *Ireland*, save as herein otherwise expressly provided.

CAP. LXIX.

An Act to provide for the Formation of Tramways on Turnpike and Statute Labour Roads in *Scotland*. [1st *August* 1861.]

'WHEREAS it would be of great public and local Advantage if Provision were made for the 'Formation of Tramways on Turnpike and Statute Labour Roads in *Scotland*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and

and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The Tramways (*Scotland*) Act, 1861."

Interpretation of Terms.

2. The following Words in this Act shall have the several Meanings hereby assigned to them:

The Word "Trustees" shall mean the Trustees for the Time being appointed and acting under any Local Turnpike or Statute Labour Road Act in *Scotland*:

The Word "Clerk" shall mean the Clerk for the Time being to such Trustees:

The Word "Tramways" shall mean and include any Tramroad or Tramway, whether temporary or permanent, formed of Iron, Stone, or other Material, and laid down level with the Surface on any Turnpike or Statute Labour Road under the Provisions of this Act.

With respect to the Formation of Tramways on Turnpike Roads:

Special Meeting of Trustees may be called to consider the Expediency of laying down Tramways.

3. Any Two Trustees may, by a Requisition under their Hands, require the Clerk to call a Special Meeting of the Trustees for any Day and Hour specified in such Requisition, not being earlier than Twenty-one Days after the Date thereof, for the Purpose of considering the Expediency of forming Tramways on the Roads under their Management, or any Part thereof; and within Three Days after the Receipt of such Requisition the Clerk shall call such Special Meeting, to be held at the Time specified therein, and at the Place where the Meetings of the Trustees are usually held; and Notice of such Meeting, and of the special Purpose thereof, shall be given by Advertisement inserted once in each of Two successive Weeks in a Newspaper published in the County in which such Roads are situated, or if there be no Newspaper published therein, in a Newspaper published in an adjoining County.

Trustees may remit to their Surveyor or to an Engineer to prepare Plans of Tramways and Estimate of Expense.

4. If the Trustees present at such Special Meeting shall resolve that it is expedient to form Tramways on the Roads under their Management, or any Part thereof, they may remit to their Surveyor, or to any Engineer to be named by them, to prepare Plans of the proposed Tramways, showing the Extent thereof, and the Mode in which the same are to be formed, and the Portions of the Roads to be occupied thereby, with an Estimate of the Expense of such Tramways; and such Plans and Estimate of Expense shall be lodged with the Clerk, for the Inspection of the Trustees, at least One Month previous to the General or Special Meeting before which the same are to be laid.

Plans and Estimate to be laid before General or Special Meeting of Trustees.

5. The Plans and Estimate of Expense prepared by such Surveyor or Engineer shall be laid before any General Meeting of the Trustees convened under the Provisions of the General Turnpike Road Act for *Scotland*, First and Second *William* the Fourth, Chapter Forty-three, or of any Local Act under which the Trustees are appointed and acting, or before a Special Meeting of the Trustees to be called in the Manner provided by the said General Turnpike Road Act; and the Trustees present at such General or Special Meeting may approve or disapprove of such Plans and Estimate of Expense, or may direct such Alterations to be made thereon as they may deem necessary, and may resolve to proceed or not to proceed with the Formation of the Tramways as they may think fit.

Tramways may be laid down according to Plans.

6. On such Plans and Estimate being finally approved by the Trustees at any General or Special Meeting, as the Case may be, it shall be lawful for the Trustees to form and lay down the Tramways in the Manner described on such Plans, and on the Roads included therein, or on the Sides of such Roads.

Tramways to form Part of Roads.

7. The Tramways shall be laid down on the Surface of the Roads or on the Sides thereof, and shall form Part of the Roads, and, subject to the Provisions of this Act, all the Enactments of the said General Turnpike Road Act, and of any Local Act relating to the Road on which the Tramways are laid down, shall be applicable to the Tramways, in the same Manner and to the same Effect as such Enactments are applicable to such Roads.

Expense of forming and maintaining Tramways, how to be defrayed.

8. The Expense of forming and laying down the Tramways, and incidental thereto, shall be defrayed out of the Tolls and Revenues of the Roads under the Management of the Trustees, or out of Money to be borrowed on the Credit of such Tolls and Revenues; and it shall be lawful for the Trustees to borrow Money for the Purpose of defraying such Expense, and to grant Assignations of such Tolls and Revenues in Security of the Payment of the Money so to be borrowed, in the Manner provided by the said General Turnpike Road Act, any Provision or Restriction with respect to the Power of borrowing Money contained in any Local Act relating to such Roads to the contrary notwithstanding; and the Expense of maintaining, managing, and repairing the Tramways shall be defrayed by the Trustees out of the Tolls and Revenues of such Roads: Provided that it shall not be lawful for the Trustees to apply any Part of such Tolls and Revenues in defraying the Expense of forming the Tramways, or to borrow Money for that Purpose on the Security of such Tolls and Revenues, without the Consent in Writing of the Persons entitled to Two Thirds of the Money borrowed and remaining due on the Credit of such Tolls and Revenues.

Tolls for Use of Tramways.

9. It shall be lawful for the Trustees, with the Powers and Authorities and subject to the Provisions and Exemptions contained in the said General Turnpike Road Act, and in any Local Act relating to the Roads on which the Tramways are formed, to demand and take or cause to be demanded and taken, for and in respect of all Carts, Waggons, and Carriages using or passing over the Tramways, the same Tolls as are levied for the Time being under the Provisions of such Acts for and in respect of Carts, Waggons, and Carriages using or passing over such Roads; and the Tolls levied and received on and in respect of the Tramways shall be held and applied by the

Trustees

Trustees for the same Uses and Purposes as the Toll Duties levied and received on and in respect of such Roads: Provided always, that any Cart, Waggon, or Carriage using or passing over the Tramways for any Distance exceeding One hundred Yards shall be liable to the same Toll as if such Cart, Waggon, or Carriage had passed through a Toll Gate on such Roads; and the Tolls payable for and in respect of Carts, Waggons, and Carriages so using or passing over the Tramways, and not passing through a Toll Gate, may be sued for and recovered in the same Manner as Toll Duties may be sued for and recovered under the Provisions of the said General Turnpike Road Act, which are hereby made applicable to the Tolls payable for and in respect of the Use of the Tramways: Provided also, that any Cart, Waggon, or Carriage using or passing over the Tramways or any Part thereof, and thereafter passing through a Toll Gate on the Road on which the Tramways are formed, shall only be liable to pay a single Toll, in the same Manner as if such Cart, Waggon, or Carriage had used or passed over such Road.

Trustees may compound for Tolls on Tramways.

10. It shall be lawful for the Trustees to compound and agree, for any Term not exceeding One Year at any One Time, with any Person or Company using the Tramways or any Part thereof exceeding One hundred Yards in Length, for the passing of his or their Carts, Waggons, or Carriages over the Tramways: Provided that such Compositions and Agreements shall be subject to all the Provisions with respect to Compositions for Tolls contained in the Fifty-third Section of the said General Turnpike Road Act.

Trustees may make Regulations for Use of Tramways.

11. The Trustees may make such Regulations for and with respect to the Use of the Tramways as they think fit; and such Regulations shall be published by printed Copies thereof being affixed on Boards to be set up at each End of the Tramways or at the Toll Gates nearest thereto; and every Person who commits any Breach or Contravention of such Regulations shall be liable to a Penalty not exceeding Five Pounds for each Offence; and such Penalties may be sued for, imposed, and recovered in the Manner provided by the said General Turnpike Road Act.

With respect to the Formation of Tramways on Statute Labour Roads:

Tramways may be formed on Statute Labour Roads.

12. In the event of any Application being made to the Trustees of any Statute Labour Road by any Person or Company desiring to form Tramways on such Road, the Trustees may, at any General or Special Meeting convened under the Provisions of the General Statute Labour Road Act for *Scotland*, Eighth and Ninth *Victoria*, Chapter Forty-one, or of any Local Act under which the Trustees are appointed and acting, authorize such Person or Company to form the Tramways; and on such Authority being granted it shall be lawful for such Person or Company, at his or their own Expense, to form and lay down the Tramways to such Extent, in such Manner, and on such Terms as shall be agreed upon and approved by the Trustees or their Surveyor.

Tramways to form Part of Roads.

13. The Tramways shall be laid down on the Surface of the Roads or on the Sides thereof, and shall form Part of the Roads, and may be used by all Carts, Waggons, and Carriages passing over the Roads; and subject to the Provisions of this Act, all the Enactments of the said General Statute Labour Road Act and of any Local Act relating to the Roads on which the Tramways are laid down shall be applicable to the Tramways, in the same Manner and to the same Effect as such Enactments are applicable to such Roads; and the Expense of maintaining, managing, and repairing the Tramways shall be defrayed by the Trustees out of the Funds and Revenues under their Management, or by the Person or Company by whom the same were laid down, or jointly by the Trustees and such Person or Company, as may be agreed upon.

Trustees may make Regulations for Use of Tramways.

14. The Trustees may make such Regulations for and with respect to the Use of the Tramways as they think fit; and before taking effect such Regulations shall be published by printed Copies thereof being affixed on Boards to be set up at each End of the Tramways; and every Person who commits any Breach or Contravention of such Regulations shall be liable to a Penalty not exceeding Five Pounds for each Offence; and such Penalties may be sued for, imposed, and recovered in the Manner provided by the said General Statute Labour Road Act.

Tramways may be removed.

15. It shall be lawful for the Person or Company by whom the Tramways on any Statute Labour Road were laid down, or his or their Heirs or Successors, and they are hereby required to take up and remove the same at such Time as shall have been agreed on with the Trustees: Provided that on the Tramways being so removed the Road on which the same were laid down shall, to the Satisfaction of the Trustees or their Surveyor, be restored by such Person or Company, or his or their Heirs or Successors, at his or their own Expense, to the same State and Condition, as nearly as may be, in which such Road was at the Time of laying down the Tramways.

Tramways not to be made without Consent.

16. Nothing in this Act contained shall authorize the Trustees to form or lay down Tramways within the Municipal or Parliamentary Boundaries of any Royal or Parliamentary Burgh, without the Consent in Writing of the Magistrates and Council of such Burgh first had and obtained.

Tramways to be kept in constant good Order, and Trustees may acquire Right to them when proposed to be removed.

17. The Person or Company by whom the Tramways on any Statute Labour Road shall have been laid down, and their Heirs and Successors, shall maintain such Tramways, while unremoved, in constant good Order for Traffic at the Sight and to the Satisfaction of the Surveyor; and when they shall propose to remove the same as aforesaid, the Trustees shall be entitled to acquire all Right therein belonging to such Person or Company, or their Heirs and Successors, on Payment to them of such Sum as the same may be valued at by Valuators agreed on by the Trustees and such Person or Company, or their Heirs and Successors, or, failing such Agreement, by any Valuator or Valuators appointed by the Sheriff of the County on the Application of either Party.

Locomotives.

CAP. LXX.

An Act for regulating the Use of Locomotives on Turnpike and other Roads, and the Tolls to be levied on such Locomotives and on the Waggons and Carriages drawn or propelled by the same. [1st *August* 1861.]

'WHEREAS the Use of Locomotives is likely to become common on Turnpike and other Roads: 'And whereas the General Turnpike and Highway Acts and many of the Local Turnpike Acts 'do not contain any Provisions for regulating the Use of Locomotives on the Roads to which they 'respectively apply, nor do they authorize the levying of Tolls upon or in respect of any Locomotive 'using the Roads, or upon or in respect of any Waggon or Carriage drawn by Locomotives: And 'whereas under and by virtue of certain Local Turnpike Acts Tolls may be levied upon Locomotives 'and other Engines drawing or propelling Waggons or Carriages, or upon the Waggons or Carriages 'so drawn or propelled, which are or may be prohibitory of the Use of Locomotives on the Roads to 'which the said Acts respectively apply: And whereas the Weighing Clauses in the General Turnpike 'Acts have not been framed in anticipation of Traffic by Locomotives, and are in many respects ill 'adapted to the profitable carrying of Goods, or to the levying of just and adequate Tolls upon Waggons 'or Carriages drawn by Locomotives: And whereas it is desirable that the Use of Locomotives on 'Turnpike and other Roads should be regulated by uniform general Provisions, and that Tolls should 'be levied upon such Locomotives and the Waggons or Carriages drawn by such Locomotives upon 'Turnpike Roads:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Scale of Tolls to be taken after passing of this Act.

1. From and after the passing of this Act, all Trustees, Corporations, Commissioners, and other Persons acting under and in execution of any existing General or Local Turnpike Road Act or Public Bridge Act shall demand and take Tolls not exceeding the Tolls following; that is to say,

For every Locomotive propelled by any Power, containing within itself the Machinery for its own Propulsion, such a Toll for every Two Tons Weight or fractional Part of every Two Tons Weight that such Locomotive shall weigh as shall be equal to the Toll or Tolls by their respective Acts made payable for every Horse drawing any Waggon, Wain, Cart, or Carriage with Wheels of a Width similar to those of such Locomotive; or in the Case of a Toll by any such Act made payable being charged on the Horse or Horses drawing any such Waggon, Wain, Cart, or Carriage, without reference to the Width of the Wheels thereof, then such a Toll for every Two Tons or fractional Part thereof that such Locomotive shall weigh as shall be equal to One Horse drawing such Waggon, Wain, Cart, or Carriage; which Tolls respectively shall be payable so often as Tolls made payable as aforesaid for such Waggon, Wain, Cart, or Carriage shall be payable at the same Gate: Provided always, that if the Wheels of such Locomotive shall rest upon any Shoe or other Bearing the Surface of which shall bear upon the Ground so as to prevent the Wheels coming in contact therewith, such and the same Tolls only shall be demanded and payable as if the Wheels thereof were of a Width similar to such Shoe or Bearing:

For every Waggon, Wain, Cart, or Carriage drawn or propelled by any Locomotive, for each Pair of Wheels thereof such a Toll as shall not exceed the Toll by their respective Acts made payable for Two Horses drawing any Waggon, Wain, Cart, or Carriage with Wheels of a similar Width, and for every additional Wheel thereof One Half Toll in addition to the said Toll; or in the Case of a Toll by any such Act made payable being charged on the Horse or Horses drawing any such Waggon, Wain, Cart, or Carriage, without reference to the Width of the Wheels thereof, then such a Toll for each Wheel as shall be equal to One Horse drawing such Waggon, Wain, Cart, or Carriage; which said Toll or Tolls shall be payable so often as the Toll made payable as aforesaid for such Waggon, Wain, Cart, or Carriage drawn by Horses shall be payable at the same Gate:

Provided always, that in every Case where the Wheels of any Waggon, Wain, Cart, or Carriage shall not all be cylindrical, as described in the Act of the Third Year of *George* the Fourth, Chapter One hundred and twenty-six, Section Nine, the Toll payable in respect thereof shall be One Half more.

Repeal of former Enactments as to Tolls to be taken for Locomotives.

2. All Clauses and Provisions in any Local or General Turnpike Road Act or public Bridge Act authorizing Tolls to be demanded or taken upon Locomotives or Carriages drawn by Steam or any other than Animal Power, different to the Tolls herein provided for, shall, so far as the same relate to such Tolls, be and the same are hereby repealed: Provided always, that this Enactment shall not be deemed or construed to extend to any Tolls authorized to be taken in respect of any private Roads or private Bridges, or to the Roads comprised in "The *Commercial* Roads Continuation Act, 1849."

As to the Size and Weight of Locomotives.

3. Every Locomotive propelled by Steam or any other than Animal Power, not drawing any Carriage, and not exceeding in Weight Three Tons, shall have the Tires of the Wheels thereof not less than Three Inches in Width, and for every Ton or fractional Part thereof additional Weight the Tires of the Wheels thereof shall be increased One Inch in Width; and every Locomotive drawing any Waggon or Carriage shall have the Tires of the Wheels thereof not less than Nine Inches in Width; but no Locomotive shall exceed Seven Feet in Width or Twelve Tons in Weight, except as hereinafter provided; and the Wheels of every Locomotive shall be cylindrical and smooth soled, or used with

with Shoes or other bearing Surface of a Width not less than Nine Inches; and the Owner or Owners of any Locomotive used contrary to the foregoing Provisions shall for every such Offence, on summary Conviction, forfeit any Sum not exceeding Five Pounds: Provided always, that whereas it may be desirable that Locomotives of a greater Width than Seven Feet and of a greater Weight than Twelve Tons should be allowed to be used under certain Circumstances, any Person desiring to use any such Locomotive on any Street or public Highway within the City of *London* or the Liberties thereof, or within the Limits of the Metropolis as defined by the Act of the Eighteenth and Nineteenth Years of Her present Majesty, for the better Local Management of the Metropolis, or within any other City or Municipal or Parliamentary Borough, or on any Turnpike Road or other public Highway, shall apply within the City of *London* to the Lord Mayor for the Time being, or within any Municipal or Parliamentary Borough in *Scotland* to the Lord Provost or other Chief Magistrate thereof, and in other Places to the Corporation, Commissioner, Trustees, and Surveyors, or other Persons having the Charge of any such Street, Highway, Turnpike, or other Road over which it may be proposed to work such Locomotive, for Permission to use the same; and the said Lord Mayor, the said Lord Provost or Chief Magistrate, or such Corporation, Commissioners, Trustees, Surveyor, and other Persons as aforesaid, shall have Power to authorize such Locomotive to be used on such Road or Roads, or Part of any Road or Roads, and under such Condition or Conditions as to them may appear desirable; but in the Case of the Surveyor or Surveyors of any Highway in *England* no such Permission shall be valid without also it be approved by the Justices acting in Petty Sessions for any Petty Sessional Division within which it is proposed to use such Locomotive.

As to the Weight on each Pair of Wheels.

4. It shall not be lawful for any Waggon, Wain, Cart, or other Carriage so drawn or propelled as aforesaid, not having cylindrical Wheels, to carry any greater Weight than is permitted in such Waggon, Wain, Cart, or Carriage by the General Turnpike Act; and it shall not be lawful for any Waggon, Wain, Cart, or other Carriage having cylindrical Wheels to carry, over or above the Weight of the Waggon, Wain, Cart, or Carriage, any greater Weight than One Ton and a Half for each Pair of Wheels, unless the Fellies, Tires, or Shoes are Four Inches or more in Breadth; nor to carry a greater Weight than Two Tons for each Pair of Wheels, unless the Fellies, Tires, or Shoes are Six Inches or more in Breadth; nor to carry a greater Weight than Three Tons for each Pair of Wheels, unless the Fellies, Tires, or Shoes are Eight Inches or more in Breadth; and for every single Wheel One Half of that permitted to be carried on a Pair of Wheels; nor in any Case to carry a greater Weight than Four Tons on each Pair of Wheels, or Two Tons on each Wheel; but if such Waggons, Wains, or other Carriages are built and constructed with Springs upon each Axle, then they shall be allowed to carry One Sixth more Weight in addition to the above-mentioned Weights upon each Pair of Wheels: Provided always, that the Regulation of Weight herein mentioned and provided shall not extend to any Waggon, Wain, Cart, or other Carriage carrying only One Tree or One Log of Timber, or One Block of Stone, or One Cable or Rope, or One Block, Plate, Roll, or Vessel of Iron or other Metal, or compounded of any Two or more Metals cast, wrought, or united in One Piece.

Power to Secretary of State to prohibit the Use of Locomotives destructive to Highways or dangerous to the Public.

5. In case it appear to One of Her Majesty's Principal Secretaries of State that the Use of any particular Description of Locomotive causes excessive Wear and Tear of the Highways, or is dangerous or inconvenient to the Public, or that the Use of Locomotives generally or of any particular Description of Locomotive is dangerous or inconvenient to the Public in certain Districts or Places, it shall be lawful for such Secretary of State from Time to Time, by Order under his Hand, to prohibit the Use of any Kind or Description of Locomotive specified in such Order on any Highway whatsoever, or to prohibit the Use of Locomotives, or any specified Kind or Description thereof, on the Highways within any Place, District, or Limit mentioned in such Order, or otherwise to restrict the Use of Locomotives as Circumstances may appear to him to require, and from Time to Time, by Order made as aforesaid, to revoke or alter any such Order previously made; and every Order made under this Enactment shall be published in the *London Gazette*, and any Person using any Locomotive contrary to any such Order shall for every such Offence, on summary Conviction thereof before Two Justices, forfeit any Sum not exceeding Ten Pounds.

Use of Locomotives restricted over Suspension and other Bridges.

6. It shall not be lawful for the Owner or Driver of any Locomotive to drive it over any Suspension Bridge nor over any Bridge on which a conspicuous Notice has been placed, by the Authority of the Surveyor or Persons liable to the Repair of the Bridge, that the Bridge is insufficient to carry Weights beyond the ordinary Traffic of the District, without previously obtaining the Consent of the Surveyor of the Road or Bridgemaster under whose Charge such Bridge shall be for the Time being, or of the Persons liable to the Repair of such Bridge; and in case such Owner of the Locomotive and Surveyor of the Road or Bridge, or Bridgemaster, shall differ in opinion as to the Sufficiency of any Bridge to sustain the Transit of the Locomotive, then the Question shall be determined by an Officer to be appointed, on the Application of either Party, by One of Her Majesty's Principal Secretaries of State, whose Certificate of Sufficiency of such Bridge shall entitle the Owner of the Locomotive to take the same over such Bridge.

Damage caused by Locomotives to Bridges to be made good by Owners.

7. Where any Turnpike or other Roads, upon which Locomotives are or hereafter may be used, pass or are or shall be carried over or across any Stream or Watercourse, navigable River, Canal, or Railway, by means of any Bridge or Arch (whether stationary or moveable), and such Bridge or Arch, or any of the Walls, Buttresses, or Supports thereof, shall be damaged by reason of any Locomotive or any Waggon

or

or Carriage drawn or propelled by or together with a Locomotive passing over the same or coming into Contact therewith, none of the Proprietors, Undertakers, Directors, Conservators, Trustees, Commissioners, or other Person interested in or having the Charge of such navigable River, Canal, or Railway, or the Tolls thereof, or of such Bridge or Arch, shall be liable to repair or make good any Damage so to be occasioned, or to make Compensation to any Person for any Obstruction, Interruption, or Delay which may arise therefrom to the Use of such Bridge or Arch, navigable River, Canal, or Railway, but every such Damage shall be forthwith repaired to the Satisfaction of the Proprietors, Undertakers, Directors, Conservators, Trustees, Commissioners, or other Persons as aforesaid respectively interested in or having the Charge of such River, Canal, or Railway, or the Tolls thereof, or of such Bridge or Arch, by and at the Expense of the Owner or Owners or the Person or Persons having the Charge of such Locomotive at the Time of the happening of such Damage; and all such Owner and Owners, Person and Persons having the Charge of such Locomotive as aforesaid, shall also be liable, both jointly and severally, to reimburse and make good, as well to the Proprietors, Undertakers, Directors, Conservators, Trustees, Commissioners, and other Persons interested in or having the Charge of any such navigable River, Canal, or Railway, or the Tolls thereof, or of such Bridge or Arch, as to all Persons navigating on or using, or who but for such Obstruction, Interruption, or Delay would have navigated on or used the same, all Losses and Expenses which they or any of them may sustain or incur by reason of any such Obstruction, Interruption, or Delay, such Losses and Expenses to be recoverable by Action at Law, which Action, in case of such Proprietors, Undertakers, Directors, Conservators, Trustees, Commissioners, or other Persons so interested as aforesaid, may be brought in the Name or Names of their Agent or Agents, Clerk or Clerks for the Time being, or by any Person or Persons legally authorized to act in their Behalf.

Locomotives propelled by Steam to consume their own Smoke.

8. Every Locomotive propelled by Steam or any other than Animal Power to be used on any Turnpike Road or public Highway shall be constructed on the Principle of consuming and so as to consume its own Smoke; and any Person using any Locomotive not so consuming its own Smoke shall, on Conviction thereof before any Two of Her Majesty's Justices of the Peace, forfeit any Sum not exceeding Five Pounds for every Day during which such Locomotive shall be used on any such Turnpike Road or public Highway.

As to the Number of Persons in charge of Locomotive and Waggons.

Lights to be used at Night.

9. It shall not be lawful for any Owner of such Locomotive, either in his own Person or by his Servants, to use any such Locomotive, Waggon, or Carriage on the Turnpike or other Roads, except there be at the least Two Persons to drive or conduct such Locomotive, and if more than Two such Waggons or Carriages be attached to such Locomotive, One Person to take charge of such Waggons and Carriages; and any Person in charge of such Locomotive shall provide Two efficient Lights, to be affixed conspicuously, One at each Side, on the Front of the same, between the Hours of One Hour after Sunset and One Hour before Sunrise; and any Person acting contrary hereto shall for every such Offence, on summary Conviction thereof before Two Justices, forfeit any Sum not exceeding Five Pounds.

Exemption from Tolls of Waggons, &c.

10. All Waggons, Wains, Carts, or Carriages, as herein-before described, drawn by any Locomotive, and loaded with any Materials such as are now exempt from Toll under the Provisions of any General or Local Act, shall be entitled to the same Exemption as they would be if drawn by Animal Power.

Limit of Speed of Locomotives on public Highways, &c.

11. It shall not be lawful to drive any Locomotive along any Turnpike Road or public Highway at a greater Speed than Ten Miles an Hour, or through any City, Town, or Village at a greater Speed than Five Miles an Hour; and any Person acting contrary hereto shall for every such Offence, on summary Conviction thereof before Two Justices, if he be not the Owner of such Locomotive, forfeit any Sum not exceeding Five Pounds, and if he be the Owner thereof, shall forfeit any Sum not exceeding Ten Pounds.

Provisions of General Acts relating to Turnpike Roads to apply to Locomotives.

12. All the Clauses and Provisions of any General or Local Acts relating to Turnpike Roads or Highways shall, so far as the same are not expressly altered or repealed by or are not inconsistent with the Provisions of this Act, apply to all Locomotives propelled by other than Animal Power, and to all Waggons, Wains, Carts, and Carriages of any other Description drawn by such Locomotive, and to the Owners, Drivers, and Attendants thereof, in like Manner as if drawn by Animal Power: Provided always, that the Weight of every Locomotive, and the Name of the Owner or Owners thereof, shall be conspicuously and legibly affixed thereon; and any Owner not having affixed such Weight and such Name shall, upon Conviction thereof before Two Justices, forfeit any Sum not exceeding Five Pounds; and any Owner who shall fraudulently affix thereon any incorrect Weight shall, upon Conviction thereof, forfeit any Sum not exceeding Ten Pounds.

Right of Action in case of Nuisance.

13. Nothing in this Act contained shall authorize any Person to use upon a Highway a Locomotive Engine which shall be so constructed or used as to cause a public or private Nuisance; and every such Person so using such Engine shall, notwithstanding this Act, be liable to an Indictment or Action, as the Case may be, for such Use, where, but for the passing of this Act, such Indictment or Action could be maintained.

Short Title.

14. This Act may be cited as the "Locomotive Act, 1861."

Extent of Act.

15. This Act shall extend to *Great Britain*.

CAP. LXXI.

An Act to provide for the Performance of Duties heretofore performed by the Paymaster of Civil Services in *Ireland* in relation to Advances and Repayments of Public Monies for Public Works. [1st *August* 1861.]

6 & 7 Vict. c. 44.

'WHEREAS an Act was passed in the Seventh Year of the Reign of Her present Majesty, intituled *An Act to amend the Acts for carrying on Public Works in* Ireland; and by the said Act and the Acts amending and extending the same it is enacted, that Monies lent or advanced as therein provided for the Promotion of Public Works in *Ireland* should be paid in the Manner therein provided to the Governor and Company of the Bank of *Ireland*, and carried to the separate Account and Credit of the Paymaster of Civil Services in *Ireland*, to be by him paid on the Warrants of the

ss. 11, 12.

Commissioners of Public Works in *Ireland;* and it is also thereby enacted, that Monies from Time to Time repaid in respect of such Loans or of Interest thereon should be paid to the Credit of an Account kept in the said Bank of *Ireland* by the said Paymaster, as therein particularly mentioned, and that such Receipt or Voucher of the said Paymaster as therein mentioned should be a sufficient Discharge to the Person making such last-mentioned Payment: And whereas a certain Act was passed in

10 & 11 Vict. c. 32.

the Tenth Year of the Reign of Her present Majesty, intituled *An Act to facilitate the Improvement of Landed Property in* Ireland; and by such Act it is enacted, that the Commissioners of Her Majesty's

ss. 24, 26.

Treasury should from Time to Time make Rules and Regulations as they might think necessary for the Purpose of placing at the Disposal of the said Paymaster such Sums of Money as might be necessary for the Purposes of that Act; and the said Governor and Company of the Bank of *Ireland* were thereby directed to open Two separate Accounts with the said Paymaster, one under the Title of Improvement of Land Advances Account, and the other under the Title of Improvement of Land

s. 48.

Repayment Account; and it is also by the said last-mentioned Act provided, that the said Paymaster should give Certificates ascertaining the Amount advanced or to be advanced on the Security of any Lands specified in such Certificate, and the Amount of Rentcharge from Time to Time charged on the said Lands and the Arrears thereof, and in respect of the several other Matters therein particularly

s. 49.

mentioned; and the said Paymaster is thereby authorized to take, in certain Cases, such Proceedings as are therein mentioned for the Purpose of raising the Amount due on Foot of such Rentcharges

s. 50.

by Sale of the Lands charged therewith, or of other Lands in lieu thereof, as therein provided, and the Receipt of such Paymaster is thereby declared to be a sufficient Discharge for the Purchase

s. 52.

Monies of such Lands, and upon Payment of the Amount of such Rentcharge the said Paymaster is thereby authorized to execute and register a Release of the Lands charged therewith: And whereas a certain other Act of Parliament was passed in the Thirteenth Year of the Reign of Her present

12 & 13 Vict. c. 60.

Majesty, intituled *An Act further to amend an Act of the Tenth Year of Her present Majesty, for rendering valid certain Proceedings for the Relief of Distress in* Ireland *by Employment of*

s. 1.

the Labouring Poor, and to indemnify those who have acted in such Proceedings; and it is thereby enacted, that the said Paymaster might, with the Sanction of the Commissioners of Her Majesty's Treasury, substitute for the Principal Monies and Interest payable under such Award as are therein referred to such Rentcharge as in the said Act is provided, the Amount of such Rentcharge and the Lands charged therewith to be ascertained by the Certificate of such Paymaster, and to be payable to the Bank of *Ireland* to his Credit, and by him carried to the Account of the Consolidated Fund: And whereas a certain other Act was passed in the Seventeenth Year of Her present Majesty, intituled *An*

16 & 17 Vict. c. 136.

Act for enabling Grand Juries in Ireland *to borrow Money from private Sources on the Security of Presentment, and for transferring to Counties certain Works constructed wholly or in part with Public*

ss. 12, 15, 16.

Money; and it is thereby enacted, that certain Monies thereby directed to be paid by Counties as therein mentioned, and also Monies payable by Proprietors of Lands under Awards of the Commissioners of Public Works in *Ireland*, as therein referred to, should be paid to the said Paymaster of Civil Services, to be by him applied as therein provided: And whereas it is intended that the said Office of the Paymaster of Civil Services in *Ireland* should be forthwith abolished; and it is expedient that Provision should be made as herein-after is mentioned with respect to the Payment of all Monies directed to be paid to him or to his Account by way of Advances or Repayments of Advances of Public Monies, and also for the doing of all Acts and discharging all Duties by such Paymaster directed to be done and performed in and by the said Acts of Parliament or any other Act of Parliament relating to the Advance or Repayment of Public Monies in *Ireland:*' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Commissioners of the Treasury to make Regulations in respect of Public Monies advanced.

1. From and after the passing of this Act, all Public Monies which shall be advanced under the Authority of the aforesaid Acts of Parliament or any other Act, and which would have been paid to the said Paymaster of Civil Services in *Ireland* or to his Account if this present Act of Parliament had not been passed, and all Sums of Money which shall be hereafter paid in Repayment of Loans or Advances of such Public Monies, or Interest thereon, as aforesaid, shall be paid and advanced, to such Persons,

Persons, and repaid subject to such Rules and Regulations, and the Accounts of the same shall be kept in such Manner and Form, as the Commissioners of Her Majesty's Treasury shall from Time to Time direct and appoint; and a Copy of such Rules and Regulations shall be laid before Parliament within One Month after the same shall be issued if Parliament be then sitting, and if not then within One Week after Parliament shall be next assembled.

The Commissioners of the Treasury to make Orders for closing and balancing Accounts.

2. The said Commissioners of Her Majesty's Treasury shall and may make such Orders and give such Directions as they from Time to Time shall think fit, as to the closing and balancing of all Accounts heretofore kept by the Governor and Company of the Bank of *Ireland* with the said Paymaster, with respect to such Public Monies as aforesaid, and generally as to the Persons in whose Names and the Manner in which all Accounts of such Public Monies so advanced, and of all Monies paid in Repayment of the same, shall hereafter be kept, whether by the said Bank of *Ireland* or otherwise.

All Books belonging to the Office of Paymaster to be transferred as directed.

3. All Books of Account and other Books and Documents belonging to the Office of the said Paymaster, and relating to such Public Monies so advanced or repaid as aforesaid, shall be transferred to the Office of the Commissioners of Public Works in *Ireland*, who are hereby authorized and required to receive and provide for the proper Custody of the same, or to such other Office or Place as the said Commissioners of the Treasury may direct.

The Commissioners of Public Works or such Persons as the Commissioners of the Treasury may appoint, may do Acts heretofore performed by Paymaster of Civil Services.

4. From and after the passing of this Act, the said Commissioners of Public Works in *Ireland*, or any Two of them, or such other Person or Persons as the said Commissioners of Her Majesty's Treasury shall by Writing under their Hands from Time to Time appoint, shall and may make, execute, and do every Deed, Writing, Matter, or Thing and perform every Duty which the said Paymaster of Civil Services might or ought to have done, executed, or performed, by virtue of the aforesaid Acts of Parliament or otherwise, and relating in any way to the Advance, Repayment, or Recovery of such Public Monies as aforesaid, or of any Rentcharge or other Security for the same; and every such Deed, Writing, Matter, or Thing so executed and done by such Commissioners of Public Works, or such other Person or Persons appointed as aforesaid, shall be as valid and effectual to all Intents and Purposes as if the said Office of Paymaster of Civil Services in *Ireland* had been continued, and such Deed, Writing, Matter, or Thing had been by him executed or done.

Section 12. of 7 Vict. and Sect. 8. of 19 Vict. not applicable to certain Repayments.

5. The Enactments and Directions contained in Section Twelve of the said Act passed in the Seventh Year of the Reign of Her Majesty, Chapter Forty-four, and Section Eight of an Act passed in the Nineteenth Year of the Reign of Her Majesty, Chapter Eighteen, with respect to the Appropriation of Payments on account of Principal and Interest, shall not be deemed or taken to be applicable to Repayments of such Loans or Advances as aforesaid made by way of Rentcharge or Annuity, or by Instalments composed of Principal and Interest.

CAP. LXXII.

An Act to make further Provision for the Regulation of the *British* White Herring Fishery in *Scotland*. [1st *August* 1861.]

23 & 24 Vict. c. 92. s. 1.

'WHEREAS an Act was passed in the last Session of Parliament "to amend the Laws relating to the *Scottish* Herring Fisheries," and it is expedient that further Provision be made for carrying into effect the Purposes thereof:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Penalty for selling, &c. Herrings during Close Time.

1. Every Person who, during the Period fixed by the recited Act for the Annual Close Time in the Herring Fisheries on the West Coasts of *Scotland*, shall sell or dispose of, or offer to sell or dispose of, or shall have in his Possession, any Herring or Herring Fry known by such Person to have been taken on the said West Coasts of *Scotland*, or on any Part thereof, during such Close Time, shall be liable in a Penalty of not less than Five Pounds and not exceeding Twenty Pounds for every such Offence, over and above the Forfeiture of the said Herrings or Herring Fry, and of any Boat, Box, Basket, Creel, or other Article in which the same may be found; and the Proof that such Herrings or Herring Fry when sold or disposed of, or offered for Sale or Disposal, or found in the Possession of any Person in the Ports, Harbours, Villages, or other Localities adjoining the said West Coasts of *Scotland*, were not taken contrary to the Provisions of the recited Act, shall be upon the Party selling or disposing or offering to sell or dispose of such Herrings or Herring Fry, or in whose Possession the same may be found.

Penalty for selling, &c. Herrings taken contrary to Provisions of 14 & 15 Vict. c. 26. s. 5.

2. Every Person who shall sell or dispose of, or offer to sell or dispose of, or who shall have in his Custody or Possession within a Boat, or recently removed therefrom, in any of the Ports, Harbours, Villages, or other Localities adjoining the Coasts of *Scotland*, any Herrings or Herring Fry taken contrary to the Provisions of the Act Fourteen and Fifteen *Victoria*, Chapter Twenty-six, Section Six, shall be liable in a Penalty of not less than Five Pounds and not exceeding Twenty Pounds for every such Offence, over and above the Forfeiture of the said Herrings or Herring Fry, and of every Boat, Box, Basket, Creel, or other Article in which the same may be found.

Penalty for defacing Marks or Numbers on Boats, Sails, &c.

3. After any Boat, Sail, Buoy, Net, or other Implement of Fishery shall have been marked or numbered under the Eleventh Section of the recited Act, it shall not be lawful to deface, alter, or endeavour in any way to conceal any such Mark or Number, without the Sanction of the Commissioners mentioned in the said Section; and every Person who shall so deface, alter, or endeavour to conceal the Mark or Number of any such Boat, Sail, Buoy, Net, or other Implement of Fishery shall be liable in a Penalty of not less than Forty Shillings and not exceeding Ten Pounds for every such Offence.

Herrings, &c. seized to be forfeited.

4. All Herrings or Herring Fry taken contrary to the Provisions of the recited Act, or of any Act incorporated therewith or referred to therein, and every Boat and Net used in the taking of such Herrings or Herring Fry, and every Boat, Box, Basket, Creel, or other Article in which the same may be found, may be seized by the Superintendent of Fisheries or any Officer acting under his Orders, or by any Officer of the Fisheries, or by any Order of any Sheriff, Justice of the Peace, or Magistrate having Jurisdiction under the said recited Act, and shall be forfeited.

Regulations may be made suspending Provisions of Act, to admit of Sprat Fishing within Part of Firth of Forth.

5. It shall be lawful to the Commissioners of the *British* White Herring Fishery at any Time, and from Time to Time, if Circumstances shall in their Opinion render it proper so to do, by Regulations to be made by them, to suspend within such Part of the *Firth of Forth* as is situate to the Westward of a straight Line drawn across the *Firth of Forth* from the West Pier of *South Queensferry* Harbour on the South Side through *Bimar* Beacon, and carried onwards to the Shore on the North Side, to such Extent and for such Period as they shall judge fit, the Operation of any of the Provisions of this Act or of the recited Act, or of any Act therein referred to, so as to admit of the Prosecution of the Sprat Fishing.

Declaring Import of 13th Section of recited Act.

6. 'Whereas Doubts have been entertained regarding the Import of the Thirteenth Section of the 'recited Act, and the Penalty thereby imposed:' It is hereby declared and enacted, That the Provisions of the said Section apply to all Nets other than the usual Drift Net, having Meshes of the legal Size of One Inch from Knot to Knot, and that the Penalty incurred by any Breach of the Provisions of the said Section is and shall be, for each Offence, not less than Five and not exceeding Twenty Pounds over and above the Forfeiture of the Net or Nets in reference to which the Penalty is incurred.

Constables acting under Orders of Sheriffs, &c. may exercise Powers of Act.

7. Any Constable or Officer of Police acting under the Authority and Orders of any Sheriff, or of any Justice of the Peace or Magistrate having Jurisdiction under the recited Act, shall be entitled, upon the Requisition of the Commissioners of the *British* White Herring Fishery, and until such Requisition be recalled, to exercise all the Powers, Functions, and Privileges which can be exercised or are enjoyed under or in virtue of this Act or the recited Act, or any Act therein referred to, by any Superintendent or Officer of the Fishery, except the superintending the curing of Herrings and the branding of Barrels containing the same; and every Person who resists or obstructs any Constable or Officer of Police so executing such Powers, Functions, and Privileges shall be liable to a Penalty not exceeding Fifty Pounds, or, failing Payment thereof, to Imprisonment for any Period not exceeding Sixty Days.

Powers of recited Acts extended to this Act.

8. All the Powers, Jurisdictions, and Authorities given, created, or conferred by the said recited Act, for carrying into effect the Purposes thereof, shall be held to extend to and be incorporated with this Act; and all Penalties incurred under the Provisions of this Act may be prosecuted and enforced after the Forms and according to the Rules and Procedure prescribed by the said recited Act.

CAP. LXXIII.

An Act to amend the Law relating to the Copyright of Designs. [6th *August* 1861.]

5 & 6 Vict. c. 100.

'WHEREAS by an Act passed in the Session holden in the Fifth and Sixth Years of the Reign of 'Her present Majesty, Chapter One hundred, intituled *An Act to consolidate and amend the Laws 'relating to the Copyright of Designs for ornamenting Articles of Manufacture*, it was enacted, that 'the Proprietor of every such Design as therein mentioned, not previously published either within the 'United Kingdom of *Great Britain* and *Ireland* or elsewhere, should have the sole Right to apply the 'same to any Articles of Manufacture, or to any such Substances as therein mentioned, provided the 'same were done within the United Kingdom of *Great Britain* and *Ireland*, for the respective Terms 'therein mentioned, and should have such Copyright in such Designs as therein provided: And whereas 'divers Acts have since been passed extending or amending the said recited Acts: And whereas it is 'expedient that the Provisions of the said recited Act, and of all Acts extending or amending the same, 'should apply to Designs, and to the Application of such Designs, within the Meaning of the said Acts, 'whether such Application be effected within the United Kingdom or elsewhere:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

5 & 6 Vict. c. 100., and other Acts relating to Copyright of Designs, extended.

1. That the said recited Act, and all Acts extending or amending the same, shall be construed as if the Words "provided the same be done within the United Kingdom of *Great Britain* and *Ireland*" had not been contained in the said recited Act; and the said recited Act, and all Acts extending or amending the same, shall apply to every such Design as therein referred to, whether the Application thereof be done within the United Kingdom or elsewhere, and whether the Inventor or Proprietor of such Design be or be not a Subject of Her Majesty.

Application of Acts.

2. That the said several Acts shall not be construed to apply to the Subjects of Her Majesty only.

CAP.

CAP. LXXIV.

An Act to render lawful the Enlistment of Persons transferred from the *Indian* to the General Forces of Her Majesty, and to provide in certain respects for the Rights of such Persons.

[6th *August* 1861.]

'WHEREAS by a General Order of his Excellency the Governor General of *India* in Council, dated at *Fort William*, of the Tenth Day of *April* One thousand eight hundred and sixty-one, certain Conditions were prescribed and Offers made to the *European* Officers and Men of the *Indian* Forces of Her Majesty, in order to facilitate the Amalgamation of the said Forces with Her Majesty's General Forces: And whereas certain Parts of the said Conditions and Offers cannot be carried into effect without the Authority of Parliament:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Enlistment of Soldiers transferred from the Indian to the General Forces to be valid for unexpired Portions of Service.

1. If any Soldier of Her Majesty's *European* Forces in *India* has volunteered or shall volunteer from the said Forces to enlist in any Regiment of Her Majesty's General Army, and has made or shall make the Declaration provided by the said Order of the Governor General, and contained in the Schedule of this present Act, or to the like Effect, any such Enlistment is declared to be and shall be as valid and effectual, for the unexpired Portion of the Service of such Soldier, as if such Soldier had originally enlisted in Her Majesty's Land Forces under the Provisions of the Act of the Tenth and Eleventh Years of Her Majesty, Chapter Thirty-seven, intituled *An Act for limiting the Time of Service in the Army.*

Persons so transferred to be accounted natural-born Subjects for Purposes of Military Service.

2. The Provisions of the Act of the First Year of Her Majesty, Chapter Twenty-nine, intituled *An Act for enabling Her Majesty to grant the Rank of General Officers to Foreigners now bearing Her Majesty's Commission, and to permit the Enlistment of Foreigners under certain Restrictions*, shall not apply to the Case of Officers or Soldiers in the *Indian* Forces of Her Majesty, not being natural-born Subjects, who have been or may be transferred to Her Majesty's General Forces under the Condition of the said Order; but every such Officer or Soldier shall be upon the same Footing, for the Purposes of Military Service and Promotion, and every Act or Thing done or to be done in respect of the Enlistment and Attestation of any such Soldier shall be as legal for all Purposes as if he were a natural-born Subject of Her Majesty.

Rights of Persons so transferred to Pensions for Service in Her Majesty's General Forces.

3. If any Soldier who has been or shall be so transferred as aforesaid is or shall become entitled to claim any Pension for Service or would have become entitled to claim any Pension if his Service had been wholly performed either in Her Majesty's *Indian* or in Her Majesty's General Forces, it shall be lawful for the Commissioners of *Chelsea Hospital* to take such Claim into consideration in the same Manner as they are by Law empowered to do in the Case of Soldiers discharged from Her Majesty's General Service, but such Pension shall be calculated in accordance with the Regulations either of Her Majesty's *Indian* or of Her Majesty's General Forces, according as such Soldier may choose, but subject to such Conditions as to the Time and Manner of exercising such Choice as have been or may be prescribed by the Commander-in-Chief of Her Majesty's Forces in *India*; and it shall be lawful for the Secretary of State for *India* in Council and the Commissioners of Her Majesty's Treasury to make by Agreement such Regulations as they may deem just and expedient as to the Apportionment of the Pensions aforesaid between the respective Revenues of *India* and of the United Kingdom of *Great Britain* and *Ireland*.

No Enlistment in India invalid by reason of the Absence of a Warrant from the Secretary at War, or because made out of Her Majesty's Dominions.

4. No Enlistment or Attestation of any Soldier or Person into Her Majesty's General or *Indian* Forces which shall have taken place within Her Majesty's Dominions in *India*, or within the Territories of any Foreign State in *India*, prior to the Publication of this Act in the said Dominions, before any Person appointed in that Behalf by the Governor of any Presidency in *India*, shall be invalid only by reason that no Warrant had, at the Time of such Appointment or of such Enlistment or Attestation, been signed by the Secretary at War in accordance with the Provisions of any Act of Parliament for the Punishment of Mutiny and Desertion, or that the Person so appointed had not Authority to act out of Her Majesty's Dominions; but every Soldier or Person so attested shall be deemed to be an attested Soldier to the same Effect as if such Warrant had been signed as aforesaid, and such Enlistment or Attestation had taken place within Her Majesty's Dominions; and no Person so appointed who shall have enlisted and attested any Soldier or Person for Her Majesty's General or *Indian* Forces shall be deemed to have acted illegally in so doing by reason that no such Warrant had been issued as aforesaid, or that such Enlistment or Attestation did not take place within Her Majesty's Dominions.

The SCHEDULE.

DECLARATION to be made by a Soldier volunteering from Her Majesty's Indian Forces to Regiments of Her Majesty's General Army.

I *A.B.* do declare that I have been till now a [Private, *or* Corporal, *or* Sergeant, *as the Case may be*] in the Regiment of in Her Majesty's Indian Military Forces; that I enlisted on the Day of for a Term of Years, of which Years and Months remain unexpired;

unexpired; that I am of the Age of Years; that I am willing to be transferred from the Infantry [*or as the Case may be*] of Her Majesty's Indian Forces to the 101st Regiment Royal Bengal Fusiliers [*or as the Case may be*] of Her Majesty's Army, for the unexpired Residue of my Term of Service; and to accept, according to the Terms of a General Order of His Excellency the Governor-General of India in Council, No. 332, of the 10th Day of April 1861, the Bounty of Rupees upon such Transfer; and that I will serve Her Majesty, Her Heirs and Successors, for the said unexpired Term of Years and Months from this Date, provided my Services should so long be required, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

_____ *Signature of Soldier.*

_____ *Signature of Witness.*

Declared before me,

_____ *Signature of Justice of the Peace or Magistrate.*

CAP. LXXV.

An Act for amending the Municipal Corporations Act. [6th *August* 1861.]

'WHEREAS it is expedient to amend in manner herein-after mentioned the Act passed in the 'Session holden in the Fifth and Sixth Years of the Reign of His late Majesty King *William* 'the Fourth, Chapter Seventy-six, intituled *An Act to provide for the Regulation of Municipal Cor-* 'porations in England *and* Wales, and herein-after referred to as the "Principal Act:"' Be it there-fore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

5 & 6 W. 4. c. 76.

Short Title.

1. This Act may be cited for all Purposes as "The Municipal Corporations Act Amendment Act, 1861."

Construction of 5 & 6 W. 4. c. 76. s. 57.

2. 'Whereas by the Fifty-seventh Section of the Principal Act it is provided that the Mayor for the 'Time being of every Borough shall be a Justice of the Peace of and for such Borough, and shall con-'tinue to be such Justice of the Peace during the next succeeding Year after he has ceased to be 'Mayor, unless disqualified as therein-before mentioned; and that such Mayor shall, during the Time 'of his Mayoralty, have Precedence in all Places within the Borough:' It is hereby enacted, That the Mayor of every Borough shall, during the Time of his Mayoralty, have Precedence over all Justices of the Peace acting in and for such Borough, and be entitled to take the Chair at all Meetings of Justices held within the Borough at which he may be present by virtue of his Office of Mayor, subject to these Provisoes; firstly, that the Mayor of a Borough shall not by virtue of this Section have any Precedence over the Justices of the Peace acting in and for the County, Riding, or Division of a County in which any such Borough is situate unless when acting in relation to the Business of such Borough, or over any Stipendiary Magistrate engaged in administering Justice; and secondly, that by virtue of this Section the Mayor of *Cambridge* shall not have any Precedence over the Vice-Chancellor of the University of *Cambridge*, and the Mayor of *Oxford* shall not have any Precedence over the Vice-Chancellor of the University of *Oxford*.

Amendment of 5 & 6 W. 4. c. 76. s. 98.

3. 'Whereas by the Ninety-eighth Section of the Principal Act it is provided, that every Person 'assigned by Her Majesty's Commission to act as Justice in and for a Borough shall reside within the 'Borough for which he shall be so assigned, or within Seven Miles of the Borough, or of some Part 'thereof, during such Time as he shall act as a Justice of the Peace in and for such Borough; and by 'the Ninth Section of the Principal Act it is provided, that every Burgess shall be an Inhabitant 'Householder within the Borough, or within Seven Miles thereof:' It is hereby enacted, That every such Justice shall be deemed to reside within such Borough if he occupies any House, Shop, Ware-house, or other Premises within the same.

Boroughs having a separate Commission of the Peace to be deemed Towns Corporate for the Purposes of the Alehouse Licensing Act.

4. 'Whereas by the Ninety-eighth Section of the Principal Act it is provided, that Her Majesty's 'Commission may be issued to certain Persons to act as Justices of the Peace in and for each of the 'several Boroughs therein mentioned: And whereas Doubts have arisen whether Boroughs having 'separate Commissions of the Peace but not having separate Courts of Quarter Sessions are "Towns 'Corporate" within the Meaning of the Act Ninth of *George* the Fourth, Session Two, Chapter Sixty-'one, intituled *An Act to regulate the granting of Licences to Keepers of Inns, Alehouses, and Vic-* 'tualling Houses in England, so as to give the Justices of such Boroughs Control over the granting or 'withdrawing Licences, and it is desirable that such Doubts should be removed:' It is hereby declared, That in the Construction of the last-mentioned Act the Words "Town Corporate," and the Words "County or Place," and the Words "Division or Place," include every Borough in *England* having a separate Commission of the Peace, although it may not have a separate Court of Quarter Sessions; and that the Words "High Constable," where used in the same Act, include any Constable of any such Borough to whom the Justices of the same Borough may direct their Precept or Precepts under the same Act; and that all Licences hitherto granted, and all Transfers of Licences hitherto made in pursuance of the same Act, or of the Act of the Fifth and Sixth *Victoria*, Chapter Forty-four,

or

or any other Act, by the Justices of any such Borough, are hereby declared to be valid and effectual to all Intents and Purposes.

Repeal of 5 & 6 W. 4. c. 76. s. 102. and new Provisions enacted in lieu thereof.

5. 'Whereas by the One hundred and second Section of the Principal Act, it is enacted, that it shall 'not be lawful for the Justices of any Borough to appoint or continue as such Clerk to the Justices 'any Alderman or Councillor of such Borough, or Clerk of the Peace for such Borough, or Partner of 'such Clerk of the Peace, or any Clerk or Person in the Employ of such Clerk of the Peace; and that 'it shall not be lawful for the said Clerk to the Justices, by himself or his Partner, to be directly or 'indirectly interested or employed in the Prosecution of any Offender committed for Trial by the 'Justices of whom he shall be such Clerk as aforesaid, or any of them, at any Court of Gaol Delivery, 'or General or Quarter Sessions; and that any Person being an Alderman or Councillor, or Clerk of 'the Peace of any Borough, or the Partner or Clerk, or in the Employ of such Clerk of the Peace, 'who shall act as Clerk to the Justices of such Borough, or shall otherwise offend in the Premises, 'shall for every such Offence forfeit and pay the Sum of One hundred Pounds as therein mentioned: 'And whereas the said Provisions have been found to be insufficient for preventing the Mischiefs 'thereby intended to be prevented:' It is hereby enacted, That the said Provisions of the One hundred and second Section of the Principal Act shall be repealed; and from and after the passing of this Act it shall not be lawful for the Justices of any Borough to appoint or continue as their Clerk any Alderman or Councillor of such Borough, or the Clerk of the Peace of such Borough or of the County in which such Borough is situate, or the Partner of any such Clerk of the Peace; and it shall not be lawful for the Clerk to the Justices of any Borough, by himself or his Partner, or otherwise, to be directly or indirectly employed or interested in the Prosecution of any Offender committed for Trial by the Justices of such Borough or any of them at any Court of Gaol Delivery or General or Quarter Sessions; and any Person who shall in anywise offend in the Premises shall for every such Offence forfeit and pay the Sum of One hundred Pounds, one Moiety thereof to the Treasurer of such Borough, to be paid over to the Credit and Account of the Borough Fund, and the other Moiety thereof, with Costs of Suit, to any Person who may sue for the same in any of Her Majesty's Courts of Record at *Westminster:* Provided that nothing herein contained shall prevent the Justices of any Borough reappointing as their Clerk any Clerk of the Peace or Partner of such Clerk of the Peace of their Borough, or of the County in which such Borough is situate, who at the Time of the passing of this Act shall be, or who shall not at the Time of such Reappointment have ceased to be, the Clerk of such Justices.

Provisions of 22 & 23 Vict. c. 56. as to Appointment of Inspectors of Weights, &c. extended to Boroughs having a separate Commission of the Peace.

6. 'Whereas by the Fourth Section of an Act passed in the Session holden in the Twenty-second 'and Twenty-third Years of the Reign of Her present Majesty, Chapter Fifty-six, intituled *An Act 'to amend an Act of the Fifth and Sixth Years of King* William *the Fourth, Chapter Sixty-three, 'relating to Weights and Measures,* certain Powers of appointing Inspectors of Weights and Measures 'are conferred on the Town Councils of all Municipal Boroughs in *England* and *Wales* incorporated 'under the Provisions of the Principal Act to which a separate Court of Quarter Sessions has been 'granted: And whereas it is expedient to extend such Provisions to the Town Councils of all 'Municipal Boroughs in *England* and *Wales* having a separate Commission of the Peace, although 'they may not have a separate Court of Quarter Sessions:' It is hereby enacted, That all the Provisions of the said Fourth Section shall extend to Boroughs having a separate Commission of the Peace in the same Manner as if such Boroughs were therein included under the Description of "Boroughs to which a separate Court of Quarter Sessions has been granted."

Not to affect 17 & 18 Vict. c. 20.

7. Nothing in this Act contained shall affect "The *Manchester* Division Stipendiary Act, 1854," or any Provision therein contained.

Construction of Act.

8. This Act shall be construed as One with the said Principal Act.

CAP. LXXVI.

An Act to amend the Law relating to the Removal of Poor Persons to *Ireland.*

[6th *August* 1861.]

'WHEREAS it is expedient that better Means should be provided for the safe Conveyance to the 'Place of their Destination in *Ireland* of Poor Persons who may be removed in pursuance of the 'Act passed in the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter One hundred 'and seventeen:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,—

Warrant of Removal to be signed in Petty Sessions, or by a Police Magistrate.

1. No Application for a Warrant ordering the Removal from any Place in *England* to *Ireland* of any Poor Person who shall have become chargeable in such Place shall be heard and determined except by Two or more Justices in Petty Sessions assembled, or by a Stipendiary Magistrate, or Metropolitan Police Magistrate sitting in his Court, which Justices or Magistrate (as the Case may be) shall see such Poor Person or the Person who is the Head of the Family proposed to be removed, and shall be satisfied that every Person who is proposed to be removed by the Warrant is in such a State of Health as not to be liable to suffer bodily or mental Injury by the Removal.

2. Such

Warrant to contain Name and Age of every Person to be removed, and other Particulars.

2. Such Warrant of Removal shall be granted only on the Application of the Relieving Officer or other Officer of the Guardians of the Union or Parish where such Poor Person shall become chargeable, and shall contain the Name and reputed Age of every Person ordered to be removed by virtue of the same, and the Name of the Place in *Ireland* where the Justices or Magistrate shall find such Person to have been born or to have last resided for the Space of Three Years, and a Statement of such Examination having been made as to the State of Health of every Person ordered to be removed as aforesaid; and such Warrant shall be addressed to the Party applying for the same, and to the Guardians of the Union or Parish to which such Poor Person is to be removed, and a Copy shall be given by and at the Cost of the Person applying for such Warrant to the Person or the Head of the Family about to be removed by virtue of it:

Proviso.

Provided that in the Case of any Native of *Ireland* who shall have been absent from *Ireland* less than Twelve Months the Pauper may, if the Guardians applying for the Warrant and the Justices or Magistrate issuing it think fit, be removed to any Place, other than that above described, with his Consent; and provided also, that in any Case where the Justices or Magistrate shall not be able to ascertain upon the Evidence before them the Place of Birth, or of such continued Residence as aforesaid, they shall order the Pauper to be removed to the Port in *Ireland* which shall in the Judgment of such Justices under the Circumstances of the Case be most convenient.

Copy of Warrant to be sent to Guardians.

3. The Guardians obtaining the Warrant shall send a Copy of it, by Post, to the Clerk of the Board of Guardians of the Union in *Ireland* to which such Poor Person shall be ordered to be removed, and also a Copy of the Depositions taken in the Case, if the same shall, at any Time within Three Months from the Date of the Warrant, be required by any such Board of Guardians.

Poor Persons to be conveyed to Place mentioned in Warrant.

4. Such Warrant shall order the Removal of the Poor Person to be made to the Place mentioned therein as aforesaid, and shall order the Persons charged with the Execution thereof to cause such Poor Person, with his Family (if any), to be safely conveyed to such Place in *Ireland*, to be delivered at the Workhouse of the Union containing the Port of or nearest to the Place of the Pauper's ultimate Destination.

Guardians of the Union at the Port may forward Pauper to Place of Destination, &c.

5. If such Union be not such Place of ultimate Destination, the Guardians thereof may, if they think fit, cause the Pauper to be removed forthwith to the Place mentioned in the Warrant, and shall be entitled to be reimbursed the Costs incurred in such Removal by the Guardians in *England* on whose Application the Warrant was obtained, such Costs being the actual Expense incurred in and about the Conveyance and Maintenance of each Person so removed, according to the Certificate of the Poor Law Commissioners of *Ireland*, which Costs may, if not paid on Demand, be recovered by an Action in any County Court having Jurisdiction in the Union or Parish in *England* from which the Removal shall have taken place, at the Suit of the Guardians of such Union in *Ireland*.

Women, &c. not to be Deck Passengers during Winter.

6. It shall be unlawful to remove any Woman or any Child under the Age of Fourteen as a Deck Passenger in any Vessel from *England* to *Scotland* or *Ireland*, during the Period from the First of *October* to the Thirty-first of *March* following, and no Regulation of Justices authorizing such a Removal shall be henceforth legal.

8 & 9 Vict. c. 117. s. 6. repealed.

7. Section the Sixth of the Act of the Eighth and Ninth *Victoria*, Chapter One hundred and seventeen, is hereby repealed.

Acts to be construed together.

8. Except so far as this Act shall alter the Provisions of the said Act, this Act shall be construed as a Part of the same.

CAP. LXXVII.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively. [6th *August* 1861.]

CAP. LXXVIII.

An Act to repeal certain Enactments relating to nominating and appointing the Householders of *Westminster* to serve as Annoyance Jurors, and to make other Provisions in lieu thereof. [6th *August* 1861.]

27 Eliz. c. 17., 29 G. 2. c. 25., 31 G. 2. c. 17.

'WHEREAS an Act was passed in the Twenty-seventh Year of the Reign of Queen *Elizabeth*, 'intituled *An Act for the good Government of the City or Borough of* Westminster *in* 'Middlesex, which Act, as amended by the Twenty-ninth of King *George* the Second, Chapter 'Twenty-five, and Thirty-first of King *George* the Second, Chapter Seventeen, appointed, among other 'Things, an Annoyance Jury, to inspect Annoyances, Obstructions, and Weights and Measures of 'Traders in the said City and Borough: And whereas it is expedient that so much of the said Act and 'such amended Acts as relate to the Appointment and Duties of such Annoyance Jurors should be 'repealed, and other Provisions made instead thereof:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. From

Annoyance Jurors (Westminster).

Repeal of Part of recited Acts.

1. From and after the Twenty-ninth Day of *September* One thousand eight hundred and sixty-one, so much of the said Act and amended Acts as relates to the Appointment of Annoyance Jurors shall be and the same is hereby repealed.

Not to extend to Offences committed before passing of Act.

2. Provided always, That nothing herein contained shall extend or be construed to extend to interfere with any Acts done or Appointments made under the Authority of the said recited Acts, or to prevent the suing for or Recovery of any Penalty incurred by any Offence committed against the Provisions of the said recited Acts previous to the Repeal thereof in and by this Act.

Dean and Court of Burgesses to appoint, remunerate, suspend, or discharge Inspectors.

3. On and after the Twenty-ninth Day of *September* One thousand eight hundred and sixty-one, the Appointment of such Annoyance Jurors shall cease, and the Dean of the Collegiate Church of *Saint Peter Westminster* for the Time being, or the High Steward of the City and Liberty of *Westminster* for the Time being, or his lawful Deputy, shall and may from Time to Time, as Circumstances may require, call a Meeting or Meetings of the Court of Burgesses of the City and Liberty of *Westminster*, at which Court the said Dean, or the High Steward or his Deputy, or One of the Chief Burgesses and Four of the Burgesses, shall be present; and such Court so constituted shall exercise the Powers by this Act given to the Court of Burgesses, and shall and may and is hereby required to appoint One or more Inspectors of Weights and Measures, who shall hold the Office during the Pleasure of the said Court, which is hereby empowered to suspend or dismiss any Inspector so appointed, and to appoint other Inspectors as Occasion may require, and shall direct what reasonable Remuneration shall be paid to every Inspector for the Discharge of such Duties as he is ordered by the said Court of Burgesses to perform, within the Limits of its Jurisdiction, for preventing Persons dealing by unlawful Weights, Balances, or Measures within the said City or Liberty of *Westminster*.

Oath to be taken by Inspector.

4. Provided always, That every Inspector under this Act, before he enters upon the Execution of his Office, shall take an Oath to the Effect following, which Oath the said Court of Burgesses is hereby empowered to administer:

'I *A.B.* do swear, That I will faithfully, impartially, and honestly, according to the best of my Skill, Judgment, and Ability, execute the Powers and Duties of an Inspector of Weights and Measures under an Act passed in the Year of the Reign of Queen Victoria, intituled "An Act to repeal certain Enactments relating to nominating and appointing the Householders of Westminster to serve as Annoyance Jurors, and to make other Provisions in lieu thereof," and that I will execute those Powers and Duties without Hatred or Malice, Fear, Favour, or Affection.

'So help me GOD.'

Inspectors to visit Shops and Warehouses; Power to seize Weights and summon Offenders.

5. Every Inspector under this Act shall and may, with or without One or more Person or Persons acting by his or their Authority, at all seasonable Times during the Hours of Business in the Day or Night, enter any House, Shop, Warehouse, Building, or Yard within the said City and Liberty in the Occupation of or used by any Person who deals by Weight or Measure, and search for, take, and examine all Weights, Measures, Balances, Steelyards, and Weighing Machines there found and being, and if any of the same be unlawful, fraudulent, or defective, he may and is hereby directed and required to seize, keep, and detain the same, and to cause to be summoned the Person so offending before the said Court of Burgesses, which, in default of the Appearance of such Person, or after hearing such Person or any other One Individual who may appear on his Behalf, shall, on Proof thereof on Oath, fine such Person so offending in any Sum not exceeding Five Pounds for any One Offence, and the unlawful or defective Weights, Measures, Balances, Steelyards, and Weighing Machines shall thereupon be forfeited to the said Court and destroyed.

Inspector to inspect Weights and Measures of Persons in the Streets; Power to break unjust Weights and summon Offenders.

6. Every Inspector under this Act may, with or without One or more Persons acting by his Authority, at all seasonable Times in the Day or Night, search for, take, and examine all Weights, Measures, Balances, Steelyards, and Weighing Machines in the Possession of any Person selling, offering, or exposing for Sale any Goods on any open Ground, or in any public Street, Lane, Thoroughfare, or Place within the said City and Liberty of *Westminster*; and if upon such Examination any such Weights, Measures, Balances, Steelyards, and Weighing Machines be found unlawful, fraudulent, or defective, or shall be used in a fraudulent Manner, the same shall thereupon forthwith be forfeited to the said Court, and be seized, detained, and destroyed; and any Person using or having in his Possession any such unlawful, fraudulent, or defective Weights, Measures, Balances, Steelyards, and Weighing Machines, or using any Weights, Measures, Balances, Steelyards, or Weighing Machines in a fraudulent Manner, shall be summoned before the said Court of Burgesses, which, in default of the Appearance of such Person, or after hearing such Person, or any other One Individual who may appear on his Behalf, shall, on Proof thereof on Oath, fine such Person in any Sum not exceeding Five Pounds for any One Offence.

Power to Court to summon and examine Witnesses.

7. The said Court of Burgesses may summon Witnesses to give Evidence before that Court touching any Matters arising under the Fifth and Sixth Sections of this Act, or either of them, and may examine those Witnesses on Oath, and may do all Things necessary for the due and proper Hearing and Determination of any of the said Matters so arising as aforesaid.

Summons to be under Seal.

8. Every Summons under this Act shall be issued by the Town Clerk under the Common Seal of the said Court of Burgesses.

9. Every

Service of Summonses.

9. Every Summons under this Act may be served upon the Person to whom it is directed by delivering the same to such Person personally, or by leaving the same with some Person for him at his last or most usual Place of Business or Abode.

Penalty on Witnesses for not attending and giving Evidence.

10. Any Person summoned as a Witness to give Evidence before the said Court of Burgesses touching any Matters arising under the said Fifth and Sixth Sections of this Act, or either of them, who shall neglect or refuse to appear at the Time and Place for that Purpose appointed, and who shall not make such reasonable Excuse for such Neglect or Refusal as shall be admitted and allowed by the said Court of Burgesses, or who appearing shall refuse to be examined on Oath or Affirmation and give Evidence, shall, on Conviction by the said Court of Burgesses, forfeit and pay to the said Court of Burgesses a Fine not exceeding Five Pounds for every such Offence.

Forms of Summons and Conviction.

11. Any Summons or Conviction under this Act may be in the Form given in the Schedule to the Act passed in the Twelfth Year of the Reign of Her Majesty, Chapter Forty-three, so far as any Form of Summons or Conviction therein may be applicable to the particular Case, and with such Alterations or Additions as the Circumstances of each Case may require, and every such Form or any Form to the like Effect shall be deemed good, valid, and sufficient in the Law.

Penalties for obstructing Inspector.

12. Every Person who shall abuse or insult any such Inspector when in the Execution of his Office, or shall in any way obstruct the Execution of the said Office, shall be liable to a Penalty not exceeding Forty Shillings.

Penalties for Misconduct of Inspector.

13. Every Inspector, and every Person acting under his Authority, who shall ask, demand, or take any Sum of Money or other Gratuity or Reward whatsoever for or under Pretence of excusing any Person or Persons, or for not summoning any Person or Persons for any Offences committed under this Act, or shall otherwise misconduct himself in the Execution of his Office, shall be liable to a Penalty not exceeding Five Pounds.

Fines to be paid to High Bailiff and Court of Burgesses.

14. All Fines imposed by the said Court of Burgesses under this Act shall and may be levied and recovered in the like Manner as the Fines and Amerciaments set or imposed by the said recited Acts are thereby directed to be levied and recovered; and all Sums so recovered shall be applied and disposed of in the Manner following; that is to say, the High Bailiff of *Westminster* or his Deputy for the Time being shall be and he is hereby entitled to one Moiety thereof, and shall receive and take the same to his own Use, and the other Moiety thereof shall be taken and applied by the said Court of Burgesses to pay the necessary Charges and Expenses that shall attend the Execution of this Act.

As to Recovery of Penalties for obstructing Inspector, &c.

15. The Penalties imposed by the Twelfth and Thirteenth Sections of this Act shall be recovered and applied in the same Way as if the Offences created and Penalties imposed by those Sections had, at the passing of an Act passed in the Third Year of the Reign of Her Majesty, Chapter Forty-seven, been created and imposed by and those Sections had been enacted in the Fifty-fourth Section of that Act.

Sizer, &c., to hold Office during Pleasure of Court of Burgesses.

16. If any Vacancy shall at the passing of this Act exist or hereafter occur in the Office of sizing and sealing Weights and Measures under the said Acts or either of them, every Person appointed to fill that Office shall hold the same during the Pleasure of the said Court of Burgesses, which may suspend or dismiss every such Person, and appoint others, as Occasion requires.

Reserving Rights of the Court of Burgesses.

17. Nothing in this Act contained shall, except so far as is by this Act expressly provided, extend or be construed to extend to interfere with the Appointment of any Officer by the Court of Burgesses, or with sealing, sizing, stamping, or marking of any Weights or Measures, or with the Fees for sealing, sizing, stamping, or marking such Weights and Measures, payable before the passing of this Act; and this Act shall be construed and taken together with the said recited Acts, and the said Acts and this Act shall, so far as the Provisions of the same are respectively consistent, be read together as One Act.

CAP. LXXIX.

An Act to amend the Metropolis Gas Act. [6th *August* 1861.]

'WHEREAS it is expedient to extend the Powers in relation to Gas vested in the Metropolitan Board of Works by "The Metropolis Gas Act, 1860:"' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Powers conferred on Justices of the Peace by 22 & 23 Vict. c. 66. as amended, so far as relates to Metropolis, transferred to Board of Works.

1. All Powers conferred on the Justices of the Peace of any County in General or Quarter Sessions assembled, by the Act passed in the Twenty-second and Twenty-third Years of the Reign of Her present Majesty, Chapter Sixty-six, intituled *An Act for regulating Measures used in Sales of Gas*, as amended by an Act passed in the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and forty-six, and intituled *An Act to amend the Act for regulating Measures used in Sales of Gas*, shall, in so far as relates to the Metropolis, as defined by an Act passed in the Session holden in the Eighteenth and Nineteenth Years of Her present Majesty, Chapter One hundred and twenty, and intituled *An Act for the better Local Management of the Metropolis*, be transferred and vested in the Metropolitan Board of Works, and so many of the said Powers as are conferred by Section Four of the said Act of the Twenty-second and Twenty-third Years of the Reign of Her present Majesty shall be exercised by such Board within Two Months after the passing of this Act, and so from Time to Time thereafter as in the said Act mentioned, and all Expenses incurred

incurred by the said Board in pursuance of this Act shall be defrayed by them out of Rates leviable by them within their Jurisdiction exclusive of the City of *London*.

2. So much of the said Act passed in the Session holden in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and forty-six, as provides that, notwithstanding anything contained in the said Act for regulating Measures used in Sales of Gas, the said Act shall not come into operation in any County of *England* until the Magistrates of such County in Quarter Sessions shall have resolved to bring such County under the Operation of the Act, shall be repealed so far as respects the Metropolis as herein-before defined. So much of 23 & 24 Vict. c. 146. s. 1. as respects the Metropolis repealed.

CAP. LXXX.

An Act to authorize Advances of Money out of the Consolidated Fund for carrying on Public Works and Fisheries for Employment of the Poor, and for facilitating the Construction and Improvement of Harbours; and for other Purposes. [6th *August* 1861.]

'WHEREAS the following Acts have been passed; *viz.*, an Act of the Fifty-seventh Year of King *George* the Third, Chapter Thirty-four; an Act of the same Session of Parliament, Chapter One hundred and twenty-four; an Act of the First Year of King *George* the Fourth, Chapter Sixty; an Act of the First and Second Years of King *George* the Fourth, Chapter One hundred and eleven; an Act of the Third Year of King *George* the Fourth, Chapter Eighty-six; an Act of the Fourth Year of King *George* the Fourth, Chapter Sixty-three; an Act of the Fifth Year of King *George* the Fourth, Chapter Thirty-six; an Act of the same Session of Parliament, Chapter Seventy-seven; an Act of the Sixth Year of King *George* the Fourth, Chapter Thirty-five; an Act of the Seventh Year of King *George* the Fourth, Chapter Thirty; an Act of the Seventh and Eighth Years of King *George* the Fourth, Chapter Twelve; an Act of the same Session of Parliament, Chapter Forty-seven; an Act of the First and Second Years of King *William* the Fourth, Chapter Twenty-four; an Act of the Third and Fourth Years of King *William* the Fourth, Chapter Thirty-two; an Act of the Fourth and Fifth Years of King *William* the Fourth, Chapter Seventy-two; an Act of the First Year of Her present Majesty Queen *Victoria*, Chapter Fifty-one; an Act of the First and Second Years of Her present Majesty, Chapter Eighty-eight; an Act of the Third Year of Her present Majesty, Chapter Ten; an Act of the Fifth Year of Her present Majesty, Chapter Nine; an Act of the Ninth and Tenth Years of Her present Majesty, Chapter Eighty; an Act of the Fourteenth and Fifteenth Years of Her present Majesty, Chapter Twenty-three; an Act of the Sixteenth and Seventeenth Years of Her present Majesty, Chapter Forty; and an Act of the Nineteenth Year of Her present Majesty, Chapter Seventeen: And whereas sundry Advances or Loans have been made by the Commissioners of the said Acts for the Purposes in the same Acts specified, and great Benefits have been derived therefrom: And whereas further Advances or Loans are required for the like Objects, and Advances or Loans are also required for the Purposes of "The Harbours and Passing Tolls, &c. Act, 1861," and it is deemed expedient to make Advances of Money out of the Consolidated Fund for the Purposes of such Loans:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

57 G. 3. c. 34. 57 G. 3. c. 124. 1 G. 4. c. 60. 1 & 2 G. 4. c. 111. 3 G. 4. c. 86. 4 G. 4. c. 63. 5 G. 4. c. 36. 5 G. 4. c. 77. 6 G. 4. c. 35. 7 G. 4. c. 30. 7 & 8 G. 4. c. 12. 7 & 8 G. 4. c. 47. 1 & 2 W. 4. c. 24. 3 & 4 W. 4. c. 32. 4 & 5 W. 4. c. 72. 1 Vict. c. 51. 1 & 2 Vict. c. 88. 3 Vict. c. 10. 5 Vict. Sess. 2. c. 9. 9 & 10 Vict. c. 80. 14 & 15 Vict. c. 23. 16 & 17 Vict. c. 40. 19 Vict. c. 17.

1. For the Purposes of such Advances or Loans as aforesaid (exclusively of Advances or Loans for the Purposes of "The Harbours and Passing Tolls, &c. Act, 1861,") the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being are hereby empowered by Warrant under the Hands of any Two or more of them, to cause to be issued out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* or out of the growing Produce thereof, to the Account of the Commissioners for the Time being for the Reduction of the National Debt, a Sum or Sums of Money not exceeding Three hundred and sixty thousand Pounds *per Annum* during the Five Years next ensuing the Fourth Day of *April* One thousand eight hundred and sixty-two, by quarterly Instalments or Issues not exceeding Ninety thousand Pounds *per* Quarter, the First Instalment thereof to become due and payable in the Quarter ending the Thirtieth Day of *June* One thousand eight hundred and sixty-two. Power to charge 360,000*l.* per Annum upon the Consolidated Fund by Issues not exceeding 90,000*l.* per Quarter.

2. For the Purpose of Advances or Loans under "The Harbours and Passing Tolls, &c. Act, 1861," the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being are hereby empowered, by Warrant under the Hands of any Two or more of them, to cause to be issued out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or out of the growing Produce thereof, to the Account of the Commissioners for the Time being for the Reduction of the National Debt, a Sum or Sums of Money not exceeding Three hundred and fifty thousand Pounds *per Annum* during the Five Years next ensuing the passing of this Act, by quarterly Instalments or Issues not exceeding Eighty-seven thousand five hundred Pounds *per* Quarter, the First Instalment thereof to become payable in the Quarter ending the Thirtieth Day of *September* One thousand eight hundred and sixty-one, such Monies to be applied exclusively under the said Harbours and Passing Tolls Act. Power to charge 350,000*l.* per Annum upon the Consolidated Fund not exceeding 87,500*l.* per Quarter for Harbours, &c.

3. The Commissioners for the Time being for the Reduction of the National Debt shall be and they are hereby appointed Trustees on the Part of the Public for holding the said Monies to be issued and paid out of Commissioners for Reduction

of National Debt to be Trustees of Public Works Loan Fund, and to cause a separate Account to be continued at Bank.

of the Consolidated Fund as aforesaid, and they shall continue or cause to be continued the separate Account already opened at the Bank of *England* with them under the Title of "The Commissioners for the Reduction of the National Debt on account of the Public Works Loan Fund," and which Account the Governor and Company of the Bank of *England* shall and they are hereby required to continue in their Books accordingly, and to which Account shall be carried all such Monies as shall be issued and paid out of the Consolidated Fund for the Purposes aforesaid, and the said Commissioners for the Reduction of the National Debt shall continue and keep or cause to be continued and kept in their Office a Book or Books in which all the Monies transferred to their Account by virtue of this Act and the said recited Acts shall be entered and kept separate and apart from all other Monies, and such Monies shall be by them held subject to the Disposal, Orders, and Directions of the Commissioners of the said recited Acts and of this Act for the Purposes of such Loans and Advances and otherwise, as by the same Acts or the Acts relating thereto or this Act are directed or authorized to be made.

Bank to continue the Account already opened with the Commissioners for executing this Act.

4. The Governor and Company of the Bank of *England* shall and they are hereby required to continue the Account already opened in their Books with the Commissioners for the Execution of this Act and of the said recited Acts under the Title of "The Commissioners for the Issue of Loans for Public Works and Fisheries, &c.," to the Credit of which Account shall be carried all Principal and Interest Monies which shall from Time to Time become payable in respect of Loans made or to be made under the said recited Acts or this Act, and which shall be paid to the Cashiers of the said Bank of *England* upon such or the like Certificates, under the Hands of the said Commissioners of the said recited Acts and of this Act, as have been heretofore used for such Purpose in regard to Exchequer Bill or other Loans as directed by the said recited Acts or some or One of them, in such or the like Manner in all respects as if the Clauses and Provisoes in the said recited Acts or any of them with respect to such Payments and Certificates had been repeated and re-enacted in the Body of this Act, or as near thereto as the Difference of the Circumstances will admit.

Money paid into Bank to Account of Commissioners to be Part of Consolidated Fund.

5. All and every Sums and Sum of Money which shall be paid into the Bank of *England* to the Account of the Commissioners for executing this Act under and by virtue of this Act shall from Time to Time, at such Periods as the Commissioners of Her Majesty's Treasury shall direct, be transferred by the Governor and Company of the Bank of *England* to the Account kept by the said Bank of *England* with Her Majesty's Exchequer, and when so transferred shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Commissioners for executing recited Acts to be Commissioners together with others for executing this Act.

6. The several Persons who in and by or under the said recited Acts or any of them are named or constituted Commissioners for the Execution of the said Acts, or so many of them as shall be living at the Time of the passing of this Act, together with *Paul Butler* Esquire, *George Grenfell Glyn* Esquire, *Thomson Hankey* Esquire, *Thomas Newman Hunt* Esquire, and *Henry Hussey Vivian* Esquire, (who have been appointed Commissioners for the Execution of the said recited Acts, under the Authority of the same, or some or One of them,) shall be and they and all future Parties so constituted are hereby constituted Commissioners for the Execution of the said recited Acts and this Act; and all Acts authorized by the said recited Acts and this Act to be done and executed by the said Commissioners may be done and executed by any Three or more of them.

Commissioners to sign the following Declaration before acting.

7. The said Commissioners named in and by or under the said recited Acts or any of them, or this Act, shall, before they enter upon the Execution of this Act, sign a Declaration to the following Effect:

'I *A.B.* do declare, That according to the best of my Judgment I will faithfully and impartially 'execute the several Duties, Powers, and Trusts vested in me by an Act intituled [*insert Title of 'this Act*], according to the Tenor and Purport of the said Act, and the Acts therein recited, and other 'Acts having reference thereto.'

And such Declaration shall be kept and entered with the other Proceedings of the said Commissioners.

Amount of Monies to be advanced under this Act to be certified to the Commissioners for the Reduction of the National Debt.

8. When and so soon as the said Commissioners for the Execution of the said recited Acts and this Act shall have determined upon any Amount of Money to be advanced and lent or paid under the Provisions of this Act, the said Commissioners, or any Three or more of them, shall forthwith certify such Amount to the Commissioners for the Reduction of the National Debt for the Time being, and at the Foot of every such Certificate the Secretary of the said Commissioners for the Execution of the said recited Acts and this Act shall state the Name or Names of the Person or Persons by whom every such Certificate is to be presented to the said Commissioners for the Reduction of the National Debt, and upon every such Certificate being produced to the Officer of the said Commissioners for the Reduction of the National Debt the Comptroller General, or Assistant Comptroller, or Chief Clerk acting under the said last-mentioned Commissioners, shall upon the Back of every such Certificate endorse and sign an Order for the Payment of the Sum mentioned in every such Certificate to the Person or Persons named at the Foot of every such Certificate, or to One of such Persons, and which Order of such Officer previously to the issuing thereof shall be entered by the Clerk or other proper Officer, and shall be countersigned by the Actuary or other Check Officer acting under the said last-mentioned Commissioners, and shall be addressed to the Cashiers of the Governor and Company of the Bank of *England;* and such Cashiers, or One of them, shall upon the Production of every such Order pay the Sum mentioned therein to the Person or Persons mentioned in every such Order, and the Signature of such

Person

Person or Persons jointly or severally shall be a sufficient Discharge to the said Commissioners for the Reduction of the National Debt and to the said Governor and Company respectively, provided the total Amount directed to be paid by such Certificate or Certificates respectively shall not at any Time exceed the Amount for the Time being standing to the Credit of the said Account of the said Commissioners for the Reduction of the National Debt under the Provisions of this Act or of the said recited Acts.

Commissioners for executing recited Acts and this Act to lay annual Accounts before Parliament.

9. The said Commissioners for the Execution of the said recited Acts and this Act shall cause to be made up an annual Account to the Thirty-first Day of *March* in each Year of the Amounts placed at their Disposal under the said recited Acts and this Act, the Amounts advanced, and the Amounts remaining unissued, also an Account of the Amount of the Loans advanced by the said Commissioners under the said recited Acts and this Act, the Monies received on account thereof and paid into the Exchequer, and the Balance of Principal and Interest outstanding, distinguishing each Class of Loans, and also showing the Amounts advanced and repaid in respect of each such Class during the Year ending the Thirty-first Day of *March* immediately preceding the Date of such Account, and the said Commissioners shall in each Year cause such Accounts to be laid before both Houses of Parliament on or before the Thirtieth Day of *June*, if Parliament be sitting, or if Parliament be not sitting then within Fourteen Days after the next Meeting of Parliament.

National Debt Commissioners to furnish Account for Audit.

10. The Commissioners for the Reduction of the National Debt shall cause to be made up for Examination and Audit an annual Account to the Thirty-first Day of *December* in each Year of the Receipts, Payments, and Balances in the said Account so directed to be kept by them in respect of the said Public Works Loan Fund as aforesaid, and shall deliver the same to the Commissioners for auditing the Public Accounts at *Somerset Place*.

Powers, &c. of recited Acts to have the same Force as if re-enacted in this Act.

11. None of the several Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures contained in the said recited Acts or any of them shall be affected nor be deemed to have been affected by anything in this Act, or in any other Act or Acts of Parliament already passed or to be passed, except so far as the same is by this Act, or may by any such Act passed or to be passed, be altered, varied, or repealed by express Reference to the said recited Acts or this Act; and all and every the same several Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures, so far as the same can be made applicable and are not varied by this Act, shall be taken to extend to this Act and to everything to be done in pursuance of this Act, and as if such Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures were herein repeated and set forth.

CAP. LXXXI.

An Act to repeal the Provisions in certain Statutes relative to the Salary of the Lord Clerk Register in *Scotland*. [6th *August* 1861.]

'WHEREAS by the Fifth and Sixth Sections of an Act passed in the Fifty-seventh Year of the Reign of His Majesty *George* the Third, Chapter Sixty-four, intituled *An Act to abolish certain Offices, and to regulate others in* Scotland, it is *inter alia* provided that from and after and upon the Termination of the then existing Interests in the Offices of Keeper of the Signets and Lord Register in *Scotland* respectively, or upon either of the same becoming vacant, the Duties of Keeper of the Signet in *Scotland* should be discharged by the Lord Register, and that it should not be lawful to His Majesty, His Heirs or Successors, to grant to any Person who should thenceforth be appointed to discharge the Duties of Lord Register in *Scotland* a higher Salary, nor should any Person who should be appointed to discharge such Duties enjoy a higher Salary in respect of such Appointment, than One thousand two hundred Pounds *per Annum*, and that the Fees payable to the Lord Register for *Scotland*, or in respect of the Duties discharged by any Person or Persons in the Office of the said Lord Register, should continue to be paid and payable and should be applied in the Manner specified in the said Act, and that any Balance of such Fees which should remain should be paid to the Receiver General of *Scotland* at least once in Three Months, or as the Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them, should direct, and should be paid and accounted for by him with the other Public Monies received by him: And whereas by an Act passed in the Third Year of the Reign of His Majesty *George* the Fourth, Chapter Sixty-two, passed for the Regulation of the Fees chargeable in the General Register House in *Edinburgh*, it was provided that it should be lawful for the Lord President of the Court of Session in *Scotland*, the Lord Register of *Scotland*, the Lord Advocate of *Scotland*, the Lord Justice Clerk, the Lord Chief Baron of the Court of Exchequer in *Scotland*, and the Lord Chief Commissioner of the Jury Court, all for the Time being, or any Three or more of them, to modify and regulate in such Manner as to them should appear just and proper the Fees which should be payable for or in respect of the Office of Lord Register, or in respect of the Duties discharged by any Person or Persons in the Office of Lord Register: And whereas it is expedient to repeal so much of the said recited Acts as provides that any Salary or Fees should be payable for or in respect of the Office of Lord Clerk Register:' Be it enacted by the Queen's most

57 G. 3. c. 64.

3 G. 4. c. 62.

Excellent

Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Repeal of recited Acts as to Payment of Salary or Fees to Lord Clerk Register.

1. So much of the said recited Acts as provides the Payment of any Salary or Fees for or in respect of the said Office of Lord Clerk Register for *Scotland* shall be and the same is hereby repealed; and from and after the passing of this Act no Salary or Fees shall be payable for or in respect of the said Office; and the like Monies which were applicable before the passing of this Act to the Payment of the Salary of the Lord Clerk Register shall be applied in like Manner with the Balance of the Fees which should remain as directed by the first-recited Act.

CAP. LXXXII.

An Act for making Provision for the good Government and Extension of the University of *Durham*. [6th *August* 1861.]

'WHEREAS it is expedient to make further Provision for the good Government and Extension of 'the University of *Durham* and of the Colleges therein:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as the "*Durham* University Act, 1861."

Appointment of Commissioners.

2. The several Persons hereafter named, that is to say, the Right Reverend Father in God *Henry Montagu* Lord Bishop of *Durham*, the Honourable *Henry George Liddell*, the Right Honourable *Robert Lowe*, the Right Honourable *Charles Bowyer Adderley*, the Reverend *Charles John Vaughan* Doctor in Divinity, and *Robert Ingham* Esquire, shall be Commissioners for the Purposes of this Act, and shall have a Common Seal, and Three of the said Commissioners shall be a Quorum, and the Commissioner appointed or acting as Chairman shall have a Second or Casting Vote whenever at any Meeting the Votes of the Commissioners are equally divided.

Duration of Powers of Commissioners.

3. The Powers hereby conferred on the Commissioners shall be in force until the First Day of *January* One thousand eight hundred and sixty-three, and it shall be lawful for Her Majesty, if She think fit, by and with the Advice of Her Privy Council, to continue the same until the First Day of *July* One thousand eight hundred and sixty-three, and no longer.

As to Vacancies.

4. If any Vacancy occur in the Number of the Commissioners by means of Death, Resignation, or Incapacity to act, Her Majesty may fill up such Vacancy.

Commissioners empowered to require Production of Documents.

5. The Commissioners, in the Exercise of the Authorities hereby vested in them, shall have Power to require from any Officer of the University of *Durham*, or of any College therein, including Halls under the Term Colleges, the Production of any Documents or Accounts relating to such University or College, and any Information relating to the Revenues, Statutes, Usages, or Practice thereof, respectively, and no Oath which may have been taken by any Officer shall be a Bar to any Authorities of the Commissioners.

Powers of Commissioners.

6. For the Purpose of promoting Religious Education, useful Learning, and practical Knowledge in the University of *Durham* and the Colleges therein, and of furthering the main Designs of the Founders and Donors, so far as is consistent with the above Purposes, it shall be lawful for the Commissioners, notwithstanding anything to the contrary contained in any Order of Council, Statute, Charter, Deed, or Instrument of Foundation or Endowment, but subject to the Restrictions herein-after mentioned, to make Ordinances for the Purposes following; that is to say,

(1.) For repealing, modifying, or altering any Order in Council, Statute, or Regulation relating to the University or the Colleges thereof:

(2.) For altering the Subscription required to be made on proceeding to any Degree in the University:

(3.) For altering or modifying the Trusts, Statutes, or Directions affecting any Gift or Endowment held or enjoyed by the University, or by any Professor, Lecturer, Reader, or Scholar therein:

(4.) For repealing, altering, and amending the College Statutes, and for making fresh Provision respecting the Eligibility of Persons to the Headship or the Fellowships or other College Emoluments, respecting the Right and Mode of appointing, nominating, or electing to such Headship, Fellowships, and Emoluments, and respecting the Duration and Conditions of the Tenure of such Fellowships and Emoluments, so as to ensure such Fellowships and Emoluments being conferred according to personal Merits and Fitness, and being retained for such Periods as are likely to conduce to the better Advancement of the Interests of Religion and Learning, and for the said Objects to modify or abolish any Right of Preference:

(5.) For the Consolidation, Division, or Conversion of Emoluments attached to Schools into Scholarships or Exhibitions so attached, or either partly so attached and partly open, or altogether open:

(6.) For the Creation of a sufficient Number of Open Scholarships either by Conversion of Fellowships or otherwise:

(7.) And generally for making further Provision for maintaining and improving the Discipline, Studies, and good Government of such University and Colleges, and for amending the Statutes thereof from Time to Time.

7. The

Restrictions on Exercise of Powers by Commissioners.

7. The following Restrictions shall be imposed on the Exercise by the Commissioners of the foregoing Powers:

(1.) No Ordinance shall be made to the Prejudice of the existing Interest of any Member of the University or Colleges:

(2.) No Ordinance shall be made inconsistent with an Act passed in the Session holden in the Second and Third Years of His late Majesty King *William* the Fourth, Chapter Nineteen (Private), and intituled *An Act to enable the Dean and Chapter of* Durham *to appropriate Part of the Property of their Church to the Establishment of a University in connexion therewith for the Advancement of Learning;* or with a Charter granted to the University by His late Majesty King *William* the Fourth, and dated the First of *June* One thousand eight hundred and thirty-seven; but the Admission of Persons other than those belonging to the Established Church to the Emoluments of the University shall not be deemed inconsistent with the said Act or Charter:

(3.) No Ordinance of the Commissioners shall be of any Validity until the same has been confirmed by Order of Her Majesty in Council as herein-after mentioned.

Ordinances to be laid before the Queen in Council.

8. All Ordinances framed by the Commissioners under the Powers herein contained shall be laid before Her Majesty in Council and be forthwith published in the *London Gazette;* and it shall be lawful for the University of *Durham* and the Colleges thereof, and for the Visitors of any College in the University, and for the Visitor, and for the Trustees, Governors, and Patron of any University or College Emolument, and for any other Person directly affected by such Ordinances, within One Month after the Publication as aforesaid in the *London Gazette,* to petition Her Majesty in Council praying Her Majesty to withhold Her Approbation of the whole or of any Part thereof; and every such Petition shall be referred by Her Majesty by Order in Council for the Consideration and Advice of Five Members of Her Privy Council, of whom Two, not including the Lord President, shall be Members of the Judicial Committee, to be named in such Order, and such Five Members may, if they think fit, admit any Petitioner or Petitioners to be heard by Counsel in support of his or their Petition.

Statutes to be laid before Parliament.

9. All Ordinances published in the *London Gazette* as aforesaid shall be at the same Time laid before both Houses of Parliament, if Parliament be sitting, or if not then within Three Weeks after the Commencement of the next ensuing Session of Parliament; and unless an Address is within Forty Days presented by one or other of the said Houses, praying Her Majesty to withhold Her Consent from such Ordinances or any Parts thereof, or unless the Approbation of Her Majesty is withheld on such Petition as aforesaid, it shall be lawful for Her Majesty, by Order in Council, to declare Her Approbation of such Ordinances, or any Parts thereof to which such Address does not relate, or of which She does not withhold Her Approbation on such Petition, and the same shall thereupon become Statutes of the University of *Durham,* or of the College therein to which the same respectively relate; and if any such Ordinances, or any Part thereof, are not so approved by Her Majesty, it shall be lawful for Her Majesty to signify Her Disapproval of such Ordinances or such Part thereof by Order in Council, and the Commissioners may thereupon proceed to frame other Ordinances in that Behalf, subject to the same Conditions and Provisions as to the Approbation of Her Majesty in Council, and all other Conditions and Provisions, as are imposed by this Act in relation to the making of original Ordinances by the Commissioners, and so on from Time to Time as often as Occasion requires.

Statutes by Commissioners subject to Repeal, &c.

10. Every Ordinance made by the Commissioners in pursuance of the Provisions of this Act affecting the University or any College thereof, shall be subject to Repeal and Alteration by the University or College, as the Case may be, with the Approval of Her Majesty in Council.

Members not to possess vested Interests.

11. No Person who, after the passing of this Act, becomes a Member of the University of *Durham* or any College therein, or is elected or becomes eligible to any University or Collegiate Emolument, shall be deemed or taken to have acquired or to possess an existing Interest within the Meaning of this Act.

Powers of University to continue in force, &c.

12. Except in so far as they are expressly altered or taken away by the Provisions of this Act, the Powers and Privileges of the University and its Officers, and of the Colleges and their Officers, shall continue in full Force.

Interpretation of Terms.

13. In the Construction of this Act the Expression "University or College Emolument" shall include all Headships, Fellowships, Scholarships, Exhibitions, Clerkships, and every other such Place of Emolument payable out of the Revenues of the University or of any College, or to be held and enjoyed by the Members of any College as such within the University.

CAP. LXXXIII.

An Act to amend the Law regarding the Registration of County Voters in *Scotland.*

[6th *August* 1861.]

'WHEREAS an Act was passed in the Second and Third Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend the Representation of the People in* Scotland; and another Act was passed in the Seventeenth and Eighteenth Year of the Reign of Her present Majesty, intituled *An Act for the Valuation of Lands and Heritages in* Scotland: And whereas it is expedient to make further Provision with respect to the Registration of Persons entitled

2 & 3 W. 4. c. 65.

17 & 18 Vict. c. 91.

' entitled to vote in the Election of Members to serve in Parliament for Counties in *Scotland*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The County Voters Registration (*Scotland*) Act, 1861."

Interpretation of Terms.

2. The following Words and Expressions in this Act shall have the Meanings hereby assigned to them respectively, unless there be something in the Subject or Context repugnant to such Construction:

"Burgh" shall mean any Royal Burgh not contributing as a Burgh to send a Member to Parliament, but entitled under the second-recited Act to appoint a separate Assessor:

"Assessor" shall mean the Assessor of any County or Burgh in and for which he is Assessor appointed under the second-recited Act, or any Assessor specially appointed under the Provisions of this Act, where such last-mentioned Appointment has been made:

"Sheriff" shall mean the Sheriff of the County of which he is Sheriff, and shall include Sheriff Substitute:

"Sheriff Clerk" shall mean the Sheriff Clerk of the County of which he is Sheriff Clerk, and shall include any Person discharging the Duties of such Sheriff Clerk:

"Valuation Roll" shall mean the Valuation Roll in force for the Time for any County, made up under the Authority of the second-recited Act, or any other Act relating to the Valuation of Lands and Heritages in *Scotland* which may be in force for the Time:

Where in this Act Notice is required to be given by "special Advertisement," such Notice shall be inserted once in at least Two Newspapers published in the County, or if there be no Newspaper or only One Newspaper published therein, in any Newspaper or Newspapers published in a County adjoining thereto:

"Proprietor" shall include Life Renter.

Provisions of first-recited Act as to County Registers repealed.

3. The Clauses and Provisions of the first-recited Act enacted for the Purpose of forming Registers of Persons entitled to vote in the Election of Members to serve in Parliament for Counties in *Scotland* shall be and the same are hereby repealed, except as to any Register heretofore made, and in so far as the same may be necessary to give effect to the Provisions of this Act; and this Act shall be taken to be Part of the said Act as fully as if it were incorporated therewith.

Future Valuation Rolls of Counties or Burghs to set forth additional Particulars.

4. In any future Valuation Roll to be made up in any County or Burgh under the Provisions of the second-recited Act, or of any other Act in force for the Time for the Valuation of Lands and Heritages in *Scotland*, the Assessor of every County or Burgh shall, in addition to the Particulars which are by the said Act required to be ascertained by him, and to be entered in such Roll, ascertain and enter in such Roll the Amount of Feu Duty, Ground Annual, or other yearly Consideration payable as a Condition of his Right by every Proprietor of any Lands or Heritages entered in such Roll as of the yearly Rent or Value of Ten Pounds or upwards, and the Name of the Person to whom the said Consideration is payable, and also the Rent, calculated in Terms of the Ninth Section of the first-recited Act, payable by every Tenant holding any Lands or Heritages entered in such Roll as of the yearly Rent or Value of Ten Pounds or upwards, under any Lease originally granted for not less than Fifty-seven Years, exclusive of Breaks; and in order to the Ascertainment of such Particulars it shall be lawful for the Assessor to call upon any Proprietor or Tenant for Receipts or other written Evidence of the Amount of such Feu Duty, Ground Annual, or other Consideration, or of such Rent, and such Proprietor or Tenant shall be bound to furnish and deliver such Evidence to the Assessor, under the same Penalty in case of Failure or of false Statement as is provided in similar Cases by the second-recited Act, and it shall also be lawful for the Assessor to exercise all the Powers which under the second-recited Act he may lawfully exercise for the Purposes thereof; and when the Proprietor is a married Woman the Assessor shall further insert in such Roll the Name and Designation of her Husband.

Form for future Valuation Rolls of Counties to be as in Schedule (A.)

5. The Valuation Rolls of Counties and Burghs shall for the future be annually made up in the Form of the Schedule (A.) hereunto annexed, in place of the Form prescribed by the second-recited Act: Provided that it shall be competent to the Commissioners of Supply of any County, or the Magistrates of any Burgh, with the Sanction of the Lord Clerk Register or his Deputy, to make, as regards such County or Burgh respectively, such Alteration in the Form of the said Schedule, where this shall be found necessary or convenient, as may make it applicable to One Year only, or to any less Number of Years than Five Years.

Sheriff Clerk to deliver annually to Assessors a Copy of the Register.

6. The Sheriff Clerk of every County shall, on or before the Thirtieth Day of *June* in the Year One thousand eight hundred and sixty-two, and in every Year thereafter, make and cause to be delivered to the Assessor of such County, where there is but One Assessor, and where there is more than One Assessor then to the Assessor specially appointed as is herein-after provided, a Copy of the Register of Voters then in force for such County, arranged alphabetically in Parishes.

Assessors to be nominated specially for this Act.

7. If in any County there shall be more than One Assessor in and for such County, or if there shall be a separate Assessor for any Burgh situate therein, then the Commissioners of Supply of the County shall, within Three Weeks after the passing of this Act, appoint One of such Assessors to perform the Duties herein-after imposed on such Assessor under this Act, and give Notice of such Appointment by special

special Advertisement; and failing such Appointment and Advertisement being duly made by the Commissioners of Supply, the same shall be made by the Sheriff of the County within Five Weeks after the passing of this Act; and every such Assessor so appointed shall from the Date of his Appointment be specially charged with all the Duties incumbent on the Assessor under this Act; and where in any County the Assessor so appointed shall cease to hold Office, the Commissioners of Supply shall within Three Weeks thereafter appoint another Assessor to act as aforesaid, and shall give Notice by special Advertisement of such Appointment as before provided; and in the event of such Commissioners failing so to do, such Appointment and Advertisement shall be made by the Sheriff of the County within Five Weeks after any Assessor shall have ceased to hold Office as aforesaid: Provided that all other Assessors in any County or Burgh situate therein shall, in all Matters relating to this Act, be subject to the Orders of the Assessor so to be appointed, and shall take Instructions from him, and shall be bound to act on such Instructions, so far as consistent with this Act.

Assessor to make up annually a List of Changes in Register, as in No. 1. of Schedule (B.)

8. On or before the Fifteenth Day of *August* in the Year One thousand eight hundred and sixty-two, and in every Year thereafter, the Assessor shall make out and subscribe, according to the Form No. 1. of the Schedule (B.) to this Act annexed, a List, arranged alphabetically in Parishes, of all Persons entered in the Register of Voters for the County who have died or become disqualified, and a like List of all Persons who shall appear from the Valuation Roll to have become entitled to vote in the Election of a Member of Parliament for the County, and shall give Notice by special Advertisement that such Lists have been prepared, and shall specify in such Advertisement the Office or Place at which such Lists shall be open to Inspection, and shall cause a written or printed Copy of such Lists, or of such Part thereof as relates to each Parish in the County, to be affixed on the Door of the Church of such Parish; and Copies of such Lists shall be open to Inspection by any Person in the Office or Place specified in such Notice, without Payment of any Fee, at any Time between the Hours of Ten o'clock in the Morning and Four o'Clock in the Afternoon of each Day except *Sunday*, from the Sixteenth to the Twenty-fifth Days of *August*, both inclusive, in each Year, and Copies thereof or of Parts thereof shall be delivered by the Assessor to all Persons applying for the same, on Payment for every such Copy at the Rate of Sixpence for every One hundred Words so copied: Provided always, that in making out the List of Persons who shall appear, from the Valuation Roll, to be entitled to vote in the Election of a Member of Parliament, the Assessor shall not transfer to the said List the Name of any Proprietor the Value of whose Property, as entered in the said Valuation Roll, shall, after deducting the Amount of Feu Duty, Ground Annual, or other yearly Consideration payable by such Proprietor as a Condition of his Right, be reduced below Ten Pounds, nor of any Proprietor who shall have failed to furnish Evidence of the Amount of such Feu Duty, Ground Annual, or other Consideration, as required by Section Fourth of this Act, nor of any Tenant under a Lease of Fifty-seven Years or upwards when the Rent payable under such Lease, as the Consideration of the Right, shall reduce the Value of such Lease below Ten Pounds, nor of any such Tenant who shall have failed to furnish Evidence of the Amount of such Rent, as required by the said Section.

Persons omitted from Register may claim to be registered, as in No. 1. Schedule (C.)

9. It shall be lawful for any Person whose Name has been erroneously struck out or omitted from the Register of Voters, or from the List of Voters made up by the Assessor, to give Notice to the Assessor on or before the Twenty-fifth Day of *August* in any Year in the Form No. 1. of the Schedule (C.) to this Act annexed, of his Claim to have his Name entered in the Register of Voters for the County, on the Ground that he has one or other of the Qualifications required by the first-recited Act.

Assessor to make up and publish List of Claims, as in No. 2. of Schedule (B.)

10. On or before the First Day of *September* in every Year the Assessor shall make up a List of the Claims of which Notice has been given to him, in the Form No. 2. of the Schedule (B.) to this Act annexed, with the Names of the Persons claiming arranged alphabetically in Parishes, and shall give Notice by Special Advertisement that such List of Claims has been prepared, and shall specify in such Notice the Office or Place at which such List will be open to Inspection; and shall cause a written or printed Copy of such List, or of such Part thereof as relates to each Parish in the County, to be affixed on the Door of the Church of such Parish; and Copies of such List shall be open to Inspection from the Second to the Fourteenth Days of *September*, both inclusive, in each Year; and Copies of such List, or Parts thereof, shall be delivered by the Assessor to Persons applying for the same on Payment therefor as herein-before provided.

Assessor to correct Lists, and deliver Copy of Register to Sheriff Clerk.

11. The Assessor shall on a Copy of the Register furnished to him by the Sheriff Clerk strike out the Names of all Persons entered therein and included in the said first-mentioned List who have died or become disqualified, and add in alphabetical Order in each Parish the Names of all Persons who have become entitled to vote, and shall on or before the First Day of *September* in each Year deliver to the Sheriff Clerk of the County a complete Copy of the Register, subscribed by him, with all such Alterations thereon and Additions thereto.

Names may be omitted by Desire.

12. If any Person shall intimate in Writing to the Assessor his Desire that his Name shall not be inserted in any such List, the Assessor shall not insert in such List the Name of such Person.

13. Every

Assessors disqualified from voting.

13. Every Assessor, whether acting under this or the second-recited Act, shall, while he continues such Assessor, be disqualified from being registered as a Voter in the County of which he is Assessor, and from voting or taking part in any Election of a Member to serve in Parliament for such County.

Provision for filling up ad interim Offices on the Holders of which Duties are imposed by this Act.

14. Where in any County any Office upon the Holder of which Duties are imposed by this Act shall become vacant, it shall be lawful for the Sheriff to appoint a fit Person to perform ad interim the Duties of such Office, in so far as imposed by or necessary for the Purposes of this Act; and the Person so to be appointed shall be charged with and perform such Duties until such Office be duly filled up, and shall be entitled to such reasonable Remuneration therefor as may be fixed by the Sheriff, with the Approbation of the Lord Advocate, and such Remuneration shall be payable in the like Manner and out of the like Funds as the Salary or Allowances of the Office which had become vacant.

Provision as to Service of Notices.

15. Where any Notice is by this Act required to be given to the Sheriff Clerk or Assessor, it shall be sufficient if such Notice be delivered to him personally, or left at his principal Office, or sent to him by Post in a registered Letter addressed to him at his principal Office; and where by this Act any Notice is required to be given to any other Person, it shall be sufficient if such Notice be delivered to him personally, or sent in a Letter by Post, Postage paid, addressed to him, with a sufficient Direction, at his usual or last known Place of Abode.

Lists put up to be maintained, &c.

16. Where any List shall, pursuant to the Provisions of this Act, be affixed on any Place, the same shall continue so affixed for a Period including Two consecutive *Sundays* at the least next after the Day of Publication, and if removed or defaced within such Period shall be replaced by the Person bound to give the Notice.

Penalty for injuring Lists put up.

17. Every Person who shall wilfully mutilate or remove any List so affixed during such Period shall for every such Offence be liable to a Penalty of not less than Ten Shillings and not exceeding Forty Shillings, to be recovered by any Person who may sue for the same, in a summary Manner, before the Sheriff or any Two Justices of the Peace.

Lists not invalidated by deficient Publication.

18. No List shall be invalidated by reason that it shall not have been advertised pursuant to this Act, or shall not have been affixed in the Place and for the full Time herein required for Publication thereof; and the Sheriff shall proceed to revise and adjudicate upon every such List, though not advertised or affixed as aforesaid: Provided that nothing herein contained shall be construed to exempt any Assessor or other Person, acting in wilful or culpable Neglect of any Duty imposed upon him by this or the first-recited Act, from any Penalties thereby incurred.

Errors not to affect Claims.

19. No Claim or Objection to any Claim shall be affected by any Mistake, Error, or Omission committed by any Public Officer or other Person to whom Claims or Objections are appointed to be given in or transmitted.

Valuation Rolls to be open to Inspection for the Purposes of this Act.

20. Any Person whose Name shall be on the Register or any List of Voters for the County, or who shall have claimed to have his Name inserted in any such Register or List, may, at any Time between the Hours of Ten o'Clock in the Morning and Four o'Clock in the Afternoon of any Day, except *Sunday*, between the Sixteenth Day of *August* and the Twenty-first Day of *October* in each Year, inspect any Valuation Roll, and make Extracts therefrom for any Purpose relating to any Claim or Objection made or intended to be made by or against such Person; and every Officer having the Custody thereof is hereby required to permit such Inspection, and the making of such Extracts, without Payment of any Fee.

Objection to Persons on the Register, or claiming to be put on the Register.

21. It shall be lawful for any Person whose Name shall be entered on the Register of Voters for any County to object to the Name of any other Person being entered or remaining on the Register of Voters of such County, provided such Person, on or before the Twenty-fifth Day of *August* in any Year, give to the Assessor and to the Person so objected to Notices of Objection in the Forms No. 2. and No. 3. of the Schedule (C.) to this Act annexed.

List of Objections made up by Assessor.

22. On or before the First Day of *September* in every Year the Assessor shall make up a List of the Objections to Claims of which Notice has been given to him on or before the Twenty-fifth Day of *August* preceding, arranged alphabetically in Parishes, in the Form No. 3. of the Schedule (B.) to this Act annexed; and such List of Objections shall be affixed, published, and open to Inspection at the same Places and during the same Time as is herein-before provided with respect to the List of Claims; and Copies of such List of Objections, or Parts thereof, shall be delivered by the Assessor to Persons applying for the same on Payment therefor as herein-before provided.

Sheriff to hold Courts for Revisal and Correction of Register.

23. Every Sheriff shall, between the First Day of *September* and the Fifth Day of *October* in each Year, revise and correct the Register of Voters for the County, and for that Purpose shall hold open Court at the Places prescribed in the first-recited Act, and shall, on or before the First Day of *September* in each Year, deliver or transmit to the Sheriff Clerk a Notice of the Days on which he is to hold the Court; and the Sheriff Clerk shall forthwith give Notice thereof by special Advertisement, and shall also give Notice to the Assessor, requiring him to attend at the Court.

Sheriff Clerk to produce Lists prepared by Assessor, and Notices of

24. The Assessor shall, on or before the First Day of *September* in each Year, deliver to the Sheriff Clerk the Lists of Voters made out by him as before provided, and the Lists of Persons claiming and objected to; and the Sheriff Clerk shall lay before the Sheriff, at or prior to the holding of the Registration Court, the corrected Copy of the Register of Voters and the Lists delivered to him by the Assessor; and

and the Assessor shall attend the Court, and shall deliver to the Sheriff the original Notices of Claims and Objections; and the Valuation Roll for the Year shall be laid on the Table of the Court by the Person having the Custody of the same; and the Sheriff may require the Production of all Documents in the Hands of any Sheriff Clerk, Clerk of Supply, or Assessor which he may think necessary. Claim and of Objection.

25. It shall be the Duty of the Assessor to maintain the Register and the List of Voters prepared by him, and to answer, so far as he can, any Objections with respect to the undue Omission or the undue Insertion of the Name of any Person in such Register or Lists; and it shall be lawful for any Person who shall have given any Notice of Claim or any Notice of Objection to support the same before the Court, by himself, his Agent or Mandatory; and the Sheriff shall decide on all such Claims and Objections summarily, and without any Record or written Pleadings, and shall, if necessary, alter the Register in conformity with such Decision, and such Decision shall be final, excepting as herein-after provided; and every Mandate produced to the Court, and bearing to be signed by any Person entitled to give or to support any Notice of Claim or of Objection, shall be *primâ facie* a sufficient Mandate, and shall have all the Privileges of a judicial Mandate. *Assessor to maintain Lists, and answer Objections thereto, and Claims and Objections to be disposed of.*

26. If any Person who shall have given to the Assessor due Notice of his Claim to have his Name inserted in the Register or List of Persons entitled to vote in the Election of a Member to serve in Parliament for any County shall have been omitted by the Assessor from such Register or List, the Sheriff shall, on the Revision of such Register, insert therein the Name of the Person so omitted, if it shall be proved to the Satisfaction of the Sheriff that such Person is, and was on the Thirty-first Day of *July* last preceding, entitled to be inserted therein in respect of the Qualification described in such Notice of Claim. Claimants omitted in Lists may be enrolled by Sheriff.

27. It shall be lawful for any Person whose Name shall be on the Register or List of Voters for any County to oppose the Claim of any Person to have his Name inserted in the Register for such County on the Ground of his Name having been omitted; and such Person intending to oppose any such Claim shall, in the Court to be held for the Revision of such Register, and before the Hearing of such Claim, give Notice in Writing to the Sheriff of his Intention to oppose such Claim, and shall thereupon be admitted to oppose the same by Evidence or otherwise, without any previous or other Notice, and shall have the same Rights, Powers, and Liabilities as to Costs, Appeals, and other Matters relating to the Hearing and Determination of such Claim as any Person who shall have duly objected to the Name of any other Person being retained on any List of Voters, and who shall appear and prove the requisite Notices in Terms of this Act. Claims omitted may be objected to.

28. It shall be lawful for the Sheriff, upon *ex-parte* Application made to him to that Effect by any Claimant or Objector, to grant Warrant to cite Parties, Witnesses, and Havers, and to grant Diligence for the Recovery of Writings with reference to any Claim or Objection to be discussed before any Registration Court to be held by the Sheriff of the County. Sheriffs may grant Warrant to cite Parties, &c.

29. Every Sheriff holding any Court under the first-recited Act or this Act shall have Power to adjourn the same from Time to Time, and from any one Place to any other Place within the same County, but so that no such adjourned Court shall be held after the Fifth Day of *October* in any Year. Sheriffs may adjourn Registration Courts.

30. The Sheriff shall, on or before the Fifth Day of *October* in each Year, authenticate the Register by subscribing the same, and shall mark with his Signature or Initials every Alteration of or Addition to the Register; and the Sheriff Clerk shall forthwith cause the Register, signed as aforesaid, to be entered in a Book, with the Names in each Parish arranged in strict alphabetical Order, according to the Surnames, and shall in such Book prefix to every Name its proper Number, beginning the Numbers from the First Name, and continuing them in a regular Series down to the last Name; and the Sheriff Clerk shall sign such Book, and deliver the same, on or before the Thirty-first Day of *October* in each Year, to the Sheriff, to be kept by him for the Purposes specified in the first-recited Act and this Act. Sheriff Clerks to enter and authenticate Register.

31. The Book so signed as aforesaid by the Sheriff Clerk, and delivered to the Sheriff, shall be the Register of Persons entitled to vote at any Election of a Member to serve in Parliament which shall take place in and for the County between the Thirty-first Day of *October* in the Year in which such Register shall have been made and the First Day of *November* in the succeeding Year; and the Sheriff Clerk shall keep a Copy of such Register, and shall deliver a Copy thereof or of any Part thereof to any Person applying for the same, on Payment for every such Copy at the Rate of Sixpence for every One hundred Names copied; Provided that the Registers of Electors made up in the Year One thousand eight hundred and sixty-one shall be the Registers in force for Elections of Members to serve in Parliament until the First Day of *November* One thousand eight hundred and sixty-two. Register, signed by Sheriff Clerk, to be the Register of Voters.

32. The Sheriff shall, in addition to the said General Register, cause printed Copies of the same to be entered in a Book or Books, according to the Number of Polling Districts in each County, embracing the Parishes respectively attached to each District. Printed Copies of Register to be entered in Books.

33. Every Register of Voters made up or that shall be made up for any County under the Provisions of this Act shall be the Register for such County until the same shall be revised and altered, pursuant to this Act, and shall for all Purposes come in place of the Register directed to be completed by the first-recited Act. Register to be in force till revised, &c.

Persons dissatisfied with Judgment of Sheriff may appeal on Points of Law to Lords Ordinary.

34. If any Person whose Name shall have been struck out of the Register by the Sheriff, or who shall claim or object before the Sheriff at any Court, shall consider the Decision of the Sheriff on his Case to be erroneous in point of Law, he may, either himself or by some Person on his Behalf, in open Court, require the Sheriff to state the Facts of the Case, and such Question of Law, and his Decision thereon, in a Special Case; and the Sheriff shall prepare and sign such Case, and deliver the same in open Court to the Sheriff Clerk; and such Person, or some Person on his Behalf, may thereupon, in open Court, declare his Intention to appeal against the said Decision, and may within Ten Days of the Date of such Case lay a certified Copy thereof before the Senior Lord Ordinary and the Lord Ordinary in Exchequer Causes in the Court of Session, for their Decision thereon; and the said Judges shall with all convenient Speed hear Parties and give their Decision on such Case, and shall confirm or reverse the Decision of the Sheriff; and in the event of Reversal the Register shall be forthwith altered accordingly, by or at the Sight of the Sheriff; and if it shall appear to the Sheriff that his Judgment respecting the Qualifications of any Two or more Persons depends on the same Question of Law, he shall append to such Special Case the Names of all such Persons who have appealed against his Judgment on their respective Claims; and the Decision of the said Judges on such Special Case shall extend and apply to the Qualifications of all such Persons, in like Manner as if a separate Appeal had been taken in the Case of each of them; and the Decision of the said Judges shall be final, and not subject to Appeal or Review by any Court or in any Manner whatsoever.

Dependence of Appeal not to affect Right of voting, &c.

35. The Right of voting at any Election of a Member to serve in Parliament shall not be affected by any such Appeal depending at the Time of issuing the Writ for such Election, and it shall be lawful for every Person whose Name has been entered on the Register of Voters to exercise the Right of voting at such Election as effectually, and every Vote tendered thereat shall be as good, as if no such Appeal were depending; and the subsequent Decision in any Appeal which shall be depending at the Time of the issuing of the Writ for any such Election shall not in any way whatever alter or affect the Poll taken at such Election, or the Return made thereat by the Returning Officers.

Penalty on Persons not attending Registration Courts when required.

36. Any Person who shall wilfully refuse or neglect, when duly required by the Sheriff, to attend as a Witness or a Haver before him at any Court to be held under the first-recited Act or this Act, or who shall refuse to produce any Documents or Writings in his Possession or Power, shall for every such Offence be liable to a Fine of not less than One Pound and not exceeding Five Pounds, to be imposed by and at the Discretion of the Sheriff.

Sheriff may award Costs, and Witnesses and Havers to be paid their Expenses.

37. It shall be lawful for the Sheriff to award Expenses against any Person maintaining any frivolous Objection to the Claim of any Voter, or to his Title to remain on the Register; and such Expenses may be recovered in like Manner as any Expenses of Process awarded by the Sheriff in an ordinary Action; and all Witnesses and Havers who may be cited as such, under the Provisions of the first-recited Act or this Act, shall be entitled to demand, from the Person citing them or causing them to be cited as such Witnesses or Havers, their reasonable Expenses, in the same Manner and at the same Rate of Payment as any Witness or Haver cited as such to any ordinary Civil Court; and the Lord Ordinary shall have Power to award the Costs of any Appeal.

Penalties on Assessors and others for Neglect of Duty.

38. Any Assessor who shall wilfully refuse or neglect to make out any List of Voters, or who, in making out any such List, shall wilfully, and without any reasonable Cause, omit the Name of any Person duly qualified to be inserted in such List, or who shall wilfully and without any reasonable Cause, insert in such List the Name of any Person not duly qualified, or who shall wilfully refuse or neglect to publish any Notice, or any List of Voters or of Claims, at the Time and in the Manner required by this Act, and any Sheriff Clerk who shall culpably neglect to make up any List of Claims or Register of Voters, pursuant to this Act, and any Assessor or Sheriff Clerk who shall be wilfully guilty of any other Breach of Duty in the Execution of this Act, shall for every such Offence be liable to a Fine of not less than Five Pounds and not exceeding Twenty Pounds, to be imposed by and at the Discretion of the Sheriff.

Penalties to be applied for the Purposes of this Act.

39. The Sheriff, when and so often as he shall impose any Fine under the Authority of this Act, shall at the same Time, in open Court, by an Order in Writing stating the Amount of such Fine, direct by and to whom and when the same shall be paid; and the Person to whom the said Fine shall be so ordered to be paid shall receive the same; and in every Case where the Offence for which such Fine shall have been imposed shall relate to the making up of the Register of Voters for any County, he shall pay over the Sum so received by him to the Assessor of such County for the Purposes of this Act.

Accounts to be kept of Monies received under this Act.

40. The Sheriff Clerk shall keep an Account of all Monies received by him for Copies of the Register of Voters or List of Claims, or Parts thereof, or otherwise under this Act, and shall account for and pay over the same to the Assessor of the County for the Purposes of this Act; and the Assessor shall keep an Account of all Monies received by him for Copies of the Lists of Voters or Parts thereof, or otherwise under this Act, and shall account for the same for the Purposes of this Act.

Expenses of annual Regis-

41. As soon as may be after the Completion of each annual Registration under this Act the Commissioners of Supply of each County shall cause an Account to be made up of the Costs and Expenses

Expenses attending such annual Registration in such County, and shall ascertain and fix the Amount thereof, including therein the Remuneration to Assessors which they may deem proper, and shall also cause an Account to be made up of all Monies which shall have been received by the Assessor under this Act for the Purposes thereof; and where the Amount of the Costs and Expenses so ascertained shall exceed the Amount of the Monies received for the Purposes of this Act, the said Commissioners shall cause the Amount of such Excess, along with such reasonable Sum as they may deem necessary to meet the Expenses of Collection, to be assessed and levied on the Lands and Heritages within such County, exclusive of any Lands and Heritages within the Parliamentary Bounds of any Burgh returning or contributing to return a Member to Parliament, according to the yearly Rent or Value of such Rents and Heritages, and to be collected along with any County Rate for the current Year; and any Balance of Funds remaining on hand from Time to Time in such County arising from such Assessment under this Act in any Year, after paying the Expenses of the Year with reference to which such Assessment was imposed, may be retained and applied by the said Commissioners in such Manner as they think fit for defraying the Expenses of Registration under this Act in subsequent Years, but for no other Use or Purpose whatever: Provided always, that no County shall be liable under this Act for any Expenses heretofore defrayed in Exchequer, or which, under the Provisions of this Act, may come in lieu of such Expenses: Provided also, that nothing herein contained shall alter the Provisions of an Act passed in the Twentieth and Twenty-first Year of the Reign of Her Majesty, Chapter Fifty-eight, to amend the second-recited Act.

trations, how to be defrayed.

20 & 21 Vict. c. 58.

42. At every future Election for a Member to serve in Parliament for any County the Register of Voters made up as herein-before provided shall be deemed and taken to be conclusive Evidence that the Persons therein named have the Qualifications which are annexed to their Names respectively in the Register in force at the Time of such Election: Provided always, that if any registered Voter shall, after the Completion of the Register in any Year, have ceased to be the Proprietor or the Occupant, as the Case may be, of the Property in respect of which he was enrolled, he shall not be entitled to vote unless he have retained or acquired a Qualification which would entitle him to have his Name continued or inserted on the Register.

Register to be conclusive Evidence of Qualification.

43. Any Person whose Name shall appear in the Register of Voters for any Parish in any County, and whose Place of Abode shall not be within the Polling District at which such Parish shall be allotted to poll, but within the same County, may claim before the Sheriff to vote at the Polling Place of the District wherein his Place of Abode may be situate; and any Person whose Name shall appear in the Register of Voters for any County, and whose Place of Abode shall not be within the County, may in like Manner claim to vote at the Polling Place of any District within such County; and every such Person shall make such Claim in Writing under his Hand, and such Claim shall be delivered to and verified before the Sheriff, and it shall be lawful for the Sheriff, in his Registration Court, to insert in the Register of Voters in which the Name of such Person shall appear as aforesaid, against the Name of such Person, the Name of the Polling Place at which such Person shall be registered to vote; and such Person so registered shall be admitted to vote at every Election for the County at the said last-mentioned Polling Place, and not elsewhere, anything in the first-recited Act to the contrary notwithstanding.

County Voters may be transferred from one Polling District to another.

44. No Misnomer or inaccurate or defective Description of any Person, Place, or Thing named or described in any List or Register of Voters, or in any Notice required by this Act, shall prevent or abridge the Operation of this Act with respect to such Person, Place, or Thing; provided that such Person, Place, or Thing shall be so named or described in such List, Register, or Notice as to be commonly understood; and it shall be lawful for the Sheriff, in his Registration Court, if it shall appear to him that there has been no wilful Purpose to mislead or deceive, or that such Misnomer or inaccurate or defective Description was not such as to mislead or deceive, to allow any verbal, clerical, or casual Error in any such List, Register, or Notice to be corrected or supplied.

Misnomer not to vitiate.

45. The following Words in Section Twenty-six of the first-recited Act are hereby repealed; that is to say, the Words "of his being still possessed of the Qualification there recorded, on his own "Account, and not in trust for or at the Pleasure of any other Person;" and a Declaration in the Form of the Schedule (D.) to this Act annexed shall be substituted for the Oath or solemn Affirmation in the Form of the Schedule (I.) annexed to the first-recited Act; and wherever, according to the Provisions of the said Act, an Oath or solemn Affirmation, as the Case may be, in the Form of the Schedule (I.) to the said Act annexed, may be put and is required to be taken, there shall be put and be required to be made a Declaration in the Form of the Schedule (D.) to this Act annexed; and the said Act shall for the future be read and construed as if the Schedule (D.) to this Act annexed were the Schedule (I.) annexed to the said Act; and if any Person shall wilfully make the said Declaration, knowing the same to be false, he shall be guilty of a Crime and Offence, and shall be liable to be prosecuted accordingly, and punished by Fine or Imprisonment.

Repeal of Part of Sect. 26. of 2 & 3 W. 4. c. 65., and a Declaration as in Sched. (D.) substituted for Oath, &c.

46. This Act shall commence and take effect on the First Day of *January* One thousand eight hundred and sixty-two.

Commencement of Act.

SCHE-

SCHEDULE (A.)

No.	Description of Subject.	Proprietor.	Occupier.	Tenant.			Rent payable under such Lease.	Feu Duty or Ground Annual, &c.	Feu Duties, to whom payable.	Yearly Rent or Value.				
				Not under Lease of 19 Years or upwards.	Under Lease of 19 Years and less than 57 Years.	Under Lease of 57 Years or upwards.				1861.	1862.	1863.	1864.	1865.
1	Farm of	A.B. of C.	E.F., residing at	G.H., residing at	G.H., residing at	G.H., residing at	—	—	—	£60	—	—	—	—
	—	—	—	—	—	—	—	—	—	—	£60	—	—	—
	—	—	—	—	—	—	—	—	—	—	—	£65	—	—
	—	—	—	—	—	—	—	—	—	—	—	—	£65	—
	—	—	—	—	—	—	—	—	—	—	—	—	—	£65
2	Manor House and Grounds of	A.B. of C.	L.M., Advocate	L.M., Advocate	—	—	—	—	—	£40	—	—	—	—
	—	—	O.P. of Q.	—	—	—	—	—	—	—	£40	—	—	—
	—	—	—	—	—	—	—	—	—	—	—	£40	—	—
	—	—	—	—	—	—	—	—	—	—	—	—	£40	—
	—	—	—	—	—	—	—	—	—	—	—	—	—	£40

SCHEDULE (B.)

Forms of Lists.

No. 1.

County of

List of Persons entered in the Register of Voters for the County of who have died or become disqualified, and of Persons who have become entitled to vote in the Election of Members of Parliament for the said County in respect of Lands and Heritages situate in whole or in part within the following Parishes :—

(1.) Parish of

Christian Name and Surname of each Voter at full Length.	Place of Abode.	Dead or become disqualified.	In the Case of Persons who have become entitled to vote.	
			Nature of Qualification.	Street, Lane, or other Place where the Property is situate, and Number of House, (if any,) or Name of Property, and the Name of the Tenant; or if the Qualification be a Feu Duty, then the Names of the Owners of the Property out of which such Feu Duty is payable, or some of them; and the Situation of the Property.
C. D.	*of G.*	*dead.*		
E. F.	*residing at*	*disqualified.*		

(Signed) A. B.
Assessor of the County of

No. 2.

County Voters (Scotland).

No. 2.

County of

List of Persons who have given Notice to the Assessor on or before the 25th Day of August 18 of Claims to be entered in the Register of Voters for the Election of a Member of Parliament for the County of

(1.) Parish of

Christian Name and Surname of each Claimant at full Length.	Place of Abode.	Nature of Qualification.	Place where Property is situated.	Parish in which Property is situate.

(Signed) A. B.
Assessor of the County of

No. 3.

County of

List of Persons objected to as not being entitled to have their Names entered or retained on the Register of Voters for the Election of a Member of Parliament for the County of

Christian Name and Surname of each Person objected to at full Length.	Place of Abode.	Nature of Qualification.	Street, Lane, or other Place where the qualifying Property is situate, &c.	Parish in which Property is situate.

(Signed) A. B.
Assessor of the County of

SCHEDULE (C.)

FORMS OF NOTICES.

No. 1.

Notice of Claim to be given to Assessor.

To the Assessor of the County of

I hereby give you Notice, That I claim to have my Name entered in the Register of Voters for the Election of a Member of Parliament for the County of and that the Particulars of my Qualification are stated in the Columns below.

Dated the Day of 18

(Signed) C.D.

Christian Name and Surname of each Claimant at full Length.	Place of Abode.	Nature of Qualification.	Place where Property is situated.	Parish in which Property is situated.

No. 2.

Notice of Objection to be given to Assessor.

To the Assessor of the County of

I hereby give you Notice, that I object to the Name of the Person named and described below being entered [*or* retained] in the Register of Voters for the County of

Christian Name and Surname of the Person objected to at full Length.	Place of Abode.	Nature of Qualification.	Street, Lane, or other Place where the qualifying Property is situate, &c.	Parish in which Property is situate.

Dated the Day of 18 .

(Signed) E.F.
(Designation and Place of Abode.)

No. 3.

Notice of Objection to be given to Person objected to by any Person other than the Assessor.

County of , Parish of

To Mr. of

Take notice, That I object to your Name being entered [*or* retained] in the Register of Voters for the County of

Dated this Day of 18 .

(Signed) E.F.
(Designation and Place of Abode.)

SCHEDULE (D.)

I *A.B.* declare, That I am the Person whose Name appears on the Register of Voters now in force for the County of as *A.B.* [*Name and Surname, and Place of Abode, as in Register*], and that I have not before voted at this Election, and that I am possessed of a Qualification which entitles me to vote at this Election.

CAP. LXXXIV.

An Act to amend the Law in *Scotland* relative to the Resignation, Powers, and Liabilities of gratuitous Trustees. [6th *August* 1861.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

What Trusts hereafter constituted shall be held to include.

1. All Trusts constituted by virtue of any Deed or Local Act of Parliament under which gratuitous Trustees are nominated shall be held to include the following Provisions, unless the contrary be expressed; that is to say, Power to any Trustee so nominated to resign the Office of Trustee; Power to such Trustee, if there be only One, or to the Trustees so nominated, or a Quorum of them, to assume new Trustees; a Provision that the Majority of the Trustees accepting and surviving shall be a Quorum; and a Provision that each such Trustee shall only be liable for his own Acts and Intromissions, and shall not be liable for the Acts and Intromissions of Co-Trustees, and shall not be liable for Omissions.

Not to affect Liabilities of Trustees, &c.

2. Nothing contained in this Act shall affect any Liability incurred by any gratuitous Trustee prior to the Date of any Resignation or Assumption under the Provisions of this Act, nor any Action at Law, commenced before the passing of this Act.

Construction of the Term "Gratuitous Trustee."

3. A gratuitous Trustee shall, for the Purposes of this Act, be held to be any Trustee who receives no pecuniary or valuable Consideration for performing the Duties of a Trustee, and is under no Obligation, without special Acceptance of such Office, to discharge the Duties of Trustee: Provided always, that nothing in this Act shall extend to any Trustee appointed under the Contract of any Trading Company.

CAP. LXXXV.

An Act to authorize for a further Period the Application of Money for the Purposes of Loans for carrying on Public Works in *Ireland*. [6th *August* 1861.]

'WHEREAS an Act was passed in the Second Year of the Reign of His late Majesty King *William* the Fourth, Chapter Thirty-three: And whereas another Act was passed in the Seventh Year of the same Reign, Chapter One hundred and eight: And whereas another Act was passed in the First Year of the Reign of Her present Majesty, Chapter Twenty-one: And whereas another Act was passed in the Second Year of the Reign of Her present Majesty, Chapter Eighty-eight: And whereas another Act was passed in the Third Year of the Reign of Her present Majesty, Chapter Fifty: And whereas another Act was passed in the Second Session of the Fifth Year of the Reign of Her present Majesty, Chapter Nine: And whereas another Act was passed in the Seventh Year of the Reign of Her present Majesty, Chapter Forty-four: And whereas another Act was passed in the Ninth Year of the Reign of Her present Majesty, Chapter One: And whereas another Act was passed in the Ninth and Tenth Years of the Reign of Her present Majesty, Chapter Eighty-five: And whereas another Act was passed in the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, Chapter Fifty-one: And whereas another Act was passed in the Nineteenth Year of the Reign of Her present Majesty, Chapter Eighteen: And whereas by an Act passed in the present Session of Parliament, Chapter Eighty, the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being are empowered by Warrant under the Hands of any Two or more of them, to cause to be issued out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* to the Account of the Commissioners for the Time being for the Reduction of the National Debt, a Sum or Sums of Money not exceeding Three hundred and sixty thousand Pounds *per Annum* during the Five Years next ensuing the Fourth Day of *April* One thousand eight hundred and sixty-two, by quarterly Instalments or Issues not exceeding Ninety thousand Pounds *per* Quarter, the First Instalment thereof to become due and payable in the Quarter ending the Thirtieth Day of *June* One thousand eight hundred and sixty-two: And whereas sundry Advances or Loans have been made by the Commissioners of Public Works in *Ireland* under the said first-recited Act and the several Acts since passed for amending and extending the same, for the Purposes in the same Acts specified, and great Benefits have been derived therefrom, and further Advances or Loans are required for the like Objects:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1 & 2 W. 4. c. 33. 6 & 7 W. 4. c. 108. 7 W. 4. & 1 Vict. c. 21. 1 & 2 Vict. c. 88. 2 & 3 Vict. c. 50. 5 & 6 Vict. c. 9. 6 & 7 Vict. c. 44. 9 & 10 Vict. c. 1. 9 & 10 Vict. c. 85. 14 & 15 Vict. c. 51. 19 Vict. c. 18. 24 & 25 Vict. c. 80.

Appointment of Commissioners.

1. The Commissioners of Public Works for the Time being shall be Commissioners for the Execution of this Act.

Treasury may apply a Sum not exceeding 15,000*l.* per Quarter for Public Works in Ireland.

2. The said Commissioners of Her Majesty's Treasury by Warrant under the Hands of any Two or more of them may direct from Time to Time out of the Sum not exceeding Three hundred and sixty thousand Pounds *per Annum* which by the said Act of this present Session of Parliament they are authorized to cause to be issued out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or out of the growing Produce thereof, to the Account of the Commissioners for the Reduction of the National Debt during the Term of Five Years next ensuing the Fourth Day of *April* One thousand eight hundred and sixty-two, by quarterly Instalments or Issues not exceeding Ninety thousand Pounds *per* Quarter as aforesaid, there shall issue and be paid unto the said Commissioners for the Reduction of the National Debt during the said Term of Five Years a Sum not exceeding Fifteen thousand Pounds *per* Quarter, to be at the Disposal of the said Commissioners of Public Works as herein-after mentioned, the First Instalment thereof to become due and payable in the Quarter ending the Thirtieth Day of *June* One thousand eight hundred and sixty-two.

The separate Account already opened to be continued at the Bank of England.

3. For the Purpose of receiving the said quarterly Instalments the said Commissioners for the Reduction of the National Debt shall continue or cause to be continued the separate Account already opened with them at the Bank of *England* under the Title of "The Commissioners for the Reduction of the National Debt on account of the Public Works Loan Fund for *Ireland*," which Account the Governor and Company of the Bank of *England* shall and they are hereby required to continue in their Books accordingly, and the said Commissioners for the Reduction of the National Debt shall continue and keep or cause to be continued and kept in their Office a Book or Books in which all Monies transferred to the said last-mentioned Account by virtue of this Act and the said recited Act of the Seventh Year of the Reign of Her present Majesty shall be kept apart from all other Monies, and such Monies shall be by the same Commissioners held subject to the Disposal of the said Commissioners of Public Works for the several Purposes of the said first-recited Act and the other Acts amending the same and of this Act.

When Loans sanctioned, Commissioners to certify

4. When the said Commissioners of Her Majesty's Treasury shall have sanctioned any Loan under this Act or any of the above-recited Acts, and the said Commissioners of Public Works shall have ascertained that any Sum of Money is required to be issued on account of such Loan, they shall forthwith

Amount of Issue to National Debt Office.

Payment on Production of Certificate.

Approval of Treasury to appear on Certificate.

with certify the Amount of such Issue to the Commissioners for the Reduction of the National Debt for the Time being, and in every such Certificate the Loan in Payment of which such Issue is required, and the Party or Parties to whom such Issue is intended to be made, shall be stated, and upon every such Certificate being produced to the Officer of the said Commissioners for the Reduction of the National Debt, the Comptroller General, or Assistant Comptroller, or Chief Clerk acting under the last-named Commissioners shall upon the Back of such Certificate indorse and sign an Order for the Payment of the Sum mentioned in such Certificate to the Governor and Company of the Bank of *England* to be by them placed to the Account of the Governor and Company of the Bank of *Ireland*, for the Account and Credit at the said Bank of the said Commissioners of Public Works: Provided always, that Approval of such Issue by the Commissioners of Her Majesty's Treasury shall appear on such Certificate under the Hand of One of their Secretaries, and that the Amount of such Issue shall not exceed the Sum for the Time being standing in the Names of the said Commissioners for the Reduction of the National Debt subject to the Disposal of the said Commissioners of Public Works.

Order to be entered by the proper Officer, countersigned, and addressed to Cashiers of the Bank.

5. Every such Order of the Officer of the said Commissioners for the Reduction of the National Debt before the issuing thereof shall be entered by the Clerk or other proper Officer, and shall be countersigned by the Actuary or other Check Officer acting under the said Commissioners for the Reduction of the National Debt, and shall be addressed to the Cashiers of the Governor and Company of the Bank of *England*, and such Cashiers or One of them shall, upon the Production of every such Order, pay the Sum mentioned therein to the Governor and Company of the Bank of *England*, and the Signature of One of the Cashiers of the said Governor and Company of the Bank of *England* shall be a sufficient Discharge to the said Commissioners for the Reduction of the National Debt.

National Debt Commissioners to furnish Account for Audit.

6. The Commissioners for the Reduction of the National Debt shall cause to be made up for Examination and Audit an annual Account to the Thirty-first Day of *December* in each Year, of the Receipts, Payments, and Balances on the said Account, so directed to be kept by them in respect of the said Public Works Loan Fund for *Ireland* as aforesaid, and shall deliver the same to the Commissioners for auditing the Public Accounts.

Appropriation and Entry of Repayments.

7. As soon as any Sum of Money shall have been lodged to the Credit of the Account of the Commissioners of Public Works at the Bank of *Ireland*, on account of the Repayment of Loans for Public Works, the said Commissioners of Public Works shall cause the Sum or Sums so lodged to be entered in their Books to the Credit of the Loan on account of which such Repayment shall have been made, and shall cause a Receipt to be delivered to the Party or Person on whose Account such Repayment shall have been so made, and such Receipt shall be a sufficient Discharge to the Party or Person paying the same.

Sums paid into Bank of Ireland to be Part of Consolidated Fund.

8. Every Sum of Money which shall be paid into the Bank of *Ireland* to the Account of the said Commissioners of Public Works on account of the Repayment of Loans for Public Works under this or any of the aforesaid Acts, shall from Time to Time, at such Periods and in such Manner as the Commissioners of Her Majesty's Treasury shall direct, be transferred by the said Commissioners of Public Works to the Account kept at the said Bank with Her Majesty's Exchequer, and when so transferred shall be carried to and make Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Commissioners for executing recited Acts and this Act to lay annual Accounts before Parliament.

9. The said Commissioners for the Execution of the said recited Acts and this Act shall cause to be made up an annual Account to the Thirty-first Day of *March* in each Year of the Amounts placed at their Disposal under the said recited Acts and this Act, the Amounts advanced, and the Amounts remaining unissued, also an Account of the Amount of the Loans advanced by the said Commissioners under the said recited Acts and this Act, the Monies received on account thereof and paid into the Exchequer, and the Balance of Principal and Interest outstanding, distinguishing each Class of Loans, and also showing the Amounts advanced and repaid in respect of each such Class during the Year ending the Thirty-first Day of *March* immediately preceding the Date of such Account; and the said Commissioners shall, on or before the First Day of *June* in each Year, cause such Accounts and Statements to be transmitted to the Public Works Loan Commissioners at their Office in *London*; and such Accounts and Statements shall by the said last-mentioned Commissioners be laid before both Houses of Parliament on or before the Thirtieth Day of the same Month of *June*, if Parliament be sitting, or if Parliament be not sitting, then within Fourteen Days after the next Meeting of Parliament.

Powers of recited Act as to Advances to have the same Force as if re-enacted in this Act.

10. All the Enactments contained in the said recited Acts relating to Public Works in *Ireland* or any of them shall, except as is herein otherwise provided, extend to this Act and to all Things done or directed to be done by the said Commissioners of Her Majesty's Treasury or the said Commissioners of Public Works or their Secretary for the Time being, or any other Persons or Bodies Corporate, under the Authority of the said recited Acts or this Act or any of them, in such or the like Manner as if they had been particularly and severally re-enacted in the Body of this Act, or as near thereto as the Difference of the Circumstances will admit, except so far only as the same are amended or altered by any of the said Acts or by this Act.

CAP. LXXXVI.

An Act to amend the Law regarding Conjugal Rights in *Scotland.* [6th *August* 1861.]

'WHEREAS it is expedient to amend the Law of *Scotland* relating to Husband and Wife:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

A Wife deserted by her Husband may apply for an Order to protect Property which she has or may acquire by her own Industry, or which she may succeed to.

1. A Wife deserted by her Husband may, at any Time after such Desertion, apply by Petition to any Lord Ordinary of the Court of Session, or in the Time of Vacation to the Lord Ordinary on the Bills, for an Order to protect Property which she has acquired or may acquire by her own Industry after such Desertion, and Property which she has succeeded to or may succeed to or acquire Right to after such Desertion, against her Husband or his Creditors, or any Person claiming in or through his Right; and the Lord Ordinary shall appoint such Petition to be intimated in the Minute Book of the Court of Session, and to be served upon the Husband; and the Husband, or any Creditor of the Husband, or any other Person claiming in or through his Right, shall be entitled to lodge Answers to the said Petition, and if the Husband be furth of *Scotland*, the Petition shall be executed edictally against him on an Inducie of Twenty-one Days; and upon considering such Petition the Lord Ordinary shall require Evidence of such Desertion, and on being satisfied thereof pronounce an Interlocutor giving to the Wife Protection of her Property as aforesaid against the Husband and all Creditors or Persons claiming under or through him; and if Answers be lodged to the said Petition, the Lord Ordinary may, on considering the same, and, if he consider it necessary, after hearing Parties, allow a Proof to them of their respective Averments, which Proof he shall take himself, and either write the Evidence with his own Hand, in which Case it shall be read over to the Witness by the Judge, and signed by the Witness, if he can write, or the Lord Ordinary shall record the Evidence by dictating it to a Clerk, in which Case it shall, when taken down, be read over and signed as above; or the Lord Ordinary shall cause the Evidence to be taken down and recorded by a Writer, skilled in Shorthand Writing, in manner after mentioned, and it shall be competent to the Lord Ordinary, in special Cause shown, instead of taking such Proof, to grant a Commission to take said Proof elsewhere than in *Edinburgh*, in which Case he may pronounce an Interlocutor setting forth such special Cause, and granting Commission to take such Proof, and if satisfied after Proof of the Fact of such Desertion, and that the same was without reasonable Cause, he shall pronounce an Interlocutor giving to the Wife Protection as aforesaid, and he shall appoint Intimation of the said Interlocutor having been pronounced to be made in One or more Newspapers published within the County within which the Wife is resident, or in such other Newspapers as the Lord Ordinary may appoint.

Husband or Creditor may apply by Petition for Recal of Order.

2. It shall be lawful for the Husband, or any Creditor or other Person claiming in or through his Right, if such Creditor, Husband, or other Person have not lodged Answers as aforesaid, to apply by Petition to the Lord Ordinary by whom such Order was made for the Recal thereof; and the Lord Ordinary shall appoint such Petition to be answered by the Wife, and thereafter dispose of the Application as he shall think just; but such Recal shall not affect any Right or Interest onerously and *bonâ fide* acquired by any Third Party from the Wife before said Recal; and the Lord Ordinary shall direct that Publication of his Interlocutor be made in manner herein-before provided.

Interlocutors may be reviewed.

How long Order of Protection to continue operative.

3. All Interlocutors of the said Lord Ordinary may be brought under Review of either Division of the Court of Session, by lodging and boxing within Twenty-one Days after the pronouncing of such Interlocutors, if in Session; and if the said Twenty-one Days shall expire during Vacation, by lodging in the Bill Chamber a Reclaiming Note and boxing the same at the First Box Day after the Expiry of the said Twenty-one Days: Provided always, that, notwithstanding such Reclaiming Note, the Interlocutor of the Lord Ordinary granting Protection shall take effect when intimated as aforesaid, unless the Lord Ordinary, either at the Time of the pronouncing thereof or within Forty-eight Hours thereafter, order that his Interlocutor shall not take effect till the advising of the Reclaiming Note, or such other Period as he may think fit; and such Order of Protection shall, where there has been Appearance by the Husband, continue operative until such Time as the Wife shall again cohabit with her Husband, or until the Lord Ordinary, upon a Petition by the Husband, shall be satisfied that he has ceased from his Desertion, and cohabits with his Wife; and the Lord Ordinary may require him to find Security for such Period as may be appointed, that he shall continue to cohabit with her; and upon the Lord Ordinary being so satisfied, and Security found, if required, he shall recal the Order of Protection; but such Recal shall not affect any Right or Interest acquired by the Wife while the said Order subsisted, which Right and Interest shall remain vested in her, exclusive of her Husband's Jus mariti and Right of Administration; nor shall it affect any Right or Interest acquired by a Third Party during such Period, or any Third Party through or from her, while the said Order subsisted; and until such Order be recalled it shall not be competent for the Husband to institute an Action of Adherence against his Wife; and the Lord Ordinary shall direct that Publication of its Recal be made in manner herein-before provided.

No Action of Adherence competent while Order subsists.

After Interlocutor of Protection pronounced, Pro-

4. After an Interlocutor of Protection is pronounced, and duly intimated, the Property of the Wife as aforesaid shall belong to her as if she were unmarried: Provided always, that such Protection shall not extend to Property acquired by the Wife of which the Husband or his Assignee or Disponee has

perty of Wife to belong to her as if unmarried.

before the Date of presenting said Petition obtained full and complete lawful Possession, nor shall such Protection affect the Right of any Creditor of the Husband over Property which he has before the Date thereof duly attached by Arrestment, followed by a Decree of Forthcoming, or which such Creditor has before the said Date duly poinded, and of which he has carried through and reported a Sale.

Effect of Order of Protection.

5. If any such Order of Protection be made and intimated, it shall have the Effect of a Decree of Separation *a mensâ et thoro* in regard to the Property, Rights, and Obligations of the Husband and of the Wife, and in regard to the Wife's Capacity to sue and be sued.

In case of Separation Property of Wife to belong to her exclusively of the Jus mariti, &c.;

6. After a Decree of Separation *a mensâ et thoro* obtained at the Instance of the Wife, all Property which she may acquire, or which may come to or devolve upon her, shall be held and considered as Property belonging to her, in reference to which the Jus mariti and Husband's Right of Administration are excluded, and such Property may be disposed of by her in all respects as if she were unmarried, and on her Decease the same shall, in case she shall die intestate, pass to her Heirs and Representatives, in like Manner as if her Husband had been then dead; provided that if any such Wife should again cohabit with her Husband all such Property as she may be entitled to when such Cohabitation shall take place shall be held to her separate Use, and the Jus mariti and Right of Administration of her Husband shall be excluded in reference thereto, subject, however, to any Agreement in Writing made between herself and her Husband; and the Wife shall, while so separate, be capable of entering into Obligations, and be liable for Wrongs and Injuries, and be capable of suing and being sued, as if she were not married; and her Husband shall not be liable in respect of any Obligation or Contract she may have entered into, or for any wrongful Act or Omission by her, or for any Costs she may incur as Pursuer or Defender of any Action, after the Date of such Decree of Separation and during the Subsistence thereof; provided that where upon any such Separation Aliment has been decreed or ordered to be paid to the Wife and the same shall not be duly paid by the Husband, he shall be liable for Necessaries supplied for her Use.

also for Purposes of Contract and suing.

In Action of Divorce Adulterer to be Co-Defender.

7. In every Action of Divorce for Adultery at the Instance of the Husband it shall be competent to cite, either at the Commencement or during the Dependence thereof, as a Co-Defender along with the Wife, the Person with whom she is alleged to have committed Adultery; and it shall be lawful for the Court in such Action to decern against the Person with whom the Wife is proved to have committed Adultery for the Payment of whole or any Part of the Expenses of Process, provided he has been cited as aforesaid, and the same shall be taxed as between Agent and Client: Provided always, that it shall be competent to examine the Person with whom the Wife is said to have committed Adultery as a Witness in the Cause, notwithstanding he is called as a Co-Defender in the Action, and in the Power of the Court, on Cause shown, to dismiss such Action as regards such Co-Defender, if in their Opinion such a Course is conducive to the Justice of the Case.

Lord Advocate may enter Appearance in Actions for Nullity of Marriage, &c.

8. It shall be competent to the Lord Advocate to enter Appearance as a Party in any Action of Declarator of Nullity of Marriage or of Divorce; and it shall be competent to him to lead such Proof and maintain such Pleas as he may consider warranted by the Circumstances of the Case; and the Court shall, whenever they consider it necessary for the proper Disposal of any Action of Declarator of Nullity of Marriage or of Divorce, direct that it be laid before the Lord Advocate, in order that he may determine whether he should enter Appearance therein; and Expenses shall not be claimable by or against the Lord Advocate with reference to such Cases.

Court may make Orders as to Children.

9. In any Action for Separation *a mensâ et thoro* or for Divorce the Court may from Time to Time make such Interim Orders, and may, in the Final Decree, make such Provision as to it shall seem just and proper with respect to the Custody, Maintenance, and Education of any Pupil Children of the Marriage to which such Action relates.

In Consistorial Actions Summons to be served on Defender personally if not in Scotland.

10. In every Consistorial Action the Summons shall be served upon the Defender personally, when he is not resident within *Scotland:* Provided always, that if it be shown to the Satisfaction of the Court that the Defender cannot be found, Edictal Citation shall be deemed sufficient; but in every Case where the Citation is edictal the Pursuer shall also serve the Summons on the Children of the Marriage, if any, and on One or more of the Next of Kin of the Defender, exclusive of the Children of the Marriage, when the said Children and Next of Kin are known, and resident within the United Kingdom, and such Children and Next of Kin, whether cited or so resident or not, may appear and state Defences to the Action.

Not necessary to institute an Action of Adherence against Defender prior to Action for Divorce.

11. It shall not be necessary, prior to any Action for Divorce, to institute against the Defender any Action of Adherence, nor to charge the Defender to adhere to the Pursuer, nor to denounce the Defender, nor to apply to the Presbytery of the Bounds, or any other Judicature, to admonish the Defender to adhere.

Terce claimable from Burgage Property.

12. The Widow of any Person who shall, after the passing of this Act, die infeft in Property held by Burgage Tenure shall be entitled to Terce therefrom; and the like Proceedings as to Service and Kenning before the Sheriff shall be competent in such a Case as are competent with reference to Property in respect of which Terce might have been claimed prior to the passing of this Act.

Lord Ordinary to take Proofs in Consistorial Actions.

13. The Forty-first Section of the Act of the First Year of His late Majesty *William* the Fourth, Chapter Sixty-nine, in so far as it enacted that "it shall be lawful for His Majesty's Principal Secretary "of State for the Home Department to appoint from Time to Time such Number of Persons, being "Sheriffs-

" Sheriffs-Depute of Counties as he shall think fit, to take Proofs in Consistorial Causes, which Duty " the Persons so appointed shall perform ;" and the Second Section of the Act of the Sixth and Seventh Years of His late Majesty *William* the Fourth, Chapter Forty-one, shall be and the same are hereby repealed ; and in place thereof it is hereby enacted, That where Proof in Consistorial Actions shall be allowed, a Diet of Proof shall be appointed, at which the Evidence shall be led before the Lord Ordinary, and he shall take himself, and either write down with his own Hand the oral Evidence, in which Case it shall be read over to the Witness by the Judge in open Court, and shall be signed by the Witness, if he can write, or the Lord Ordinary shall record the Evidence by dictating it to a Clerk, in which Case it shall, in like Manner, be read over and signed ; or the Lord Ordinary shall cause it to be taken down and recorded in Shorthand by a Writer skilled in Shorthand Writing, to whom the Oath De fideli administratione officii shall be administered, and the Lord Ordinary may, if he think fit, dictate to the Shorthand Writer the Evidence which he is to record ; and the said Shorthand Writer shall afterwards write out in full the Evidence so taken by him ; and the Notes of the Judge, or the extended Notes of such Writer, certified by the presiding Judge to be correct, shall be the Record of the oral Evidence in the Cause ; and the Lord Ordinary shall take a Note of the Documents adduced, and any Evidence, whether oral or written, tendered and rejected, with the Ground of such Rejection ; and any Ruling of the Lord Ordinary in reference to the Admission or Rejection of Evidence may be recalled or altered by the Inner House, under a Reclaiming Note against the final Interlocutor of the Lord Ordinary, disposing of the Merits of the Cause ; and the Diet of Proof may be adjourned by the Lord Ordinary, if he shall consider it proper and reasonable so to do ; but the Proofs shall be taken as far as may be continuously, and with as little Interval as the Circumstances or the Justice of the Case will admit of: Provided always, that it shall be competent to the Lord Ordinary, where any Witness or Haver is resident beyond the Jurisdiction of the Court, or by reason of Age, Infirmity, or Sickness is unable to attend the Diet of Proof, to grant Commission to any Person competent to take and report in Writing, according to the existing Practice, the Evidence of such Witness or Haver.

Payment to certain Sheriffs.

14. The Commissioners of Her Majesty's Treasury shall annually pay to each of *John Cay* Esquire, Sheriff of the County of *Linlithgow*, *John Tait* Esquire, Sheriff of the Counties of *Kinross* and *Clackmannan*, *Erskine Daniel Sandford* Esquire, Steward of the Stewartry of *Kirkcudbright*, and Sheriff of the County of *Wigton*, *Robert Hunter* Esquire, Sheriff of the Counties of *Dumbarton* and *Bute*, and *Benjamin Robert Bell* Esquire, Sheriff of the Counties of *Banff*, *Elgin*, and *Nairne*, out of Monies to be voted by Parliament for that Purpose, a Sum equal to One Fifth of the total Amount which shall be ascertained by the Queen and Lord Treasurer's Remembrancer in Exchequer to have been paid annually, on an average of the last Three Years, to the Sheriffs Commissary, in respect of Proofs taken by them in Consistorial Causes ; but such Sum shall only be paid as long as the said Persons shall hold the Office of Sheriff in any County in *Scotland*, and no longer.

Actions of Aliment.

15. Actions of Aliment in the Court of Session between Husband and Wife shall not be considered Inner House Causes, but shall be considered and disposed of in like Manner as other Consistorial Causes, except as herein-after provided as to Decrees in Absence ; and Actions of Aliment at the Instance of other Parties shall not be considered Inner House Causes, but shall be disposed of by the Lord Ordinary (subject in both Cases to Reclaiming Note in Common Form against his Interlocutors) in the same Way as such Causes are at present disposed of by the Judges of the Inner House : Provided always, that all Actions for Aliment shall be deemed Summary Causes both in the Outer and in the Inner House, and that where no Appearance is entered for the Defender, Decreet shall be pronounced in Absence without Proof, as in other Cases before the Court of Session.

When a married Woman succeeds to Property, &c., Husband or Creditor not entitled to claim the same.

16. When a married Woman succeeds to Property, or acquires Right to it by Donation, Bequest, or any other Means than by the Exercise of her own Industry, the Husband or his Creditors, or any other Person claiming under or through him, shall not be entitled to claim the same as falling within the Communio bonorum, or under the Jus mariti or Husband's Right of Administration, except on the Condition of making therefrom a reasonable Provision for the Support and Maintenance of the Wife, if a Claim therefor be made on her Behalf ; and in the event of Dispute as to the Amount of the Provision to be made, the Matter shall, in an ordinary Action, be determined by the Court of Session according to the Circumstances of each Case, and with reference to any Provisions previously secured in favour of the Wife, and any other Property belonging to her exempt from the Jus mariti: Provided always, that no Claim for such Provision shall be competent to the Wife if before it be made by her the Husband or his Assignee or Disponee shall have obtained complete and lawful Possession of the Property, or, in the Case of a Creditor of the Husband, where he has before such Claim is made by the Wife attached the Property by Decree of Adjudication or Arrestment, and followed up the said Arrestment by obtaining thereon Decree of Furthcoming, or has poinded and carried through and reported a Sale thereof.

Court of Session may make Acts of Sederunt.

17. The Court of Session are hereby authorized and empowered to make from Time to Time such Orders and Regulations as to Forms of Process by Acts of Sederunt as they may consider necessary for carrying into execution the Purposes of this Act.

Repeal of Laws inconsistent herewith.

18. All Laws, Statutes, and Usages are hereby repealed in so far as the same are inconsistent with the Provisions of this Act, but no further or otherwise.

19. The

Interpretation of Terms.

19. The following Words and Expressions, when used in this Act, shall, in the Construction thereof, be interpreted as follows, except where the Nature of the Provision or the Context of the Act shall exclude or be repugnant to such Construction; that is to say, the Expression "Lord Ordinary" shall include his Successor; the Word "Property" shall include and apply to all Property falling under the Jus mariti; the Expression "Consistorial Action" shall include Actions of Declarator of Marriage, of Declarator of Nullity of Marriage, of Declarator of Legitimacy and Bastardy, Actions of Separation *a mensâ et thoro*, of Divorce and of Adherence, and of putting to Silence, and Actions of Aliment between Husband and Wife instituted in the Court of Session.

Short Title.

20. This Act may in all Proceedings be cited as "The Conjugal Rights (*Scotland*) Amendment Act, 1861."

Commencement of Act.

21. This Act shall come into operation on the First Day of *November* now next ensuing, and not before.

CAP. LXXXVII.

An Act to amend the Metropolitan Building Act (1855). [6th *August* 1861.]

17 & 18 Vict. c. cvii.

'WHEREAS by "the Exhibition of 1851 Roads and Lands Act" all Buildings erected or to be 'erected by "the Commissioners for the Exhibition of 1851" were exempted from the Operation 'of the Acts then in force for regulating the Construction of Buildings in the Metropolis and its 'Neighbourhood: And whereas the said last-mentioned Acts were repealed by "the Metropolitan 'Building Act, 1855," and new Regulations for the Construction of Buildings substituted; but 'Doubts are entertained whether the Exemption provided by the said first-mentioned Act is continued 'by the said Building Act of 1855: And whereas it is expedient that such Doubts should be removed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisions of 18 & 19 Vict. c. 122. not to apply to Buildings of Commissioners for the Exhibition of 1851.

1. The First Part of the Metropolitan Building Act, 1855, containing the Regulations relating to the Construction of Buildings in the Metropolis, shall not, nor shall any Provision therein contained, apply to any Buildings erected or to be erected by or with the Sanction of the Commissioners for the Exhibition of 1851 on any Lands belonging to them, and purchased in pursuance of any Power vested in them by Charter or Act of Parliament, with the Exception of such Streets or Blocks of Buildings as may be erected by them, or with their Sanction, as private Dwelling Houses.

Short Title.

2. This Act may be cited for all Purposes as the "Metropolitan Building Amendment Act, 1861."

CAP. LXXXVIII.

An Act to vest in the Commissioners of Her Majesty's Works and Public Buildings a Portion of *Saint James's Park* as a Site for Public Offices. [6th *August* 1861.]

'WHEREAS by the Public Offices Extension Act, 1859, a certain Piece of Land forming Part of '*Saint James's Park*, and distinguished in the Schedule to the said Act by the Nos. 69, 70, and '71, is appropriated as a Site for certain Public Offices: And whereas further Provisions are required 'for transferring the said Premises to the Commissioners of Her Majesty's Works and Public Buildings 'for the Purposes of the said Act, and for making Compensation in respect of the said Transfer:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Transfer of Premises named to Commissioners of Works.

1. From and after the passing of this Act all the Estate, Right, and Interest of Her Majesty, Her Heirs and Successors, in the said Premises numbered as aforesaid shall be transferred to and absolutely vested in the Commissioners of Her Majesty's Works and Public Buildings, and it shall be lawful for the said Commissioners to appropriate the said Premises for any of the Purposes of the said Public Offices Extension Act, 1859.

Compensation to be made for such Transfer.

2. Compensation shall be made to the Land Revenues of the Crown, in respect of the Transfer of the said Premises, in manner following; that is to say, whenever the annual Produce of the said Revenues ceases to be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and is retained by the Crown as Part of its hereditary Revenues, the Value of the Premises hereby transferred, exclusive of the Value of any Buildings erected thereon, shall be determined by Arbitration, and the Amount of such Value when determined shall be deducted from the Amount for the Time being chargeable upon the said Revenues in respect of Advances made out of the Consolidated Fund, or, if there be no such Amount then chargeable, shall be paid to the Account of the said Revenues.

CAP. LXXXIX.

An Act to increase the Amount payable out of the Revenues of *India* in respect of the Retiring Pay, Pensions, and other Expenses of that Nature, of Her Majesty's *British* Forces serving in *India*. [6th *August* 1861.]

'WHEREAS by an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, Chapter Seventy-one, it was enacted, that in order to provide for the Charge incurred for Retiring Pay and Pensions, and other Expenses of that Nature, arising in respect of His Majesty's Forces serving in *India*, the annual Sum of Sixty thousand Pounds should from and after the Thirtieth Day of *April* One thousand eight hundred and twenty-two be paid into the Receipt of His Majesty's Exchequer out of the Territorial Revenues of the *East Indies*: And whereas the said annual Sum of Sixty thousand Pounds is insufficient to defray the above-mentioned Charge, and it is expedient to increase the Contribution to be paid out of the said Revenues to meet the said Charge:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That 4 G. 4. c. 71.

1. So much of the said Act as relates to the Payment out of the Territorial Revenues of the *East Indies* of the said annual Sum of Sixty thousand Pounds in respect of the Retiring Pay, Pensions, and other Expenses of that Nature, arising in respect of Her Majesty's Forces serving in *India*, shall be and the same is hereby repealed. Recited Act (4 Geo. 4. c. 71.) partly repealed.

2. From the Thirty-first Day of *March* One thousand eight hundred and sixty-one until the Thirty-first Day of *March* One thousand eight hundred and sixty-two there shall be paid out of the Revenues of *India*, to the Account of Her Majesty's Exchequer at the Bank of *England*, in respect of the above-mentioned Charge, and in lieu of the said annual Sum of Sixty thousand Pounds, a Sum calculated at the Rate of Three Pounds Ten Shillings *per* Head *per Annum* upon the Number of Her Majesty's *British* Forces chargeable upon the said Revenues of *India*, exclusive of the Number at the Depôts or on Passage, as shown by the Monthly Muster Rolls, the Payment to be made Monthly, and to be calculated upon the Number shown in the last Monthly Muster Rolls received in *England* before each Month for which Payment is to be made. Charge on Revenues of India for 1861–2.

CAP. XC.

An Act to make Arrangements as to the Disposal and Management of Property belonging to the University of *Edinburgh*; and to regulate the Appropriation and Application of the Annuity of Two thousand five hundred Pounds payable from the Revenues of the Harbour and Docks of *Leith*, under the Authority of an Act passed in the First and Second Years of *Victoria*, Chapter Fifty-five. [6th *August* 1861.]

'WHEREAS by an Act passed in the First and Second Years of the Reign of Her present Majesty, Chapter Fifty-five, intituled *An Act to regulate and secure the Debt due by the City of* Edinburgh *to the Public, to confirm an Agreement between the said City and its Creditors, and to effect a Settlement of the Affairs of the said City and the Town of* Leith, it is by the Twenty-first Section thereof enacted, that an annual Sum of Two thousand five hundred Pounds from the Revenues of the Harbour and Docks of *Leith* shall be applied by the Lord Provost, Magistrates, and Council of the City of *Edinburgh* towards the Maintenance and Support of the College and Schools of the said City; namely, in defraying the Obligations and Payments incumbent upon them in relation to the Debts due by the said City to the said College; in paying the Salaries and House Rents due to or on account of the Professors in the said College; in repairing and maintaining the College Buildings, and in the other necessary Expenses thereof; and the Remainder towards the Schools and educational Purposes of the said City: And whereas by an Act passed in the Twenty-first and Twenty-second Years of the Reign of Her present Majesty, Chapter Eighty-three, intituled *An Act to make Provision for the better Government and Discipline of the Universities of* Scotland, *and improving and regulating the Course of Study therein, and for the Union of the Two Universities and Colleges of* Aberdeen, it is by the Fifth Section thereof enacted, that the Senatus Academicus of each of the Universities of *Scotland* shall superintend and regulate the Teaching and Discipline of the University, and administer its Property and Revenues, subject to the Control and Review of the University Court: And whereas it is expedient that the Proportion of the said annual Sum of Two thousand five hundred Pounds to be applied to the University of *Edinburgh* should be finally determined, and should be assigned to the University, and made payable to the Senatus Academicus thereof, to be administered by them in Terms and under the Authority of the said second-recited Act; and it is also expedient that farther Arrangements should be made regarding the Disposal and Management of other Property of the University of *Edinburgh* and of the Remainder of the said annual Sum of Two thousand five hundred Pounds:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 1 & 2 Vict. c. 55. 21 & 22 Vict. c. 83.

1. The

Edinburgh University.

Appropriation of Annuity of 2,500*l.* in first-recited Act mentioned.

1. The annual Sum of Two thousand five hundred Pounds from the Revenues of the Harbour and Docks of *Leith*, in the said first-recited Act mentioned, shall be paid by the Queen's and Lord Treasurer's Remembrancer of the Exchequer in *Scotland* in the Manner and Proportions following; viz., the Sum of Two thousand one hundred and seventy Pounds, Portion thereof, shall be paid to the Senatus Academicus of the University of *Edinburgh*, for the Purposes of the said University, including therein the Payment of such Bursaries as were before the passing of this Act chargeable on the said annual Sum; and the said Lord Provost, Magistrates, and Council of the City shall be freed and relieved from all Obligations to or for the University for and in respect of the said Sum of Two thousand five hundred Pounds payable after the Date of this Act; and the Remainder of the said annual Sum of Two thousand five hundred Pounds, being Three hundred and thirty Pounds, shall be paid to the Lord Provost, Magistrates, and Council of the City of *Edinburgh*, and shall be applied by them towards the Maintenance and Support of the Schools of the said City; and the said Senatus Academicus, and the said Lord Provost, Magistrates, and Council, respectively, shall transmit annually to the Commissioners of Her Majesty's Treasury an Account of the Expenditure of the said Sums of Two thousand one hundred and seventy Pounds and Three hundred and thirty Pounds payable to them respectively as aforesaid.

First Payments at Martinmas 1861.

2. The First Payments to the Senatus Academicus of the University of *Edinburgh*, and to the Lord Provost, Magistrates, and Council of the City of *Edinburgh*, respectively, in pursuance of this Act, shall be made at the Term of *Martinmas* One thousand eight hundred and sixty-one, for the Half Year then ending.

Certain Properties and Revenues enumerated to be transferred to the Senatus.

3. The several Properties and Revenues which are enumerated in the Schedule (A.) hereunto annexed shall be and the same are hereby transferred to and vested in the Senatus Academicus of the University of *Edinburgh*, for the Purposes of the said University, subject to the several Burdens and Obligations affecting the same, and to be managed by the Senatus of the said University in Terms of the said second-recited Act; and the Proportion of the Annuities on Bonds of the said City, payable under the Bequest of Doctor *William Thomson* to the Lecturer on Mineralogy under the said Bequest, shall be paid to the Professor of Natural History in the University for the Time being, as such Lecturer.

Certain Properties and Revenues to be held by City for Support of Schools.

4. The several Properties and Revenues held by the Lord Provost, Magistrates, and Council of the City of *Edinburgh*, in trust for the said University solely, or for the University and other Purposes, which are enumerated in the Schedule (B.) hereunto annexed, including the Sums falling due at the Term of *Lammas* or *Martinmas* (as the Case may be) One thousand eight hundred and sixty-one, shall be held and applied by the said Lord Provost, Magistrates, and Council towards the Maintenance and Support of the Schools of the said City, subject to the several Burdens and Obligations affecting the same.

Short Title.

5. This Act may for all Purposes be cited as "The *Edinburgh* University Property Arrangement Act, 1861."

SCHEDULES.

SCHEDULE (A.)

1. The Site of the Buildings of the University of Edinburgh, with the whole Buildings thereon, Parts and Pertinents thereof, and Furniture and Museums therein, so far as now belonging to or vested in the City.

2. Bond of Annuity by the City for One thousand two hundred and fifty Pounds, being Amount of Mortification by Sir William Pulteney as a Foundation for establishing a Professorship of Agriculture in the University, with the Annuities amounting to Thirty-seven Pounds Ten Shillings payable thereon, including the Sums falling due at the Term of Lammas One thousand eight hundred and sixty-one.

3. Bonds of Annuity by the City of Edinburgh for One thousand four hundred and ninety Pounds for Amount of Bequest of Doctor William Thomson, in the Hands of the City, for the Promotion of Mineralogical Science in the University, with the Annuities payable thereon, amounting to Forty-four Pounds Fourteen Shillings, including the Sums falling due at the Term of Lammas One thousand eight hundred and sixty-one, and the Sum of Nineteen Pounds Fifteen Shillings and Elevenpence, being the Balance in the Hands of the City applicable to the Purposes of the said Bequest at the Date of this Act.

4. The Balance of One hundred and eighty-one Pounds Fourteen Shillings and Eightpence, appearing in the published Accounts of the said Lord Provost, Magistrates, and Council as outstanding at the Fourteenth Day of September One thousand eight hundred and sixty to the Credit of the Account of Income and Expenditure of the said annual Sum of Two thousand five hundred Pounds, and of the several Properties and Revenues enumerated in Schedule (B.), subject to such Alteration of the said Balance as may arise on an Account of the said annual Sum of Two thousand five hundred Pounds, and of the Income arising from the Properties and Revenues enumerated in Schedule (B.) applicable to the Period from the Fourteenth Day of September One thousand eight hundred and sixty to the Term of Martinmas One thousand eight hundred and sixty-one, such Account to be adjusted at the Sight and to the Satisfaction of the Commissioners of Her Majesty's Treasury, and the Balance, when ascertained, to be paid over to the Senatus Academicus.

SCHE-

SCHEDULE (B.)

1. Mortcloth Dues at Greyfriars Burying Ground.
2. Ground Annuals and Superiorities, with the Casualties or Compositions belonging thereto, Tiends, Tiend Duties, and Tack Duties, such Ground Annuals, Superiorities, Tiends, Tiend Duties, and Tack Duties consisting of the following Items:
   1. Ground Annuals and Superiorities in and about the City, the Ground Annuals and Feu Duties from which amount to Nine Pounds Thirteen Shillings and Eleven Twelfths of a Penny:
   2. Superiorities in the Country, the Feu Duties from which amount to Eleven Pounds Nineteen Shillings and Twopence Eleven Twelfths of a Penny:
   3. The Teinds in the Parishes of Sprouston, including Lempitlaw and Monimail, the Tack Duties of which presently amount together to Thirty-eight Pounds Eighteen Shillings and Sixpence Ten Twelfths of a Penny:
   4. Property in North College Street, Edinburgh, the Tack Duties or Rents of which presently amount to Fifty-one Pounds a Year:
   5. Bonds of Annuity by the City for One thousand eight hundred Pounds, being the Price of the Patronages of Currie, Fala, and Wemyss, with the Annuities payable thereon, amounting to Fifty-four Pounds a Year.

CAP. XCI.

An Act to amend the Laws relating to the Inland Revenue. [6th *August* 1861.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

As to Excise.

18 & 19 Vict. c. 38.

1. 'Whereas by an Act passed in the Eighteenth and Nineteenth Years of Her Majesty's Reign, 'Chapter Thirty-eight, certain Restrictions are imposed on the Sale of Methylated Spirit, and it is 'expedient to remove such Restrictions in part, and to make other Regulations in regard to the Sale 'of Methylated Spirit by Persons who shall be duly licensed in that Behalf under this Act:' Be it enacted, That any Person, not being a Distiller or Rectifier of Spirits, or a Dealer in or Retailer of Beer, Spirits, Wine, or Sweets, may take out an Excise Licence authorizing him to receive and sell Methylated Spirit in the Quantity allowed by this Act, upon Payment of the annual Duty on such Licence of Two Pounds and Two Shillings; and every Person taking out such Licence shall be called "a Retailer of Methylated Spirit;" and so far as regards any Person duly licensed to retail Methylated Spirit under the Provisions of this Act, and so far also as regards any Person who shall purchase any such Spirit from such licensed Person, and the Spirit so purchased, Sections Eight, Ten, and Sixteen of the said last-mentioned Act shall be and the same are hereby repealed.

Methylated Spirit may be retailed under Licence for that Purpose.

2. Every Licence granted under this Act for the Sale of Methylated Spirit shall be renewed on the First Day of *October* in every Year, and shall be granted and renewed in like Manner as other Excise Licences are granted and renewed, and under and subject to the Provisions and Regulations of the Act passed in the Sixth Year of the Reign of King *George* the Fourth, Chapter Eighty-one.

Licences to be renewed annually.

3. No Person licensed as aforesaid shall sell or deliver any greater Quantity of Methylated Spirit than One Gallon at a Time to or for the Use of the same Person; nor shall such licensed Person receive into or have in his Stock, Custody, or Possession a greater Quantity than Fifty Gallons of such Spirit at one and the same Time; or receive into his Stock, Custody, or Possession any such Spirit otherwise than from a Distiller or Rectifier of Spirits, or licensed Person specially authorized to make Methylated Spirit under the Provisions of the said Act of the Eighteenth and Nineteenth Years of Her Majesty, and accompanied by a proper Permit or other such Document as the Commissioners of Inland Revenue may order or direct to be used to accompany such Spirit on the Removal thereof, nor until he shall have made Entry according to the Laws of Excise in force in relation to Entries of the particular Rooms or Places in which he intends to keep and sell such Spirit; nor shall any such Person licensed under this Act keep or sell any such Spirit in any Room or Place not duly entered as aforesaid; and provided always, that every such Person licensed as last mentioned shall at all reasonable Times produce the whole of his Stock of such Spirit to any Officer of Excise who shall desire to examine the same, and shall keep such Account of the Stock and Sale of such Spirit as the Commissioners of Inland Revenue shall order and direct from Time to Time; and if any Person licensed under this Act shall offend in any of the Particulars in this Clause mentioned, he shall forfeit for every Offence the Sum of Fifty Pounds; and all Spirit received into or found in his Stock, Custody, or Possession contrary hereto shall be forfeited, and may be seized by any Officer of Excise.

Conditions to be observed by Retailer of Methylated Spirit.

Penalty for offending contrary to this Section.

Distillers making Methylated Spirit may supply licensed Makers of such Spirit.

4. It shall be lawful for any Distiller duly authorized to make Methylated Spirit according to the Provisions of the said Act of the Eighteenth and Nineteenth Years of Her Majesty, Chapter Thirty-eight, to sell, supply, and deliver such Spirit to any licensed Person authorized as aforesaid, and in the same Quantity and subject to the same Restrictions and Regulations with respect to Requisitions, Permits, or otherwise as are specified and provided in the above-mentioned Act, or directed by the Commissioners of Inland Revenue to be observed with respect to Methylated Spirit supplied to Persons authorized by the said Commissioners to receive and use the same; and all such Spirit so sold, supplied, or delivered by any such Distiller, or received by such licensed Person as aforesaid, shall be entered in the Stock Account of such Distiller or licensed Person respectively, directed to be kept by the Seventh Section of the said Act.

Penalty for selling Methylated Spirit without Licence.

5. Every Person, not being a Distiller or Rectifier of Spirits, or other Person duly authorized or specially licensed by the Commissioners of Inland Revenue to mix and make Methylated Spirit, who shall sell any such Spirit in any Quantity without having in force a Licence in that Behalf granted under the Authority of this Act, shall forfeit the Sum of Fifty Pounds over and above all other Penalties to which he may be liable under any other Act or Acts in force.

Methylated Spirit not to be prepared or sold as a Beverage.

6. If any Person whatever shall colour, purify, flavour, mix, or prepare, or attempt to colour, purify, flavour, mix, or prepare, any Methylated Spirit in any Manner to fit, or with Intent to fit, such Spirit for Use as a Beverage, or for mixing with any Beverage, or shall sell any such Spirit, whether coloured, purified, flavoured, mixed, or prepared in any Manner or not, as and for a Beverage, or mixed with any Beverage, he shall forfeit for every such Offence the Sum of One hundred Pounds, and the Spirit shall also be forfeited.

New Rates of Drawback on Beer exported in lieu of former Rates.

7. In lieu of the Drawbacks now payable upon the Exportation of Beer from the United Kingdom to Foreign Parts as Merchandise, there shall be allowed and paid in respect of all Beer which shall be so exported at any Time after the passing of this Act, whensoever the same may have been brewed, the following Rates of Drawback; (that is to say,)

For and upon every Barrel of Thirty-six Gallons, and so in proportion for any greater Quantity of Beer brewed or made by any entered or licensed Brewer of Beer for Sale in the United Kingdom, in the brewing of which Beer the Worts used before Fermentation were of the Specific Gravity of not less than One thousand and forty Degrees, the Sum of Four Shillings:

And for every additional Five Degrees of Specific Gravity up to the Specific Gravity of One thousand one hundred and twenty-five Degrees, the further Sum of Sixpence *per* Barrel:

Provisions of former Laws to apply.

Which said Drawback by this Act granted shall be ascertained, allowed, and paid in the like Manner as by the Laws in force at the Time of the passing of this Act any former Drawback on the Exportation of Beer is or may be ascertained, allowed, and paid respectively; and all Provisions, Regulations, Penalties, and Forfeitures now in force in relation to any such former Drawback shall be observed, applied, and enforced in respect to the Drawback by this Act granted, in as full and ample a Manner as if the same had been herein repeated and re-enacted with reference to the said last-mentioned Drawback.

Not necessary to take out Refreshment House Licence for House not open after Ten at Night.

8. For the Amendment of Two several Acts passed in the last Session of Parliament, Chapter Twenty-seven and Chapter One hundred and seven, be it enacted, That no Person shall be compellable to take out a Licence under either of the said Acts to keep a Refreshment House whose House, Room, Shop, or Building shall not be kept open for public Refreshment, Resort, and Entertainment after the Hour of Ten of the Clock at Night; and the said Acts shall be read and construed as if the Word "Ten" had been substituted for the Word "Nine" in the Sixth Section of the said Acts respectively.

Lower Duty on Refreshment Licences for Houses under 30*l.* annual Value.

9. And in lieu of the Duties chargeable under the said last-mentioned Acts respectively for every Licence to keep a Refreshment House there shall be charged the following Duties; that is to say,

If the House and Premises in respect of which such Licence shall be granted shall in *England* be under the Rent and Value or in *Ireland* be under the Value of Thirty Pounds a Year, the Duty of Ten Shillings and Sixpence:

And if the same shall be of the Rent or Value of Thirty Pounds a Year or upwards, the Duty of One Pound and One Shilling:

Allowance of Duty paid for Refreshment House Licence to be made on taking out Wine Licence.

And whenever any Person who shall have taken out a Licence to keep a Refreshment House, not being a House open after Ten o'Clock at Night, shall apply for and obtain a Licence under either of the said Acts to sell therein by Retail Foreign Wine to be consumed in such House, he shall be allowed an Abatement at the Rate *per Annum* herein-after mentioned from the Duty chargeable for such last-mentioned Licence in respect of the same Period of Time or Portion of the Year for which he shall take out the said Licence to retail Wine; (that is to say,)

	£	s.	d.
Where the House and Premises in respect of which such Licences shall be granted shall in *England* be under the Rent and Value or in *Ireland* under the Value of Thirty Pounds a Year, an Abatement of - - - - - - - - -	0	7	4

	£	s.	d.
And where the same shall be of the Rent or Value of Thirty Pounds and under the Rent or Value of Fifty Pounds a Year, an Abatement of - - - - - -	0	17	10
And where the same shall be of the Rent or Value of Fifty Pounds a Year or upwards, an Abatement of - - - - - - - - - - - -	1	1	0

Provided always, that if any Person to whom any such Abatement as aforesaid shall have been made on taking out a Wine Licence shall keep open his House as a Refreshment House or shall sell therein any Wine or other Refreshment after the Hour of Ten of the Clock at Night, he shall be deemed to keep a Refreshment House without taking out and having in force a proper Licence in that Behalf; and also in respect of any Wine sold by him after the Hour aforesaid he shall be deemed to have sold the same without having a proper Licence in force duly authorizing him in that Behalf, and shall forfeit the Penalties imposed for such Offences respectively by the Ninth and Nineteenth Sections of the said Act of the last Session of Parliament, Chapter Twenty-seven.

Persons licensed to *retail Beer not precluded from taking out Wine Licences.*

10. 'And whereas an Act was passed in the last Session of Parliament, Chapter Twenty-seven, for 'granting to Her Majesty certain Duties on Wine Licences and Refreshment Houses, and Doubts have 'arisen whether Persons licensed to retail Beer in *England* are precluded from taking out or having 'granted to them a Licence for the Sale of Wine under the said Act:' For the Removal of such Doubts be it declared and enacted, That nothing in the said Act or in any other Act or Acts contained shall be adjudged, deemed, or construed to preclude or disqualify any Person from taking out or having granted to him any Licence for the Sale of Wine under the said Act of the last Session of Parliament, by reason or on account of his being licensed for the Sale of Beer under any Act or Acts in that Behalf.

Retailers of Wine not subject to Penalty for having Wine, &c. in possession.

11. No Person licensed for the Sale of Wine under the Act passed in the last Session of Parliament, Chapter Twenty-seven, shall be subject or liable to any Penalty or Forfeiture under any Act relating to the retailing of Beer by reason or on account of his selling, dealing in, retailing, or receiving into, or having in his Possession any Wine or Sweets or Made Wines, or Mead or Metheglin, anything in any such Act or Acts as last mentioned to the contrary notwithstanding.

Penalty on Persons selling Beer by Retail in Scotland without being duly authorized and licensed.

12. 'And whereas Doubts exist as to the Penalties to which Persons are subject who sell Beer by 'Retail in *Scotland* without being duly authorized and licensed in that Behalf:' Be it enacted, That if any Person shall in *Scotland* sell Beer by Retail, that is to say, in any Quantity less than Four and a Half Gallons, or in less than Two Dozen reputed Quart Bottles, at One Time (whether to be drunk or consumed on the Premises or not), without having duly obtained a Certificate and also an Excise Licence respectively authorizing him to sell Beer under the Provisions of any Act or Acts in that Behalf, he shall forfeit (over and above any other Penalty to which he may be liable under such Act or Acts) the Sum of Twenty Pounds for every such Offence, and such Penalty hereby imposed shall be recovered, levied, mitigated, and applied in the Manner provided with respect to Excise Penalties under the Laws of Excise in that Behalf; and in any Information or other Proceeding for the Recovery of the Penalty hereby imposed it shall be sufficient to charge that the Defendant sold Beer by Retail without having duly obtained a Certificate and also an Excise Licence respectively authorizing him to sell Beer under the Provisions of the Statute in that Case made and provided, and it shall not be necessary further or otherwise to describe such Offence.

Exemptions as to the Sale of Beer or Spirits at Fairs or Races not repealed by 23 & 24 Vict. cc. 113 and 114.

13. 'And whereas by the Act passed in the Sixth Year of the Reign of King *George* the Fourth, 'Chapter Eighty-one, for granting Duties on Excise Licences, and by other Acts of Parliament now in 'force, certain Provisions, Exceptions, and Exemptions are made and contained with respect to the 'Sale of Spirits and Beer respectively, at lawful and accustomed Fairs and public Races: And whereas 'by Two several Acts passed in the last Session of Parliament, being respectively Chapters One 'hundred and thirteen and One hundred and fourteen, certain Enactments and Prohibitions are 'contained against the selling of Beer and Spirits respectively at any Place other than a Place specified 'in a Licence granted in that Behalf:' Be it declared and enacted, That nothing in the said Two several last-mentioned Acts, or either of them, contained shall be construed, adjudged, deemed, or taken to have repealed, altered, or affected any of the Provisions, Exceptions, or Exemptions contained in any Act or Acts in force at the Time of the passing of the said Two several Acts of the last Session of Parliament, or either of them, with respect to the selling of Beer or Spirits at Fairs or Races.

All Licences granted under the Acts relating to the retailing of Beer to expire on the 10th Oct. in each Year.

14. 'Whereas the Licences authorizing the retailing of Beer granted under the Authority of Three 'several Acts passed respectively in the First Year of the Reign of His late Majesty King *William* the 'Fourth, Chapter Sixty-four, in the Fourth and Fifth Years of the same Reign, Chapter Eighty-five, 'and in the Third and Fourth Years of the Reign of Her present Majesty, Chapter Sixty-one, are 'directed by the first of the said Acts to be dated on the Day when the same shall be granted, and to 'expire at the End of Twelve Calendar Months after the Day on which such Licences shall be dated, and 'it is expedient that all such Licences should expire at one and the same Period of the Year:' Be it enacted, That every Licence taken out under the said recited Acts on and after the Eleventh Day of

October One thousand eight hundred and sixty-one shall be in force from the Day of the Date of such Licence until the Tenth Day of *October* next following the granting thereof; and every Person who on the Tenth Day of *October* in the above-mentioned Year shall be the Holder of an unexpired Licence granted under the said recited Acts shall on the First Renewal of such Licence be allowed a proportionate Part of the Duty in respect of the unexpired Period of such Licence; and every Person who shall after the said Tenth Day of *October* take out a Licence under the said Acts for the First Time shall be entitled to the same on Payment of a proportionate Part of the Duty thereon in the same Manner as a Person commencing a Trade or Business for which an Excise Licence is required may now take out a Licence under the Provisions contained in the Seventeenth Section of the Act passed in the Sixth Year of the Reign of King *George* the Fourth, Chapter Eighty-one.

Racehorse Duty to be paid for Year ending 31st Dec. 1862, &c.

15. The Duty imposed by the Act of the Nineteenth and Twentieth Years of Her Majesty, Chapter Eighty-two, upon every Horse which shall start or run for any Plate, Prize, or Sum of Money or other Thing, and which shall be paid on or after the First Day of *January* in the Year One thousand eight hundred and sixty-two, shall free the Owner for the Time being of such Horse from any further Payment of the said Duty in respect of the same Horse during the Year ending the Thirty-first Day of *December* next after such Payment, and no longer.

No Penalty for letting Horse, &c. to convey Prisoner to Gaol.

16. No Penalty under the Fifteenth Section of the Act of the Sixteenth and Seventeenth Years of the Reign of Her Majesty, Chapter Eighty-eight, shall be deemed to be incurred in respect of the letting for Hire of any Horse or Carriage for the Purpose of conveying a Prisoner to or from any Prison, and used under such Letting solely for that Purpose.

Persons dealing in Game without Excise Licence to be liable to Penalty whether licensed by the Justices or not.

17. 'Whereas by the Fourteenth Section of the Act passed in the Twenty-third and Twenty-fourth 'Years of Her Majesty's Reign, Chapter Ninety, a Penalty of Twenty Pounds is imposed upon any 'Person who shall obtain a Licence to deal in Game from the Justices of the Peace under the Pro- 'visions of certain Acts therein referred to, and who shall purchase or sell or otherwise deal in 'Game before he shall obtain a Licence to deal in Game under the Provisions of the Act in this Clause 'first mentioned:' Be it enacted, That the said Penalty shall be incurred by every Person who, under the Provisions of the said Acts so referred to as aforesaid, ought to obtain a Licence from the Justices of the Peace to deal in Game, and who shall purchase or sell or otherwise deal in Game before he shall obtain a proper Excise Licence under the Provisions of the said first-mentioned Act, whether he shall have obtained a Licence from the said Justices or not; and in any Information exhibited for Recovery of the said Penalty it shall be sufficient to allege, and upon the Trial thereof to prove, that the Defendant dealt in Game without the Licence required by the said first-mentioned Act.

Sect. 31. of 1 & 2 W. 4. c. 55. with respect to Penalties under the Illicit Distillation Acts in Ireland, not repealed by Sect. 6. of 20 & 21 Vict. c. 40.

18. 'And whereas an Act was passed in the First and Second Years of the Reign of King *William* 'the Fourth, Chapter Fifty-five, to consolidate and amend the Laws for suppressing the illicit making 'of Malt and Distillation of Spirits in *Ireland*, (herein-after called the Illicit Distillation Act,) and by 'the Thirty-first Section of the said Act it is enacted that all Penalties and Forfeitures imposed by 'the same Act may be sued for, prosecuted, and recovered by Action of Debt, Bill, Plaint, or Infor- 'mation in Her Majesty's Court of Exchequer in *Dublin*, in the Name of Her Majesty's Attorney 'General, or in the Name of some Officer of Excise, or on Complaint to or before any One or more of 'Her Majesty's Justices of the Peace of the County, City, or Place wherein the Offence shall be com- 'mitted: And whereas by an Act passed in the Twentieth and Twenty-first Years of Her Majesty's 'Reign, Chapter Forty, Officers of the Constabulary Force in *Ireland* are empowered to put in force 'the Powers and Authorities of the said Illicit Distillation Act, and by the Sixth Section of the said 'Act of the Twentieth and Twenty-first Years of Her Majesty it is enacted that all Proceedings under 'the said Illicit Distillation Act shall be conducted, and all Penalties and Costs under the same shall 'be sued for, levied, and recovered as by the Petty Sessions (*Ireland*) Act, 1851, is directed and pro- 'vided: And whereas Doubts have arisen whether the Provision made by the last-mentioned Enact- 'ment for Proceedings under the said Petty Sessions Act has repealed or wholly superseded the Mode 'of Proceeding directed by the said Thirty-first Section of the said Illicit Distillation Act, and whether 'in any Proceedings for the Recovery of any Penalty or Forfeiture under the said last-mentioned Act 'the Presence of Two or more Justices is requisite:' For the Removal of all such Doubts, be it declared and enacted, That the Sixth Section of the said Act of the Twentieth and Twenty-first Years of Her Majesty shall not be construed to deprive any Court or any Justice of the Peace in *Ireland* of any Jurisdiction which such Court or Justice possessed before the passing of that Act in regard to any Offence committed against the Provisions of the said Illicit Distillation Act, and shall not extend to repeal, alter, or affect the Thirty-first Section of the said last-mentioned Act further than to provide the additional Mode of proceeding for Penalties and Costs in the said Sixth Section mentioned; and it shall be lawful for Two or more Justices sitting at Petty Sessions to hear and determine any Information or Complaint for any Offence committed against the said last-mentioned Act, and to do all Acts necessary to carry into effect any Judgment thereupon.

Persons aggrieved by

19. In case of any Information or Complaint exhibited by any Officer of Inland Revenue, or of any Proceedings at the Instance of any Officer, Head or other Constable of the Constabulary Force in *Ireland*,

Ireland, under the Provisions of the said Illicit Distillation Act; or of an Act passed in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, Chapter Eighty-nine, or of an Act passed in the Twentieth and Twenty-first Years of the Reign of Her said Majesty, Chapter Forty, it shall be lawful for any such Officer and Constable respectively, or for any Person against whom any such Information, Complaint, or Proceeding shall have been exhibited or taken, who shall feel aggrieved by the Judgment given thereon, to appeal therefrom to the Justices at the next General Quarter Sessions of the Peace which shall be holden for the County, Shire, Division, City, Town, or Place in which such Judgment so appealed against shall have been given next after the Expiration of Twenty Days from the giving of such Judgment, upon giving such Notices, and upon such Terms, Conditions, and Regulations, as are prescribed in Cases of Appeals by the several Acts passed respectively in the Seventh and Eighth Years of King *George* the Fourth, Chapter Fifty-three, the Fourth and Fifth Years of King *William* the Fourth, Chapter Fifty-one, and the Fourth Year of Her present Majesty, Chapter Twenty.

Judgment of Justices on Information under 1 & 2 W. 4. c. 55. 17 & 18 Vict. c. 89. 20 & 21 Vict. c. 40. may appeal.

20. 'Whereas by Section One hundred and ninety-five of the Act passed in the Twenty-third and 'Twenty-fourth Years of Her Majesty's Reign, Chapter One hundred and fourteen, the Justice of the 'Peace by or before whom any Person may be convicted of any Offence in the said Section specified is 'thereby empowered to mitigate as he shall think proper the Penalty of One hundred Pounds imposed 'for such Offence, but not to a less Amount than One Fourth Part thereof, and it is expedient that the 'Power to mitigate such Penalty in *Ireland* should be extended:' Be it enacted, That it shall be lawful for the Justices who shall convict any Person of any such Offence as aforesaid in *Ireland* to mitigate, when they shall see Cause, the Penalty incurred for such Offence as they shall think fit, so as such Mitigation shall not in any Case reduce such Penalty to a less Sum than Six Pounds; and on Nonpayment of the said Penalty or the mitigated Amount thereof such Justices shall commit the Offender to Hard Labour in some Gaol or House of Correction within the County or Place for the Term and in the Manner and subject only to be discharged as in the said Section is mentioned.

Justices in Ireland empowered to further mitigate the Penalty for Offences under Sect. 195 of 23 & 24 Vict. c. 114.

21. 'Whereas it is provided by the Second Section of an Act passed in the Eighteenth and Nine-'teenth Years of the Reign of Her present Majesty, Chapter Sixty-two, that when any Person shall appeal 'against an Order of Refusal of the Certificate required by such Person to entitle him to a Renewal of 'the Licence to sell Beer, Cider, or Spirituous Liquors in *Ireland*, the Licence affected by such Order 'shall remain in full Force and Effect unless and until the Court of Quarter Sessions or Recorder 'therein mentioned shall confirm the said Order of Refusal:' Be it enacted, That such Licence, on the Expiration of the Term for which the same was granted, shall remain in force only upon condition that the Appellant shall immediately on or before the Expiration of the said Licence deposit with the proper Collector of Inland Revenue the Amount of Excise Duties chargeable upon the said Appellant for Licence to sell Beer, Cider, or Spirituous Liquors respectively for the Year next ensuing the Expiration of the said first-mentioned Licence; and if the said Court of Quarter Sessions or Recorder shall confirm the said Order of Refusal, the Appellant shall be repaid by such Collector such Portion of the Excise Duties so deposited as aforesaid as he would be entitled to be repaid under the Twenty-fourth Section of the Act of the Sixth Year of King *George* the Fourth, Chapter Eighty-one, in the Case of a Magistrate's Certificate expired and not renewed; and if the said Order of Refusal shall be reversed, the Money so deposited shall be applied in Payment for the Licences to be granted to the said Appellant.

Pending Appeal against Order of Justices refusing a Certificate to authorize Renewal of Excise Licence, &c. in Ireland, Appellant to deposit Duties for Excise Licence with Collector.

22. 'And whereas by an Act passed in the First and Second Years of the Reign of His late Majesty 'King *William* the Fourth, Chapter Fifty-five, Officers of Excise are authorized to search for private 'Stills, Wort, Wash, Pot Ale, Low Wines, or Singlings, or Spirits and Corn or Grain making into Malt, 'and to arrest and detain Persons discovered in the Place where private Distillation of Spirits or making 'of Malt is carrying on: And whereas it is expedient to extend the like Powers to Officers of Customs:' Be it enacted, That all the Powers, Authorities, and Privileges granted to Officers of Excise by the said recited Act may and shall be exercised by Officers of Customs, and by all Persons duly employed for the Prevention of Smuggling, or authorized by the Commissioners of Customs to seize Goods forfeited under the Laws of Customs, as fully and effectually as if the Clauses in the said Act had been repeated and re-enacted in the Body of this Act, and made to apply to Officers of Customs and the other Persons herein named.

Powers of 1 & 2 W. 4. c. 55. as to Seizure of private Stills, &c. in Ireland extended.

23. 'Whereas by the Act passed in the Ninth and Tenth Years of the Reign of Her Majesty, Chapter 'Ninety, an Excise Licence is required to be taken out by every Person, not being a licensed Distiller, 'Rectifier, or Compounder of Spirits, or Vinegar Maker, who keeps or uses any Still or Retort:' Be it enacted, That it shall be lawful for any Officer of Excise at any Time (but if between the Hours of Eleven at Night and Five in the Morning then in the Presence of a Constable or other lawful Peace Officer) to enter into the Premises of every such Person who shall take out such Licence, or who shall use or keep any Still or Retort, and to examine any Still or Retort kept or used by such Person.

Power to examine Stills or Retorts kept by Persons not being Distillers, &c.

24. 'And whereas by an Act passed in the Nineteenth and Twentieth Years of Her Majesty's Reign, 'Chapter Thirty-four, a Duty of Excise was imposed on Sugar used in the brewing or making of Beer, 'and

Charging of Excise Duty

on Sugar used in brewing deferred until 1st July 1862.

'and by an Act passed in the Twenty-third and Twenty-fourth Years of Her Majesty's Reign, Chapter 'One hundred and thirteen, the charging of the said Duty was deferred until the First Day of *July* One 'thousand eight hundred and sixty-one, and it is expedient to further defer the same:' Be it enacted, That the charging of the said Duty of Excise on Sugar used as aforesaid shall be further deferred until the First Day of *July* One thousand eight hundred and sixty-two.

As to Stamps.

Stamp Duties in lieu of those now payable on Protests and other Notarial Acts.

25. In lieu of the Stamp Duties now payable on Protests and other Notarial Acts there shall be paid the Duties following; that is to say,

Protest of any Bill of Exchange or Promissory Note, where the Stamp Duty on the Bill or Note does not exceed One Shilling - - - - - -	The same Duty as on the Bill or Note.
Protest of any other Bill of Exchange or Promissory Note, and Protest of any other Kind, and other Notarial Act whatsoever - - - - - -	£ 0 s. 1 d. 0
And for every Sheet or Piece of Paper, Parchment, or Vellum upon which the same shall be written, after the first, a further progressive Duty of - - - -	0 1 0

Stamp Duty on certain Proxies reduced.

26. In lieu of the Stamp Duty of One Pound Ten Shillings which may by Law be now payable on any of the Instruments herein-after mentioned, there shall be charged as follows; that is to say,

For and in respect of any Letter or Power of Attorney or Commission, Factory, Mandate, or other Instrument in the Nature thereof, made for the sole Purpose of appointing, nominating, or authorizing any Person to vote as a Proxy, Commissioner, Mandatory, or otherwise, at any One Meeting of the Proprietors, Members, or Contributors to the Funds of any Institution established for the Purposes of Education or Charity, or of other Persons having the Direction or Control of the Affairs of the Institution, the Time of holding whereof shall be specified in such Instrument, or at any Adjournment of such Meeting, the Stamp Duty of Sixpence.

Adhesive Stamps may be used for Proxies.

27. The Stamp Duty of Sixpence granted by this Act and any former Act upon a Letter or Power of Attorney, Commission, Factory, Mandate, or other Instrument in the Nature thereof, may be denoted by an adhesive Stamp to be provided by the Commissioners of Inland Revenue and affixed to the Instrument, and cancelled by the Person signing the Instrument, by writing his Name, or the Initials thereof, upon or across the Stamp, together with the Date of the Day of the Meeting for voting at which the Instrument is made; but nothing herein contained shall relieve any Person from the Penalty incurred by making or signing any such Instrument on Paper not duly stamped, or by voting or attempting to vote under the Authority thereof, unless there shall be affixed thereto and cancelled as aforesaid the proper adhesive Stamp.

Stamp Duties to be collected under the Laws in force.

28. The Stamp Duties by this Act imposed, and also any other Stamp Duties which shall at any Time become payable under any Act of Parliament, and also any Fees by any Act now in force or any future Act directed to be collected or received by means of Stamps, shall respectively be raised, levied, collected, paid, and secured, under and by virtue of and subject to all the Powers, Provisions, Clauses, Regulations, Directions, Allowances, and Exemptions, Fines, Forfeitures, Pains, and Penalties, applicable thereto, for the Time being in force relating to Stamp Duties of the like Kind or Description respectively, or any Schedule thereto; all which Powers, Provisions, Clauses, Regulations, Directions, Allowances, and Exemptions, Fines, Forfeitures, Pains, and Penalties respectively, shall be of full Force and Effect with respect to all such Duties and Fees respectively, and to the Vellum, Parchment, and Paper, Instruments, Matters, and Things, charged and chargeable therewith, or in respect whereof the same are to be paid, and to the Persons liable to the Payment thereof, so far as the same are or shall be applicable, in all Cases for which no express Provision is or shall be made, and shall be observed, applied, allowed, enforced, and put in execution for and in the raising, levying, collecting, and securing of the said Duties and Fees respectively, and otherwise in relation thereto, so far as the same shall not be superseded by and shall be consistent with any such express Provisions, as fully and effectually, to all Intents and Purposes, as if the same were specially enacted, *mutatis mutandis*, with reference to such Duties and Fees respectively.

Duty upon Renewals of certain Insurances repealed.

29. Section Eight of the Act passed in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and eleven, so far as it relates to the Renewal or Continuance of any Assurance upon Death or personal Injury, shall be and the same is hereby repealed.

On Appointment of new Trustees where several Deeds are required, one only charged with

30. Where upon the Appointment of a new Trustee the Property which is the Subject of One and the same Settlement, or of Trusts created for the Benefit of the same Parties, is of various Kinds or Descriptions, or is held under different Titles, and it is necessary or desirable that it should be conveyed to or vested in the Trustee by means of several Deeds or Instruments, or where, upon any such Appointment, several Deeds or Instruments are made or executed for the Purpose only of transferring to and vesting in the Trustee the same Trust Property, if in any of such Cases One of the Deeds or Instruments

Instruments shall be stamped with the Duty of One Pound Fifteen Shillings, it shall be sufficient if the others or other shall be stamped with the Duty that would by Law be chargeable on a Duplicate or Counterpart thereof; and on all the Deeds or Instruments being produced duly stamped accordingly it shall be lawful for the Commissioners of Inland Revenue, on being satisfied as to the Facts, to impress the Deeds or Instruments not having the Duty of One Pound Fifteen Shillings thereon with a particular Stamp to denote the Payment of such Duty on some other Instrument. full Duty, the others as Duplicates.

31. 'Whereas by an Act passed in the Thirteenth and Fourteenth Years of Her Majesty's Reign, 'Chapter Ninety-seven, certain Stamp Duties were imposed on a Duplicate or Counterpart of any Deed 'or Instrument chargeable with Stamp Duty under that Act, or any Act then in force, and also certain 'progressive Duties on any such Deed or Instrument, the said Duties respectively being regulated by 'the Amount of Stamp Duty otherwise chargeable on such last-mentioned Deed or Instrument, and on 'the original Deed or Instrument in the Case of a Duplicate or Counterpart:' For disposing of Doubts as to the Duties chargeable on any such Duplicate or Counterpart, and the progressive Duties on any Deed or Instrument, where, by any Act since passed or hereafter to be passed Stamp Duties, not being progressive Duties, have been or may be granted or imposed on any Deed or Instrument, be it enacted, That the progressive Duties payable on any such last-mentioned Deed or Instrument, and the Stamp Duties on any Duplicate or Counterpart thereof, shall, in the Absence of any express Provision in that Behalf, be the same as would have been payable if the Stamp Duties on such Deed or Instrument had been imposed or granted by the aforesaid Act of the Thirteenth and Fourteenth Years of Her Majesty's Reign. Duties on Duplicates and Counterparts and progressive Duties in certain Cases.

32. In any Case where, under any Act of Parliament now or hereafter in force, it is or shall be competent to or incumbent upon any Person or Persons to affix to any Instrument chargeable with Stamp Duty an adhesive Stamp to denote such Duty, and to cancel the same, it shall be lawful for any Officer of Inland Revenue, duly authorized by the Commissioners of Inland Revenue in that Behalf, on any such Instrument being produced to him, to affix thereto the proper adhesive Stamp, and to cancel the same by any Means the Commissioners may think proper; and thereupon the said Instrument shall be deemed to be as well and sufficiently stamped as if the Stamp had been affixed and cancelled by the Person or Persons allowed or required by Law to affix and cancel the same, and as if the Instrument had been impressed with a Stamp denoting the same Amount of Duty as the Stamp so affixed: Provided that nothing herein contained shall authorize the stamping of any Instrument not allowed by Law to be stamped after it is made, signed, or issued, or after the Expiration of any Period by Law limited for stamping the same, nor in any way alter or affect the Law requiring the Payment of a Penalty on the stamping of any such Instrument. Adhesive Stamps may be affixed and cancelled by an authorized Officer of Inland Revenue.

33. In any Case where an adhesive Stamp used for denoting any Stamp Duty is required by Law to be cancelled by any Person, by Writing thereon his Name or the Name of his Firm, it shall be sufficient if, instead of the Name in full, the Initials thereof shall be so written, or shall be stamped or impressed in Ink thereon, together with any other Particulars specially required by Law to be written thereon, provided that by means thereof the Stamp shall be effectually obliterated and cancelled, so as not to admit of its being used again, anything in any Act to the contrary notwithstanding; and where the adhesive Stamp on any Foreign Bill or Promissory Note shall, on such Bill or Note being received by any Person who shall be or become the *bonâ fide* Holder thereof, be effectually obliterated, and shall purport and appear to be duly cancelled, the same shall, so far as relates to such Holder, be deemed to be sufficiently cancelled: Provided that where any such Bill or Note when so received by any such Person as last aforesaid shall have affixed thereto a proper and sufficient adhesive Stamp, but such Stamp shall not be duly cancelled, it shall be competent to the Holder to cancel the same as if he were the Person first negotiating the Bill or Note; and upon his so doing such Bill or Note shall be deemed to be duly stamped, and shall be as valid and as available by such Holder and any prior or subsequent Holder as it would have been if the Stamp had been affixed and cancelled as by Law required by the First Holder, anything in any Act to the contrary notwithstanding; but nothing herein contained shall relieve any Person who ought to cancel such Stamp from any Penalty incurred by not cancelling the same as required by Law. Mode of cancelling adhesive Stamps.

34. No Copy of any Bill of Sale of Personal Chattels shall be filed in any Court unless the Original shall be produced to the proper Officer with whom the Copy is to be filed, duly stamped with the Duty to which the same may be liable; and no Deed or Instrument liable to Stamp Duty shall be registered until the same is duly stamped. Bills of Sale to be produced stamped on filing copies, &c.

35. 'Whereas the Licences and Certificates granted to Bankers and Persons acting as Bankers in '*Great Britain* and *Ireland* respectively, by or under the Authority of the Commissioners of Inland 'Revenue, are required by Law to specify, amongst other Things, the Names and Places of Abode of 'all the Persons composing the respective Companies or Partnerships to whom they are granted:' Be it enacted, That in any Case where a Company or Copartnership of Bankers consists of more than Six Persons it shall be sufficient to specify in any such Licence or Certificate the Names and Places of Abode of any Six or more of such Persons who may be presented to the Commissioners or their Officer, Licences to Joint Stock Banks not required to specify the Names of more than Six Persons.

or

or whom they or he may select for the Purpose, and to grant the Licence or Certificate to them as and for the whole of the Company or Copartnership, or otherwise to specify only the Name or Style of the Company or Copartnership, and to grant the Licence or Certificate to such Company or Copartnership in and by the said Name or Style, as the Commissioners or their Officer shall think fit; and every such Licence and Certificate respectively shall be as good, valid, and available as if the Names and Places of Abode of all the Members of the Company or Copartnership had been specified therein, and the Licence had been granted to them, anything in any Act of Parliament to the contrary notwithstanding; but this shall not in any way alter or affect the Provisions of any Act of Parliament whereby any Banking Company or Copartnership is required to make any Account or Return of the Names and Places of Abode of all the Members or Partners of such Company or Copartnership, and any other Particulars relating thereto.

Provision for assessing Income Tax on Interest and Dividends payable in United Kingdom arising out of Foreign Companies extended to Colonial Companies.

36. The Provision made by the Act passed in the Fifth and Sixth Years of Her Majesty's Reign, Chapter Eighty, Section Two, and the Act passed in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Thirty-four, Section Ten, for the assessing and charging the Income Tax on Interest, Dividends, or other annual Payments payable out of or in respect of the Stocks, Funds, or Shares of any Foreign Company, Society, Adventure, or Concern, shall be and the same is hereby extended and shall be applied to the assessing and charging of the Income Tax on all Interest, Dividends, or other annual Payments payable out of or in respect of the Stocks, Funds, or Shares of any Colonial Company, Society, Adventure, or Concern, and in respect of any Securities given by or on account of any such Colonial Company, Society, Adventure, or Concern, and which said Interest, Dividends, or annual Payments have been or shall be intrusted to any Person in the United Kingdom for Payment to any Persons, Corporations, Companies, or Societies in the United Kingdom; and for this Purpose the said Section Ten of the last-mentioned Act and this Enactment shall be read and construed together as One Enactment, in like Manner as if the Words "or Colonial" had been inserted and contained in the said Section Ten, immediately after the Word "Foreign," used therein with reference to any Company, Society, Adventure, or Concern.

Inspector or Surveyor to certify to Commissioners Cases in which Persons assessed are succeeded in their Trade or Business by other Persons, &c.

37. In any Case in which an Assessment shall be made under Schedule (D.) of the Acts relating to the Income Tax, and the Party assessed shall within the Year of Assessment cease to carry on the Concern in respect of which the Assessment shall be made, and shall be succeeded therein by another Person, it shall be lawful for the Inspector or Surveyor of the District within which the Change may take place, at any Time before the Expiration of Three Calendar Months from the Fifth Day of *April* next after such Change, to certify to the Commissioners for the District in which the Assessment shall have been made the Particulars thereof, and the Christian and Surname and Place of Residence of the Person assessed, and of the Successor to the Concern, and also the Date of the Change in the carrying on of the said Concern, if the same shall be known to the said Inspector or Surveyor; and upon the Receipt of such Certificate the Commissioners shall cause Notice to be given to the respective Parties of a Time and Place appointed for a Meeting of Commissioners for considering the same; and the Commissioners shall, upon the Examination of the respective Parties, if in Attendance, or upon such other Proof of the Facts as may be satisfactory to the said Commissioners, adjust and apportion the Assessment by charging the Successor with a fair Proportion thereof from the Period of his succeeding to the Concern and relieving the Person originally assessed from a like Amount.

Commissioners Determination final.

Recovery of adjusted Assessment.

38. The Determination of the Commissioners upon any such Certificate shall be final, and the Assessment so adjusted shall be recoverable from the respective Parties in like Manner as an Original Assessment; provided that if in any Case either of the said Parties shall have paid in respect of any Assessment so certified more than the Proportion which shall appear by the Determination of the Commissioners to be chargeable on him, then the Amount which shall have been so overpaid shall, when recovered from the Party liable, be paid to the Person by whom the Overpayment may have been made.

As to Land Tax.

All Surplus Land Tax collected in any Parish to be paid to the Receiver General of Inland Revenue, and by him into the Bank of England to an Account to be opened for that Purpose.

39. 'And whereas an Act was passed in the Sixth Year of the Reign of King *George* the Fourth, 'Chapter Thirty-two, to provide for the Application of Monies arising from the Excess or Surplus of 'Land Tax assessed in certain Cases beyond the Quota or Proportion payable by the several Parishes 'or Places in *Great Britain* respectively, and it is expedient to make further and other Provision for 'the Application of such Monies for the Benefit of such respective Parishes or Places:' Be it enacted, That in every Case where the Assessment made or to be made and allowed under the Provisions of the Acts relating to the Land Tax, for or upon any Parish or Place in any District or Division in *Great Britain*, shall exceed by any Amount or Sum whatever the Quota or Proportion payable to Her Majesty by or for such Parish or Place under the Provisions of the said Acts, the Excess or Surplus which shall be collected over and above the said Quota shall be accounted for and paid in the due and ordinary Course of Collection to the Receiver General of Inland Revenue, and shall be by him paid into the Bank of *England* to the Credit of an Account to be opened in the Books of the said Bank with

with the Commissioners for the Reduction of the National Debt, and to be entitled "The Account of Surplus Land Tax;" and the Commissioners of Inland Revenue shall cause to be opened and kept in the Books of the Inland Revenue Office at *Somerset House* an Account with every such Parish and Place respectively, and in every such last-mentioned Account shall be entered the Sums of Money from Time to Time collected from every such respective Parish and Place, and paid to the said Receiver General as such Surplus Land Tax as aforesaid.

Surplus Land Tax to be applied in the Redemption of Land Tax chargeable on the Parish in which it has arisen.

40. Whenever the Amount of such Surplus Land Tax standing to the Credit of any Parish or Place in any such Account as last mentioned shall be sufficient, according to the Rules established by Law for computing the Consideration Money for the Redemption of Land Tax, to redeem the Sum of Three Pounds Land Tax, or to redeem the whole of the Land Tax chargeable on such Parish or Place, if the same shall be less than Three Pounds, the Commissioners of Inland Revenue shall certify that Fact to the Commissioners for the Reduction of the National Debt, who shall thereupon apply and appropriate in the Purchase and cancelling of Parliamentary Stocks or Annuities such Sum of the Monies standing in their Names to the Credit of the said Account of Surplus Land Tax as the said Commissioners of Inland Revenue shall certify to them to be a sufficient Consideration, computed according to the Rules aforesaid, for the Redemption of the Amount of Land Tax mentioned in their Certificate as intended to be redeemed thereby.

Commissioners of Inland Revenue to certify Appropriation of Surplus Land Tax, and Parish to be exonerated from Amount redeemed.

41. The Commissioners of Inland Revenue, having transmitted such Certificate as aforesaid to the Commissioners for the Reduction of the National Debt, shall cause the Parish or Place named in the said Certificate to be debited in the Surplus Land Tax Account in the Books of the Inland Revenue Office with the Sum specified in the said Certificate as the Sum to be applied in the Redemption of Land Tax chargeable upon such Parish or Place, and the said Commissioners of Inland Revenue shall also certify to the Commissioners of Land Tax for the District or Division in which the said Parish or Place is situated that the said Sum has been so applied, and also the Amount of Land Tax redeemed thereby, and thereupon the said Parish or Place shall stand exonerated and discharged from the said Amount of Land Tax from such of the quarterly Days for Payment of Land Tax as shall next precede the Day of the Date of the last-mentioned Certificate; and the said last-mentioned Certificate shall be registered in the Books of the proper Officer for the Registration of Land Tax redeemed.

6 G. 4. c. 32. as to any other Appropriation repealed.

42. So much of the said Act of the Sixth Year of King *George* the Fourth, Chapter Thirty-two, as enacts or directs that the Surplus Land Tax arising in any Parish or Place shall be applied or appropriated in any other Manner than as by this Act is directed, shall be and the same is hereby repealed.

Not to repeal 4 & 5 W. 4. c. 60. s. 6.

43. Provided always, That nothing in this Act contained shall extend to repeal the Sixth Section of the Act passed in the Fourth and Fifth Years of King *William* the Fourth, Chapter Sixty, or to prevent the Commissioners of Land Tax from deducting from the Surplus Land Tax which shall arise in any Parish or Place before Payment thereof to the Receiver General of Inland Revenue such Sum or Sums of Money as by or under the said last-mentioned Enactment are or may be directed or authorized to be paid to the Assessors of such Parish or Place as a Remuneration for their Trouble in making the Assessments to the Land Tax.

Construction of "Parish or Place."

44. The Term "Parish or Place," used in this Act with reference to Land Tax, shall include and be construed to mean any City, Borough, Town, Parish, Ward, or Place.

As to Land, Assessed, and Income Taxes.

Duplicates, Assessments, &c. to be delivered to Commissioners, &c.

45. Every Collector of any of the said Taxes shall upon clearing his Account for any of such Taxes deliver to the Commissioners by whom he was appointed the Duplicate of the Assessment for the Year and Tax to which such Account relates, together with the Books or Book of Receipts and Counterfoils furnished for his Use in the Collection of such Taxes, or in default thereof he shall forfeit the Sum of Fifty Pounds.

Persons in Prison against whom Informations are exhibited for Offences against Inland Revenue to be brought up by Habeas corpus at Hearing of such Informations.

46. Where any Person against whom an Information shall be exhibited before a Justice of the Peace for any Offence committed by such Person against any Act relating to the Inland Revenue shall be in Prison on any Account whatever at the Time appointed for the Hearing of such Information, the Commissioners of Inland Revenue shall cause to be obtained and issued out of the Court of Exchequer in *England*, *Scotland*, or *Ireland*, as the Case may require, a Writ of Habeas corpus directed to the Governor or Keeper of the Prison in which such Person shall be confined, commanding him to convey such Person to the Place of Hearing to be specified in such Writ, in order that the said Person may answer the said Information and attend the Trial thereof; and such Writ of Habeas corpus shall be issued out of either of the said Courts, on Application made by any One of the Solicitors of Inland Revenue in *England*, *Scotland*, or *Ireland*, on behalf of the said Commissioners, to any Baron or Judge of any of the Superior Courts of Law in *England*, *Scotland*, and *Ireland* respectively; and it shall be lawful for the Justices or Magistrate before whom any such Information shall be brought for Adjudication to refuse to proceed with the said Information in the Absence of the Person charged, when satisfactory Proof shall be made that such Person is confined in Prison.

CAP. XCII.

An Act to amend the Law for the Collection of the Stamp Duties on Probates, Administrations, Inventories, Legacies, and Successions. [6th *August* 1861.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Proceedings for enforcing Payment of Succession and Legacy Duties.

1. Where any Assessment of Duty shall be made in pursuance of the Succession Duty Act, 1853, and the Duty shall not be paid, and there shall be no Appeal from the Assessment, where there shall be no Notice of disputing the Liability to such Assessment, the Commissioners of Inland Revenue shall be and they are hereby empowered to take the same or the like Proceedings for enforcing the Payment of such Duty, or any Part thereof, from any Person liable for the same, or the Owner of any Property expressly charged therewith, in like Manner as they are by Section Forty-seven of the same Act authorized to take for enforcing the Delivery of an Account, including all the Costs of such Proceedings; and where Proceedings shall be taken under the said Section against any accountable Party, and an Account shall be delivered in pursuance thereof, no Cause being shown as therein mentioned, such Party shall, on paying the Duty assessed on such Account, pay also the Costs of the Proceedings; and where Proceedings shall be taken as authorized by Section Forty-eight of the same Act, to enforce the Delivery of Accounts under the Legacy Duty Acts, such Proceeding shall also extend to the Payment of the Duty, if any, together with the Costs of the Proceedings; and for any of the Purposes aforesaid the Judges of the respective Courts of Exchequer shall frame all necessary Writs and Orders; and when any such Proceedings shall be discharged the Crown shall be liable to pay Costs to the Party proceeded against, and in all such Cases an Appeal shall lie from any Judgment of the Court in the same Manner as from any Judgment in a Proceeding by Information at the Suit of the Attorney General.

Certain Provisions in 22 & 23 Vict. c. 21. to extend to Ireland.

2. 'Whereas an Act was passed in the Twenty-second and Twenty-third Years of Her present 'Majesty's Reign, Chapter Twenty-one, for regulating the Office of Queen's Remembrancer, and 'amending the Practice and Procedure on the Revenue Side of the Court of Exchequer in *England*, 'and it is expedient that certain of the Provisions contained in the said Act should extend to *Ireland*:' Be it enacted, That the Provisions contained in Sections Ten, Eleven, Twelve, Thirteen, Fourteen, and Fifteen of the said last-mentioned Act shall, so far as the same are applicable, extend to *Ireland*, and the said Sections shall be read as if the same were expressly enacted in reference to *Ireland*.

No Return of Probate Duty to be made for voluntary Debts.

3. No Return of Stamp Duty paid upon any Probate or Letters of Administration in *England* or *Ireland*, or any Inventory of the Estate and Effects of any deceased Person in *Scotland*, shall be made or allowed in respect of any voluntary Debt due from any Person dying after the Twenty-eighth Day of *June* One thousand eight hundred and sixty-one, which shall be expressed to be payable on the Death of such Person or payable under any Instrument which shall not have been *bonâ fide* delivered to the Donee thereof Three Months before the Death of such Person.

CAP. XCIII.

An Act to provide for the Preparation, Audit, and Presentation to Parliament of annual Accounts of the Appropriation of the Moneys voted for the Revenue Departments. [6th *August* 1861.]

9 & 10 Vict. c. 92.

'WHEREAS by an Act passed in the Session of Parliament holden in the Ninth and Tenth Years 'of Her present Majesty Queen *Victoria* Provision was made for the Preparation, Audit, and 'Presentation to the House of Commons of Accounts of the Appropriation of the Moneys annually 'granted for the Naval and Military Services: And whereas it is expedient that similar Accounts of 'the Appropriation of the Moneys voted for the Salaries and Expenses of the Departments of Customs, 'Inland Revenue, and Post Office, and for the non-effective Charges of those Departments, should be 'prepared, audited, and laid before the House of Commons:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Officers of Customs, Inland Revenue, and Post Office to furnish annual Accounts of Sums voted by Parliament for their several Departments.

1. From and after the First Day of *April* One thousand eight hundred and sixty-two the respective Officers charged with the Preparation of the Accounts of the respective Departments of Customs, Inland Revenue, and Post Office shall prepare, annually, Accounts showing the Appropriation of the Sums granted by Parliament for the Salaries and other effective Services, and for the Superannuations and other non-effective Services, of their respective Departments, classed under the Heads of the Annual Estimates for those Services, in the preceding Year ended on the Thirty-first Day of *March*, and they shall transmit the same, signed and attested by them respectively, on or before the Thirtieth Day of *June* following, to the Commissioners for auditing the Public Accounts, who shall cause the same to be forthwith examined, and who shall certify thereon as to the Correctness or otherwise of the said Accounts; and as soon as such Examination shall have been completed the said Commissioners for auditing the Public Accounts shall transmit the said Accounts to the Commissioners of the Treasury, who shall lay the same, together with the Reports of the said Commissioners thereon, before the House

House of Commons on or before the Thirty-first Day of *January* following the said Thirty-first Day of *March*, if Parliament be then sitting, and if not, then within One Week after Parliament shall be next assembled.

Application of certain Sections of recited Act.

2. All the Provisions of the Third, Fourth, Fifth, and Sixth Sections of the before-mentioned Act relating to the Accounts of Naval and Military Expenditure shall be applicable to the Accounts to be prepared under the Provisions of this Act, except as otherwise provided by this Act.

CAP. XCIV.

An Act to consolidate and amend the Statute Law of *England* and *Ireland* relating to Accessories to and Abettors of indictable Offences. [6th *August* 1861.]

'WHEREAS it is expedient to consolidate and amend the Statute Law of *England* and *Ireland* relating to Accessories to and Abettors of indictable Offences:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

As to Accessories before the Fact:

Accessories before Fact may be tried, &c. as Principals.

1. Whosoever shall become an Accessory before the Fact to any Felony, whether the same be a Felony at Common Law or by virtue of any Act passed or to be passed, may be indicted, tried, convicted, and punished in all respects as if he were a principal Felon.

Accessories before Fact may be indicted as such, or as substantive Felons.

2. Whosoever shall counsel, procure, or command any other Person to commit any Felony, whether the same be a Felony at Common Law or by virtue of any Act passed or to be passed, shall be guilty of Felony, and may be indicted and convicted either as an Accessory before the Fact to the principal Felony, together with the principal Felon, or after the Conviction of the principal Felon, or may be indicted and convicted of a substantive Felony whether the principal Felon shall or shall not have been previously convicted, or shall or shall not be amenable to Justice, and may thereupon be punished in the same Manner as any Accessory before the Fact to the same Felony, if convicted as an Accessory, may be punished.

As to Accessories after the Fact:

Accessories after the Fact may be indicted as such, or as substantive Felons.

3. Whosoever shall become an Accessory after the Fact to any Felony, whether the same be a Felony at Common Law or by virtue of any Act passed or to be passed, may be indicted and convicted either as an Accessory after the Fact to the principal Felony, together with the principal Felon, or after the Conviction of the principal Felon, or may be indicted and convicted of a substantive Felony whether the principal Felon shall or shall not have been previously convicted, or shall or shall not be amenable to Justice, and may thereupon be punished in like Manner as any Accessory after the Fact to the same Felony, if convicted as an Accessory, may be punished.

Punishment of Accessories after the Fact.

4. Every Accessory after the Fact to any Felony (except where it is otherwise specially enacted), whether the same be a Felony at Common Law or by virtue of any Act passed or to be passed, shall be liable, at the Discretion of the Court, to be imprisoned in the Common Gaol or House of Correction for any Term not exceeding Two Years, with or without Hard Labour, and it shall be lawful for the Court, if it shall think fit, to require the Offender to enter into his own Recognizances and to find Sureties, both or either, for keeping the Peace, in addition to such Punishment: Provided that no Person shall be imprisoned under this Clause for not finding Sureties for any Period exceeding One Year.

As to Accessories generally:

Prosecution of Accessory after Principal convicted, &c.

5. If any principal Offender shall be in anywise convicted of any Felony, it shall be lawful to proceed against any Accessory, either before or after the Fact, in the same Manner as if such principal Felon had been attainted thereof, notwithstanding such principal Felon shall die, or be pardoned, or otherwise delivered before Attainder; and every such Accessory shall upon Conviction suffer the same Punishment as he would have suffered if the Principal had been attainted.

Several Accessories may be included in same Indictment.

6. Any Number of Accessories at different Times to any Felony, and any Number of Receivers at different Times of Property stolen at One Time, may be charged with substantive Felonies, in the same Indictment, and may be tried together, notwithstanding the principal Felon shall not be included in the same Indictment, or shall not be in Custody or amenable to Justice.

Trial of Accessories.

7. Where any Felony shall have been wholly committed within *England* or *Ireland*, the Offence of any Person who shall be an Accessory either before or after the Fact to any such Felony may be dealt with, inquired of, tried, determined, and punished by any Court which shall have Jurisdiction to try the principal Felony, or any Felonies committed in any County or Place in which the Act by reason whereof such Person shall have become such Accessory shall have been committed; and in every other Case the Offence of any Person who shall be an Accessory either before or after the Fact to any Felony may be dealt with, inquired of, tried, determined, and punished by any Court which shall have Jurisdiction to try the principal Felony or any Felonies committed in any County or Place in which such Person shall

be apprehended or be in Custody, whether the principal Felony shall have been committed on the Sea or on the Land, or begun on the Sea and completed on the Land, or begun on the Land and completed on the Sea, and whether within Her Majesty's Dominions or without, or partly within Her Majesty's Dominions and partly without; provided that no Person who shall be once duly tried either as an Accessory before or after the Fact, or for a substantive Felony under the Provisions herein-before contained, shall be liable to be afterwards prosecuted for the same Offence.

As to Abettors in Misdemeanors:

Abettors in Misdemeanors.

8. Whosoever shall aid, abet, counsel, or procure the Commission of any Misdemeanor, whether the same be a Misdemeanor at Common Law or by virtue of any Act passed or to be passed, shall be liable to be tried, indicted, and punished as a principal Offender.

As to other Matters:

As to Offences committed within the Jurisdiction of the Admiralty.

9. Where any Person shall, within the Jurisdiction of the Admiralty of *England* or *Ireland*, become an Accessory to any Felony, whether the same be a Felony at Common Law or by virtue of any Act passed or to be passed, and whether such Felony shall be committed within that Jurisdiction or elsewhere, or shall be begun within that Jurisdiction and completed elsewhere, or shall be begun elsewhere and completed within that Jurisdiction, the Offence of such Person shall be Felony; and in any Indictment for any such Offence the Venue in the Margin shall be the same as if the Offence had been committed in the County or Place in which such Person shall be indicted, and his Offence shall be averred to have been committed "on the High Seas;" provided that nothing herein contained shall alter or affect any of the Laws relating to the Government of Her Majesty's Land or Naval Forces.

Extent of Act.

10. Nothing in this Act contained shall extend to *Scotland*, except as herein-before otherwise expressly provided.

Commencement of Act.

11. This Act shall commence and take effect on the First Day of *November* One thousand eight hundred and sixty-one.

CAP. XCV.

An Act to repeal certain Enactments which have been consolidated in several Acts of the present Session relating to indictable Offences and other Matters. [6th *August* 1861.]

'WHEREAS by Six several Acts of the present Session of Parliament, relating respectively to 'Offences against the Person, Malicious Injuries to Property, Larceny, Forgery, Coining, and 'Accessories and Abettors, divers Acts and Parts of Acts have been consolidated and amended, and it 'is expedient to repeal the Enactments so consolidated and amended, and certain other Enactments:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Repeal of Acts and Parts of Acts mentioned in Schedule.

1. The several Acts and Parts of Acts in the Schedule hereto annexed shall continue in force until and throughout the last Day of *October* in the present Year, and shall from and after that Day be repealed to the Extent following; (that is to say,) in any Case where the Enactment does not form Part of the Law of *Scotland* then the Enactment shall be wholly repealed, but in any Case where the Enactment does form Part of the Law of *Scotland*, then the Enactment shall be wholly repealed as to every other Place, but shall not be repealed as to *Scotland*, unless otherwise expressly mentioned.

Repeal not to affect Colonies in certain Cases.

2. Provided, That where any Enactment shall have been extended to any Part of Her Majesty's Dominions out of the United Kingdom by any Act of the Parliament of the United Kingdom or otherwise, the same shall not be repealed as to that Part of Her Majesty's Dominions.

Repeal not to affect Offences, &c. committed before the Commencement of this Act.

3. Provided also, That every Offence which shall have been wholly or partly committed against any of the said Acts or Parts of Acts before this Act comes into operation shall be dealt with, inquired of, tried, determined, and punished, and every Penalty in respect of any such Offence shall be recovered, in the same Manner as if the said Acts and Parts of Acts had not been repealed; and that every Act duly done, and every Warrant and other Instrument duly made or granted, before this Act comes into operation, shall continue and be of the same Force and Effect as if the said Acts and Parts of Acts had not been repealed; and that every Right, Liability, Privilege, and Protection in respect of any Matter or Thing committed or done before this Act comes into operation shall continue and be of the same Force and Effect as if the said Acts and Parts of Acts had not been repealed; and that every Action, Prosecution, and other Proceeding which shall have been commenced before this Act comes into operation, or shall thereafter be commenced, in respect of any such Matter or Thing, may be prosecuted, continued, and defended in the same Manner as if the said Acts and Parts of Acts had not been repealed.

Repeal not to affect Authority to amend Registers of Births, &c.

4. Provided also, That nothing herein contained shall in any Manner alter or affect any Power or Authority given by any Act to alter or amend any Register of Births, Baptisms, Marriages, Deaths, or Burials.

The

The SCHEDULE.

References to Act.	Title of Act.	Extent of Repeal.
10 C. 1. Sess. 3. c. 20. (I.)	An Act against such as shall levie any Fine, suffer any Recovery, acknowledge any Statute, Recognizance, Baile, or Judgment in the Name of any other Person or Persons not being privie and consenting thereto.	The whole.
7 W. 3. c. 18. (I.) -	An Act for taking special Bails in the Country upon Actions and Suits depending in the Courts of King's Bench, Common Pleas, and Exchequer at Dublin.	Section Four.
2 & 3 Ann. c. 4. -	An Act for the public registering of Deeds, Conveyances, and Wills that shall be made of any Honors, Manors, Lands, Tenements, or Hereditaments within the West Riding of the County of York after the Nine-and-twentieth Day of September One thousand seven hundred and four.	So much of Section Nineteen as relates to any forging or counterfeiting therein mentioned.
6 Ann. c. 2. (I.) -	An Act for the public registering of all Deeds, Conveyances, and Wills that shall be made of any Honors, Manors, Lands, Tenements, or Hereditaments.	So much of Section Seventeen as relates to any forging or counterfeiting therein mentioned.
6 Ann. c. 35. -	An Act for the public registering of all Deeds, Conveyances, Wills, and other Incumbrances, that shall be made of, or that may affect any Honors, Manors, Lands, Tenements, or Hereditaments within the East Riding of the County of York, or the Town and County of the Town of Kingston-upon-Hull, after the Nine-and-twentieth Day of September One thousand seven hundred and eight; and for the rendering the Register in the West Riding more complete.	So much of Section Twenty-six as relates to any forging or counterfeiting therein mentioned.
7 Ann. c. 20. -	An Act for the public registering of Deeds, Conveyances, and Wills, and other Incumbrances, which shall be made of, or that may affect Honors, Manors, Lands, Tenements, or Hereditaments within the County of Middlesex after the Twenty-ninth Day of September One thousand seven hundred and nine.	So much of Section Fifteen as relates to any forging or counterfeiting therein mentioned.
8 Ann. c. 10. (I.) -	An Act for amending an Act intituled "An "Act for the public registering of all Deeds, "Conveyances, and Wills that shall be made "of any Honors, Manors, Lands, Tenements, "or Hereditaments."	So much of Section Four as relates to any forging or counterfeiting therein mentioned.
8 Geo. 1. c. 15. (I.) -	An Act for explaining and amending Two several Acts in relation to the public registering of Deeds, Conveyances, and Wills.	So much of Section Four as relates to any forging or counterfeiting therein mentioned.
11 Geo. 1. c. 9. -	An Act for continuing the several Annuities of Eighty-eight thousand seven hundred fifty-one Pounds Seven Shillings and Tenpence Halfpenny and One hundred thousand Pounds to the Bank of England until Midsummer One thousand seven hundred and	Section Six.

Criminal Statutes Repeal.

References to Act.	Title of Act.	Extent of Repeal.
	twenty-seven, and from thence for reducing the same to Seventy-one thousand and One Pounds Two Shillings and Threepence Three Farthings and Eighty thousand Pounds, redeemable by Parliament, and for preventing the uttering of forged, counterfeited, or erased Bank Bills or Notes.	
12 Geo. 1. c. 32. -	An Act for better securing the Monies and Effects of the Suitors of the Court of Chancery, and to prevent the counterfeiting of East India Bonds, and Indorsements thereon; as likewise Indorsements on South Sea Bonds.	Section Nine.
3 Geo. 2. c. 4. (I.) -	An Act for the more effectual preventing and further Punishment of Forgery, Perjury, and Subornation of Perjury, and to make it Felony to steal Bonds, Notes, or other Securities for Payment of Money, and for the more effectual transporting Felons, Vagabonds, and others.	Section One.
8 Geo. 2. c. 6. -	An Act for the public registering of all Deeds, Conveyances, Wills, and other Incumbrances that shall be made of, or that may affect any Honors, Manors, Lands, Tenements, or Hereditaments within the North Riding of the County of York, after the Nine-and-twentieth Day of September One thousand seven hundred and thirty-six.	So much of Section Thirty-one as relates to any forging or counterfeiting therein mentioned.
15 Geo. 2. c. 13. -	An Act for establishing an Agreement with the Governor and Company of the Bank of England for advancing the Sum of One million six hundred thousand Pounds towards the Supply for the Service of the Year One thousand seven hundred and forty-two.	Section Twelve.
17 Geo. 2. c. 11. (I.)	An Act for the Amendment of the Law in relation to Forgery, and the Salvage of Ships and Goods stranded.	Section One.
13 & 14 Geo. 3. c. 14. (I.)	An Act for the more effectual preventing the forging or altering the Acceptance or Indorsement of Bills of Exchange, or the Numbers or Principal Sums of accountable Receipts for Notes, Bills, or other Securities for Payment of Money, or Warrants or Orders for Payment of Money or Delivery of Goods.	The whole.
21 & 22 Geo. 3. c. 16. (I.)	An Act for establishing a Bank by the Name of the Governors and Company of the Bank of Ireland.	Sections Fifteen and Sixteen.
23 & 24 Geo. 3. c. 22. (I.)	An Act for better securing the Monies and Effects of the Suitors of the Court of Chancery and the Court of Exchequer by depositing the same in the National Bank; and to prevent the forging and counterfeiting any Draft, Order, or other Voucher for the Payment or Delivery of such Money or Effects; and for other Purposes.	Section Twenty-two.

Criminal Statutes Repeal.

References to Act.	Title of Act.	Extent of Repeal.
25 Geo. 3. c. 37. (I.)	An Act to explain and amend an Act passed in the Thirteenth and Fourteenth Years of the Reign of His present Majesty King George the Third, intituled "An Act for "the more effectual preventing the forg- "ing or altering the Acceptance or In- "dorsement of Bills of Exchange, or the "Numbers or Principal Sums of account- "able Receipts for Notes, Bills, or other "Securities for Payment of Money, or War- "rants or Orders for Payment of Money or "Delivery of Goods."	The whole.
27 Geo. 3. c. 15. (I.)	An Act to prevent tumultuous Risings and Assemblies, and for the more effectual Punishment of Persons guilty of Outrage, Riot, and illegal Combination, and of administering and taking unlawful Oaths.	Section Five.
35 Geo. 3. c. 66. -	An Act for making Part of certain Principal Sums or Stock and Annuities raised or created or to be raised or created by the Parliament of the Kingdom of Ireland on Loans for the Use of the Government of that Kingdom transferable, and the Dividends on such Stock and Annuities payable at the Bank of England; and for the better Security of the Proprietors of such Stocks and Annuities, and of the Governor and Company of the Bank of England.	Section Three and all the subsequent Sections.
37 Geo. 3. c. 26. (I.)	An Act to prevent the forging of Notes and Bills of the Governor and Company of the Bank of Ireland, and to prevent the obtaining of false Credit, and the committing of Frauds by the Imitation of Notes or Bills of the said Governor and Company.	The whole.
37 Geo. 3. c. 46. -	An Act for making certain Annuities created by the Parliament of the Kingdom of Ireland transferable, and the Dividends thereon payable at the Bank of England; and for the better Security of the Proprietors of such Annuities, and of the Governor and Company of the Bank of England.	Section Three and all the subsequent Sections.
37 Geo 3. c. 54. (I.)	An Act to enable the Proprietors of Debentures issued by Government to convert them into Stock transferable at the Bank of Ireland.	Section Eleven and all the subsequent Sections.
37 Geo. 3. c. 126. -	An Act to prevent the counterfeiting any Copper Coin in this Realm made or to be made current by Proclamation, or any Foreign Gold or Silver Coin; and to prevent the bringing into this Realm or uttering any counterfeit Foreign Gold or Silver Coin.	The whole, both as to England and Scotland, except Section One.
38 Geo. 3. c. 53. (I.)	An Act for the more effectually preventing the forging of the Notes and Bills of the Governor and Company of the Bank of Ireland, and the Circulation of forged Notes and Bills of the said Governor and Company.	The whole.

Criminal Statutes Repeal.

References to Act.	Title of Act.	Extent of Repeal.
39 Geo. 3. c. 63. (I.)	An Act for the more effectually preventing the forging of Bills of Exchange and Promissory Notes, or any Acceptance, Assignment, or Indorsement thereof, or any Acquittance or Receipt for Money or Goods; and also for preventing the forging of the Promissory Notes of the Governor and Company of the Bank of England commonly called Bank Notes, and the Bills of Exchange of the said Governor and Company called Bank Post Bills.	The whole, except the last Section.
40 Geo. 3. c. 96. (I.)	An Act to revive, amend, continue, or make perpetual certain temporary Statutes.	So much of Section Five as perpetuates the Part of the 27 Geo. 3. c. 15. hereby repealed.
41 Geo. 3. c. 57. -	An Act for the better Prevention of the Forgery of the Notes and Bills of Exchange of Persons carrying on the Business of Bankers.	The whole.
43 Geo. 3. c. 139. -	An Act for preventing the forging and counterfeiting of Foreign Bills of Exchange, and of Foreign Promissory Notes and Orders for the Payment of Money; and for preventing the counterfeiting of Foreign Copper Money.	Sections One and Two as to Ireland, and the rest of the Act as to the whole United Kingdom.
48 Geo. 3. c. 1. -	An Act for regulating the issuing and paying off of Exchequer Bills.	Section Nine.
49 Geo. 3. c. 13. (I.)	An Act for the more effectually preventing the forging of Bank Notes, Bank Bills of Exchange, and Bank Post Bills, and the Negotiation of forged and counterfeited Bank Notes, Bank Bills of Exchange, and Bank Post Bills of the Governor and Company of the Bank of Ireland.	The whole.
1 Geo. 4. c. 4. -	An Act for punishing criminally Drivers of Stage Coaches and Carriages for Accidents occasioned by their wilful Misconduct.	The whole.
1 Geo. 4. c. 92. -	An Act for the Prevention of forging and counterfeiting of Bank Notes.	Sections One and Two.
3 Geo. 4. c. 116. -	An Act for the more convenient and effectual registering in Ireland Deeds executed in Great Britain.	So much of Section Seven as relates to any forging or counterfeiting therein mentioned.
4 Geo. 4. c. 54. -	An Act for allowing the Benefit of Clergy to Persons convicted of certain Felonies, under Two Acts of the Ninth Year of King George the First and of the Twenty-seventh Year of King George the Second; for making better Provision for the Punishment of Persons guilty of sending or delivering Threatening Letters; and of Assaults with Intent to commit Robbery.	The whole.
5 Geo. 4. c. 25. (I.)	An Act to repeal so much of an Act passed in the Ninth Year of the Reign of King William the Third as relates to Burials in suppressed Monasteries, Abbeys, or Convents in Ireland; and to make further Provision with respect to the Burial in Ireland of Persons dissenting from the Established Church.	Section Five.

Criminal Statutes Repeal.

References to Act.	Title of Act.	Extent of Repeal.
7 Geo. 4. c. 64.	An Act for improving the Administration of Criminal Justice in England.	Sections Nine, Ten, and Eleven.
7 & 8 Geo. 4. c. 18.	An Act to prohibit the setting Spring Guns, Man Traps, and other Engines calculated to destroy Human Life or inflict grievous bodily Harm.	The whole.
7 & 8 Geo. 4. c. 29.	An Act for consolidating and amending the Laws of England relative to Larceny and other Offences connected therewith.	The whole, as to the whole United Kingdom.
7 & 8 Geo. 4. c. 30.	An Act for consolidating and amending the Laws in England relative to malicious Injuries to Property.	The whole.
9 Geo. 4. c. 31.	An Act for consolidating and amending the Statutes in England relative to Offences against the Person.	The whole.
9 Geo. 4. c. 54. (I.)	An Act for improving the Administration of Justice in Criminal Cases in Ireland.	Sections Twenty-three, Twenty-four, and Twenty-five.
9 Geo. 4. c. 55. (I.)	An Act for consolidating and amending the Laws in Ireland relative to Larceny and other Offences connected therewith.	The whole, as to the whole United Kingdom.
9 Geo. 4. c. 56. (I.)	An Act for consolidating and amending the Laws in Ireland relative to malicious Injuries to Property.	The whole.
10 Geo. 4. c. 34. (I.)	An Act for consolidating and amending the Statutes in Ireland relating to Offences against the Person.	The whole.
11 Geo. 4. & 1 W. 4. c. 66.	An Act for reducing into One Act all such Forgeries as shall henceforth be punished with Death, and for otherwise amending the Laws relative to Forgery.	The whole, except Section Twenty-one.
2 & 3 W. 4. c. 4.	An Act for more effectually preventing Embezzlements by Persons employed in the Public Service of His Majesty.	The whole.
2 & 3 W. 4. c. 34.	An Act for consolidating and amending the Laws against Offences relating to the Coin.	The whole, as to the whole United Kingdom.
2 & 3 W. 4. c. 75.	An Act for regulating Schools of Anatomy	Section Sixteen.
2 & 3 W. 4. c. 123.	An Act for abolishing the Punishment of Death in certain Cases of Forgery.	The whole.
3 & 4 W. 4. c. 44.	An Act to repeal so much of Two Acts of the Seventh and Eighth Years and the Ninth Year of King George the Fourth as inflicts the Punishment of Death upon Persons breaking, entering, and stealing in a Dwelling House; also for giving Power to the Judges to add to the Punishment of Transportation for Life in certain Cases of Forgery, and in certain other Cases.	The whole.
4 & 5 W. 4. c. 26.	An Act to abolish the Practice of hanging the Bodies of Criminals in Chains.	Section Two.
5 & 6 W. 4. c. 34. (I.)	An Act to amend Two Clerical Errors contained in an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intituled "An Act for "consolidating and amending the Laws in "Ireland relative to Larceny and other "Offences connected therewith."	The whole.

Criminal Statutes Repeal.

References to Act.	Title of Act.	Extent of Repeal.
5 & 6 W. 4. c. 81.	An Act for abolishing Capital Punishments in Cases of Letter Stealing and Sacrilege.	So much as relates to the Punishment of any Person who shall break and enter any Church or Chapel, and steal therein any Chattel, or having stolen any Chattel in any Church or Chapel shall break out of the same, and to Principals in the Second Degree and Accessories in such Offences.
6 & 7 W. 4. c. 4.	An Act to amend the Act of the last Session for abolishing Capital Punishments in Cases of Letter Stealing and Sacrilege.	So much as alters and amends that Part of the 5 & 6 W. 4. c. 81. which is hereby repealed.
6 & 7 W. 4. c. 30.	An Act to repeal so much of Two Acts of the Ninth and Tenth Years of King George the Fourth as directs the Period of the Execution and the Prison Discipline of Persons convicted of the Crime of Murder.	The whole.
6 & 7 W. 4. c 86.	An Act for registering Births, Deaths, and Marriages in England.	Section Forty-three.
7 W. 4. & 1 Vict. c. 77.	An Act to assimilate the Practice of the Central Criminal Court to other Courts of Criminal Judicature within the Kingdom of England and Wales with respect to Offenders liable to the Punishment of Death.	So much of Section Three as empowers the Court to direct Sentence of Death to be recorded in Cases of Murder.
7 W. 4. & 1 Vict. c. 84.	An Act to abolish the Punishment of Death in Cases of Forgery.	So much of Sections One and Three as relates to the forging, altering, offering, uttering, disposing of, or putting off any Will, Testament, Codicil, or Testamentary Writing, or any Power of Attorney, or other Authority therein mentioned, and to Principals in the Second Degree and Accessories before the Fact in such Offences, and so much of Sections Two and Three as relates to the Punishment of any Offence created by or formerly punishable under any Enactment in this Schedule before mentioned and hereby repealed.
7 W. 4. & 1 Vict. c. 85.	An Act to amend the Laws relating to Offences against the Person.	The whole.
7 W. 4. & 1 Vict. c. 86.	An Act to amend the Laws relating to Burglary and stealing in a Dwelling House.	The whole.
7 W. 4. & 1 Vict. c. 87.	An Act to amend the Laws relating to Robbery and stealing from the Person.	The whole.
7 W. 4. & 1 Vict. c. 89.	An Act to amend the Laws relating to burning or destroying Buildings and Ships.	The whole.

Criminal Statutes Repeal.

References to Act.	Title of Act.	Extent of Repeal.
7 W. 4. & 1 Vict. c. 90.	An Act to amend the Law relative to Offences punishable by Transportation for Life.	The whole, except Section Five.
2 & 3 Vict. c. 58. -	An Act to make further Provision for the Administration of Justice, and for improving the Practice and Proceedings in the Courts of the Stannaries of Cornwall, and for the Prevention of Frauds by Workmen employed in the Mines within the County of Cornwall.	Section Ten.
3 & 4 Vict. c. 97. -	An Act for regulating Railways - -	Section Fifteen.
4 & 5 Vict. c. 56.	An Act for taking away the Punishment of Death in certain Cases, and substituting other Punishments in lieu thereof.	Sections Two and Three, and so much of Section One as relates to Embezzlements by Officers or Servants of the Bank of England.
5 & 6 Vict. c. 28. (I.)	An Act to assimilate the Law in Ireland as to the Punishment of Death to the Law in England; to abolish the Punishment of Death in certain Cases in Ireland, and to substitute other Punishments in lieu thereof.	Sections Four, Thirteen, Fourteen, and Fifteen, and so much of Section Seven as alters the Punishment contained in any Enactment hereby repealed, and so much of Section Eighteen as relates to Principals in the Second Degree and Accessories before the Fact to any Offence mentioned in the said Sections Four, Thirteen, Fourteen, and Fifteen, or in the said Part of the said Section Eighteen hereby repealed.
5 & 6 Vict. c. 39. -	An Act to amend the Law relating to Advances bonâ fide made to Agents intrusted with Goods.	Section Six.
5 & 6 Vict. c. 66. -	An Act for further regulating the Preparation and Issue of Exchequer Bills.	Sections Nine and Ten.
5 & 6 Vict. c. 106. (I.)	An Act to regulate the Irish Fisheries -	Sections Eleven and Twelve.
6 & 7 Vict. c. 10. -	An Act for removing Doubts as to the Punishment which may be awarded under the Provisions of an Act of the Fourth and Fifth Years of Her present Majesty, "for "taking away the Punishment of Death in "certain Cases," for certain Offences therein specified.	The whole.
7 & 8 Vict. c. 62. -	An Act to amend the Law as to burning Farm Buildings.	The whole.
7 & 8 Vict. c. 81. (I.)	An Act for Marriages in Ireland, and for registering such Marriages.	Section Seventy-five.
8 & 9 Vict. c. 44. -	An Act for the better Protection of Works of Art and Scientific and Literary Productions.	The whole.
8 & 9 Vict. c. 47. -	An Act for the further Prevention of the Offence of Dog Stealing.	The whole.
8 & 9 Vict. c. 108. (I.)	An Act for the further Amendment of an Act of the Sixth Year of Her present Majesty for regulating the Irish Fisheries.	Section Eighteen.

Criminal Statutes Repeal.

References to Act.	Title of Act.	Extent of Repeal.
9 & 10 Vict. c. 25. -	An Act for preventing malicious Injuries to Persons and Property by Fire or by explosive or destructive Substances.	The whole.
10 & 11 Vict. c. 66.	An Act for extending the Provisions of the Law respecting threatening Letters, and accusing Parties with a view to extort Money.	The whole.
11 & 12 Vict. c. 46.	An Act for the Removal of Defects in the Administration of Criminal Justice.	Sections One, Two, and Three.
12 & 13 Vict. c. 11.	An Act to amend the Laws of England and Ireland relative to Larceny and other Offences connected therewith.	The whole.
12 & 13 Vict c. 76.	An Act to protect Women from fraudulent Practices for procuring their Defilement.	The whole.
13 & 14 Vict. c. 72. (I.)	An Act to amend the Laws for the Registration of Assurances of Lands in Ireland.	Section Sixty-two.
13 & 14 Vict. c. 88. (I.)	An Act to amend the Law relating to Engines used in the Rivers and on the Seacoasts of Ireland for the taking of Fish.	Section Forty-two.
14 & 15 Vict. c. 11.	An Act for the better Protection of Persons under the Care and Control of others as Apprentices or Servants; and to enable the Guardians and Overseers of the Poor to institute and conduct Prosecutions in certain Cases.	Sections One, Two, Six, and Seven.
14 & 15 Vict. c. 19.	An Act for the better Prevention of Offences -	Sections One, Two, Three, Four, Six, Seven, Eight, and Nine.
14 & 15 Vict. c. 92. (I.)	An Act to consolidate and amend the Acts relating to certain Offences and other Matters, as to which Justices of the Peace exercise summary Jurisdiction in Ireland.	Sections Two, Three, Four, and Five.
14 & 15 Vict. c. 100.	An Act for further improving the Administration of Criminal Justice.	Sections Four, Six, Eight, Eleven, Thirteen, Fourteen, Fifteen, Sixteen, Seventeen, and so much of Section Five as relates to forging or uttering any Instrument, and so much of Section Twenty-nine as relates to any indecent Assault, or any Assault occasioning actual bodily Harm or any Attempt to have carnal Knowledge of a Girl under Twelve Years of Age.
16 & 17 Vict. c. 23.	An Act for redeeming or commuting the Annuity payable to the South Sea Company, and certain Annuities of Three Pounds per Centum per Annum, and for creating new Annuities of Three Pounds Ten Shillings per Centum per Annum, and Two Pounds Ten Shillings per Centum per Annum, and issuing Exchequer Bonds.	Section Forty-one.
16 & 17 Vict. c. 30.	An Act for the better Prevention and Punishment of aggravated Assaults upon Women and Children, and for preventing Delay and Expense in the Administration of certain Parts of the Criminal Law.	Section One.

Criminal Statutes Repeal.

References to Act.	Title of Act.	Extent of Repeal.
16 & 17 Vict. c. 99.	An Act to substitute in certain Cases other Punishment in lieu of Transportation.	Section Twelve.
16 & 17 Vict. c. 102.	An Act to prevent the defacing of the current Coin of the Realm.	The whole, as to the whole United Kingdon.
16 & 17 Vict. c. 113.	An Act to amend the Procedure in the Superior Courts of Common Law in Ireland.	So much of Section Seventy-one as relates to any Action which shall be commenced against any Person for anything done in pursuance of any of the Acts of this Session for consolidating and amending the Statute Law of England and Ireland relating to Larceny, malicious Injuries, and Coin.
16 & 17 Vict. c. 132.	An Act to extend the Provisions of an Act of the present Session for redeeming or commuting the Annuity payable to the South Sea Company and certain Annuities of Three Pounds per Centum per Annum, and to provide for Payments to be made under the said Act.	Sections Ten and Eleven.
17 & 18 Vict. c. 33.	An Act to place Public Statues within the Metropolitan Police District under the Control of the Commissioners of Her Majesty's Works and Public Buildings.	Section Six.
20 & 21 Vict. c. 54.	An Act to make better Provision for the Punishment of Frauds committed by Trustees, Bankers, and other Persons intrusted with Property.	The whole.
21 & 22 Vict. c. 3. -	An Act for enabling the East India Company to raise Money in the United Kingdom for the Service of the Government of India.	Section Ten.
21 & 22 Vict. c. 47.	An Act to amend the Law of false Pretences	The whole.
21 & 22 Vict. c. 79.	An Act to amend the Law relating to Cheques or Drafts on Bankers.	Section Three.
21 & 22 Vict. c. 106.	An Act for the better Government of India -	Section Fifty.
22 Vict. c. 11. -	An Act to enable the Secretary of State in Council of India to raise Money in the United Kingdom for the Service of the Government of India.	Section Ten.
22 & 23 Vict. c. 32.	An Act to amend the Law concerning the Police in Counties and Boroughs in England and Wales.	Section Twenty-five.
22 & 23 Vict. c. 39.	An Act to enable the Secretary of State in Council of India to raise Money in the United Kingdom for the Service of the Government of India.	Section Thirteen.
23 & 24 Vict. c. 8. -	An Act to amend the Law relating to the unlawful administering of Poison.	The whole.
23 & 24 Vict. c. 29.	An Act to amend an Act relative to malicious Injuries to Property.	The whole.
23 & 24 Vict. c. 130.	An Act to enable the Secretary of State in Council of India to raise Money in the United Kingdom for the Service of the Government of India.	Section Thirteen.

CAP. XCVI.

An Act to consolidate and amend the Statute Law of *England* and *Ireland* relating to Larceny and other similar Offences. [6th *August* 1861.]

'WHEREAS it is expedient to consolidate and amend the Statute Law of *England* and *Ireland* relating to Larceny and other similar Offences:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation of Terms: "Document of Title to Goods:"

1. In the Interpretation of this Act:

The Term "Document of Title to Goods" shall include any Bill of Lading, *India* Warrant, Dock Warrant, Warehouse Keeper's Certificate, Warrant or Order for the Delivery or Transfer of any Goods or valuable Thing, Bought and Sold Note, or any other Document used in the ordinary Course of Business as Proof of the Possession or Control of Goods, or authorizing or purporting to authorize, either by Indorsement or by Delivery, the Possessor of such Document to transfer or receive any Goods thereby represented or therein mentioned or referred to:

"Document of Title to Lands:"

The Term "Document of Title to Lands" shall include any Deed, Map, Paper, or Parchment, written or printed, or partly written and partly printed, being or containing Evidence of the Title, or any Part of the Title, to any Real Estate, or to any Interest in or out of any Real Estate:

"Trustee:"

The Term "Trustee" shall mean a Trustee on some express Trust created by some Deed, Will, or Instrument in Writing, and shall include the Heir, or personal Representative, of any such Trustee, and any other Person upon or to whom the Duty of such Trust shall have devolved or come, and also an Executor and Administrator, and an Official Manager, Assignee, Liquidator, or other like Officer acting under any present or future Act relating to Joint Stock Companies, Bankruptcy, or Insolvency:

"Valuable Security:"

The Term "valuable Security" shall include any Order, Exchequer Acquittance, or other Security whatsoever entitling or evidencing the Title of any Person or Body Corporate to any Share or Interest in any Public Stock or Fund, whether of the United Kingdom, or of *Great Britain*, or of *Ireland*, or of any Foreign State, or in any Fund of any Body Corporate, Company, or Society, whether within the United Kingdom or in any Foreign State or Country, or to any Deposit in any Bank, and shall also include any Debenture, Deed, Bond, Bill, Note, Warrant, Order, or other Security whatsoever for Money or for Payment of Money, whether of the United Kingdom, or of *Great Britain*, or of *Ireland*, or of any Foreign State, and any Document of Title to Lands or Goods as herein-before defined:

"Property:"

The Term "Property" shall include every Description of Real and Personal Property, Money, Debts, and Legacies, and all Deeds and Instruments relating to or evidencing the Title or Right to any Property, or giving a Right to recover or receive any Money or Goods, and shall also include, not only such Property as shall have been originally in the Possession or under the Control of any Party, but also any Property into or for which the same may have been converted or exchanged, and any Thing acquired by such Conversion or Exchange, whether immediately or otherwise:

"Night."

For the Purposes of this Act, the Night shall be deemed to commence at Nine of the Clock in the Evening of each Day, and to conclude at Six of the Clock in the Morning of the next succeeding Day.

All Larcenies to be of the same Nature.

2. Every Larceny, whatever be the Value of the Property stolen, shall be deemed to be of the same Nature, and shall be subject to the same Incidents in all respects as Grand Larceny was before the Twenty-first Day of *June* One thousand eight hundred and twenty-seven; and every Court whose Power as to the Trial of Larceny was before that Time limited to Petty Larceny shall have Power to try every Case of Larceny, the Punishment of which cannot exceed the Punishment herein-after mentioned for Simple Larceny, and also to try all Accessories to such Larceny.

Bailees fraudulently converting Property guilty of Larceny.

3. Whosoever, being a Bailee of any Chattel, Money, or valuable Security, shall fraudulently take or convert the same to his own Use or the Use of any Person other than the Owner thereof, although he shall not break Bulk or otherwise determine the Bailment, shall be guilty of Larceny, and may be convicted thereof upon an Indictment for Larceny; but this Section shall not extend to any Offence punishable on summary Conviction.

Punishment for Simple Larceny.

4. Whosoever shall be convicted of Simple Larceny, or of any Felony hereby made punishable like Simple Larceny, shall (except in the Cases herein-after otherwise provided for) be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Three Larcenies may be charged in One Indictment.

5. It shall be lawful to insert several Counts in the same Indictment against the same Person for any Number of distinct Acts of Stealing, not exceeding Three, which may have been committed by him against the same Person within the Space of Six Months from the first to the last of such Acts, and to proceed thereon for all or any of them.

Where one Taking is

6. If upon the Trial of any Indictment for Larceny it shall appear that the Property alleged in such Indictment to have been stolen at One Time was taken at different Times, the Prosecutor shall not by reason

reason thereof be required to elect upon which Taking he will proceed, unless it shall appear that there were more than Three Takings, or that more than the Space of Six Months elapsed between the first and the last of such Takings; and in either of such last-mentioned Cases the Prosecutor shall be required to elect to proceed for such Number of Takings, not exceeding Three, as appear to have taken place within the Period of Six Months from the first to the last of such Takings. charged, and several Takings at different Times are proved.

7. Whosoever shall commit the Offence of Simple Larceny after a previous Conviction for Felony, whether such Conviction shall have taken place upon an Indictment, or under the Provisions of the Act passed in the Session held in the Eighteenth and Nineteenth Years of Queen *Victoria*, Chapter One hundred and twenty-six, shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Ten Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping. Larceny, after a Conviction for Felony.

8. Whosoever shall commit the Offence of Simple Larceny, or any Offence hereby made punishable like Simple Larceny, after having been previously convicted of any indictable Misdemeanor punishable under this Act, shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping. Larceny after Conviction of an indictable Misdemeanor under this Act.

9. Whosoever shall commit the Offence of Simple Larceny, or any Offence hereby made punishable like Simple Larceny, after having been twice summarily convicted of any of the Offences punishable upon Summary Conviction, under the Provisions contained in the Act of the Session held in the Seventh and Eighth Years of King *George* the Fourth, Chapter Twenty-nine, or the Act of the same Session, Chapter Thirty, or the Act of the Ninth Year of King *George* the Fourth, Chapter Fifty-five, or the Act of the same Year, Chapter Fifty-six, or the Act of the Session held in the Tenth and Eleventh Years of Queen *Victoria*, Chapter Eighty-two, or the Act of the Session held in the Eleventh and Twelfth Years of Queen *Victoria*, Chapter Fifty-nine, or in Sections Three, Four, Five, and Six of the Act of the Session held in the Fourteenth and Fifteenth Years of Queen *Victoria*, Chapter Ninety-two, or in this Act, or the Act of this Session, intituled *An Act to consolidate and amend the Statute Law of* England *and* Ireland *relating to malicious Injuries to Property*, (whether each of the Convictions shall have been in respect of an Offence of the same Description or not, and whether such Convictions or either of them shall have been or shall be before or after the passing of this Act,) shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping. Larceny, after Two Summary Convictions. 7 & 8 G. 4. cc. 29. 30. 9 G. 4. cc. 55. 56. 10 & 11 Vict. c. 82. 11 & 12 Vict. c. 59. 14 & 15 Vict. c. 92. 24 & 25 Vict. c. 97.

As to Larceny of Cattle or other Animals:

10. Whosoever shall steal any Horse, Mare, Gelding, Colt, or Filly, or any Bull, Cow, Ox, Heifer, or Calf, or any Ram, Ewe, Sheep, or Lamb, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement. Stealing Horses, Cows, Sheep, &c.

11. Whosoever shall wilfully kill any Animal, with Intent to steal the Carcase, Skin, or any Part of the Animal so killed, shall be guilty of Felony, and being convicted thereof shall be liable to the same Punishment as if he had been convicted of feloniously stealing the same, provided the Offence of stealing the Animal so killed would have amounted to Felony. Killing Animals with Intent to steal the Carcase, &c.

12. Whosoever shall unlawfully and wilfully course, hunt, snare, or carry away, or kill or wound, or attempt to kill or wound, any Deer kept or being in the uninclosed Part of any Forest, Chase, or Purlieu, shall for every such Offence, on Conviction thereof before a Justice of the Peace, forfeit and pay such Sum, not exceeding Fifty Pounds, as to the Justice shall seem meet; and whosoever having been previously convicted of any Offence relating to Deer, for which a pecuniary Penalty shall have been imposed by this or by any former Act of Parliament, shall afterwards commit any of the Offences herein-before enumerated, whether such Second Offence be of the same Description as the first or not, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping. Stealing Deer in an uninclosed Part of a Forest. Second Offence.

13. Whosoever shall unlawfully and wilfully course, hunt, snare, or carry away, or kill or wound, or attempt to kill or wound, any Deer kept or being in the inclosed Part of any Forest, Chase, or Purlieu, or in any inclosed Land where Deer shall be usually kept, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping. Stealing Deer in any inclosed Ground.

14. If any Deer, or the Head, Skin, or other Part thereof, or any Snare or Engine for the taking of Deer, shall be found in the Possession of any Person or on the Premises of any Person with his Knowledge, and such Person, being taken, or summoned before a Justice of the Peace, shall not satisfy the Suspected Persons found in possession of Venison, &c.,

and not satisfactorily accounting for it. Penalty.

the Justice that he came lawfully by such Deer, or the Head, Skin, or other Part thereof, or had a lawful Occasion for such Snare or Engine, and did not keep the same for any unlawful Purpose, he shall, on Conviction by the Justice, forfeit and pay any Sum not exceeding Twenty Pounds; and if any such Person shall not under the said Provisions be liable to Conviction, then, for the Discovery of the Party who actually killed or stole such Deer, the Justice, at his Discretion, as the Evidence given and the Circumstances of the Case shall require, may summon before him every Person through whose Hands such Deer, or the Head, Skin, or other Part thereof, shall appear to have passed; and if the Person from whom the same shall have been first received, or who shall have had Possession thereof, shall not satisfy the Justice that he came lawfully by the same, he shall, on Conviction by the Justice, be liable to the Payment of such Sum of Money as is herein-before last mentioned.

In case they cannot be convicted, how the Justice may proceed.

Setting Engines for taking Deer or pulling down Park Fences.

15. Whosoever shall unlawfully and wilfully set or use any Snare or Engine whatsoever, for the Purpose of taking or killing Deer, in any Part of any Forest, Chase, or Purlieu, whether such Part be inclosed or not, or in any Fence or Bank dividing the same from any Land adjoining, or in any inclosed Land where Deer shall be usually kept, or shall unlawfully and wilfully destroy any Part of the Fence of any Land where any Deer shall be then kept, shall, on Conviction thereof before a Justice of the Peace, forfeit and pay such Sum of Money, not exceeding Twenty Pounds, as to the Justice shall seem meet.

Deer Keepers, &c. may seize the Guns, &c. of Offenders who, on Demand, do not deliver up the same.

16. If any Person shall enter into any Forest, Chase, or Purlieu, whether inclosed or not, or into any inclosed Land where Deer shall be usually kept, with Intent unlawfully to hunt, course, wound, kill, snare, or carry away any Deer, every Person intrusted with the Care of such Deer, and any of his Assistants, whether in his Presence or not, may demand from every such Offender any Gun, Fire-arms, Snare, or Engine in his Possession, and any Dog there brought for hunting, coursing, or killing Deer, and in case such Offender shall not immediately deliver up the same, may seize and take the same from him in any of those respective Places, or, upon Pursuit made, in any other Place to which he may have escaped therefrom, for the Use of the Owner of the Deer; and if any such Offender shall unlawfully beat or wound any Person intrusted with the Care of the Deer, or any of his Assistants, in the Execution of any of the Powers given by this Act, every such Offender shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Penalty on Resistance to Keepers, &c. in the Execution of their Duty.

Killing, &c. Hares or Rabbits in a Warren in the Night. The like in the Day-time.

17. Whosoever shall unlawfully and wilfully, between the Expiration of the First Hour after Sunset and the Beginning of the last Hour before Sunrise, take or kill any Hare or Rabbit in any Warren or Ground lawfully used for the breeding or keeping of Hares or Rabbits, whether the same be inclosed or not, shall be guilty of a Misdemeanor; and whosoever shall unlawfully and wilfully, between the Beginning of the last Hour before Sunrise and the Expiration of the First Hour after Sunset, take or kill any Hare or Rabbit in any such Warren or Ground, or shall at any Time set or use therein any Snare or Engine for the taking of Hares or Rabbits, shall, on Conviction thereof before a Justice of the Peace, forfeit and pay such Sum of Money, not exceeding Five Pounds, as to the Justice shall seem meet; provided that nothing in this Section contained shall affect any Person taking or killing in the Daytime any Rabbits on any Sea Bank or River Bank in the County of *Lincoln*, so far as the Tide shall extend, or within One Furlong of such Bank.

Exception.

Stealing Dogs.

18. Whosoever shall steal any Dog shall, on Conviction thereof before Two Justices of the Peace, either be committed to the Common Gaol or House of Correction, there to be imprisoned, or to be imprisoned and kept to Hard Labour, for any Term not exceeding Six Months, or shall forfeit and pay, over and above the Value of the said Dog, such Sum of Money, not exceeding Twenty Pounds, as to the said Justices shall seem meet; and whosoever, having been convicted of any such Offence, either against this or any former Act of Parliament, shall afterwards steal any Dog, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Eighteen Months, with or without Hard Labour.

Second Offence.

Possession of stolen Dogs.

19. Whosoever shall unlawfully have in his Possession or on his Premises any stolen Dog, or the Skin of any stolen Dog, knowing such Dog to have been stolen or such Skin to be the Skin of a stolen Dog, shall, on Conviction thereof before Two Justices of the Peace, be liable to pay such Sum of Money, not exceeding Twenty Pounds, as to such Justices shall seem meet; and whosoever, having been convicted of any such Offence, either against this or any former Act of Parliament, shall afterwards be guilty of any such Offence as in this Section before mentioned, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Eighteen Months, with or without Hard Labour.

Second Offence.

Taking Money to restore Dogs.

20. Whosoever shall corruptly take any Money or Reward, directly or indirectly, under Pretence or upon account of aiding any Person to recover any Dog which shall have been stolen, or which shall be in the Possession of any Person not being the Owner thereof, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Eighteen Months, with or without Hard Labour.

Stealing Beasts or Birds ordinarily kept in Confinement,

21. Whosoever shall steal any Bird, Beast, or other Animal ordinarily kept in a State of Confinement or for any domestic Purpose, not being the Subject of Larceny at Common Law, or shall wilfully kill any such Bird, Beast, or Animal, with Intent to steal the same or any Part thereof, shall, on Conviction thereof

thereof before a Justice of the Peace, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour for any Term not exceeding Six Months, or else shall forfeit and pay, over and above the Value of the Bird, Beast, or other Animal, such Sum of Money, not exceeding Twenty Pounds, as to the Justice shall seem meet; and whosoever, having been convicted of any such Offence, either against this or any former Act of Parliament, shall afterwards commit any Offence in this Section before mentioned, and shall be convicted thereof in like Manner, shall be committed to the Common Gaol or House of Correction, there to be kept to Hard Labour for such Term not exceeding Twelve Months as the convicting Justice shall think fit.

and not Subjects of Larceny.

Second Offence.

22. If any such Bird, or any of the Plumage thereof, or any Dog, or any such Beast, or the Skin thereof, or any such Animal, or any Part thereof, shall be found in the Possession or on the Premises of any Person, any Justice may restore the same respectively to the Owner thereof; and any Person in whose Possession or on whose Premises such Bird or the Plumage thereof, or such Beast or the Skin thereof, or such Animal or any Part thereof, shall be so found, (such Person knowing that the Bird, Beast, or Animal has been stolen, or that the Plumage is the Plumage of a stolen Bird, or that the Skin is the Skin of a stolen Beast, or that the Part is a Part of a stolen Animal,) shall, on Conviction before a Justice of the Peace, be liable for the First Offence to such Forfeiture, and for every subsequent Offence to such Punishment, as any Person convicted of stealing any Beast or Bird is made liable to by the last preceding Section.

Persons found in possession of stolen Beasts, &c. liable to Penalties.

23. Whosoever shall unlawfully and wilfully kill, wound, or take any House Dove or Pigeon under such Circumstances as shall not amount to Larceny at Common Law, shall, on Conviction before a Justice of the Peace, forfeit and pay, over and above the Value of the Bird, any Sum not exceeding Two Pounds.

Killing Pigeons.

24. Whosoever shall unlawfully and wilfully take or destroy any Fish in any Water which shall run through or be in any Land adjoining or belonging to the Dwelling House of any Person being the Owner of such Water, or having a Right of Fishery therein, shall be guilty of a Misdemeanor; and whosoever shall unlawfully and wilfully take or destroy, or attempt to take or destroy, any Fish in any Water not being such as herein-before mentioned, but which shall be private Property, or in which there shall be any private Right of Fishery, shall, on Conviction thereof before a Justice of the Peace, forfeit and pay, over and above the Value of the Fish taken or destroyed (if any), such Sum of Money, not exceeding Five Pounds, as to the Justice shall seem meet: Provided, that nothing herein-before contained shall extend to any Person angling between the Beginning of the last Hour before Sunrise and the Expiration of the First Hour after Sunset; but whosoever shall by angling between the Beginning of the last Hour before Sunrise and the Expiration of the First Hour after Sunset unlawfully and wilfully take or destroy, or attempt to take or destroy, any Fish in any such Water as first mentioned, shall, on Conviction before a Justice of the Peace, forfeit and pay any Sum not exceeding Five Pounds, and if in any such Water as last mentioned, he shall, on the like Conviction, forfeit and pay any Sum not exceeding Two Pounds as to the Justice shall seem meet; and if the Boundary of any Parish, Township, or Vill shall happen to be in or by the Side of any such Water as is in this Section before mentioned, it shall be sufficient to prove that the Offence was committed either in the Parish, Township, or Vill named in the Indictment or Information, or in any Parish, Township, or Vill adjoining thereto.

Taking Fish in Water on Land belonging to a Dwelling House; in a private Fishery elsewhere.

Provision respecting Anglers.

Provision as to Boundaries of Parishes.

25. If any Person shall at any Time be found fishing against the Provisions of this Act, the Owner of the Ground, Water, or Fishery where such Offender shall be so found, his Servant, or any Person authorized by him, may demand from such Offender any Rod, Line, Hook, Net, or other Implement for taking or destroying Fish which shall then be in his Possession, and in case such Offender shall not immediately deliver up the same, may seize and take the same from him for the Use of such Owner: Provided, that any Person angling against the Provisions of this Act, between the Beginning of the last Hour before Sunrise and the Expiration of the First Hour after Sunset, from whom any Implement used by Anglers shall be taken, or by whom the same shall be so delivered up, shall by the taking or delivering thereof be exempted from the Payment of any Damages or Penalty for such Angling.

The Tackle of Fishers may be seized.

Angler, on Seizure of his Tackle, exempt from Penalty.

26. Whosoever shall steal any Oysters or Oyster Brood from any Oyster Bed, Laying, or Fishery, being the Property of any other Person, and sufficiently marked out or known as such, shall be guilty of Felony, and being convicted thereof shall be liable to be punished as in the Case of Simple Larceny; and whosoever shall unlawfully and wilfully use any Dredge, or any Net, Instrument, or Engine whatsoever, within the Limits of any Oyster Bed, Laying, or Fishery, being the Property of any other Person, and sufficiently marked out or known as such, for the Purpose of taking Oysters or Oyster Brood, although none shall be actually taken, or shall unlawfully and wilfully, with any Net, Instrument, or Engine, drag upon the Ground or Soil of any such Fishery, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Three Months, with or without Hard Labour, and with or without Solitary Confinement; and it shall be sufficient in any Indictment to describe either by Name or otherwise the Bed, Laying, or Fishery in which any of the said Offences shall have been committed, without stating the same to be in any particular Parish, Township, or Vill: Provided, that nothing in this Section contained shall

Stealing or dredging for Oysters in Oyster Fisheries.

Form of Indictment.

Proviso as to floating Fish.

shall prevent any Person from catching or fishing for any floating Fish within the Limits of any Oyster Fishery with any Net, Instrument, or Engine adapted for taking floating Fish only.

As to Larceny of written Instruments:

Bonds, Bills, Notes, &c.

27. Whosoever shall steal, or shall for any fraudulent Purpose destroy, cancel, or obliterate, the whole or any Part of any valuable Security, other than a Document of Title to Lands, shall be guilty of Felony, of the same Nature and in the same Degree and punishable in the same Manner as if he had stolen any Chattel of like Value with the Share, Interest, or Deposit to which the Security so stolen may relate, or with the Money due on the Security so stolen, or secured thereby and remaining unsatisfied, or with the Value of the Goods or other valuable Thing represented, mentioned, or referred to in or by the Security.

Deeds, &c. relating to Real Property.

28. Whosoever shall steal, or shall for any fraudulent Purpose destroy, cancel, obliterate, or conceal, the whole or any Part of any Document of Title to Lands shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement; and in any Indictment for any such Offence relating to any Document of Title to Lands, it shall be sufficient to allege such Document to be or to contain Evidence of the Title or of Part of the Title of the Person or of some One of the Persons having an Interest, whether vested or contingent, legal or equitable, in the Real Estate to which the same relates, and to mention such Real Estate or some Part thereof.

Form of Indictment.

Wills or Codicils.

29. Whosoever shall, either during the Life of the Testator or after his Death, steal, or for any fraudulent Purpose destroy, cancel, obliterate, or conceal, the whole or any Part of any Will, Codicil, or other Testamentary Instrument, whether the same shall relate to Real or Personal Estate, or to both, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement; and it shall not in any Indictment for such Offence be necessary to allege that such Will, Codicil, or other Instrument is the Property of any Person: Provided, that nothing in this or the last preceding Section mentioned, nor any Proceeding, Conviction, or Judgment to be had or taken thereupon, shall prevent, lessen, or impeach any Remedy at Law or in Equity which any Party aggrieved by any such Offence might or would have had if this Act had not been passed; but no Conviction of any such Offender shall be received in Evidence in any Action at Law or Suit in Equity against him; and no Person shall be liable to be convicted of any of the Felonies in this and the last preceding Section mentioned, by any Evidence whatever, in respect of any Act done by him, if he shall at any Time previously to his being charged with such Offence have first disclosed such Act, on Oath, in consequence of any compulsory Process of any Court of Law or Equity in any Action, Suit, or Proceeding which shall have been *bonâ fide* instituted by any Party aggrieved, or if he shall have first disclosed the same in any compulsory Examination or Deposition before any Court upon the Hearing of any Matter in Bankruptcy or Insolvency.

Other Remedies not to be affected.

Stealing Records or other legal Documents.

30. Whosoever shall steal, or shall for any fraudulent Purpose take from its Place of Deposit for the Time being, or from any Person having the lawful Custody thereof, or shall unlawfully and maliciously cancel, obliterate, injure, or destroy the whole or any Part of any Record, Writ, Return, Panel, Process, Interrogatory, Deposition, Affidavit, Rule, Order, or Warrant of Attorney, or of any original Document whatsoever of or belonging to any Court of Record, or relating to any Matter, Civil or Criminal, begun, depending, or terminated in any such Court, or of any Bill, Petition, Answer, Interrogatory, Deposition, Affidavit, Order, or Decree, or of any original Document whatsoever of or belonging to any Court of Equity, or relating to any Cause or Matter begun, depending, or terminated in any such Court, or of any original Document in anywise relating to the Business of any Office or Employment under Her Majesty, and being or remaining in any Office appertaining to any Court of Justice, or in any of Her Majesty's Castles, Palaces, or Houses, or in any Government or Public Office, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement; and it shall not in any Indictment for such Offence be necessary to allege that the Article in respect of which the Offence is committed is the Property of any Person.

Form of Indictment.

As to Larceny of Things attached to or growing on Land:

Metal, Glass, Wood, &c. fixed to House or Land.

31. Whosoever shall steal, or shall rip, cut, sever, or break with Intent to steal, any Glass or Woodwork belonging to any Building whatsoever, or any Lead, Iron, Copper, Brass, or other Metal, or any Utensil or Fixture, whether made of Metal or other Material or of both, respectively fixed in or to any Building whatsoever, or any Thing made of Metal fixed in any Land being private Property, or for a Fence to any Dwelling House, Garden, or Area, or in any Square or Street, or in any Place dedicated to public Use or Ornament, or in any Burial Ground, shall be guilty of Felony, and being convicted thereof shall be liable to be punished as in the Case of Simple Larceny; and in the Case of any such Thing fixed in any such Square, Street, or Place as aforesaid, it shall not be necessary to allege the same to be the Property of any Person.

32. Whosoever

Trees in Pleasure Grounds of the Value of 1*l.*, or elsewhere of the Value of 5*l.*

32. Whosoever shall steal, or shall cut, break, root up, or otherwise destroy or damage with Intent to steal, the whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, respectively growing in any Park, Pleasure Ground, Garden, Orchard, or Avenue, or in any Ground adjoining or belonging to any Dwelling House, shall (in case the Value of the Article or Articles stolen, or the Amount of the Injury done, shall exceed the Sum of One Pound,) be guilty of Felony, and being convicted thereof shall be liable to be punished as in the Case of Simple Larceny; and whosoever shall steal, or shall cut, break, root up, or otherwise destroy or damage with Intent to steal, the whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, respectively growing elsewhere than in any of the Situations in this Section before mentioned, shall (in case the Value of the Article or Articles stolen, or the Amount of the Injury done, shall exceed the Sum of Five Pounds,) be guilty of Felony, and being convicted thereof shall be liable to be punished as in the Case of Simple Larceny.

Stealing Trees, &c. worth more than 1*s.* punishable on Summary Conviction for First and Second Offence; Third Offence, Felony.

33. Whosoever shall steal, or shall cut, break, root up, or otherwise destroy or damage with Intent to steal, the whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, wheresoever the same may be respectively growing, the stealing of such Article or Articles, or the Injury done, being to the Amount of a Shilling at the least, shall, on Conviction thereof before a Justice of the Peace, forfeit and pay, over and above the Value of the Article or Articles stolen, or the Amount of the Injury done, such Sum of Money not exceeding Five Pounds as to the Justice shall seem meet; and whosoever having been convicted of any such Offence, either against this or any former Act of Parliament, shall afterwards commit any of the said Offences in this Section before mentioned, and shall be convicted thereof in like Manner, shall for such Second Offence be committed to the Common Gaol or House of Correction, there to be kept to Hard Labour for such Term not exceeding Twelve Months as the convicting Justice shall think fit; and whosoever, having been twice convicted of any such Offence (whether both or either of such Convictions shall have taken place before or after the passing of this Act), shall afterwards commit any of the Offences in this Section before mentioned, shall be guilty of Felony, and being convicted thereof shall be liable to be punished in the same Manner as in the Case of Simple Larceny.

Second Offence.

Third Offence.

Stealing, &c. any live or dead Fence, wooden Fence, Stile, or Gate.

Second Offence.

34. Whosoever shall steal, or shall cut, break, or throw down with Intent to steal, any Part of any live or dead Fence, or any wooden Post, Pale, Wire, or Rail set up or used as a Fence, or any Stile or Gate, or any Part thereof respectively, shall, on Conviction thereof before a Justice of the Peace, forfeit and pay, over and above the Value of the Article or Articles so stolen, or the Amount of the Injury done, such Sum of Money not exceeding Five Pounds as to the Justice shall seem meet; and whosoever, having been convicted of any such Offence, either against this or any former Act of Parliament, shall afterwards commit any of the said Offences in this Section before mentioned, and shall be convicted thereof in like Manner, shall be committed to the Common Gaol or House of Correction, there to be kept to Hard Labour, for such Term not exceeding Twelve Months as the convicting Justice shall think fit.

Suspected Persons in possession of Wood, &c., not satisfactorily accounting for it.

35. If the whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, or any Part of any live or dead Fence, or any Post, Pale, Wire, Rail, Stile, or Gate, or any Part thereof, being of the Value of One Shilling at the least, shall be found in the Possession of any Person, or on the Premises of any Person, with his Knowledge, and such Person, being taken or summoned before a Justice of the Peace, shall not satisfy the Justice that he came lawfully by the same, he shall on Conviction by the Justice forfeit and pay, over and above the Value of the Article or Articles so found, any Sum not exceeding Two Pounds.

Stealing, &c. any Fruit, &c., punishable on Summary Conviction for First Offence;

Second Offence, Felony.

36. Whosoever shall steal, or shall destroy or damage with Intent to steal, any Plant, Root, Fruit, or Vegetable Production growing in any Garden, Orchard, Pleasure Ground, Nursery Ground, Hothouse, Greenhouse, or Conservatory, shall, on Conviction thereof before a Justice of the Peace, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for any Term not exceeding Six Months, or else shall forfeit and pay over and above the Value of the Article or Articles so stolen, or the Amount of the Injury done, such Sum of Money not exceeding Twenty Pounds as to the Justice shall seem meet; and whosoever having been convicted of any such Offence, either against this or any former Act of Parliament, shall afterwards commit any of the Offences in this Section before mentioned, shall be guilty of Felony, and being convicted thereof shall be liable to be punished in the same Manner as in the Case of Simple Larceny.

Stealing, &c. Vegetable Productions not growing in Gardens, &c.

37. Whosoever shall steal, or shall destroy or damage with Intent to steal, any cultivated Root or Plant used for the Food of Man or Beast, or for Medicine, or for distilling, or for dyeing, or for or in the Course of any Manufacture, and growing in any Land, open or inclosed, not being a Garden, Orchard, Pleasure Ground, or Nursery Ground, shall, on Conviction thereof before a Justice of the Peace, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for any Term not exceeding One Month, or else shall forfeit and pay, over and above the Value of the Article or Articles so stolen, or the Amount of the Injury done, such Sum of Money not exceeding Twenty Shillings as to the Justice shall seem meet, and in default of Payment thereof, together with the Costs (if ordered), shall be committed as aforesaid for any Term not exceeding One Month, unless Payment

Second Offence. be sooner made; and whosoever, having been convicted of any such Offence either against this or any former Act of Parliament, shall afterwards commit any of the said Offences in this Section before mentioned, and shall be convicted thereof in like Manner, shall be committed to the Common Gaol or House of Correction, there to be kept to Hard Labour, for such Term not exceeding Six Months as the convicting Justice shall think fit.

As to Larceny from Mines:

Ore of Metal, Coal, &c. **38.** Whosoever shall steal, or sever with Intent to steal, the Ore of any Metal, or any Lapis Calaminaris, Manganese or Mundick, or any Wad, Black Cawke, or Black Lead, or any Coal or Cannel Coal, from any Mine, Bed, or Vein thereof respectively, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Miners removing Ore with Intent to defraud. **39.** Whosoever, being employed in or about any Mine, shall take, remove, or conceal any Ore of any Metal, or any Lapis Calaminaris, Manganese, Mundick, or other Mineral found or being in such Mine, with Intent to defraud any Proprietor of or any Adventurer in such Mine, or any Workman or Miner employed therein, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to Larceny from the Person, and other like Offences:

Robbery or Stealing from the Person. **40.** Whosoever shall rob any Person, or shall steal any Chattel, Money, or valuable Security from the Person of another, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

On Trial for Robbery, Jury may convict of an Assault with Intent to rob. **41.** If upon the Trial of any Person upon any Indictment for Robbery it shall appear to the Jury upon the Evidence that the Defendant did not commit the Crime of Robbery, but that he did commit an Assault with Intent to rob, the Defendant shall not by reason thereof be entitled to be acquitted, but the Jury shall be at liberty to return as their Verdict that the Defendant is guilty of an Assault with Intent to rob; and thereupon such Defendant shall be liable to be punished in the same Manner as if he had been convicted upon an Indictment for feloniously assaulting with Intent to rob; and no Person so tried as is herein lastly mentioned shall be liable to be afterwards prosecuted for an Assault with Intent to commit the Robbery for which he was so tried.

Assault with Intent to rob. **42.** Whosoever shall assault any Person with Intent to rob shall be guilty of Felony, and being convicted thereof shall (save and except in the Cases where a greater Punishment is provided by this Act) be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Robbery or Assault by a Person armed, or by Two or more, or Robbery and wounding. **43.** Whosoever shall, being armed with any offensive Weapon or Instrument, rob, or assault with Intent to rob, any Person, or shall, together with One or more other Person or Persons, rob, or assault with Intent to rob, any Person, or shall rob any Person, and at the Time of or immediately before or immediately after such Robbery shall wound, beat, strike, or use any other personal Violence to any Person, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life, or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Letter demanding Money, &c. with Menaces. **44.** Whosoever shall send, deliver, or utter, or directly or indirectly cause to be received, knowing the Contents thereof, any Letter or Writing demanding of any Person with Menaces, and without any reasonable or probable Cause, any Property, Chattel, Money, valuable Security, or other valuable Thing, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Demanding Money, &c. with Menaces, or by Force, with Intent to steal. **45.** Whosoever shall with Menaces or by Force demand any Property, Chattel, Money, valuable Security, or other valuable Thing of any Person, with Intent to steal the same, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Letter threatening to accuse of Crime, with Intent to extort. **46.** Whosoever shall send, deliver, or utter, or directly or indirectly cause to be received, knowing the Contents thereof, any Letter or Writing accusing or threatening to accuse any other Person of any Crime punishable by Law with Death or Penal Servitude for not less than Seven Years, or of any Assault with Intent to commit any Rape, or of any Attempt or Endeavour to commit any Rape, or of any infamous Crime as herein-after defined, with a View or Intent in any of such Cases to extort or gain by means of such Letter or Writing any Property, Chattel, Money, valuable Security, or other valuable Thing, from any Person, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life, or for any Term not less than

Three

Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping; and the abominable Crime of Buggery, committed either with Mankind or with Beast, and every Assault with Intent to commit the said abominable Crime, and every Attempt or Endeavour to commit the said abominable Crime, and every Solicitation, Persuasion, Promise, or Threat offered or made to any Person whereby to move or induce such Person to commit or permit the said abominable Crime, shall be deemed to be an infamous Crime within the Meaning of this Act. "Infamous Crime" defined.

47. Whosoever shall accuse or threaten to accuse, either the Person to whom such Accusation or Threat shall be made or any other Person, of any of the infamous or other Crimes lastly herein-before mentioned, with the View or Intent in any of the Cases last aforesaid to extort or gain from such Person so accused or threatened to be accused, or from any other Person, any Property, Chattel, Money, valuable Security, or other valuable Thing, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life, or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and, if a Male under the Age of Sixteen Years, with or without Whipping. Accusing or threatening to accuse, with Intent to extort.

48. Whosoever, with Intent to defraud or injure any other Person, shall, by any unlawful Violence to or Restraint of, or Threat of Violence to or Restraint of, the Person of another, or by accusing or threatening to accuse any Person of any Treason, Felony, or infamous Crime as herein-before defined, compel or induce any Person to execute, make, accept, indorse, alter, or destroy the whole or any Part of any valuable Security, or to write, impress, or affix his Name, or the Name of any other Person, or of any Company, Firm, or Copartnership, or the Seal of any Body Corporate, Company, or Society, upon or to any Paper or Parchment, in order that the same may be afterwards made or converted into, or used or dealt with as, a valuable Security, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life, or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement. Inducing a Person by Violence or Threats to execute Deeds, &c., with Intent to defraud.

49. It shall be immaterial whether the Menaces or Threats herein-before mentioned be of Violence, Injury, or Accusation to be caused or made by the Offender or by any other Person. Immaterial from whom Menaces proceed.

As to Sacrilege, Burglary, and Housebreaking:

50. Whosoever shall break and enter any Church, Chapel, Meeting House, or other Place of Divine Worship, and commit any Felony therein, or being in any Church, Chapel, Meeting House, or other Place of Divine Worship shall commit any Felony therein and break out of the same, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life, or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement. Breaking and entering a Church or Chapel and committing any Felony.

51. Whosoever shall enter the Dwelling House of another with Intent to commit any Felony therein, or being in such Dwelling House shall commit any Felony therein, and shall in either Case break out of the said Dwelling House in the Night, shall be deemed guilty of Burglary. Burglary by breaking out.

52. Whosoever shall be convicted of the Crime of Burglary shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life, or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement. Burglary.

53. No Building, although within the same Curtilage with any Dwelling House, and occupied therewith, shall be deemed to be Part of such Dwelling House for any of the Purposes of this Act, unless there shall be a Communication between such Building and Dwelling House, either immediate, or by means of a covered and inclosed Passage leading from the one to the other. What Building shall be deemed Part of Dwelling House.

54. Whosoever shall enter any Dwelling House in the Night, with Intent to commit any Felony therein, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement. Entering a Dwelling House in the Night with Intent to commit any Felony.

55. Whosoever shall break and enter any Building, and commit any Felony therein, such Building being within the Curtilage of a Dwelling House, and occupied therewith, but not being Part thereof, according to the Provision herein-before mentioned, or being in any such Building shall commit any Felony therein, and break out of the same, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement. Breaking into any Building within the Curtilage, &c. and committing any Felony.

56. Whosoever shall break and enter any Dwelling House, Schoolhouse, Shop, Warehouse, or Counting-house, and commit any Felony therein, or, being in any Dwelling House, Schoolhouse, Shop, Warehouse, or Counting-house, shall commit any Felony therein, and break out of the same, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be Breaking into any House, Shop, Warehouse, &c., and committing any Felony.

be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Housebreaking, &c. with Intent to commit any Felony.

57. Whosoever shall break and enter any Dwelling House, Church, Chapel, Meeting House, or other Place of Divine Worship, or any Building within the Curtilage, Schoolhouse, Shop, Warehouse, or Counting-house, with Intent to commit any Felony therein, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Being armed with Intent to break and enter any House in the Night.

58. Whosoever shall be found by Night armed with any dangerous or offensive Weapon or Instrument whatsoever, with Intent to break or enter into any Dwelling House or other Building whatsoever, and to commit any Felony therein, or shall be found by Night having in his Possession without lawful Excuse (the Proof of which Excuse shall lie on such Person) any Picklock Key, Crow, Jack, Bit, or other Implement of Housebreaking, or shall be found by Night having his Face blackened or otherwise disguised with Intent to commit any Felony, or shall be found by Night in any Dwelling House or other Building whatsoever with Intent to commit any Felony therein, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

The like, after a previous Conviction for Felony, &c.

59. Whosoever shall be convicted of any such Misdemeanor as in the last preceding Section mentioned, committed after a previous Conviction, either for Felony or such Misdemeanor, shall on such subsequent Conviction be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Ten Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

As to Larceny in the House:

Stealing in a Dwelling House to the Value of 5*l.*

60. Whosoever shall steal in any Dwelling House any Chattel, Money, or valuable Security, to the Value in the whole of Five Pounds or more, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Stealing in a Dwelling House with Menaces.

61. Whosoever shall steal any Chattel, Money, or valuable Security in any Dwelling House, and shall by any Menace or Threat put any one being therein in bodily Fear, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to Larceny in Manufactories:

Stealing Goods in Process of Manufacture.

62. Whosoever shall steal, to the Value of Ten Shillings, any Woollen, Linen, Hempen, or Cotton Yarn, or any Goods or Article of Silk, Woollen, Linen, Cotton, Alpaca, or Mohair, or of any One or more of those Materials mixed with each other, or mixed with any other Material, whilst laid, placed, or exposed, during any Stage, Process, or Progress of Manufacture, in any Building, Field, or other Place, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to Larceny in Ships, Wharfs, &c.

Stealing from Ships, Docks, Wharfs, &c.

63. Whosoever shall steal any Goods or Merchandise in any Vessel, Barge, or Boat of any Description whatsoever in any Haven, or in any Port of Entry or Discharge, or upon any navigable River or Canal, or in any Creek or Basin belonging to or communicating with any such Haven, Port, River, or Canal, or shall steal any Goods or Merchandise from any Dock, Wharf, or Quay adjacent to any such Haven, Port, River, Canal, Creek, or Basin, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Stealing from Ship in Distress or wrecked.

64. Whosoever shall plunder or steal any Part of any Ship or Vessel which shall be in Distress, or wrecked, stranded, or cast on shore, or any Goods, Merchandise, or Articles of any kind belonging to such Ship or Vessel, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement; and the Offender may be indicted and tried either in the County or Place in which the Offence shall have been committed or in any County or Place next adjoining.

Persons in possession of shipwrecked Goods not giving a

65. If any Goods, Merchandise, or Articles of any kind, belonging to any Ship or Vessel in Distress, or wrecked, stranded, or cast on shore, shall be found in the Possession of any Person, or on the Premises of any Person with his Knowledge, and such Person, being taken or summoned before a Justice of

of the Peace, shall not satisfy the Justice that he came lawfully by the same, then the same shall, by Order of the Justice, be forthwith delivered over to or for the Use of the rightful Owner thereof; and the Offender shall, on Conviction of such Offence before the Justice, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for any Term not exceeding Six Months, or else shall forfeit and pay, over and above the Value of the Goods, Merchandise, or Articles, such Sum of Money not exceeding Twenty Pounds as to the Justice shall seem meet. satisfactory Account.

66. If any Person shall offer or expose for Sale any Goods, Merchandise, or Articles whatsoever, which shall have been unlawfully taken, or shall be reasonably suspected so to have been taken, from any Ship or Vessel in Distress, or wrecked, stranded, or cast on shore, in every such Case any Person to whom the same shall be offered for Sale, or any Officer of the Customs or Excise, or Peace Officer, may lawfully seize the same, and shall with all convenient Speed carry the same, or give Notice of such Seizure, to some Justice of the Peace; and if the Person who shall have offered or exposed the same for Sale, being summoned by such Justice, shall not appear and satisfy the Justice that he came lawfully by such Goods, Merchandise, or Articles, then the same shall, by Order of the Justice, be forthwith delivered over to or for the Use of the rightful Owner thereof, upon Payment of a reasonable Reward (to be ascertained by the Justice) to the Person who seized the same; and the Offender shall, on Conviction of such Offence by the Justice, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for any Term not exceeding Six Months, or else shall forfeit and pay, over and above the Value of the Goods, Merchandise, or Articles, such Sum of Money not exceeding Twenty Pounds as to the Justice shall seem meet. If any Person offers shipwrecked Goods for Sale, the Goods may be seized, &c.

As to Larceny or Embezzlement by Clerks, Servants, or Persons in the Public Service:

67. Whosoever, being a Clerk or Servant, or being employed for the Purpose or in the Capacity of a Clerk or Servant, shall steal any Chattel, Money, or valuable Security belonging to or in the Possession or Power of his Master or Employer, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping. Larceny by Clerks or Servants.

68. Whosoever, being a Clerk or Servant, or being employed for the Purpose or in the Capacity of a Clerk or Servant, shall fraudulently embezzle any Chattel, Money, or valuable Security, which shall be delivered to or received or taken into possession by him for or in the Name or on the Account of his Master or Employer, or any Part thereof, shall be deemed to have feloniously stolen the same from his Master or Employer, although such Chattel, Money, or Security was not received into the Possession of such Master or Employer otherwise than by the actual Possession of his Clerk, Servant, or other Person so employed, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping. Embezzlement by Clerks or Servants.

69. Whosoever being employed in the Public Service of Her Majesty, or being a Constable or other Person employed in the Police of any County, City, Borough, District, or Place whatsoever, shall steal any Chattel, Money, or valuable Security belonging to or in the Possession or Power of Her Majesty, or intrusted to or received or taken into possession by him by virtue of his Employment, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement. Larceny by Persons in the Queen's Service or by the Police.

70. Whosoever, being employed in the Public Service of Her Majesty, or being a Constable or other Person employed in the Police of any County, City, Borough, District, or Place whatsoever, and intrusted by virtue of such Employment with the Receipt, Custody, Management, or Control of any Chattel, Money, or valuable Security, shall embezzle any Chattel, Money, or valuable Security which shall be intrusted to or received or taken into possession by him by virtue of his Employment, or any Part thereof, or in any Manner fraudulently apply or dispose of the same or any Part thereof to his own Use or Benefit, or for any Purpose whatsoever except for the Public Service, shall be deemed to have feloniously stolen the same from Her Majesty, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour; and every Offender against this or the last preceding Section may be dealt with, indicted, tried, and punished either in the County or Place in which he shall be apprehended or be in Custody, or in which he shall have committed the Offence; and in every Case of Larceny, Embezzlement, or fraudulent Application or Disposition of any Chattel, Money, or valuable Security in this and the last preceding Section mentioned, it shall be lawful in the Warrant of Commitment by the Justice of the Peace before whom Embezzlement by Persons in the Queen's Service, or by the Police.

Venue.

Form of Warrant of Commitment and Indictment.

whom the Offender shall be charged, and in the Indictment to be preferred against such Offender, to lay the Property of any such Chattel, Money, or valuable Security in Her Majesty.

Distinct Acts of Embezzlement may be charged in the same Indictment.

71. For preventing Difficulties in the Prosecution of Offenders in any Case of Embezzlement, fraudulent Application or Disposition, herein-before mentioned, it shall be lawful to charge in the Indictment and proceed against the Offender for any Number of distinct Acts of Embezzlement, or of fraudulent Application or Disposition, not exceeding Three, which may have been committed by him against Her Majesty or against the same Master or Employer, within the Space of Six Months from the first to the last of such Acts; and in every such Indictment where the Offence shall relate to any Money or any valuable Security it shall be sufficient to allege the Embezzlement, or fraudulent Application or Disposition, to be of Money, without specifying any particular Coin or valuable Security; and such Allegation, so far as regards the Description of the Property, shall be sustained if the Offender shall be proved to have embezzled or fraudulently applied or disposed of any Amount, although the particular Species of Coin or valuable Security of which such Amount was composed shall not be proved; or if he shall be proved to have embezzled or fraudulently applied or disposed of any Piece of Coin or any valuable Security, or any Portion of the Value thereof, although such Piece of Coin or valuable Security may have been delivered to him in order that some Part of the Value thereof should be returned to the Party delivering the same, or to some other Person, and such Part shall have been returned accordingly.

Person indicted for Embezzlement as a Clerk, &c. not to be acquitted if the Offence turn out to be Larceny; and *vice versâ*.

72. If upon the Trial of any Person indicted for Embezzlement, or fraudulent Application or Disposition as aforesaid, it shall be proved that he took the Property in question in any such Manner as to amount in Law to Larceny, he shall not by reason thereof be entitled to be acquitted, but the Jury shall be at liberty to return as their Verdict that such Person is not guilty of Embezzlement, or fraudulent Application or Disposition, but is guilty of Simple Larceny, or of Larceny as a Clerk, Servant, or Person employed for the Purpose or in the Capacity of a Clerk or Servant, or as a Person employed in the Public Service, or in the Police, as the Case may be; and thereupon such Person shall be liable to be punished in the same Manner as if he had been convicted upon an Indictment for such Larceny; and if upon the Trial of any Person indicted for Larceny it shall be proved that he took the Property in question in any such Manner as to amount in Law to Embezzlement, or fraudulent Application or Disposition as aforesaid, he shall not by reason thereof be entitled to be acquitted, but the Jury shall be at liberty to return as their Verdict that such Person is not guilty of Larceny, but is guilty of Embezzlement, or fraudulent Application or Disposition, as the Case may be, and thereupon such Person shall be liable to be punished in the same Manner as if he had been convicted upon an Indictment for such Embezzlement, fraudulent Application or Disposition; and no Person so tried for Embezzlement, fraudulent Application or Disposition, or Larceny as aforesaid, shall be liable to be afterwards prosecuted for Larceny, fraudulent Application or Disposition, or Embezzlement, upon the same Facts.

Embezzlement by Officers of the Bank of England or Ireland.

73. Whosoever, being an Officer or Servant of the Governor and Company of the Bank of *England* or of the Bank of *Ireland*, and being intrusted with any Bond, Deed, Note, Bill, Dividend Warrant, or Warrant for Payment of any Annuity or Interest, or Money, or with any Security, Money, or other Effects of or belonging to the said Governor and Company, or having any Bond, Deed, Note, Bill, Dividend Warrant, or Warrant for Payment of any Annuity or Interest, or Money, or any Security, Money, or other Effects of any other Person, Body Politic or Corporate, lodged or deposited with the said Governor and Company, or with him as an Officer or Servant of the said Governor and Company, shall secrete, embezzle, or run away with any such Bond, Deed, Note, Bill, Dividend or other Warrant, Security, Money, or other Effects as aforesaid, or any Part thereof, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to Larceny by Tenants or Lodgers:

Tenant or Lodger stealing Chattel or Fixture let to Hire with House or Lodgings.

74. Whosoever shall steal any Chattel or Fixture let to be used by him or her in or with any House or Lodging, whether the Contract shall have been entered into by him or her or by her Husband, or by any Person on behalf of him or her or her Husband, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping, and in case the Value of such Chattel or Fixture shall exceed the Sum of Five Pounds, shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping; and in every Case of stealing any Chattel in this Section mentioned it shall be lawful to prefer an Indictment in the common Form as for Larceny, and in every Case of stealing any Fixture in this Section mentioned to prefer an Indictment in the same Form as if the Offender were not a Tenant or Lodger, and in either Case to lay the Property in the Owner or Person letting to Hire.

As to Frauds by Agents, Bankers, or Factors:

Agent, Banker, &c. embezzling Money or

75. Whosoever, having been intrusted, either solely, or jointly with any other Person, as a Banker, Merchant, Broker, Attorney, or other Agent, with any Money or Security for the Payment of Money, with

with any Direction in Writing to apply, pay, or deliver such Money or Security or any Part thereof respectively, or the Proceeds or any Part of the Proceeds of such Security, for any Purpose, or to any Person specified in such Direction, shall, in violation of good Faith, and contrary to the Terms of such Direction, in anywise convert to his own Use or Benefit, or the Use or Benefit of any Person other than the Person by whom he shall have been so intrusted, such Money, Security, or Proceeds, or any Part thereof respectively; and whosoever, having been intrusted, either solely, or jointly with any other Person, as a Banker, Merchant, Broker, Attorney, or other Agent, with any Chattel or valuable Security, or any Power of Attorney for the Sale or Transfer of any Share or Interest in any Public Stock or Fund, whether of the United Kingdom, or any Part thereof, or of any Foreign State, or in any Stock or Fund of any Body Corporate, Company, or Society, for safe Custody or for any special Purpose, without any Authority to sell, negotiate, transfer, or pledge, shall, in violation of good Faith, and contrary to the Object or Purpose for which such Chattel, Security, or Power of Attorney shall have been intrusted to him, sell, negotiate, transfer, pledge, or in any Manner convert to his own Use or Benefit, or the Use or Benefit of any Person other than the Person by whom he shall have been so intrusted, such Chattel or Security, or the Proceeds of the same, or any Part thereof, or the Share or Interest in the Stock or Fund to which such Power of Attorney shall relate, or any Part thereof, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years, —or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement; but nothing in this Section contained relating to Agents shall affect any Trustee in or under any Instrument whatsoever, or any Mortgagee of any Property, Real or Personal, in respect of any Act done by such Trustee or Mortgagee in relation to the Property comprised in or affected by any such Trust or Mortgage; nor shall restrain any Banker, Merchant, Broker, Attorney, or other Agent from receiving any Money which shall be or become actually due and payable upon or by virtue of any valuable Security, according to the Tenor and Effect thereof, in such Manner as he might have done if this Act had not been passed; nor from selling, transferring, or otherwise disposing of any Securities or Effects in his Possession upon which he shall have any Lien, Claim, or Demand entitling him by Law so to do, unless such Sale, Transfer, or other Disposal shall extend to a greater Number or Part of such Securities or Effects than shall be requisite for satisfying such Lien, Claim, or Demand.

selling Securities, &c. intrusted to him.

or Goods, &c. intrusted to him for safe Custody.

Punishment.

Not to affect Trustees or Mortgagees;

nor Bankers, &c. receiving Money due on Securities;

or disposing of Securities on which they have a Lien.

76. Whosoever, being a Banker, Merchant, Broker, Attorney, or Agent, and being intrusted, either solely, or jointly with any other Person, with the Property of any other Person for safe Custody, shall, with Intent to defraud, sell, negotiate, transfer, pledge, or in any Manner convert or appropriate the same or any Part thereof to or for his own Use or Benefit, or the Use or Benefit of any Person other than the Person by whom he was so intrusted, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to any of the Punishments which the Court may award as herein-before last mentioned.

Bankers, &c. fraudulently selling, &c. Property intrusted to their Care.

77. Whosoever, being intrusted, either solely, or jointly with any other Person, with any Power of Attorney for the Sale or Transfer of any Property, shall fraudulently sell or transfer or otherwise convert the same or any Part thereof to his own Use or Benefit, or the Use or Benefit of any Person other than the Person by whom he was so intrusted, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to any of the Punishments which the Court may award as herein-before last mentioned.

Persons under Powers of Attorney fraudulently selling Property.

78. Whosoever, being a Factor or Agent intrusted, either solely, or jointly with any other Person, for the Purpose of Sale or otherwise, with the Possession of any Goods, or of any Document of Title to Goods, shall, contrary to or without the Authority of his Principal in that Behalf, for his own Use or Benefit, or the Use or Benefit of any Person other than the Person by whom he was so intrusted, and in violation of good Faith, make any Consignment, Deposit, Transfer, or Delivery of any Goods or Document of Title so intrusted to him as in this Section before mentioned, as and by way of a Pledge, Lien, or Security for any Money or valuable Security borrowed or received by such Factor or Agent at or before the Time of making such Consignment, Deposit, Transfer, or Delivery, or intended to be thereafter borrowed or received, or shall, contrary to or without such Authority, for his own Use or Benefit, or the Use or Benefit of any Person other than the Person by whom he was so intrusted, and in violation of good Faith, accept any Advance of any Money or valuable Security on the Faith of any Contract or Agreememt to consign, deposit, transfer, or deliver any such Goods or Document of Title, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to any of the Punishments which the Court may award as herein-before last mentioned; and every Clerk or other Person who shall knowingly and wilfully act and assist in making any such Consignment, Deposit, Transfer, or Delivery, or in accepting or procuring such Advance as aforesaid, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to any of the same Punishments: Provided, that no such Factor or Agent shall be liable to any Prosecution for consigning, depositing, transferring, or delivering any such Goods or Documents of Title, in case the same shall not be made a Security for or subject to the Payment of any greater Sum of Money than the Amount which at the Time of such Consignment, Deposit, Transfer, or Delivery was justly

Factors obtaining Advances on the Property of their Principals.

Clerks wilfully assisting.

Cases excepted where the Pledge does not exceed the Amount of their Lien.

justly due and owing to such Agent from his Principal, together with the Amount of any Bill of Exchange drawn by or on account of such Principal, and accepted by such Factor or Agent.

Definitions of Terms: "intrusted:" "pledge:" "possessed:" "Advance:"

79. Any Factor or Agent intrusted as aforesaid, and possessed of any such Document of Title, whether derived immediately from the Owner of such Goods or obtained by reason of such Factor or Agent having been intrusted with the Possession of the Goods, or of any other Document of Title thereto, shall be deemed to have been intrusted with the Possession of the Goods represented by such Document of Title; and every Contract pledging or giving a Lien upon such Document of Title as aforesaid shall be deemed to be a Pledge of and Lien upon the Goods to which the same relates; and such Factor or Agent shall be deemed to be possessed of such Goods or Document, whether the same shall be in his actual Custody, or shall be held by any other Person subject to his Control, or for him or on his Behalf; and where any Loan or Advance shall be *bonâ fide* made to any Factor or Agent intrusted with and in possession of any such Goods or Document of Title, on the Faith of any Contract or Agreement in Writing to consign, deposit, transfer, or deliver such Goods or Documents of Title, and such Goods or Document of Title shall actually be received by the Person making such Loan or Advance, without Notice that such Factor or Agent was not authorized to make such Pledge or Security, every such Loan or Advance shall be deemed to be a Loan or Advance on the Security of such Goods or Document of Title within the Meaning of the last preceding Section, though such Goods or Document of Title shall not actually be received by the Person making such Loan or Advance till the Period subsequent thereto; and any Contract or Agreement, whether made direct with such Factor or Agent, or with any Clerk or other Person on his Behalf, shall be deemed a Contract or Agreement with such Factor or Agent; and any Payment made, whether by Money or Bill of Exchange or other negotiable Security, shall be deemed to be an Advance within the Meaning of the last preceding Section; and a Factor or Agent in possession as aforesaid of such Goods or Document shall be taken, for the Purposes of the last preceding Section, to have been intrusted therewith by the Owner thereof, unless the contrary be shown in Evidence.

"Contract or Agreement:" "Advance."

Possession to be Evidence of intrusting.

Trustees, fraudulently disposing of Property, guilty of a Misdemeanor.

80. Whosoever, being a Trustee of any Property for the Use or Benefit, either wholly or partially, of some other Person, or for any public or charitable Purpose, shall, with Intent to defraud, convert or appropriate the same or any Part thereof to or for his own Use or Benefit, or the Use or Benefit of any Person other than such Person as aforesaid, or for any Purpose other than such public or charitable Purpose as aforesaid, or otherwise dispose of or destroy such Property or any Part thereof, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to any of the Punishments which the Court may award as herein-before last mentioned: Provided, that no Proceeding or Prosecution for any Offence included in this Section shall be commenced without the Sanction of Her Majesty's Attorney General, or, in case that Office be vacant, of Her Majesty's Solicitor General: Provided also, that where any Civil Proceeding shall have been taken against any Person to whom the Provisions of this Section may apply, no Person who shall have taken such Civil Proceeding shall commence any Prosecution under this Section without the Sanction of the Court or Judge before whom such Civil Proceeding shall have been had or shall be pending.

No Prosecution shall be commenced without the Sanction of some Judge or the Attorney General.

Directors, &c. of any Body Corporate or Public Company fraudulently appropriating Property;

81. Whosoever, being a Director, Member, or Public Officer of any Body Corporate or Public Company, shall fraudulently take or apply for his own Use or Benefit, or for any Use or Purposes other than the Use or Purposes of such Body Corporate or Public Company, any of the Property of such Body Corporate or Public Company, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to any of the Punishments which the Court may award as herein-before last mentioned.

or keeping fraudulent Accounts;

82. Whosoever, being a Director, Public Officer, or Manager of any Body Corporate or Public Company, shall as such receive or possess himself of any of the Property of such Body Corporate or Public Company otherwise than in Payment of a just Debt or Demand, and shall, with Intent to defraud, omit to make or to cause or direct to be made a full and true Entry thereof in the Books and Accounts of such Body Corporate or Public Company, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to any of the Punishments which the Court may award as herein-before last mentioned.

or wilfully destroying Books, &c.;

83. Whosoever, being a Director, Manager, Public Officer, or Member of any Body Corporate or Public Company, shall, with Intent to defraud, destroy, alter, mutilate, or falsify any Book, Paper, Writing, or valuable Security belonging to the Body Corporate or Public Company, or make or concur in the making of any false Entry, or omit or concur in omitting any material Particular, in any Book of Account or other Document, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to any of the Punishments which the Court may award as herein-before last mentioned.

or publishing fraudulent Statements.

84. Whosoever, being a Director, Manager, or Public Officer of any Body Corporate or Public Company, shall make, circulate, or publish, or concur in making, circulating, or publishing, any written Statement or Account which he shall know to be false in any material Particular, with Intent to deceive or defraud any Member, Shareholder, or Creditor of such Body Corporate or Public Company, or with Intent to induce any Person to become a Shareholder or Partner therein, or to intrust or advance any Property to such Body Corporate or Public Company, or to enter into any Security for the Benefit thereof,

thereof, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to any of the Punishments which the Court may award as herein-before last mentioned.

No Person to be exempt from answering Questions in any Court, but no Person making a Disclosure in any compulsory Proceeding to be liable to Prosecution.

85. Nothing in any of the last Ten preceding Sections of this Act contained shall enable or entitle any Person to refuse to make a full and complete Discovery by Answer to any Bill in Equity, or to answer any Question or Interrogatory in any Civil Proceeding in any Court, or upon the Hearing of any Matter in Bankruptcy or Insolvency; and no Person shall be liable to be convicted of any of the Misdemeanors in any of the said Sections mentioned by any Evidence whatever in respect of any Act done by him, if he shall at any Time previously to his being charged with such Offence have first disclosed such Act on Oath, in consequence of any compulsory Process of any Court of Law or Equity, in any Action, Suit, or Proceeding which shall have been *bonâ fide* instituted by any Party aggrieved, or if he shall have first disclosed the same in any compulsory Examination or Deposition before any Court upon the Hearing of any Matter in Bankruptcy or Insolvency.

No Remedy at Law or in Equity shall be affected.

86. Nothing in any of the last Eleven preceding Sections of this Act contained, nor any Proceeding, Conviction, or Judgment to be had or taken thereon against any Person under any of the said Sections, shall prevent, lessen, or impeach any Remedy at Law or in Equity which any Party aggrieved by any Offence against any of the said Sections might have had if this Act had not been passed; but no Conviction of any such Offender shall be received in Evidence in any Action at Law or Suit in Equity against him; and nothing in the said Sections contained shall affect or prejudice any Agreement entered into or Security given by any Trustee, having for its Object the Restoration or Repayment of any Trust Property misappropriated.

Convictions shall not be received in Evidence in Civil Suits.

Certain Misdemeanors not triable at Sessions.

87. No Misdemeanor against any of the last Twelve preceding Sections of this Act shall be prosecuted or tried at any Court of General or Quarter Sessions of the Peace.

As to obtaining Money, &c. by false Pretences:

False Pretences.

88. Whosoever shall by any false Pretence obtain from any other Person any Chattel, Money, or valuable Security, with Intent to defraud, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement: Provided, that if upon the Trial of any Person indicted for such Misdemeanor it shall be proved that he obtained the Property in question in any such Manner as to amount in Law to Larceny, he shall not by reason thereof be entitled to be acquitted of such Misdemeanor; and no Person tried for such Misdemeanor shall be liable to be afterwards prosecuted for Larceny upon the same Facts: Provided also, that it shall be sufficient in any Indictment for obtaining or attempting to obtain any such Property by false Pretences to allege that the Party accused did the Act with Intent to defraud, without alleging an Intent to defraud any particular Person, and without alleging any Ownership of the Chattel, Money, or valuable Security; and on the Trial of any such Indictment it shall not be necessary to prove an Intent to defraud any particular Person, but it shall be sufficient to prove that the Party accused did the Act charged with an Intent to defraud.

No Acquittal because the Offence amounts to Larceny.

Form of Indictment and Evidence.

Where any Money or Thing is caused to be paid or delivered to any Person other than the Person making a false Pretence.

89. Whosoever shall by any false Pretence cause or procure any Money to be paid, or any Chattel, or valuable Security, to be delivered to any other Person, for the Use or Benefit or on account of the Person making such false Pretence, or of any other Person, with Intent to defraud, shall be deemed to have obtained such Money, Chattel, or valuable Security within the Meaning of the last preceding Section.

Inducing Persons by Fraud to execute Deeds and other Instruments.

90. Whosoever, with Intent to defraud or injure any other Person, shall by any false Pretence fraudulently cause or induce any other Person to execute, make, accept, endorse, or destroy the whole or any Part of any valuable Security, or to write, impress, or affix his Name, or the Name of any other Person, or of any Company, Firm, or Copartnership, or the Seal of any Body Corporate, Company, or Society, upon any Paper or Parchment, in order that the same may be afterwards made or converted into or used or dealt with as a valuable Security, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to receiving Stolen Goods:

Receiving, where the Principal is guilty of Felony.

91. Whosoever shall receive any Chattel, Money, valuable Security, or other Property whatsoever, the stealing, taking, extorting, obtaining, embezzling, or otherwise disposing whereof shall amount to a Felony, either at Common Law or by virtue of this Act, knowing the same to have been feloniously stolen, taken, extorted, obtained, embezzled, or disposed of, shall be guilty of Felony, and may be indicted and convicted either as an Accessory after the Fact or for a substantive Felony, and in the latter Case, whether the principal Felon shall or shall not have been previously convicted, or shall or shall not be amenable to Justice; and every such Receiver, howsoever convicted, shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping: Provided, that no Person, howsoever tried for receiving as aforesaid, shall be liable to be prosecuted a Second Time for the same Offence.

92. In

Indictment for stealing and receiving.

92. In any Indictment containing a Charge of feloniously stealing any Property it shall be lawful to add a Count or several Counts for feloniously receiving the same or any Part or Parts thereof, knowing the same to have been stolen, and in any Indictment for feloniously receiving any Property knowing it to have been stolen it shall be lawful to add a Count for feloniously stealing the same; and where any such Indictment shall have been preferred and found against any Person, the Prosecutor shall not be put to his Election, but it shall be lawful for the Jury who shall try the same to find a Verdict of Guilty, either of stealing the Property, or of receiving the same, or any Part or Parts thereof, knowing the same to have been stolen; and if such Indictment shall have been preferred and found against Two or more Persons it shall be lawful for the Jury who shall try the same to find all or any of the said Persons guilty either of stealing the Property or of receiving the same, or any Part or Parts thereof, knowing the same to have been stolen, or to find One or more of the said Persons guilty of stealing the Property, and the other or others of them guilty of receiving the same, or any Part or Parts thereof, knowing the same to have been stolen.

Separate Receivers may be included in the same Indictment in the Absence of the Principal.

93. Whenever any Property whatsoever shall have been stolen, taken, extorted, obtained, embezzled, or otherwise disposed of in such a Manner as to amount to a Felony, either at Common Law or by virtue of this Act, any Number of Receivers at different Times of such Property, or of any Part or Parts thereof, may be charged with substantive Felonies in the same Indictment, and may be tried together, notwithstanding that the principal Felon shall not be included in the same Indictment, or shall not be in Custody or amenable to Justice.

As to Convictions on an Indictment for jointly receiving.

94. If upon the Trial of any Two or more Persons indicted for jointly receiving any Property it shall be proved that One or more of such Persons separately received any Part or Parts of such Property, it shall be lawful for the Jury to convict, upon such Indictment, such of the said Persons as shall be proved to have received any Part or Parts of such Property.

Receiving, where the Principal has been guilty of a Misdemeanor.

95. Whosoever shall receive any Chattel, Money, valuable Security, or other Property whatsoever, the stealing, taking, obtaining, converting, or disposing whereof is made a Misdemeanor by this Act, knowing the same to have been unlawfully stolen, taken, obtained, converted, or disposed of, shall be guilty of a Misdemeanor, and may be indicted and convicted thereof, whether the Person guilty of the principal Misdemeanor shall or shall not have been previously convicted thereof, or shall or shall not be amenable to Justice; and every such Receiver, being convicted thereof, shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Receiver, where triable.

96. Whosoever shall receive any Chattel, Money, valuable Security, or other Property whatsoever, knowing the same to have been feloniously or unlawfully stolen, taken, obtained, converted, or disposed of, may, whether charged as an Accessory after the Fact to the Felony, or with a substantive Felony, or with a Misdemeanor only, be dealt with, indicted, tried, and punished in any County or Place in which he shall have or shall have had any such Property in his Possession, or in any County or Place in which the Party guilty of the principal Felony or Misdemeanor may by Law be tried, in the same Manner as such Receiver may be dealt with, indicted, tried, and punished in the County or Place where he actually received such Property.

Receivers of Property, where the original Offence is punishable on Summary Conviction.

97. Where the stealing or taking of any Property whatsoever is by this Act punishable on Summary Conviction, either for every Offence, or for the First and Second Offence only, or for the First Offence only, any Person who shall receive any such Property, knowing the same to be unlawfully come by, shall, on Conviction thereof before a Justice of the Peace, be liable, for every First, Second, or subsequent Offence of receiving, to the same Forfeiture and Punishment to which a Person guilty of a First, Second, or subsequent Offence of stealing or taking such Property is by this Act made liable.

Principals in the Second Degree and Accessories.

98. In case of every Felony punishable under this Act every Principal in the Second Degree, and every Accessory before the Fact, shall be punishable in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessory after the Fact to any Felony punishable under this Act (except only a Receiver of stolen Property) shall, on Conviction, be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement; and every Person who shall aid, abet, counsel, or procure the Commission of any Misdemeanor punishable under this Act shall be liable to be indicted and punished as a principal Offender.

Abettors in Misdemeanors.

Abettors in Offences punishable on Summary Conviction.

99. Whosoever shall aid, abet, counsel, or procure the Commission of any Offence which is by this Act punishable on Summary Conviction, either for every Time of its Commission, or for the First and Second Time only, or for the First Time only, shall, on Conviction before a Justice of the Peace, be liable, for every First, Second, or subsequent Offence of aiding, abetting, counselling, or procuring, to the same Forfeiture and Punishment to which a Person guilty of a First, Second, or subsequent Offence as a principal Offender is by this Act made liable.

As to Restitution and Recovery of stolen Property:

The Owner of stolen Property prosecuting

100. If any Person guilty of any such Felony or Misdemeanor as is mentioned in this Act, in stealing, taking, obtaining, extorting, embezzling, converting, or disposing of, or in knowingly receiving, any

any Chattel, Money, valuable Security, or other Property whatsoever, shall be indicted for such Offence, by or on the Behalf of the Owner of the Property, or his Executor or Administrator, and convicted thereof, in such Case the Property shall be restored to the Owner or his Representative; and in every Case in this Section aforesaid the Court before whom any Person shall be tried for any such Felony or Misdemeanor shall have Power to award from Time to Time Writs of Restitution for the said Property, or to order the Restitution thereof in a summary Manner: Provided, that if it shall appear before any Award or Order made that any valuable Security shall have been *bonâ fide* paid or discharged by some Person or Body Corporate liable to the Payment thereof, or being a negotiable Instrument shall have been *bonâ fide* taken or received by Transfer or Delivery, by some Person or Body Corporate, for a just and valuable Consideration, without any Notice or without any reasonable Cause to suspect that the same had by any Felony or Misdemeanor been stolen, taken, obtained, extorted, embezzled, converted, or disposed of, in such Case the Court shall not award or order the Restitution of such Security: Provided also, that nothing in this Section contained shall apply to the Case of any Prosecution of any Trustee, Banker, Merchant, Attorney, Factor, Broker, or other Agent intrusted with the Possession of Goods or Documents of Title to Goods for any Misdemeanor against this Act.

Thief or Receiver to Conviction shall have Restitution of his Property.

Provision as to valuable and negotiable Securities.

Not to apply to Prosecutions of Trustees, Bankers, &c.

101. Whosoever shall corruptly take any Money or Reward, directly or indirectly, under pretence or upon account of helping any Person to any Chattel, Money, valuable Security, or other Property whatsoever which shall by any Felony or Misdemeanor have been stolen, taken, obtained, extorted, embezzled, converted, or disposed of, as in this Act before mentioned, shall (unless he shall have used all due Diligence to cause the Offender to be brought to Trial for the same) be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Eighteen Years, with or without Whipping.

Taking a Reward for helping to the Recovery of stolen Property without bringing the Offender to Trial.

102. Whosoever shall publicly advertise a Reward for the Return of any Property whatsoever which shall have been stolen or lost, and shall in such Advertisement use any Words purporting that no Questions will be asked, or shall make use of any Words in any public Advertisement purporting that a Reward will be given or paid for any Property which shall have been stolen or lost, without seizing or making any Inquiry after the Person producing such Property, or shall promise or offer in any such public Advertisement to return to any Pawnbroker or other Person who may have bought or advanced Money by way of Loan upon any Property stolen or lost the Money so paid or advanced, or any other Sum of Money or Reward for the Return of such Property, or shall print or publish any such Advertisement, shall forfeit the Sum of Fifty Pounds for every such Offence to any Person who will sue for the same by Action of Debt, to be recovered, with full Costs of Suit.

Advertising a Reward for the Return of Stolen Property, &c.

As to Apprehension of Offenders, and other Proceedings:

103. Any Person found committing any Offence punishable, either upon Indictment or upon Summary Conviction, by virtue of this Act, except only the Offence of Angling in the Daytime, may be immediately apprehended without a Warrant by any Person, and forthwith taken, together with such Property, if any, before some neighbouring Justice of the Peace, to be dealt with according to Law; and if any credible Witness shall prove upon Oath before a Justice of the Peace a reasonable Cause to suspect that any Person has in his Possession or on his Premises any Property whatsoever on or with respect to which any Offence, punishable either upon Indictment or upon Summary Conviction by virtue of this Act, shall have been committed, the Justice may grant a Warrant to search for such Property as in the Case of stolen Goods; and any Person to whom any Property shall be offered to be sold, pawned, or delivered, if he shall have reasonable Cause to suspect that any such Offence has been committed on or with respect to such Property, is hereby authorized, and, if in his Power, is required to apprehend and forthwith to take before a Justice of the Peace the Party offering the same, together with such Property, to be dealt with according to Law.

Apprehension without a Warrant.

Justice may grant a Search Warrant.

Person to whom stolen Property is offered may seize Party offering it.

104. Any Constable or Peace Officer may take into Custody, without Warrant, any Person whom he shall find lying or loitering in any Highway, Yard, or other Place, during the Night, and whom he shall have good Cause to suspect of having committed, or being about to commit, any Felony against this Act, and shall take such Person, as soon as reasonably may be, before a Justice of the Peace, to be dealt with according to Law.

Person loitering at Night, &c. may be apprehended.

105. Where any Person shall be charged on the Oath of a credible Witness before any Justice of the Peace with any Offence punishable on Summary Conviction under this Act, the Justice may summon the Person charged to appear at a Time and Place to be named in such Summons, and if he shall not appear accordingly, then (upon Proof of the due Service of the Summons upon such Person, by delivering the same to him personally, or by leaving the same at his usual Place of Abode,) the Justice may either proceed to hear and determine the Case *ex parte*, or issue his Warrant for apprehending such Person, and bringing him before himself or some other Justice of the Peace; or the Justice before whom the Charge shall be made may (if he shall so think fit), without any previous Summons (unless where otherwise specially directed), issue such Warrant, and the Justice before whom the Person charged shall appear or be brought shall proceed to hear and determine the Case.

Mode of compelling the Appearance of Persons punishable on Summary Conviction.

106. Every

Application of Forfeitures and Penalties on Summary Convictions.

106. Every Sum of Money which shall be forfeited on any Summary Conviction for the Value of any Property stolen or taken, or for the Amount of any Injury done (such Value or Amount to be assessed in each Case by the convicting Justice), shall be paid to the Party aggrieved, except where he is unknown, and in that Case such Sum shall be applied in the same Manner as a Penalty; and every Sum which shall be imposed as a Penalty by any Justice of the Peace, whether in addition to such Value or Amount or otherwise, shall be paid and applied in the same Manner as other Penalties recoverable before Justices of the Peace are to be paid and applied in Cases where the Statute imposing the same contains no Direction for the Payment thereof to any Person: Provided, that where several Persons shall join in the Commission of the same Offence, and shall, upon Conviction thereof, each be adjudged to forfeit a Sum equivalent to the Value of the Property or to the Amount of the Injury, in every such Case no further Sum shall be paid to the Party aggrieved than such Value or Amount; and the remaining Sum or Sums forfeited shall be applied in the same Manner as any Penalty imposed by a Justice of the Peace is herein-before directed to be applied.

Proviso where several Persons join in Commission of same Offence.

If a Person summarily convicted shall not pay, &c., the Justice may commit him.

Scale of Imprisonment.

107. In every Case of a Summary Conviction under this Act, where the Sum which shall be forfeited for the Value of the Property stolen or taken, or for the Amount of the Injury done, or which shall be imposed as a Penalty by the Justice, shall not be paid, either immediately after the Conviction, or within such Period as the Justice shall at the Time of the Conviction appoint, the convicting Justice (unless where otherwise specially directed) may commit the Offender to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, according to the Discretion of the Justice, for any Term not exceeding Two Months, where the Amount of the Sum forfeited or of the Penalty imposed, or of both, (as the Case may be,) together with the Costs, shall not exceed Five Pounds, and for any Term not exceeding Four Months where the Amount, with Costs, shall not exceed Ten Pounds, and for any Term not exceeding Six Months in any other Case, the Commitment to be determinable in each of the Cases aforesaid upon Payment of the Amount and Costs.

Justice may discharge the Offender in certain Cases.

108. Where any Person shall be summarily convicted before a Justice of the Peace of any Offence against this Act, and it shall be a First Conviction, the Justice may, if he shall so think fit, discharge the Offender from his Conviction, upon his making such Satisfaction to the Party aggrieved for Damages and Costs, or either of them, as shall be ascertained by the Justice.

A Summary Conviction shall be a Bar to any other Proceeding for the same Cause.

109. In case any Person convicted of any Offence punishable upon Summary Conviction by virtue of this Act shall have paid the Sum adjudged to be paid, together with Costs, under such Conviction, or shall have received a Remission thereof from the Crown, or from the Lord Lieutenant or other Chief Governor in *Ireland*, or shall have suffered the Imprisonment awarded for Nonpayment thereof, or the Imprisonment adjudged in the first instance, or shall have been so discharged from his Conviction by any Justice as aforesaid, in every such Case he shall be released from all further or other Proceedings for the same Cause.

Appeal.

110. In all Cases where the Sum adjudged to be paid on any Summary Conviction shall exceed Five Pounds, or the Imprisonment adjudged shall exceed One Month, or the Conviction shall take place before One Justice only, any Person who shall think himself aggrieved by any such Conviction may appeal to the next Court of General or Quarter Sessions which shall be holden not less than Twelve Days after the Day of such Conviction for the County or Place wherein the Cause of Complaint shall have arisen; provided, that such Person shall give to the Complainant a Notice in Writing of such Appeal, and of the Cause and Matter thereof, within Three Days after such Conviction, and Seven clear Days at the least before such Sessions, and shall also either remain in Custody until the Sessions, or shall enter into a Recognizance, with Two sufficient Sureties, before a Justice of the Peace, conditioned personally to appear at the said Sessions and to try such Appeal, and to abide the Judgment of the Court thereupon, and to pay such Costs as shall be by the Court awarded; or if such Appeal shall be against any Conviction, whereby only a Penalty or other Sum of Money shall be adjudged to be paid, shall deposit with the Clerk of the convicting Justice such a Sum of Money as such Justice shall deem to be sufficient to cover the Sum so adjudged to be paid, together with the Costs of the Conviction and the Costs of the Appeal; and upon such Notice being given, and such Recognizance being entered into, or such Deposit being made, the Justice before whom such Recognizance shall be entered into, or such Deposit shall be made, shall liberate such Person if in Custody; and the Court at such Sessions shall hear and determine the Matter of the Appeal, and shall make such Order therein, with or without Costs to either Party, as to the Court shall seem meet, and in case of the Dismissal of the Appeal or the Affirmance of the Conviction shall order and adjudge the Offender to be punished according to the Conviction, and to pay such Costs as shall be awarded, and shall, if necessary, issue Process for enforcing such Judgment; and in any Case where after any such Deposit shall have been made as aforesaid the Conviction shall be affirmed, the Court may order the Sum thereby adjudged to be paid, together with the Costs of the Conviction and the Costs of the Appeal, to be paid out of the Money deposited, and the Residue thereof, if any, to be repaid to the Party convicted; and in any Case where after any such Deposit the Conviction shall be quashed, the Court shall order the Money deposited to be repaid to the Party convicted; and in every Case where any Conviction shall be quashed on Appeal as aforesaid the Clerk of the Peace, or other proper Officer, shall forthwith endorse on the Conviction a Memorandum that the same has been so quashed; and whenever any Copy or Certificate of such Conviction

Conviction shall be made, a Copy of such Memorandum shall be added thereto, and shall be sufficient Evidence that the Conviction has been quashed in every Case where such Copy or Certificate would be sufficient Evidence of such Conviction.

No Certiorari, &c.

111. No such Conviction, or Adjudication made on Appeal therefrom, shall be quashed for Want of Form, or be removed by Certiorari into any of Her Majesty's Superior Courts of Record; and no Warrant of Commitment shall be held void by reason of any Defect therein, provided it be therein alleged that the Party has been convicted, and there be a good and valid Conviction to sustain the same.

Convictions to be returned to the Quarter Sessions.

112. Every Justice of the Peace before whom any Person shall be convicted of any Offence against this Act shall transmit the Conviction to the next Court of General or Quarter Sessions which shall be holden for the County or Place wherein the Offence shall have been committed, there to be kept by the proper Officer among the Records of the Court; and upon any Information against any Person for a subsequent Offence, a Copy of such Conviction, certified by the proper Officer of the Court, or proved to be a true Copy, shall be sufficient Evidence to prove a Conviction for the former Offence, and the Conviction shall be presumed to have been unappealed against until the contrary be shown.

Venue, in Proceedings against Persons acting under this Act.

Notice of Action.

General Issue, &c.

113. All Actions and Prosecutions to be commenced against any Person for anything done in pursuance of this Act shall be laid and tried in the County where the Fact was committed, and shall be commenced within Six Months after the Fact committed, and not otherwise; and Notice in Writing of such Action and of the Cause thereof shall be given to the Defendant One Month at least before the Commencement of the Action; and in any such Action the Defendant may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial to be had thereupon; and no Plaintiff shall recover in any such Action if Tender of sufficient Amends shall have been made before such Action brought, or if a sufficient Sum of Money shall have been paid into Court after such Action brought, by or on behalf of the Defendant; and if a Verdict shall pass for the Defendant, or the Plaintiff shall become nonsuit, or discontinue any such Action after Issue joined, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff, the Defendant shall recover his full Costs as between Attorney and Client, and have the like Remedy for the same as any Defendant has by Law in other Cases; and though a Verdict shall be given for the Plaintiff in any such Action, such Plaintiff shall not have Costs against the Defendant unless the Judge before whom the Trial shall be shall certify his Approbation of the Action.

As to other Matters:

Stealers of Property in one Part of the Kingdom, &c. may be tried and punished in that Part where they have the Property.

114. If any Person shall have in his Possession in any one Part of the United Kingdom any Chattel, Money, valuable Security, or other Property whatsoever, which he shall have stolen or otherwise feloniously taken in any other Part of the United Kingdom, he may be dealt with, indicted, tried, and punished for Larceny or Theft in that Part of the United Kingdom where he shall so have such Property, in the same Manner as if he had actually stolen or taken it in that Part; and if any Person in any one Part of the United Kingdom shall receive or have any Chattel, Money, valuable Security, or other Property whatsoever which shall have been stolen or otherwise feloniously taken in any other Part of the United Kingdom, such Person knowing such Property to have been stolen or otherwise feloniously taken, he may be dealt with, indicted, tried, and punished for such Offence in that Part of the United Kingdom where he shall so receive or have such Property, in the same Manner as if it had been originally stolen or taken in that Part.

Offences committed within the Jurisdiction of the Admiralty.

115. All indictable Offences mentioned in this Act which shall be committed within the Jurisdiction of the Admiralty of *England* or *Ireland* shall be deemed to be Offences of the same Nature, and liable to the same Punishments, as if they had been committed upon the Land in *England* or *Ireland*, and may be dealt with, inquired of, tried, and determined in any County or Place in which the Offender shall be apprehended or be in Custody; and in any Indictment for any such Offence or for being an Accessory to any such Offence the Venue in the Margin shall be the same as if the Offence had been committed in such County or Place, and the Offence itself shall be averred to have been committed "on the High Seas;" provided, that nothing herein contained shall alter or affect any of the Laws relating to the Government of Her Majesty's Land or Naval Forces.

Form of Indictment for a subsequent Offence.

116. In any Indictment for any Offence punishable under this Act, and committed after a previous Conviction or Convictions for any Felony, Misdemeanor, or Offence or Offences punishable upon Summary Conviction, it shall be sufficient, after charging the subsequent Offence, to state that the Offender was at a certain Time and Place or at certain Times and Places convicted of Felony, or of an indictable Misdemeanor, or of an Offence or Offences punishable upon Summary Conviction, (as the Case may be,) without otherwise describing the previous Felony, Misdemeanor, Offence or Offences; and a Certificate containing the Substance and Effect only (omitting the formal Part) of the Indictment and Conviction for the previous Felony or Misdemeanor, or a Copy of any such Summary Conviction, purporting to be signed by the Clerk of the Court or other Officer having the Custody of the Records of the Court where the Offender was first convicted, or to which such Summary Conviction shall have been returned, or by the Deputy of such Clerk or Officer, (for which Certificate or Copy a Fee of Five Shillings and no more shall be demanded or taken,) shall, upon Proof of the Identity of the Person of the Offender, be sufficient Evidence of such Conviction, without Proof of the Signature or official Character of the Person appearing

to

When the previous Conviction is to be proved on the Trial.

to have signed the same; and the Proceedings upon any Indictment for committing any Offence after a previous Conviction or Convictions shall be as follows; (that is to say,) the Offender shall, in the first instance, be arraigned upon so much only of the Indictment as charges the subsequent Offence, and if he plead Not Guilty, or if the Court order a Plea of Not Guilty to be entered on his Behalf, the Jury shall be charged, in the first instance, to inquire concerning such subsequent Offence only; and if they find him Guilty, or if on Arraignment he plead Guilty, he shall then, and not before, be asked whether he had been previously convicted as alleged in the Indictment, and if he answer that he had been so previously convicted the Court may proceed to sentence him accordingly, but if he deny that he had been so previously convicted, or stand mute of Malice, or will not answer directly to such Question, the Jury shall then be charged to inquire concerning such previous Conviction or Convictions, and in such Case it shall not be necessary to swear the Jury again, but the Oath already taken by them shall for all Purposes be deemed to extend to such last-mentioned Inquiry: Provided, that if upon the Trial of any Person for any such subsequent Offence such Person shall give Evidence of his good Character, it shall be lawful for the Prosecutor, in answer thereto, to give Evidence of the Conviction of such Person for the previous Offence or Offences before such Verdict of Guilty shall be returned, and the Jury shall inquire concerning such previous Conviction or Convictions at the same Time that they inquire concerning such subsequent Offence.

Fine, and Sureties for keeping the Peace, in what Cases.

117. Whenever any Person shall be convicted of any indictable Misdemeanor punishable under this Act, the Court may, if it shall think fit, in addition to or in lieu of any of the Punishments by this Act authorized, fine the Offender, and require him to enter into his own Recognizances and to find Sureties, both or either, for keeping the Peace and being of good Behaviour; and in case of any Felony punishable under this Act the Court may, if it shall think fit, require the Offender to enter into his own Recognizances, and to find Sureties, both or either, for keeping the Peace, in addition to any Punishment by this Act authorized: Provided that no Person shall be imprisoned under this Clause for not finding Sureties for any Period exceeding One Year.

Hard Labour.

118. Whenever Imprisonment, with or without Hard Labour, may be awarded for any indictable Offence under this Act, the Court may sentence the Offender to be imprisoned, or to be imprisoned and kept to Hard Labour, in the Common Gaol or House of Correction.

Solitary Confinement, and Whipping.

119. Whenever Solitary Confinement may be awarded for any indictable Offence under this Act, the Court may direct the Offender to be kept in Solitary Confinement for any Portion or Portions of his Imprisonment, or of his Imprisonment with Hard Labour, not exceeding One Month at any One Time, and not exceeding Three Months in any One Year; and whenever Whipping may be awarded for any indictable Offence under this Act, the Court may sentence the Offender to be once privately whipped, and the Number of Strokes and the Instrument with which they shall be inflicted shall be specified by the Court in the Sentence.

Summary Proceedings in England may be under the 11 & 12 Vict. c. 43., and in Ireland under 14 & 15 Vict. c. 93.; except in London and the Metropolitan Police District.

120. Every Offence hereby made punishable on Summary Conviction may be prosecuted in *England* in the Manner directed by the Act of the Session holden in the Eleventh and Twelfth Years of Queen *Victoria*, Chapter Forty-three, so far as no Provision is hereby made for any Matter or Thing which may be required to be done in the course of such Prosecution, and may be prosecuted in *Ireland* before Two or more Justices of the Peace, or One Metropolitan or Stipendiary Magistrate, in the Manner directed by the Act of the Session holden in the Fourteenth and Fifteenth Years of Queen *Victoria*, Chapter Ninety-three, or in such other Manner as may be directed by any Act that may be passed for like Purposes; and all Provisions contained in the said Acts shall be applicable to such Prosecutions in the same Manner as if they were incorporated in this Act: Provided, that nothing in this Act contained shall in any Manner alter or affect any Enactment relating to Procedure in the Case of any Offence punishable on Summary Conviction within the City of *London* or the Metropolitan Police District, or the Recovery or Application of any Penalty or Forfeiture for any such Offence.

Costs of Prosecution of Misdemeanors may be allowed.

121. The Court before which any indictable Misdemeanor against this Act shall be prosecuted or tried may allow the Costs of the Prosecution in the same Manner as in Cases of Felony; and every Order for the Payment of such Costs shall be made out, and the Sum of Money mentioned therein paid and repaid, upon the same Terms and in the same Manner in all respects as in Cases of Felony.

Extent of Act.

122. Nothing in this Act contained shall extend to *Scotland*, except as herein-before otherwise expressly provided.

Commencement of Act.

123. This Act shall commence and take effect on the First Day of *November* One thousand eight hundred and sixty-one.

CAP. XCVII.

An Act to consolidate and amend the Statute Law of *England* and *Ireland* relating to Malicious Injuries to Property. [6th *August* 1861.]

'WHEREAS it is expedient to consolidate and amend the Statute Law of *England* and *Ireland* relating to Malicious Injuries to Property:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Injuries

Malicious Injuries to Property.

Injuries by Fire to Buildings, and Goods therein.

Setting fire to a Church or Chapel.

1. Whosoever shall unlawfully and maliciously set fire to any Church, Chapel, Meeting House, or other Place of Divine Worship, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Setting fire to a Dwelling House, any Person being therein.

2. Whosoever shall unlawfully and maliciously set fire to any Dwelling House, any Person being therein, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Setting fire to a House, Outhouse, Manufactory, Farm Building, &c.

3. Whosoever shall unlawfully and maliciously set fire to any House, Stable, Coach-house, Outhouse, Warehouse, Office, Shop, Mill, Malthouse, Hop-oast, Barn, Storehouse, Granary, Hovel, Shed, or Fold, or to any Farm Building, or to any Building or Erection used in farming Land, or in carrying on any Trade or Manufacture or any Branch thereof, whether the same shall then be in the Possession of the Offender or in the Possession of any other Person, with Intent thereby to injure or defraud any Person, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Setting fire to any Railway Station.

4. Whosoever shall unlawfully and maliciously set fire to any Station, Engine House, Warehouse, or other Building belonging or appertaining to any Railway, Port, Dock, or Harbour, or to any Canal or other Navigation, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Setting fire to any Public Building.

5. Whosoever shall unlawfully and maliciously set fire to any Building other than such as are in this Act before mentioned, belonging to the Queen, or to any County, Riding, Division, City, Borough, Poor Law Union, Parish, or Place, or belonging to any University, or College or Hall of any University, or to any Inn of Court, or devoted or dedicated to Public Use or Ornament, or erected or maintained by Public Subscription or Contribution, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Setting fire to other Buildings.

6. Whosoever shall unlawfully and maliciously set fire to any Building other than such as are in this Act before mentioned shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Setting fire to Goods in any Building setting fire to which is Felony.

7. Whosoever shall unlawfully and maliciously set fire to any Matter or Thing, being in, against, or under any Building, under such Circumstances that if the Building were thereby set fire to the Offence would amount to Felony, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Attempting to set fire to Buildings.

8. Whosoever shall unlawfully and maliciously by any overt Act attempt to set fire to any Building, or any Matter or Thing in the last preceding Section mentioned, under such Circumstances that if the same were thereby set fire to the Offender would be guilty of Felony, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Injuries by explosive Substances to Buildings and Goods therein.

Destroying, &c. a House with Gunpowder, any Person being therein.

9. Whosoever shall unlawfully and maliciously, by the Explosion of Gunpowder or other explosive Substance, destroy, throw down, or damage the whole or any Part of any Dwelling House, any Person being therein, or of any Building whereby the Life of any Person shall be endangered, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Attempting to destroy Buildings with Gunpowder.

10. Whosoever shall unlawfully and maliciously place or throw in, into, upon, under, against, or near any Building any Gunpowder or other explosive Substance, with Intent to destroy or damage any Building,

Building, or any Engine, Machinery, Working Tools, Fixtures, Goods, or Chattels, shall, whether or not any Explosion take place, and whether or not any Damage be caused, be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Injuries to Buildings by Rioters, &c.

Rioters demolishing Church, Building, &c.

11. If any Persons riotously and tumultuously assembled together to the Disturbance of the Public Peace shall unlawfully and with Force demolish, or pull down or destroy, or begin to demolish, pull down, or destroy, any Church, Chapel, Meeting House, or other Place of Divine Worship, or any House, Stable, Coach-house, Outhouse, Warehouse, Office, Shop, Mill, Malthouse, Hop-oast, Barn, Granary, Shed, Hovel, or Fold, or any Building or Erection used in farming Land, or in carrying on any Trade or Manufacture or any Branch thereof, or any Building other than such as are in this Section before mentioned, belonging to the Queen, or to any County, Riding, Division, City, Borough, Poor Law Union, Parish, or Place, or belonging to any University, or College or Hall of any University, or to any Inn of Court, or devoted or dedicated to Public Use or Ornament, or erected or maintained by Public Subscription or Contribution, or any Machinery, whether fixed or moveable, prepared for or employed in any Manufacture or in any Branch thereof, or any Steam Engine or other Engine for sinking, working, ventilating, or draining any Mine, or any Staith, Building, or Erection used in conducting the Business of any Mine, or any Bridge, Waggonway, or Trunk for conveying Minerals from any Mine, every such Offender shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Rioters injuring Building, Machinery, &c.

12. If any Persons, riotously and tumultuously assembled together to the Disturbance of the Public Peace, shall unlawfully and with Force injure or damage any such Church, Chapel, Meeting House, Place of Divine Worship, House, Stable, Coach-house, Outhouse, Warehouse, Office, Shop, Mill, Malthouse, Hop-oast, Barn, Granary, Shed, Hovel, Fold, Building, Erection, Machinery, Engine, Staith, Bridge, Waggonway, or Trunk, as is in the last preceding Section mentioned, every such Offender shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour: Provided that if upon the Trial of any Person for any Felony in the last preceding Section mentioned the Jury shall not be satisfied that such Person is guilty thereof, but shall be satisfied that he is guilty of any Offence in this Section mentioned, then the Jury may find him guilty thereof, and he may be punished accordingly.

Injuries to Buildings by Tenants.

Tenants of Houses, &c. maliciously injuring them.

13. Whosoever, being possessed of any Dwelling House or other Building, or Part of any Dwelling House or other Building, held for any Term of Years or other less Term, or at Will, or held over after the Termination of any Tenancy, shall unlawfully and maliciously pull down or demolish, or begin to pull down or demolish, the same or any Part thereof, or shall unlawfully and maliciously pull down or sever from the Freehold any Fixture being fixed in or to such Dwelling House or Building, or Part of such Dwelling House or Building, shall be guilty of a Misdemeanor.

Injuries to Manufactures, Machinery, &c.

Destroying Goods in Process of Manufacture, certain Machinery, &c.

14. Whosoever shall unlawfully and maliciously cut, break, or destroy, or damage with Intent to destroy or to render useless, any Goods or Article of Silk, Woollen, Linen, Cotton, Hair, Mohair, or Alpaca, or of any One or more of those Materials mixed with each other or mixed with any other Material, or any Framework-knitted Piece, Stocking, Hose, or Lace, being in the Loom or Frame, or on any Machine or Engine, or on the Rack or Tenters, or in any Stage, Process, or Progress of Manufacture, or shall unlawfully and maliciously cut, break, or destroy, or damage with Intent to destroy or to render useless, any Warp or Shute of Silk, Woollen, Linen, Cotton, Hair, Mohair, or Alpaca, or of any One or more of those Materials mixed with each other or mixed with any other Material, or shall unlawfully and maliciously cut, break, or destroy, or damage with Intent to destroy or render useless, any Loom, Frame, Machine, Engine, Rack, Tackle, Tool, or Implement, whether fixed or moveable, prepared for or employed in carding, spinning, throwing, weaving, fulling, shearing, or otherwise manufacturing or preparing any such Goods or Articles, or shall by Force enter into any House, Shop, Building, or Place, with Intent to commit any of the Offences in this Section mentioned, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

15. Whosoever

Malicious Injuries to Property.

Destroying Machines in other Manufactures, Threshing Machines, &c.

15. Whosoever shall unlawfully and maliciously cut, break, or destroy, or damage with Intent to destroy or to render useless, any Machine or Engine, whether fixed or moveable, used or intended to be used for sowing, reaping, mowing, thrashing, ploughing, or draining, or for performing any other Agricultural Operation, or any Machine or Engine, or any Tool or Implement, whether fixed or moveable, prepared for or employed in any Manufacture whatsoever (except the Manufacture of Silk, Woollen, Linen, Cotton, Hair, Mohair, or Alpaca Goods, or Goods of any One or more of those Materials mixed with each other or mixed with any other Material, or any Framework-knitted Piece, Stocking, Hose, or Lace), shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Injuries to Corn, Trees, and vegetable Productions.

Setting fire to Crops of Corn, &c.

16. Whosoever shall unlawfully and maliciously set fire to any Crop of Hay, Grass, Corn, Grain, or Pulse, or of any cultivated vegetable Produce, whether standing or cut down, or to any Part of any Wood, Coppice, or Plantation of Trees, or to any Heath, Gorse, Furze, or Fern, wheresoever the same may be growing, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Setting fire to Stacks of Corn, &c.

17. Whosoever shall unlawfully and maliciously set fire to any Stack of Corn, Grain, Pulse, Tares, Hay, Straw, Haulm, Stubble, or of any cultivated vegetable Produce, or of Furze, Gorse, Heath, Fern, Turf, Peat, Coals, Charcoal, Wood, or Bark, or to any Steer of Wood or Bark, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Attempting to set fire to any Crops of Corn, &c. or to any Stack or Steer.

18. Whosoever shall unlawfully and maliciously by any overt Act attempt to set fire to any such Matter or Thing as in either of the last Two preceding Sections mentioned, under such Circumstances that if the same were thereby set fire to the Offender would be, under either of such Sections, guilty of Felony, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Destroying Hopbinds.

19. Whosoever shall unlawfully and maliciously cut or otherwise destroy any Hopbinds growing on Poles in any Plantation of Hops shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Destroying, &c. Trees, &c. worth more than 1*l.* growing in a Pleasure Ground, &c.

20. Whosoever shall unlawfully and maliciously cut, break, bark, root up, or otherwise destroy or damage the whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, growing in any Park, Pleasure Ground, Garden, Orchard, or Avenue, or in any Ground adjoining or belonging to any Dwelling House, (in case the Amount of the Injury done shall exceed the Sum of One Pound,) shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Destroying, &c. Shrubs, &c. worth more than 5*l.* growing elsewhere than in a Pleasure Ground, &c.

21. Whosoever shall unlawfully and maliciously cut, break, bark, root up, or otherwise destroy or damage the whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, growing elsewhere than in any Park, Pleasure Ground, Garden, Orchard, or Avenue, or in any Ground adjoining to or belonging to any Dwelling House, (in case the Amount of Injury done shall exceed the Sum of Five Pounds,) shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Damaging Trees, wheresoever growing, to the Amount of 1*s.*

22. Whosoever shall unlawfully and maliciously cut, break, bark, root up, or otherwise destroy or damage the whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, wheresoever the same may be growing, the Injury done being to the Amount of One Shilling at the least, shall, on Conviction thereof before a Justice of the Peace, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and

kept to Hard Labour, for any Term not exceeding Three Months, or else shall forfeit and pay, over and above the Amount of the Injury done, such Sum of Money, not exceeding Five Pounds, as to the Justice shall seem meet; and whosoever having been convicted of any such Offence, either against this or any former Act of Parliament, shall afterwards commit any of the said Offences in this Section before mentioned, and shall be convicted thereof in like Manner, shall for such Second Offence be committed to the Common Gaol or House of Correction, there to be kept to Hard Labour for such Term, not exceeding Twelve Months, as the convicting Justice shall think fit; and whosoever having been twice convicted of any such Offence (whether both or either of such Convictions shall have taken place before or after the passing of this Act), shall afterwards commit any of the said Offences in this Section before mentioned, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Second Offence.

Third Offence.

Destroying any Fruit or vegetable Production in a Garden.

23. Whosoever shall unlawfully and maliciously destroy, or damage with Intent to destroy, any Plant, Root, Fruit, or vegetable Production, growing in any Garden, Orchard, Nursery Ground, Hothouse, Greenhouse, or Conservatory, shall, on Conviction thereof before a Justice of the Peace, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for any Term not exceeding Six Months, or else shall forfeit and pay, over and above the Amount of the Injury done, such Sum of Money not exceeding Twenty Pounds as to the Justice shall seem meet; and whosoever, having been convicted of any such Offence, either against this or any former Act of Parliament, shall afterwards commit any of the said Offences in this Section before mentioned, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Second Offence.

Destroying, &c. vegetable Productions not growing in Gardens, &c.

24. Whosoever shall unlawfully and maliciously destroy, or damage with Intent to destroy, any cultivated Root or Plant used for the Food of Man or Beast, or for Medicine, or for distilling, or for dyeing, or for or in the Course of any Manufacture, and growing in any Land, open or inclosed, not being a Garden, Orchard, or Nursery Ground, shall, on Conviction thereof before a Justice of the Peace, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for any Term not exceeding One Month, or else shall forfeit and pay, over and above the Amount of the Injury done, such Sum of Money not exceeding Twenty Shillings as to the Justice shall seem meet, and in default of Payment thereof, together with the Costs, if ordered, shall be committed as aforesaid for any Term not exceeding One Month, unless Payment be sooner made; and whosoever having been convicted of any such Offence either against this or any former Act of Parliament, shall afterwards commit any of the said Offences, in this Section before mentioned, and shall be convicted thereof in like Manner, shall be committed to the Common Gaol or House of Correction, there to be kept to Hard Labour for such Term not exceeding Six Months as the convicting Justice shall think fit.

Second Offence.

Injuries to Fences.

Destroying, &c. any Fence, &c.

25. Whosoever shall unlawfully and maliciously cut, break, throw down, or in anywise destroy any Fence of any Description whatsoever, or any Wall, Stile, or Gate, or any Part thereof respectively, shall, on Conviction thereof before a Justice of the Peace, for the First Offence forfeit and pay, over and above the Amount of the Injury done, such Sum of Money not exceeding Five Pounds as to the Justice shall seem meet; and whosoever, having been convicted of any such Offence, either against this or any former Act of Parliament, shall afterwards commit any of the said Offences in this Section before mentioned, and shall be convicted thereof in like Manner, shall be committed to the Common Gaol or House of Correction, there to be kept to Hard Labour for such Term not exceeding Twelve Months as the convicting Justice shall think fit.

Second Offence.

Injuries to Mines.

Setting fire to a Coal Mine.

26. Whosoever shall unlawfully and maliciously set fire to any Mine of Coal, Cannel Coal, Anthracite, or other Mineral Fuel, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Attempting to set fire to a Mine.

27. Whosoever shall unlawfully and maliciously by any overt Act attempt to set fire to any Mine, under such Circumstances that if the Mine were thereby set fire to the Offender would be guilty of Felony, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

28. Whosoever

Malicious Injuries to Property.

Conveying Water into a Mine, obstructing the Shaft, &c.

28. Whosoever shall unlawfully and maliciously cause any Water to be conveyed or run into any Mine, or into any subterraneous Passage communicating therewith, with Intent thereby to destroy or damage such Mine, or to hinder or delay the working thereof, or shall with the like Intent unlawfully and maliciously pull down, fill up, or obstruct, or damage with Intent to destroy, obstruct, or render useless, any Airway, Waterway, Drain, Pit, Level, or Shaft of or belonging to any Mine, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping: Provided that this Provision shall not extend to any Damage committed underground by any Owner of any adjoining Mine in working the same, or by any Person duly employed in such working.

Damaging Steam Engines, Staiths, Waggon-ways, &c. for working Mines.

29. Whosoever shall unlawfully and maliciously pull down or destroy, or damage with Intent to destroy or render useless, any Steam Engine or other Engine for sinking, draining, ventilating, or working, or for in anywise assisting in sinking, draining, ventilating, or working any Mine, or any Appliance or Apparatus in connexion with any such Steam or other Engine, or any Staith, Building, or Erection used in conducting the Business of any Mine, or any Bridge, Waggonway, or Trunk for conveying Minerals from any Mine, whether such Engine, Staith, Building, Erection, Bridge, Waggonway, or Trunk be completed or in an unfinished State, or shall unlawfully and maliciously stop, obstruct, or hinder the working of any such Steam or other Engine, or of any such Appliance or Apparatus as aforesaid, with Intent thereby to destroy or damage any Mine, or to hinder, obstruct, or delay the working thereof, or shall unlawfully and maliciously wholly or partially cut through, sever, break, or unfasten, or damage with Intent to destroy or render useless, any Rope, Chain, or Tackle, of whatsoever Material the same shall be made, used in any Mine, or in or upon any inclined Plane, Railway or other Way, or other Work whatsoever, in anywise belonging or appertaining to or connected with or employed in any Mine or the working or Business thereof, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Injuries to Sea and River Banks, and to Works on Rivers, Canals, &c.

Destroying any Sea Bank, or Wall on any Canal.

30. Whosoever shall unlawfully and maliciously break down or cut down or otherwise damage or destroy any Sea Bank or Sea Wall, or the Bank, Dam, or Wall of or belonging to any River, Canal, Drain, Reservoir, Pool, or Marsh, whereby any Land or Building shall be or shall be in danger of being overflowed or damaged, or shall unlawfully and maliciously throw, break, or cut down, level, undermine, or otherwise destroy, any Quay, Wharf, Jetty, Lock, Sluice, Floodgate, Weir, Tunnel, Towing-path, Drain, Watercourse, or other Work belonging to any Port, Harbour, Dock, or Reservoir, or on or belonging to any navigable River or Canal, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Removing Piles of any Sea Bank, &c. or obstructing Navigation of a River or Canal.

31. Whosoever shall unlawfully and maliciously cut off, draw up, or remove any Piles, Chalk, or other Materials fixed in the Ground, and used for securing any Sea Bank or Sea Wall, or the Bank, Dam, or Wall of any River, Canal, Drain, Aqueduct, Marsh, Reservoir, Pool, Port, Harbour, Dock, Quay, Wharf, Jetty, or Lock, or shall unlawfully and maliciously open or draw up any Floodgate or Sluice, or do any other Injury or Mischief to any navigable River or Canal, with Intent and so as thereby to obstruct or prevent the carrying on, completing, or maintaining the Navigation thereof, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Injuries to Ponds.

Breaking down the Dam of a Fishery, &c. or Mill Dam, or poisoning Fish.

32. Whosoever shall unlawfully and maliciously cut through, break down, or otherwise destroy the Dam, Floodgate, or Sluice of any Fish Pond, or of any Water which shall be private Property, or in which there shall be any private Right of Fishery, with Intent thereby to take or destroy any of the Fish in such Pond or Water, or so as thereby to cause the Loss or Destruction of any of the Fish, or shall unlawfully and maliciously put any Lime or other noxious Material in any such Pond or Water, with Intent thereby to destroy any of the Fish that may then be or that may thereafter be put therein, or shall unlawfully and maliciously cut through, break down, or otherwise destroy the Dam or Floodgate of any Mill Pond, Reservoir, or Pool, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven

Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Injuries to Bridges, Viaducts, and Toll Bars.

Injury to a public Bridge.

33. Whosoever shall unlawfully and maliciously pull or throw down or in anywise destroy any Bridge (whether over any Stream of Water or not), or any Viaduct or Aqueduct, over or under which Bridge, Viaduct, or Aqueduct any Highway, Railway, or Canal shall pass, or do any Injury with Intent and so as thereby to render such Bridge, Viaduct, or Aqueduct, or the Highway, Railway, or Canal passing over or under the same, or any Part thereof, dangerous or impassable, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Destroying a Turnpike Gate, Toll House, &c.

34. Whosoever shall unlawfully and maliciously throw down, level, or otherwise destroy, in whole or in part, any Turnpike Gate or Toll Bar, or any Wall, Chain, Rail, Post, Bar, or other Fence belonging to any Turnpike Gate or Toll Bar, or set up or erected to prevent Passengers passing by without paying any Toll directed to be paid by any Act of Parliament relating thereto, or any House, Building, or Weighing Engine erected for the better Collection, Ascertainment, or Security of any such Toll, shall be guilty of a Misdemeanor.

Injuries to Railway Carriages and Telegraphs.

Placing Wood, &c. on Railway with Intent to obstruct or overthrow any Engine, &c.

35. Whosoever shall unlawfully and maliciously put, place, cast, or throw upon or across any Railway any Wood, Stone, or other Matter or Thing, or shall unlawfully and maliciously take up, remove, or displace any Rail, Sleeper, or other Matter or Thing belonging to any Railway, or shall unlawfully and maliciously turn, move, or divert any Points or other Machinery belonging to any Railway, or shall unlawfully and maliciously make or show, hide or remove, any Signal or Light upon or near to any Railway, or shall unlawfully and maliciously do or cause to be done any other Matter or Thing, with Intent, in any of the Cases aforesaid, to obstruct, upset, overthrow, injure, or destroy any Engine, Tender, Carriage, or Truck using such Railway, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and, if a Male under the Age of Sixteen, with or without Whipping.

Obstructing Engines or Carriages on Railways.

36. Whosoever, by any unlawful Act, or by any wilful Omission or Neglect, shall obstruct or cause to be obstructed any Engine or Carriage using any Railway, or shall aid or assist therein, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Injuries to Electric or Magnetic Telegraphs.

37. Whosoever shall unlawfully and maliciously cut, break, throw down, destroy, injure, or remove any Battery, Machinery, Wire, Cable, Post, or other Matter or Thing whatsoever, being Part of or being used or employed in or about any Electric or Magnetic Telegraph, or in the working thereof, or shall unlawfully and maliciously prevent or obstruct in any Manner whatsoever the sending, Conveyance, or Delivery of any Communication by any such Telegraph, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour: Provided that if it shall appear to any Justice, on the Examination of any Person charged with any Offence against this Section, that it is not expedient to the Ends of Justice that the same should be prosecuted by Indictment, the Justice may proceed summarily to hear and determine the same, and the Offender shall, on Conviction thereof, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for any Term not exceeding Three Months, or else shall forfeit and pay such Sum of Money not exceeding Ten Pounds as to the Justice shall seem meet.

Attempt to injure such Telegraphs.

38. Whosoever shall unlawfully and maliciously, by any overt Act, attempt to commit any of the Offences in the last preceding Section mentioned, shall, on Conviction thereof before a Justice of the Peace, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for any Term not exceeding Three Months, or else shall forfeit and pay such Sum of Money not exceeding Ten Pounds as to the Justice shall seem meet.

Injuries to Works of Art.

Destroying or damaging Works of Art in Museums, Churches, &c. or in Public Places.

39. Whosoever shall unlawfully and maliciously destroy or damage any Book, Manuscript, Picture, Print, Statue, Bust, or Vase, or any other Article or Thing kept for the Purposes of Art, Science, or Literature, or as an Object of Curiosity, in any Museum, Gallery, Cabinet, Library, or other Repository, which Museum, Gallery, Cabinet, Library, or other Repository is either at all Times or from Time to Time open for the Admission of the Public or of any considerable Number of Persons to view the same, either by the Permission of the Proprietor thereof or by the Payment of Money before entering the same,

same, or any Picture, Statue, Monument, or other Memorial of the Dead, painted Glass, or other Ornament or Work of Art, in any Church, Chapel, Meeting House, or other Place of Divine Worship, or in any Building belonging to the Queen, or to any County, Riding, Division, City, Borough, Poor Law Union, Parish, or Place, or to any University, or College or Hall of any University, or to any Inn of Court, or in any Street, Square, Churchyard, Burial Ground, Public Garden or Ground, or any Statue or Monument exposed to Public View, or any Ornament, Railing, or Fence surrounding such Statue or Monument, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable to be imprisoned for any Term not exceeding Six Months, with or without Hard Labour, and, if a Male under the Age of Sixteen Years, with or without Whipping; provided that nothing herein contained shall be deemed to affect the Right of any Person to recover, by Action at Law, Damages for the Injury so committed.

Injuries to Cattle and other Animals.

Killing or maiming Cattle.

40. Whosoever shall unlawfully and maliciously kill, maim, or wound any Cattle shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Killing or maiming other Animals.

41. Whosoever shall unlawfully and maliciously kill, maim, or wound any Dog, Bird, Beast, or other Animal, not being Cattle, but being either the Subject of Larceny at Common Law, or being ordinarily kept in a State of Confinement, or for any domestic Purpose, shall, on Conviction thereof before a Justice of the Peace, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for any Term not exceeding Six Months, or else shall forfeit and pay, over and above the Amount of Injury done, such Sum of Money not exceeding Twenty Pounds as to the Justice shall seem meet; and whosoever, having been convicted of any such Offence, shall afterwards commit any of the said Offences in this Section before mentioned, and shall be convicted thereof in like Manner, shall be committed to the Common Gaol or House of Correction, there to be kept to Hard Labour for such Term not exceeding Twelve Months as the convicting Justice shall think fit.

Second Offence.

Setting fire to a Ship.

42. Whosoever shall unlawfully and maliciously set fire to, cast away, or in anywise destroy any Ship or Vessel, whether the same be complete or in an unfinished State, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Setting fire to Ships to prejudice the Owner or Underwriters.

43. Whosoever shall unlawfully and maliciously set fire to, or cast away, or in anywise destroy any Ship or Vessel, with Intent thereby to prejudice any Owner or Part Owner of such Ship or Vessel, or of any Goods on board the same, or any Person that has underwritten or shall underwrite any Policy of Insurance upon such Ship or Vessel, or on the Freight thereof, or upon any Goods on board the same, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Attempting to set fire to a Vessel.

44. Whosoever shall unlawfully and maliciously, by any overt Act, attempt to set fire to, cast away, or destroy any Ship or Vessel, under such Circumstances that if the Ship or Vessel were thereby set fire to, cast away, or destroyed, the Offender would be guilty of Felony, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Placing Gunpowder near a Vessel with Intent to damage it.

45. Whosoever shall unlawfully and maliciously place or throw in, into, upon, against, or near any Ship or Vessel any Gunpowder or other explosive Substance, with Intent to destroy or damage any Ship or Vessel, or any Machinery, working Tools, Goods, or Chattels, shall, whether or not any Explosion take place, and whether or not any Injury be effected, be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Damaging Ships otherwise than by Fire.

46. Whosoever shall unlawfully and maliciously damage, otherwise than by Fire, Gunpowder, or other explosive Substance, any Ship or Vessel, whether complete or in an unfinished State, with Intent to destroy the same or render the same useless, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

47. Whosoever

Malicious Injuries to Property.

Exhibiting false Signals, &c.

47. Whosoever shall unlawfully mask, alter, or remove any Light or Signal, or unlawfully exhibit any false Light or Signal, with Intent to bring any Ship, Vessel, or Boat into Danger, or shall unlawfully and maliciously do anything tending to the immediate Loss or Destruction of any Ship, Vessel, or Boat, and for which no Punishment is herein-before provided, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life, or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Removing or concealing Buoys and other Sea Marks.

48. Whosoever shall unlawfully and maliciously cut away, cast adrift, remove, alter, deface, sink, or destroy, or shall unlawfully and maliciously do any Act with Intent to cut away, cast adrift, remove, alter, deface, sink, or destroy, or shall in any other Manner unlawfully and maliciously injure or conceal any Boat, Buoy, Buoy Rope, Perch, or Mark used or intended for the Guidance of Seamen or the Purpose of Navigation, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Destroying Wrecks or any Articles belonging thereto.

49. Whosoever shall unlawfully and maliciously destroy any Part of any Ship or Vessel which shall be in Distress, or wrecked, stranded, or cast on shore, or any Goods, Merchandise, or Articles of any Kind belonging to such Ship or Vessel, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Sending Letters threatening to burn or destroy.

Sending Letters threatening to burn or destroy Houses, Buildings, Ships, &c.

50. Whosoever shall send, deliver, or utter, or directly or indirectly cause to be received, knowing the Contents thereof, any Letter or Writing threatening to burn or destroy any House, Barn, or other Building, or any Rick or Stack of Grain, Hay, or Straw, or other Agricultural Produce, or any Grain, Hay, or Straw, or other Agricultural Produce in or under any Building, or any Ship or Vessel, or to kill, maim, or wound any Cattle, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Ten Years and not less than Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Injuries not before provided for.

Persons committing malicious Injuries not before provided for exceeding the Amount of 5*l*.

51. Whosoever shall unlawfully and maliciously commit any Damage, Injury, or Spoil to or upon any Real or Personal Property whatsoever, either of a public or private Nature, for which no Punishment is herein-before provided, the Damage, Injury, or Spoil being to an Amount exceeding Five Pounds, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour; and in case any such Offence shall be committed between the Hours of Nine of the Clock in the Evening and Six of the Clock in the next Morning, shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Five Years and not less than Three, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Persons committing Damage not previously provided for, may be committed and compelled to pay not exceeding 5*l*.

Application of Money awarded.

52. Whosoever shall wilfully or maliciously commit any Damage, Injury, or Spoil to or upon any Real or Personal Property whatsoever, either of a public or private Nature, for which no Punishment is herein-before provided, shall, on Conviction thereof before a Justice of the Peace, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for any Term not exceeding Two Months, or else shall forfeit and pay such Sum of Money not exceeding Five Pounds as to the Justice shall seem meet, and also such further Sum of Money as shall appear to the Justice to be a reasonable Compensation for the Damage, Injury, or Spoil so committed, not exceeding the Sum of Five Pounds; which last-mentioned Sum of Money shall, in the Case of private Property, be paid to the Party aggrieved; and in the Case of Property of a public Nature, or wherein any public Right is concerned, the Money shall be applied in the same Manner as every Penalty imposed by a Justice of the Peace under this Act; and if such Sums of Money, together with Costs (if ordered), shall not be paid either immediately after the Conviction, or within such Period as the Justice shall at the Time of the Conviction appoint, the Justice may commit the Offender to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, as the Justice shall think fit, for any Term not exceeding Two Months, unless such Sums and Costs be sooner paid: Provided that nothing herein contained shall extend to any Case where the Party acted under a fair and reasonable Supposition that he had a Right to do the Act complained of, nor to any Trespass, not being wilful and malicious,

Not to extend to certain Cases.

malicious, committed in hunting, fishing, or in the Pursuit of Game, but that every such Trespass shall be punishable in the same Manner as if this Act had not passed.

Sect. 52. to extend to Trees.

53. The Provisions in the last preceding Section contained shall extend to any Person who shall wilfully or maliciously commit any Injury to any Tree, Sapling, Shrub, or Underwood, for which no Punishment is herein-before provided.

Making Gunpowder to commit Offences, and searching for the same.

Making or having Gunpowder, &c. with Intent to commit any Felony against this Act.

54. Whosoever shall make or manufacture, or knowingly have in his Possession, any Gunpowder or other explosive Substance, or any dangerous or noxious Thing, or any Machine, Engine, Instrument, or Thing, with Intent thereby or by means thereof to commit, or for the Purpose of enabling any other Person to commit, any of the Felonies in this Act mentioned, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Justices may issue Warrants for searching Houses, &c. for such Gunpowder, &c.

55. Any Justice of the Peace of any County or Place in which any Machine, Engine, Implement, or Thing, or any Gunpowder or other explosive, dangerous, or noxious Substance, is suspected to be made, kept, or carried for the Purpose of being used in committing any of the Felonies in this Act mentioned, upon reasonable Cause assigned upon Oath by any Person, may issue a Warrant under his Hand and Seal for searching in the Daytime any House, Mill, Magazine, Storehouse, Warehouse, Shop, Cellar, Yard, Wharf, or other Place, or any Carriage, Waggon, Cart, Ship, Boat, or Vessel, in which the same is suspected to be made, kept, or carried for such Purpose as herein-before mentioned; and every Person acting in the Execution of any such Warrant shall have, for seizing, removing to proper Places, and detaining every such Machine, Engine, Implement, and Thing, and all such Gunpowder, explosive, dangerous, or noxious Substances found upon such Search, which he shall have good Cause to suspect to be intended to be used in committing any such Offence, and the Barrels, Packages, Cases, and other Receptacles in which the same shall be, the same Powers and Protections which are given to Persons searching for unlawful Quantities of Gunpowder under the Warrant of a Justice by the Act passed in the Session holden in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and thirty-nine, intituled *An Act to amend the Law concerning the making, keeping, and Carriage of Gunpowder and Compositions of an explosive Nature, and concerning the Manufacture, Sale, and Use of Fireworks.*

Other Matters.

Principals in the Second Degree and Accessories.

56. In the Case of every Felony punishable under this Act, every Principal in the Second Degree, and every Accessory before the Fact, shall be punishable in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessory after the Fact to any Felony punishable under this Act shall on Conviction be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement; and every Person who shall aid, abet, counsel, or procure the Commission of any Misdemeanor punishable under this Act shall be liable to be proceeded against, indicted, and punished as a principal Offender.

Abettors in Misdemeanors.

As to Persons loitering at Night, suspected of Felony.

57. Any Constable or Peace Officer may take into Custody, without Warrant, any Person whom he shall find lying or loitering in any Highway, Yard, or other Place during the Night, and whom he shall have good Cause to suspect of having committed or being about to commit any Felony against this Act, and shall take such Person as soon as reasonably may be before a Justice of the Peace, to be dealt with according to Law.

Malice against Owner unnecessary.

58. Every Punishment and Forfeiture by this Act imposed on any Person maliciously committing any Offence, whether the same be punishable upon Indictment or upon summary Conviction, shall equally apply and be enforced, whether the Offence shall be committed from Malice conceived against the Owner of the Property in respect of which it shall be committed or otherwise.

Act to apply to Persons in possession of Property injured.

59. Every Provision of this Act not herein-before so applied shall apply to every Person who, with Intent to injure or defraud any other Person, shall do any of the Acts herein-before made penal, although the Offender shall be in possession of the Property against or in respect of which such Act shall be done.

Intent to injure particular Persons need not be stated in Indictment.

60. It shall be sufficient in any Indictment for any Offence against this Act, where it shall be necessary to allege an Intent to injure or defraud, to allege that the Party accused did the Act with Intent to injure or defraud (as the Case may be), without alleging an Intent to injure or defraud any particular Person; and on the Trial of any such Offence it shall not be necessary to prove an Intent to injure or defraud any particular Person, but it shall be sufficient to prove that the Party accused did the Act charged with an Intent to injure or defraud (as the Case may be).

Persons in Act of committing Offence may be apprehended.

61. Any Person found committing any Offence against this Act, whether the same be punishable upon Indictment or upon summary Conviction, may be immediately apprehended, without a Warrant, by any Peace Officer, or the Owner of the Property injured, or his Servant, or any Person authorized by him, and forthwith taken before some neighbouring Justice of the Peace, to be dealt with according to Law.

Mode of compelling the Appearance of Persons punishable on summary Conviction.

62. Where any Person shall be charged on the Oath of a credible Witness before any Justice of the Peace with any Offence punishable on summary Conviction under this Act, the Justice may summon the Person charged to appear at a Time and Place to be named in such Summons; and if he shall not appear accordingly, then (upon Proof of the due Service of the Summons upon such Person by delivering the same to him personally, or by leaving the same at his usual Place of Abode,) the Justice may either proceed to hear and determine the Case *ex parte*, or issue his Warrant for apprehending such Person and bringing him before himself or some other Justice of the Peace; or the Justice before whom the Charge shall be made may (if he shall so think fit), without any previous Summons (unless where otherwise specially directed), issue such Warrant; and the Justice before whom the Person charged shall appear or be brought shall proceed to hear and determine the Case.

Abettors in Offences punishable on summary Conviction.

63. Whosoever shall aid, abet, counsel, or procure the Commission of any Offence which is by this Act punishable on summary Conviction, either for every Time of its Commission, or for the First and Second Time only, or for the First Time only, shall, on Conviction before a Justice of the Peace, be liable, for every First, Second, or subsequent Offence of aiding, abetting, counselling, or procuring, to the same Forfeiture and Punishment to which a Person guilty of a First, Second, or subsequent Offence as a principal Offender is by this Act made liable.

Application of Forfeitures, &c. upon summary Convictions.

64. Every Sum of Money which shall be forfeited for the Amount of any Injury done shall be assessed in each Case by the convicting Justice, and shall be paid to the Party aggrieved, except where he is unknown, and in that Case such Sum shall be applied in the same Manner as a Penalty; and every Sum which shall be imposed as a Penalty by any Justice of the Peace, whether in addition to such Amount or otherwise, shall be paid and applied in the same Manner as other Penalties recoverable before Justices of the Peace are to be paid and applied in Cases where the Statute imposing the same contains no Directions for the Payment thereof to any Person: Provided that where several Persons shall join in the Commission of the same Offence, and shall, upon Conviction thereof, each be adjudged to forfeit a Sum equivalent to the Amount of the Injury done, in every such Case no further Sum shall be paid to the Party aggrieved than such Value or Amount; and the remaining Sum or Sums forfeited shall be applied in the same Manner as any Penalty imposed by a Justice of the Peace is herein-before directed to be applied.

Proviso where several Persons join in Commission of same Offence.

If a Person summarily convicted shall not pay, &c., the Justice may commit him.

65. In every Case of a summary Conviction under this Act, where the Sum which shall be forfeited for the Amount of the Injury done, or which shall be imposed as a Penalty by the Justice, shall not be paid, either immediately after the Conviction, or within such Period as the Justice shall, at the Time of the Conviction, appoint, the convicting Justice (unless where otherwise specially directed) may commit the Offender to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, according to the Discretion of the Justice, for any Term not exceeding Two Months, where the Amount of the Sum forfeited, or of the Penalty imposed, or of both, (as the Case may be,) together with the Costs, shall not exceed Five Pounds; and for any Term not exceeding Four Months where the Amount, with Costs, shall not exceed Ten Pounds; and for any Term not exceeding Six Months in any other Case; the Commitment to be determinable in each of the Cases aforesaid upon Payment of the Amount and Costs.

Justice may discharge Offender in certain Cases.

66. Where any Person shall be summarily convicted before a Justice of the Peace of any Offence against this Act, and it shall be a First Conviction, the Justice may, if he shall so think fit, discharge the Offender from his Conviction upon his making such Satisfaction to the Party aggrieved for Damages and Costs, or either of them, as shall be ascertained by the Justice.

Summary Conviction a Bar to any other Proceeding.

67. When any Person convicted of any Offence punishable upon summary Conviction by virtue of this Act shall have paid the Sum adjudged to be paid, together with Costs, under such Conviction, or shall have received a Remission thereof from the Crown, or the Lord Lieutenant or other Chief Governor of *Ireland*, or shall have suffered the Imprisonment awarded for Nonpayment thereof, or the Imprisonment awarded in the first instance, or shall have been so discharged from his Conviction by any Justice as aforesaid, he shall be released from all further or other Proceedings for the same Cause.

Appeal.

68. In all Cases where the Sum adjudged to be paid on any summary Conviction shall exceed Five Pounds, or the Imprisonment adjudged shall exceed One Month, or the Conviction shall take place before One Justice only, any Person who shall think himself aggrieved by any such Conviction may appeal to the next Court of General or Quarter Sessions which shall be holden not less than Twelve Days after the Day of such Conviction, for the County or Place wherein the Cause of Complaint shall have arisen; provided that such Person shall give to the Complainant a Notice in Writing of such Appeal, and of the Cause and Matter thereof, within Three Days after such Conviction, and Seven clear Days at the least before such Sessions, and shall also either remain in Custody until the Sessions, or shall enter into a Recognizance, with Two sufficient Sureties, before a Justice of the Peace, conditioned personally to appear at the said Sessions and to try such Appeal, and to abide the Judgment of the Court thereupon, and to pay such Costs as shall be by the Court awarded; or if such Appeal shall be against any Conviction whereby only a Penalty or Sum of Money shall be adjudged to be paid, shall deposit with the Clerk of the convicting Justice such a Sum of Money as such Justice shall deem to be sufficient to cover the Sum so adjudged to be paid, together with the Costs of the Conviction and the Costs of the Appeal; and upon such Notice being given, and

such

such Recognizance being entered into, or such Deposit being made, the Justice before whom such Recognizance shall be entered into, or such Deposit shall be made, shall liberate such Person if in Custody; and the Court at such Sessions shall hear and determine the Matter of the Appeal, and shall make such Order therein, with or without Costs to either Party, as to the Court shall seem meet; and in case of the Dismissal of the Appeal, or the Affirmance of the Conviction, shall order and adjudge the Offender to be punished according to the Conviction, and to pay such Costs as shall be awarded, and shall, if necessary, issue Process for enforcing such Judgment; and in any Case where after any such Deposit shall have been made as aforesaid the Conviction shall be affirmed, the Court may order the Sum thereby adjudged to be paid, together with the Costs of the Conviction and the Costs of the Appeal, to be paid out of the Money deposited, and the Residue thereof, if any, to be repaid to the Party convicted; and in any Case where after any such Deposit the Conviction shall be quashed, the Court shall order the Money deposited to be repaid to the Party convicted; and in every Case where any Conviction shall be quashed on Appeal as aforesaid, the Clerk of the Peace or other proper Officer shall forthwith indorse on the Conviction a Memorandum that the same has been quashed; and whenever any Copy or Certificate of such Conviction shall be made, a Copy of such Memorandum shall be added thereto, and shall be sufficient Evidence that the Conviction has been quashed in every Case where such Copy or Certificate would be sufficient Evidence of such Conviction.

No Certiorari, &c.

69. No such Conviction, or Adjudication made on Appeal therefrom, shall be quashed for Want of Form, or be removed by Certiorari into any of Her Majesty's Superior Courts of Record; and no Warrant of Commitment shall be held void by reason of any Defect therein, provided it be therein alleged that the Party has been convicted, and there be a good and valid Conviction to sustain the same.

Convictions to be returned to Quarter Sessions.

70. Every Justice of the Peace before whom any Person shall be convicted of any Offence against this Act shall transmit the Conviction to the next Court of General or Quarter Sessions which shall be holden for the County or Place wherein the Offence shall have been committed, there to be kept by the proper Officer among the Records of the Court; and upon any Indictment or Information against any Person for a subsequent Offence, a Copy of such Conviction, certified by the proper Officer of the Court, or proved to be a true Copy, shall be sufficient Evidence to prove a Conviction for the former Offence, and the Conviction shall be presumed to have been unappealed against until the contrary be shown.

How far Evidence in future Cases.

Venue in Proceedings against Persons acting under this Act.

71. All Actions and Prosecutions to be commenced against any Person for anything done in pursuance of this Act shall be laid and tried in the County where the Fact was committed, and shall be commenced within Six Months after the Fact committed, and not otherwise; and Notice in Writing of such Action, and of the Cause thereof, shall be given to the Defendant One Month at least before the Commencement of the Action; and in any such Action the Defendant may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon; and no Plaintiff shall recover in any such Action if Tender of sufficient Amends shall have been made before such Action brought, or if a sufficient Sum of Money shall have been paid into Court after such Action brought, by or on behalf of the Defendant; and if a Verdict shall pass for the Defendant, or the Plaintiff shall become nonsuit, or discontinue any such Action after Issue joined, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff, the Defendant shall recover his full Costs as between Attorney and Client, and have the like Remedy for the same as any Defendant has by Law in other Cases; and though a Verdict shall be given for the Plaintiff in any such Action, such Plaintiff shall not have Costs against the Defendant, unless the Judge before whom the Trial shall be shall certify his Approbation of the Action.

Offences committed within Jurisdiction of the Admiralty.

72. All indictable Offences mentioned in this Act which shall be committed within the Jurisdiction of the Admiralty of *England* or *Ireland* shall be deemed to be Offences of the same Nature and liable to the same Punishments as if they had been committed upon the Land in *England* or *Ireland*, and may be dealt with, inquired of, tried, and determined in any County or Place in *England* or *Ireland* in which the Offender shall be apprehended or be in Custody, in the same Manner in all respects as if they had been actually committed in that County or Place; and in any Indictment for any such Offence, or for being an Accessory to such an Offence, the Venue in the Margin shall be the same as if the Offence had been committed in such County or Place, and the Offence shall be averred to have been committed "on the High Seas:" Provided that nothing herein contained shall alter or affect any of the Laws relating to the Government of Her Majesty's Land or Naval Forces.

Fine and Sureties for keeping the Peace; in what Cases.

73. Whenever any Person shall be convicted of any indictable Misdemeanor punishable under this Act, the Court may, if it shall think fit, in addition to or in lieu of any of the Punishments by this Act authorized, fine the Offender, and require him to enter into his own Recognizances, and to find Sureties, both or either, for keeping the Peace and being of good Behaviour; and in case of any Felony punishable under this Act, the Court may, if it shall think fit, require the Offender to enter into his own Recognizances, and to find Sureties, both or either, for keeping the Peace, in addition to any Punishment by this Act authorized: Provided that no Person shall be imprisoned under this Clause for not finding Sureties for any Period exceeding One Year.

Hard Labour.

74. Whenever Imprisonment, with or without Hard Labour, may be awarded for any indictable Offence under this Act, the Court may sentence the Offender to be imprisoned, or to be imprisoned and kept to Hard Labour, in the Common Gaol or House of Correction.

75. Whenever

Solitary Confinement and Whipping.

75. Whenever Solitary Confinement may be awarded for any indictable Offence under this Act, the Court may direct the Offender to be kept in Solitary Confinement for any Portion or Portions of his Imprisonment, or of his Imprisonment with Hard Labour, not exceeding One Month at any One Time, and not exceeding Three Months in any One Year; and whenever Whipping may be awarded for any indictable Offence under this Act, the Court may sentence the Offender to be once privately whipped; and the Number of Strokes, and the Instrument with which they shall be inflicted, shall be specified by the Court in the Sentence.

Summary Proceedings in England may be under 11 & 12 Vict. c. 43., and in Ireland under 14 & 15 Vict. c. 93.; except London and Metropolitan District.

76. Every Offence hereby made punishable on summary Conviction may be prosecuted in *England* in the Manner directed by the Act of the Session holden in the Eleventh and Twelfth Years of Queen *Victoria*, Chapter Forty-three, so far as no Provision is hereby made for any Matter or Thing which may be required to be done in the Course of such Prosecution, and may be prosecuted in *Ireland* before Two or more Justices of the Peace, or One Metropolitan or Stipendiary Magistrate, in the Manner directed by the Act of the Session holden in the Fourteenth and Fifteenth Years of Queen *Victoria*, Chapter Ninety-three, or in such other Manner as may be directed by any Act that may be passed for like Purposes, and all Provisions contained in the said Acts shall be applicable to such Prosecutions in the same Manner as if they were incorporated in this Act: Provided that nothing in this Act contained shall in any Manner alter or affect any Enactment relating to Procedure in the Case of any Offence punishable on Summary Conviction within the City of *London* or the Metropolitan Police District, or the Recovery or Application of any Penalty or Forfeiture for any such Offence.

Costs of Prosecution of Misdemeanors may be allowed.

77. The Court before which any indictable Misdemeanor against this Act shall be prosecuted or tried may allow the Costs of the Prosecution in the same Manner as in Cases of Felony; and every Order for the Payment of such Costs shall be made out, and the Sum of Money mentioned therein paid and repaid, upon the same Terms and in the same Manner in all respects as in Cases of Felony.

Extent of Act.

78. Nothing in this Act contained shall extend to *Scotland*, except as herein-before otherwise expressly provided.

Commencement of Act.

79. This Act shall commence and take effect on the First Day of *November* One thousand eight hundred and sixty-one.

CAP. XCVIII.

An Act to consolidate and amend the Statute Law of *England* and *Ireland* relating to indictable Offences by Forgery. [6th *August* 1861.]

'WHEREAS it is expedient to consolidate and amend the Statute Law of *England* and *Ireland* relating to indictable Offences by Forgery:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

As to forging Her Majesty's Seals:—

Forging the Great Seal, Privy Seal, &c.

1. Whosoever shall forge or counterfeit, or shall utter, knowing the same to be forged or counterfeited, the Great Seal of the United Kingdom, Her Majesty's Privy Seal, any Privy Signet of Her Majesty, Her Majesty's Royal Sign Manual, any of Her Majesty's Seals appointed by the Twenty-fourth Article of the Union between *England* and *Scotland* to be kept, used, and continued in *Scotland*, the Great Seal of *Ireland*, or the Privy Seal of *Ireland*, or shall forge or counterfeit the Stamp or Impression of any of the Seals aforesaid, or shall utter any Document or Instrument whatsoever, having thereon or affixed thereto the Stamp or Impression of any such forged or counterfeited Seal, knowing the same to be the Stamp or Impression of such forged or counterfeited Seal, or any forged or counterfeited Stamp or Impression made or apparently intended to resemble the Stamp or Impression of any of the Seals aforesaid, knowing the same to be forged or counterfeited, or shall forge or alter, or utter knowing the same to be forged or altered, any Document or Instrument having any of the said Stamps or Impressions thereon or affixed thereto, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to forging Transfers of Stock, &c.:—

Forging Transfer of certain Stock, and Power of Attorney relating thereto.

2. Whosoever shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Transfer of any Share or Interest of or in any Stock, Annuity, or other Public Fund which now is or hereafter may be transferable at the Bank of *England* or at the Bank of *Ireland*, or of or in the Capital Stock of any Body Corporate, Company, or Society which now is or hereafter may be established by Charter, or by, under, or by virtue of any Act of Parliament, or shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Power of Attorney or other Authority to transfer any Share or Interest of or in any such Stock, Annuity, Public Fund, or Capital Stock, or to receive any Dividend or Money payable in respect of any such Share or Interest, or shall demand or endeavour to have any such Share or Interest transferred, or to receive any Dividend or Money payable in respect thereof, by virtue of any such forged or altered Power of Attorney or other Authority, knowing the same to be forged or altered, with Intent in any of the Cases aforesaid

aforesaid to defraud, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years, —or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Personating the Owner of certain Stock, and transferring or receiving or endeavouring to transfer or receive the Dividends.

3. Whosoever shall falsely and deceitfully personate any Owner of any Share or Interest of or in any Stock, Annuity, or other Public Fund which now is or hereafter may be transferable at the Bank of *England*, or at the Bank of *Ireland*, or any Owner of any Share or Interest of or in the Capital Stock of any Body Corporate, Company, or Society which now is or hereafter may be established by Charter, or by, under, or by virtue of any Act of Parliament, or any Owner of any Dividend or Money payable in respect of any such Share or Interest as aforesaid, and shall thereby transfer or endeavour to transfer any Share or Interest belonging to any such Owner, or thereby receive or endeavour to receive any Money due to any such Owner, as if such Offender were the true and lawful Owner, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Forging Attestation to Power of Attorney for Transfer of Stock, &c.

4. Whosoever shall forge any Name, Handwriting, or Signature purporting to be the Name, Handwriting, or Signature of a Witness attesting the Execution of any Power of Attorney or other Authority to transfer any Share or Interest of or in any such Stock, Annuity, Public Fund, or Capital Stock as is in either of the last Two preceding Sections mentioned, or to receive any Dividend or Money payable in respect of any such Share or Interest, or shall offer, utter, dispose of, or put off any such Power of Attorney or other Authority, with any such forged Name, Handwriting, or Signature thereon, knowing the same to be forged, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Making false Entries in the Books of the Public Funds.

5. Whosoever shall wilfully make any false Entry in, or wilfully alter any Word or Figure in, any of the Books of Account kept by the Governor and Company of the Bank of *England* or the Governor and Company of the Bank of *Ireland*, in which Books the Accounts of the Owners of any Stock, Annuities, or other Public Funds which now are or hereafter may be transferable at the Bank of *England* or at the Bank of *Ireland* shall be entered and kept, or shall in any Manner wilfully falsify any of the Accounts of any of such Owners in any of the said Books, with Intent in any of the Cases aforesaid to defraud, or shall wilfully make any Transfer of any Share or Interest of or in any Stock, Annuity, or other Public Fund which now is or hereafter may be transferable at the Bank of *England* or at the Bank of *Ireland*, in the Name of any Person not being the true and lawful Owner of such Share or Interest, with Intent to defraud, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Clerks of the Bank making out false Dividend Warrants.

6. Whosoever, being a Clerk, Officer, or Servant of, or other Person employed or intrusted by the Governor and Company of the Bank of *England* or the Governor and Company of the Bank of *Ireland*, shall knowingly make out or deliver any Dividend Warrant, or Warrant for Payment of any Annuity, Interest, or Money payable at the Bank of *England* or *Ireland*, for a greater or less Amount than the Person on whose Behalf such Warrant shall be made out is entitled to, with Intent to defraud, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to forging *India* Bonds :—

Forging an East India Bond.

7. Whosoever shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Bond commonly called an *East India* Bond, or any Bond, Debenture, or Security issued or made under the Authority of any Act passed or to be passed relating to the *East Indies*, or any Indorsement on or Assignment of any such Bond, Debenture, or Security, with Intent to defraud, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to forging Exchequer Bills, &c. :—

Forging Exchequer Bills, Bonds, and Debentures, &c.

8. Whosoever shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Exchequer Bill or Exchequer Bond or Exchequer Debenture, or any Indorsement on or Assignment of any Exchequer Bill or Exchequer Bond or Exchequer Debenture, or any Receipt or Certificate for Interest accruing thereon, with Intent to defraud, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life

or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Making Plates, &c. in imitation of those used for Exchequer Bills, &c.

9. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall make or cause or procure to be made, or shall aid or assist in making, or shall knowingly have in his Custody or Possession, any Frame, Mould, or Instrument having therein any Words, Letters, Figures, Marks, Lines, or Devices peculiar to and appearing in the Substance of any Paper provided or to be provided or used for Exchequer Bills or Exchequer Bonds or Exchequer Debentures, or any Machinery for working any Threads into the Substance of any Paper, or any such Thread, and intended to imitate such Words, Letters, Figures, Marks, Lines, Threads, or Devices, or any Plate peculiarly employed for printing such Exchequer Bills, Bonds, or Debentures, or any Die or Seal peculiarly used for preparing any such Plate, or for sealing such Exchequer Bills, Bonds, or Debentures, or any Plate, Die, or Seal intended to imitate any such Plate, Die, or Seal as aforesaid, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Making Paper in imitation of that used for Exchequer Bills, &c.

10. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall make, or cause or procure to be made, or aid or assist in making, any Paper in the Substance of which shall appear any Words, Letters, Figures, Marks, Lines, Threads, or other Devices peculiar to and appearing in the Substance of any Paper provided or to be provided or used for such Exchequer Bills, Bonds, or Debentures, or any Part of such Words, Letters, Figures, Marks, Lines, Threads, or other Devices, and intended to imitate the same, or shall knowingly have in his Custody or Possession any Paper whatsoever, in the Substance whereof shall appear any such Words, Letters, Figures, Marks, Lines, Threads, or Devices as aforesaid, or any Parts of such Words, Letters, Figures, Marks, Lines, Threads, or other Devices, and intended to imitate the same, or shall cause or assist in causing any such Words, Letters, Figures, Marks, Lines, Threads, or Devices as aforesaid, or any Part of such Words, Letters, Figures, Marks, Lines, Threads, or other Devices, and intended to imitate the same, to appear in the Substance of any Paper whatever, or shall take or assist in taking any Impression of any such Plate, Die, or Seal as in the last preceding Section mentioned, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Having in possession Paper, &c. for Exchequer Bills, &c.

11. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall purchase or receive, or knowingly have in his Custody or Possession, any Paper manufactured and provided by or under the Directions of the Commissioners of Inland Revenue or Commissioners of Her Majesty's Treasury, for the Purpose of being used as Exchequer Bills or Exchequer Bonds or Exchequer Debentures, before such Paper shall have been duly stamped, signed, and issued for Public Use, or any such Plate, Die, or Seal as in the last Two preceding Sections mentioned, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Three Years, with or without Hard Labour.

As to forging Bank Notes :—

Forging a Bank Note, &c.

12. Whosoever shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Note or Bill of Exchange of the Governor and Company of the Bank of *England* or of the Governor and Company of the Bank of *Ireland*, or of any other Body Corporate, Company, or Person carrying on the Business of Bankers, commonly called a Bank Note, a Bank Bill of Exchange, or a Bank Post Bill, or any Indorsement on or Assignment of any Bank Note, Bank Bill of Exchange, or Bank Post Bill, with Intent to defraud, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Purchasing or receiving or having forged Bank Notes.

13. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall purchase or receive from any other Person, or have in his Custody or Possession, any forged Bank Note, Bank Bill of Exchange, or Bank Post Bill, or blank Bank Note, blank Bank Bill of Exchange, or blank Bank Post Bill, knowing the same to be forged, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

As to making and engraving Plates, &c. for Bank Notes, &c. :—

Making or having Mould for making Paper with the Words

14. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall make or use, or knowingly have in his Custody or Possession, any Frame, Mould, or Instrument for the making of Paper with the Words "Bank of *England*" or "Bank of *Ireland*," or any Part of such Words intended to resemble and pass for the same, visible in the Substance of the Paper,

Paper, or for the making of Paper with curved or waving Bar Lines, or with the laying Wire Lines thereof in a waving or curved Shape, or with any Number, Sum, or Amount expressed in a Word or Words in Roman Letters, visible in the Substance of the Paper, or with any Device or Distinction peculiar to and appearing in the Substance of the Paper used by the Governor and Company of the Banks of *England* and *Ireland* respectively for any Notes, Bills of Exchange, or Bank Post Bills of such Banks respectively, or shall make, use, sell, expose to Sale, utter, or dispose of, or knowingly have in his Custody or Possession, any Paper whatsoever with the Words "Bank of *England*" or "Bank of *Ireland*," or any Part of such Words intended to resemble and pass for the same, visible in the Substance of the Paper, or any Paper with curved or waving Bar Lines, or with the laying Wire Lines thereof in a waving or curved Shape, or with any Number, Sum, or Amount expressed in a Word or Words in Roman Letters, appearing visible in the Substance of the Paper, or with any Device or Distinction peculiar to and appearing in the Substance of the Paper used by the Governor and Company of the Banks of *England* and *Ireland* respectively for any Notes, Bills of Exchange, or Bank Post Bills of such Banks respectively, or shall by any Art or Contrivance cause the Words "Bank of *England*" or "Bank of *Ireland*," or any Part of such Words intended to resemble and pass for the same, or any Device or Distinction peculiar to and appearing in the Substance of the Paper used by the Governor and Company of the Banks of *England* and *Ireland* respectively for any Notes, Bills of Exchange, or Bank Post Bills of such Banks respectively, to appear visible in the Substance of any Paper, or shall cause the numerical Sum or Amount of any Bank Note, Bank Bill of Exchange, or Bank Post Bill, blank Bank Note, blank Bank Bill of Exchange, or blank Bank Post Bill, in a Word or Words in Roman Letters, to appear visible in the Substance of the Paper whereon the same shall be written or printed, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

"Bank of England," or "Bank of Ireland," or with curved Bar Lines, &c., or selling such Paper.

15. Nothing in the last preceding Section contained shall prevent any Person from issuing any Bill of Exchange or Promissory Note having the Amount thereof expressed in Guineas, or in a numerical Figure or Figures denoting the Amount thereof in Pounds Sterling, appearing visible in the Substance of the Paper upon which the same shall be written or printed, nor shall prevent any Person from making, using, or selling any Paper having waving or curved Lines or any other Devices in the Nature of Watermarks visible in the Substance of the Paper, not being Bar Lines or laying Wire Lines, provided the same are not so contrived as to form the Groundwork or Texture of the Paper, or to resemble the waving or curved laying Wire Lines or Bar Lines or the Watermarks of the Paper used by the Governor and Company of the Banks of *England* and *Ireland* respectively.

Proviso as to Paper used for Bills of Exchange, &c.

16. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall engrave or in anywise make upon any Plate whatsoever, or upon any Wood, Stone, or other Material, any Promissory Note, Bill of Exchange, or Bank Post Bill, or Part of a Promissory Note, Bill of Exchange, or Bank Post Bill, purporting to be a Bank Note, Bank Bill of Exchange, or Bank Post Bill of the Governor and Company of the Bank of *England* or of the Governor and Company of the Bank of *Ireland*, or of any other Body Corporate, Company, or Person carrying on the Business of Bankers, or to be a blank Bank Note, blank Promissory Note, blank Bank Bill of Exchange, or blank Bank Post Bill of the Governor and Company of the Bank of *England* or of the Governor and Company of the Bank of *Ireland*, or of any such other Body Corporate, Company, or Person as aforesaid, or to be a Part of a Bank Note, Promissory Note, Bank Bill of Exchange, or Bank Post Bill of the Governor and Company of the Bank of *England* or of the Governor and Company of the Bank of *Ireland*, or of any such other Body Corporate, Company, or Person as aforesaid, or any Name, Word, or Character resembling or apparently intended to resemble any Subscription to any Bill of Exchange or Promissory Note issued by the Governor and Company of the Bank of *England* or the Governor and Company of the Bank of *Ireland*, or by any such other Body Corporate, Company, or Person as aforesaid, or shall use any such Plate, Wood, Stone, or other Material, or any other Instrument or Device, for the making or printing any Bank Note, Bank Bill of Exchange, or Bank Post Bill, or blank Bank Note, blank Bank Bill of Exchange, or blank Bank Post Bill, or Part of a Bank Note, Bank Bill of Exchange, or Bank Post Bill, or knowingly have in his Custody or Possession any such Plate, Wood, Stone, or other Material, or any such Instrument or Device, or shall knowingly offer, utter, dispose of, or put off, or have in his Custody or Possession, any Paper upon which any blank Bank Note, blank Bank Bill of Exchange, or blank Bank Post Bill of the Governor and Company of the Bank of *England* or of the Governor and Company of the Bank of *Ireland*, or of any such other Body Corporate, Company, or Person as aforesaid, or Part of a Bank Note, Bank Bill of Exchange, or Bank Post Bill, or any Name, Word, or Character resembling or apparently intended to resemble any such Subscription, shall be made or printed, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Engraving or having any Plate, &c. for making Notes of Bank of England or Ireland, or other Banks, or having such Plate, &c., or uttering or having Paper upon which a blank Bank Note, &c. shall be printed.

17. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall engrave or in anywise make upon any Plate whatsoever, or upon any Wood, Stone, or other

Engraving on a Plate, &c. any Word,

Number, or Device resembling Part of a Bank Note or Bill, or using or having any such Plate, &c., or uttering or having any Paper on which any such Word, &c. is impressed.

other Material, any Word, Number, Figure, Device, Character, or Ornament the Impression taken from which shall resemble or apparently be intended to resemble any Part of a Bank Note, Bank Bill of Exchange, or Bank Post Bill of the Governor and Company of the Bank of *England* or of the Governor and Company of the Bank of *Ireland*, or of any other Body Corporate, Company, or Person carrying on the Business of Bankers, or shall use, or knowingly have in his Custody or Possession, any such Plate, Wood, Stone, or other Material, or any other Instrument or Device for the impressing or making upon any Paper or other Material any Word, Number, Figure, Character, or Ornament which shall resemble or apparently be intended to resemble any Part of a Bank Note, Bank Bill of Exchange, or Bank Post Bill of the Governor and Company of the Bank of *England* or of the Governor and Company of the Bank of *Ireland*, or of any such other Body Corporate, Company, or Person as aforesaid, or shall knowingly offer, utter, dispose of, or put off, or have in his Custody or Possession, any Paper or other Material upon which there shall be an Impression of any such Matter as aforesaid, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Making or having Mould for making Paper with the Name of any Banker, or making or having such Paper.

18. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall make or use any Frame, Mould, or Instrument for the Manufacture of Paper, with the Name or Firm of any Body Corporate, Company, or Person carrying on the Business of Bankers (other than and except the Banks of *England* and *Ireland* respectively), appearing visible in the Substance of the Paper, or knowingly have in his Custody or Possession any such Frame, Mould, or Instrument, or make, use, sell, expose to Sale, utter, or dispose of, or knowingly have in his Custody or Possession, any Paper in the Substance of which the Name or Firm of any such Body Corporate, Company, or Person shall appear visible, or by any Art or Contrivance cause the Name or Firm of any such Body Corporate, Company, or Person to appear visible in the Substance of the Paper upon which the same shall be written or printed, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Engraving Plates for Foreign Bills or Notes, or using or having such Plates, or uttering Paper on which any Part of any such Bill or Note is printed.

19. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall engrave or in anywise make upon any Plate whatsoever, or upon any Wood, Stone, or other Material, any Bill of Exchange, Promissory Note, Undertaking, or Order for Payment of Money, or any Part of any Bill of Exchange, Promissory Note, Undertaking, or Order for Payment of Money, in whatsoever Language the same may be expressed, and whether the same shall or shall not be or be intended to be under Seal, purporting to be the Bill, Note, Undertaking, or Order, or Part of the Bill, Note, Undertaking, or Order of any Foreign Prince or State, or of any Minister or Officer in the Service of any Foreign Prince or State, or of any Body Corporate or Body of the like Nature, constituted or recognized by any Foreign Prince or State, or of any Person or Company of Persons, resident in any Country not under the Dominion of Her Majesty, or shall use, or knowingly have in his Custody or Possession, any Plate, Stone, Wood, or other Material upon which any such Foreign Bill, Note, Undertaking, or Order, or any Part thereof, shall be engraved or made, or shall knowingly offer, utter, dispose of, or put off, or have in his Custody or Possession, any Paper upon which any Part of any such Foreign Bill, Note, Undertaking, or Order shall be made or printed, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to forging Deeds, Wills, Bills of Exchange, &c.:—

Forging Deeds, Bonds, &c.

20. Whosoever, with Intent to defraud, shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Deed, or any Bond or Writing Obligatory, or any Assignment at Law or in Equity of any such Bond or Writing Obligatory, or shall forge any Name, Handwriting, or Signature purporting to be the Name, Handwriting, or Signature of a Witness attesting the Execution of any Deed, Bond, or Writing Obligatory, or shall offer, utter, dispose of, or put off any Deed, Bond, or Writing Obligatory having thereon any such forged Name, Handwriting, or Signature, knowing the same to be forged, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

orging Wills.

21. Whosoever, with Intent to defraud, shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Will, Testament, Codicil, or Testamentary Instrument, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

22. Whosoever

Forgery.

Forging Bills of Exchange or Promissory Notes.

22. Whosoever shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Bill of Exchange, or any Acceptance, Indorsement, or Assignment of any Bill of Exchange, or any Promissory Note for the Payment of Money, or any Indorsement or Assignment of any such Promissory Note, with Intent to defraud, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Forging Orders, Receipts, &c. for Money, Goods, &c.

23. Whosoever shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Undertaking, Warrant, Order, Authority, or Request for the Payment of Money, or for the Delivery or Transfer of any Goods or Chattels, or of any Note, Bill, or other Security for the Payment of Money, or for procuring or giving Credit, or any Indorsement on or Assignment of any such Undertaking, Warrant, Order, Authority, or Request, or any accountable Receipt, Acquittance, or Receipt for Money or for Goods, or for any Note, Bill, or other Security for the Payment of Money, or any Indorsement on or Assignment of any such accountable Receipt, with Intent, in any of the Cases aforesaid, to defraud, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Making or accepting any Bill, &c. by Procuration, without lawful Authority, or uttering such Bill, &c. with Intent to defraud, Felony.

24. Whosoever, with Intent to defraud, shall draw, make, sign, accept, or indorse any Bill of Exchange or Promissory Note, or any Undertaking, Warrant, Order, Authority, or Request, for the Payment of Money, or for the Delivery or Transfer of Goods or Chattels, or of any Bill, Note, or other Security for Money, by Procuration or otherwise, for, in the Name, or on the Account of any other Person, without lawful Authority or Excuse, or shall offer, utter, dispose of, or put off any such Bill, Note, Undertaking, Warrant, Order, Authority, or Request so drawn, made, signed, accepted, or indorsed by Procuration or otherwise, without lawful Authority or Excuse, as aforesaid, knowing the same to have been so drawn, made, signed, accepted, or indorsed as aforesaid, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Obliterating Crossings on Cheques.

25. Whenever any Cheque or Draft on any Banker shall be crossed with the Name of a Banker, or with Two transverse Lines with the Words "and Company," or any Abbreviation thereof, whosoever shall obliterate, add to, or alter any such Crossing, or shall offer, utter, dispose of, or put off any Cheque or Draft whereon any such Obliteration, Addition, or Alteration has been made, knowing the same to have been made, with Intent, in any of the Cases aforesaid, to defraud, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Forging Debentures.

26. Whosoever shall fraudulently forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or fraudulently altered, any Debenture issued under any lawful Authority whatsoever, either within Her Majesty's Dominions or elsewhere, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to forging Records, Process, Instruments of Evidence, &c.:—

Forging Proceedings of Courts of Record or Courts of Equity.

27. Whosoever shall forge or fraudulently alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or fraudulently altered, any Record, Writ, Return, Panel, Process, Rule, Order, Warrant, Interrogatory, Deposition, Affidavit, Affirmation, Recognizance, Cognovit actionem, or Warrant of Attorney, or any original Document whatsoever of or belonging to any Court of Record, or any Bill, Petition, Process, Notice, Rule, Answer, Pleading, Interrogatory, Deposition, Affidavit, Affirmation, Report, Order, or Decree, or any original Document whatsoever of or belonging to any Court of Equity or Court of Admiralty in *England* or *Ireland*, or any Document or Writing, or any Copy of any Document or Writing, used or intended to be used as Evidence in any Court in this Section mentioned, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Forging Copies or Certificates of Records, Process of Courts not of Record, and using forged Process.

28. Whosoever, being the Clerk of any Court, or other Officer having the Custody of the Records of any Court, or being the Deputy of any such Clerk or Officer, shall utter any false Copy or Certificate of any Record, knowing the same to be false; and whosoever, other than such Clerk, Officer, or Deputy, shall sign or certify any Copy or Certificate of any Record as such Clerk, Officer, or Deputy; and whosoever shall forge or fraudulently alter, or offer, utter, dispose of, or put off, knowing the same to be forged or fraudulently altered, any Copy or Certificate of any Record, or shall offer, utter, dispose of, or put off any Copy or Certificate of any Record having thereon any false or forged Name, Handwriting,

or Signature, knowing the same to be false or forged; and whosoever shall forge the Seal of any Court of Record, or shall forge or fraudulently alter any Process of any Court other than such Courts as in the last preceding Section mentioned, or shall serve or enforce any forged Process of any Court whatsoever, knowing the same to be forged, or shall deliver or cause to be delivered to any Person any Paper falsely purporting to be any such Process, or a Copy thereof, or to be any Judgment, Decree, or Order of any Court of Law or Equity, or a Copy thereof, knowing the same to be false, or shall act or profess to act under any such false Process, knowing the same to be false, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Forging Instruments made Evidence by any Act of Parliament.

29. Whosoever shall forge or fraudulently alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or fraudulently altered, any Instrument, whether written or printed, or partly written and partly printed, which is or shall be made Evidence by any Act passed or to be passed, and for which Offence no Punishment is herein provided, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to forging Court Rolls:—

Forging Court Rolls.

30. Whosoever shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Court Roll or Copy of any Court Roll, relating to any Copyhold or Customary Estate, with Intent to defraud, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life, or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to forging Registers of Deeds:—

Forgery as to the Registry of Deeds.

31. Whosoever shall forge or fraudulently alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or fraudulently altered, any Memorial, Affidavit, Affirmation, Entry, Certificate, Indorsement, Document, or Writing, made or issued under the Provisions of any Act passed or hereafter to be passed for or relating to the Registry of Deeds, or shall forge or counterfeit the Seal of or belonging to any Office for the Registry of Deeds, or any Stamp or Impression of any such Seal; or shall forge any Name, Handwriting, or Signature purporting to be the Name, Handwriting, or Signature of any Person to any such Memorial, Affidavit, Affirmation, Entry, Certificate, Indorsement, Document, or Writing which shall be required or directed to be signed by or by virtue of any Act passed or to be passed, or shall offer, utter, dispose of, or put off any such Memorial or other Writing as in this Section before mentioned, having thereon any such forged Stamp or Impression of any such Seal, or any such forged Name, Handwriting, or Signature, knowing the same to be forged, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to forging Orders, &c. of Justices of the Peace:—

Forging Orders of Justices, Recognizances, Affidavits, &c.

32. Whosoever, with Intent to defraud, shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Summons, Conviction, Order, or Warrant of any Justice of the Peace, or any Recognizance purporting to have been entered into before any Justice of the Peace, or other Officer authorized to take the same, or any Examination, Deposition, Affidavit, Affirmation, or solemn Declaration, taken or made before any Justice of the Peace, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to forging the Name of the Accountant General, &c.:—

Forging Name of Accountant General, &c. of Court of Chancery in England or Ireland, or of any Judge of Landed Estates Court, Ireland.

33. Whosoever, with Intent to defraud, shall forge or alter any Certificate, Report, Entry, Indorsement, Declaration of Trust, Note, Direction, Authority, Instrument, or Writing made or purporting or appearing to be made by the Accountant General, or any other Officer of the Court of Chancery in *England* or *Ireland*, or by any Judge or Officer of the Landed Estates Court in *Ireland*, or by any Officer of any Court in *England* or *Ireland*, or by any Cashier or other Officer or Clerk of the Governor and Company of the Bank of *England* or *Ireland*, or the Name, Handwriting, or Signature of any such Accountant General, Judge, Cashier, Officer, or Clerk as aforesaid, or shall offer, utter, dispose of, or put off any such Certificate, Report, Entry, Indorsement, Declaration of Trust, Note, Direction, Authority, Instrument, or Writing, knowing the same to be forged or altered, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As

As to falsely acknowledging Recognizances, &c. :—

Acknowledging Recognizance, Bail, Cognovit, &c. in the Name of another.

34. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall, in the Name of any other Person, acknowledge any Recognizance or Bail, or any Cognovit actionem, or Judgment, or any Deed or other Instrument, before any Court, Judge, or other Person lawfully authorized in that Behalf, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to forging Marriage Licences :—

Forging or uttering Marriage Licence or Certificate.

35. Whosoever shall forge or fraudulently alter any Licence of or Certificate for Marriage, or shall offer, utter, dispose of, or put off any such Licence or Certificate, knowing the same to be forged or fraudulently altered, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to forging Registers of Births, Marriages, and Deaths :—

Forging Registers of Births, Baptisms, Marriages, Deaths, or Burials.

36. Whosoever shall unlawfully destroy, deface, or injure, or cause or permit to be destroyed, defaced, or injured, any Register of Births, Baptisms, Marriages, Deaths, or Burials which now is or hereafter shall be by Law authorized or required to be kept in *England* or *Ireland*, or any Part of any such Register, or any certified Copy of any such Register, or any Part thereof, or shall forge or fraudulently alter in any such Register any Entry relating to any Birth, Baptism, Marriage, Death, or Burial, or any Part of any such Register, or any certified Copy of such Register, or of any Part thereof, or shall knowingly and unlawfully insert or cause or permit to be inserted in any such Register, or in any certified Copy thereof, any false Entry of any Matter relating to any Birth, Baptism, Marriage, Death, or Burial, or shall knowingly and unlawfully give any false Certificate relating to any Birth, Baptism, Marriage, Death, or Burial, or shall certify any Writing to be a Copy or Extract from any such Register, knowing such Writing, or the Part of such Register whereof such Copy or Extract shall be so given, to be false in any material Particular, or shall forge or counterfeit the Seal of or belonging to any Register Office or Burial Board, or shall offer, utter, dispose of, or put off any such Register, Entry, certified Copy, Certificate, or Seal, knowing the same to be false, forged, or altered, or shall offer, utter, dispose of, or put off any Copy of any Entry in any such Register, knowing such Entry to be false, forged, or altered, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Making false Entries in Copies of Register sent to Registrar.

37. Whosoever shall knowingly and wilfully insert or cause or permit to be inserted in any Copy of any Register directed or required by Law to be transmitted to any Registrar or other Officer any false Entry of any Matter relating to any Baptism, Marriage, or Burial, or shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Copy of any Register so directed or required to be transmitted as aforesaid, or shall knowingly and wilfully sign or verify any Copy of any Register so directed or required to be transmitted as aforesaid, which Copy shall be false in any Part thereof, knowing the same to be false, or shall unlawfully destroy, deface, or injure, or shall for any fraudulent Purpose take from its Place of Deposit, or conceal, any such Copy of any Register, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to demanding Property upon forged Instruments :—

Demanding Property upon forged Instruments.

38. Whosoever, with Intent to defraud, shall demand, receive, or obtain, or cause or procure to be delivered or paid to any Person, or endeavour to receive or obtain, or to cause or procure to be delivered or paid to any Person, any Chattel, Money, Security for Money, or other Property whatsoever, under, upon, or by virtue of any forged or altered Instrument whatsoever, knowing the same to be forged or altered, or under, upon, or by virtue of any Probate or Letters of Administration, knowing the Will, Testament, Codicil, or Testamentary Writing on which such Probate or Letters of Administration shall have been obtained to have been forged or altered, or knowing such Probate or Letters of Administration to have been obtained by any false Oath, Affirmation, or Affidavit, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to other Matters :—

Forging any Instrument, however designated, which is in

39. Where by this or by any other Act any Person is or shall hereafter be made liable to Punishment for forging or altering, or for offering, uttering, disposing of, or putting off, knowing the same to be forged or altered, any Instrument or Writing designated in such Act by any special Name or Description, and such Instrument or Writing, however designated, shall be in Law a Will, Testament, Codicil, or

Law a Will, Bill of Exchange, &c.

Testamentary Writing, or a Deed, Bond, or Writing Obligatory, or a Bill of Exchange, or a Promissory Note for the Payment of Money, or an Indorsement on or Assignment of a Bill of Exchange or Promissory Note for the Payment of Money, or an Acceptance of a Bill of Exchange, or an Undertaking, Warrant, Order, Authority, or Request for the Payment of Money, or an Indorsement on or Assignment of an Undertaking, Warrant, Order, Authority, or Request for the Payment of Money, within the true Intent and Meaning of this Act, in every such Case the Person forging or altering such Instrument or Writing, or offering, uttering, disposing of, or putting off such Instrument or Writing, knowing the same to be forged or altered, may be indicted as an Offender against this Act, and punished accordingly.

Forging, &c. in England or Ireland Documents purporting to be made, or actually made, out of England and Ireland, forging, &c. in England or Ireland Bills, &c. purporting to be payable out of England or Ireland.

40. Where the forging or altering any Writing or Matter whatsoever, or the offering, uttering, disposing of, or putting off any Writing or Matter whatsoever, knowing the same to be forged or altered, is in this Act expressed to be an Offence, if any Person shall, in *England* or *Ireland*, forge or alter, or offer, utter, dispose of, or put off, knowing the same to be forged or altered, any such Writing or Matter in whatsoever Place or Country out of *England* and *Ireland*, whether under the Dominion of Her Majesty or not, such Writing or Matter may purport to be made or may have been made, and in whatever Language the same or any Part thereof may be expressed, every such Person, and every Person aiding, abetting, or counselling such Person, shall be deemed to be an Offender within the Meaning of this Act, and shall be punishable thereby in the same Manner as if the Writing or Matter had purported to be made or had been made in *England* or *Ireland*; and if any Person shall in *England* or *Ireland* forge or alter, or offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Bill of Exchange, or any Promissory Note for the Payment of Money, or any Indorsement on or Assignment of any Bill of Exchange or Promissory Note for the Payment of Money, or any Acceptance of any Bill of Exchange, or any Undertaking, Warrant, Order, Authority, or Request for the Payment of Money, or for the Delivery or Transfer of any Goods or Security, or any Deed, Bond, or Writing Obligatory for the Payment of Money (whether such Deed, Bond, or Writing Obligatory shall be made only for the Payment of Money, or for the Payment of Money together with some other Purpose), or any Indorsement on or Assignment of any such Undertaking, Warrant, Order, Authority, Request, Deed, Bond, or Writing Obligatory, in whatsoever Place or Country out of *England* and *Ireland*, whether under the Dominion of Her Majesty or not, the Money payable or secured by such Bill, Note, Undertaking, Warrant, Order, Authority, Request, Deed, Bond, or Writing Obligatory may be or may purport to be payable, and in whatever Language the same respectively or any Part thereof may be expressed, and whether such Bill, Note, Undertaking, Warrant, Order, Authority, or Request be or be not under Seal, every such Person, and every Person aiding, abetting, or counselling such Person, shall be deemed to be an Offender within the Meaning of this Act, and shall be punishable thereby in the same Manner as if the Money had been payable or had purported to be payable in *England* or *Ireland*.

Forgers, &c. may be tried in the County where they are apprehended or are in Custody.

41. If any Person shall commit any Offence against this Act, or shall commit any Offence of forging or altering any Matter whatsoever, or of offering, uttering, disposing of, or putting off any Matter whatsoever, knowing the same to be forged or altered, whether the Offence in any such Case shall be indictable at Common Law, or by virtue of any Act passed or to be passed, every such Offender may be dealt with, indicted, tried, and punished, in any County or Place in which he shall be apprehended or be in Custody, in the same Manner in all respects as if his Offence had been actually committed in that County or Place; and every Accessory before or after the Fact to any such Offence, if the same be a Felony, and every Person aiding, abetting, or counselling the Commission of any such Offence, if the same be a Misdemeanor, may be dealt with, indicted, tried, and punished, in any County or Place in which he shall be apprehended or be in Custody, in the same Manner in all respects as if his Offence, and the Offence of his Principal, had been actually committed in such County or Place.

Description of Instrument in Indictments for Forgery.

42. In any Indictment for forging, altering, offering, uttering, disposing, or putting off any Instrument it shall be sufficient to describe such Instrument by any Name or Designation by which the same may be usually known, or by the Purport thereof, without setting out any Copy or Fac-simile thereof, or otherwise describing the same or the Value thereof.

Description of Instrument in Indictments for engraving, &c.

43. In any Indictment for engraving or making the whole or any Part of any Instrument, Matter, or Thing whatsoever, or for using or having the unlawful Custody or Possession of any Plate or other Material upon which the whole or any Part of any Instrument, Matter, or Thing whatsoever shall have been engraved or made, or for having the unlawful Custody or Possession of any Paper upon which the whole or any Part of any Instrument, Matter, or Thing whatsoever shall have been made or printed, it shall be sufficient to describe such Instrument, Matter, or Thing by any Name or Designation by which the same may be usually known, without setting out any Copy or Fac-simile of the whole or any Part of such Instrument, Matter, or Thing.

Intent to defraud particular Persons need not be alleged or proved.

44. It shall be sufficient, in any Indictment for forging, altering, uttering, offering, disposing of, or putting off any Instrument whatsoever, where it shall be necessary to allege an Intent to defraud, to allege that the Party accused did the Act with Intent to defraud, without alleging an Intent to defraud any particular Person; and on the Trial of any such Offence it shall not be necessary to prove an Intent to defraud any particular Person, but it shall be sufficient to prove that the Party accused did the Act charged with an Intent to defraud.

45. Where

Forgery.

Interpretation as to criminal Possession.

45. Where the having any Matter in the Custody or Possession of any Person is in this Act expressed to be an Offence, if any Person shall have any such Matter in his personal Custody or Possession, or shall knowingly and wilfully have any such Matter in the actual Custody or Possession of any other Person, or shall knowingly and wilfully have any such Matter in any Dwelling House or other Building, Lodging, Apartment, Field, or other Place, open or inclosed, whether belonging to or occupied by himself or not, and whether such Matter shall be so had for his own Use or for the Use or Benefit of another, every such Person shall be deemed and taken to have such Matter in his Custody or Possession within the Meaning of this Act.

Search for Paper or Implements employed in any Forgery, and for forged Instruments.

46. If it shall be made to appear, by Information on Oath or Affirmation before a Justice of the Peace, that there is reasonable Cause to believe that any Person has in his Custody or Possession, without lawful Authority or Excuse, any Note or Bill of the Governor and Company of the Bank of *England* or *Ireland*, or of any Body Corporate, Company, or Person carrying on the Business of Bankers, or any Frame, Mould, or Implement for making Paper in imitation of the Paper used for such Notes or Bills, or any such Paper, or any Plate, Wood, Stone, or other Material having thereon any Words, Forms, Devices, or Characters capable of producing or intended to produce the Impression of any such Note or Bill, or any Part thereof, or any Tool, Implement, or Material used or employed or intended to be used or employed in or about any of the Operations aforesaid, or any forged Security, Document, or Instrument whatsoever, or any Machinery, Frame, Mould, Plate, Die, Seal, Paper, or other Matter or Thing used or employed or intended to be used or employed in the Forgery of any Security, Document, or Instrument whatsoever, such Justice may, if he think fit, grant a Warrant to search for the same; and if the same shall be found upon such Search, it shall be lawful to seize and carry the same before some Justice of the County or Place, to be by him disposed of according to Law; and all such Matters and Things so seized as aforesaid shall by Order of the Court where any such Offender shall be tried, or in case there shall be no such Trial then by Order of some Justice of the Peace, be defaced and destroyed or otherwise disposed of as such Court or Justice shall direct.

Other Punishments substituted for those of 5 Eliz. c. 14.

47. Whosoever shall, after the Commencement of this Act, be convicted of any Offence which shall have been subjected by any Act or Acts to the same Pains and Penalties as are imposed by the Act passed in the Fifth Year of the Reign of Queen *Elizabeth*, intituled *An Act against Forgers of false Deeds and Writings*, for any of the Offences first enumerated in the said Act, shall be guilty of Felony, and shall, in lieu of such Pains and Penalties, be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

All Forgeries which were Capital before the 1 W. 4. c. 66. and are not otherwise punishable under this Act, shall be punished with Penal Servitude for Life, &c.

48. Where by any Act now in force any Person falsely making, forging, counterfeiting, erasing, or altering any Matter whatsoever, or uttering, publishing, offering, disposing of, putting away, or making use of any Matter whatsoever, knowing the same to have been falsely made, forged, counterfeited, erased, or altered, or any Person demanding or endeavouring to receive or have any Thing, or to do or cause to be done any Act, upon or by virtue of any Matter whatsoever, knowing such Matter to have been falsely made, forged, counterfeited, erased, or altered, would, according to the Provisions contained in any such Act, be guilty of Felony, and would, before the passing of the Act of the First Year of King *William* the Fourth, Chapter Sixty-six, have been liable to suffer Death as a Felon; or where by any Act now in force any Person falsely personating another, or falsely acknowledging any Thing in the Name of another, or falsely representing any other Person than the real Party to be such real Party, or wilfully making a false Entry in any Book, Account, or Document, or in any Manner wilfully falsifying any Part of any Book, Account, or Document, or wilfully making a Transfer of any Stock, Annuity, or Fund in the Name of any Person not being the Owner thereof, or knowingly taking any false Oath, or knowingly making any false Affidavit or false Affirmation, or demanding or receiving any Money or other Thing by virtue of any Probate or Letters of Administration, knowing the Will on which such Probate shall have been obtained to have been false or forged, or knowing such Probate or Letters of Administration to have been obtained by means of any false Oath or false Affirmation, would, according to the Provisions contained in any such Act, be guilty of Felony, and would before the passing of the said Act of the First Year of King *William* the Fourth have been liable to suffer Death as a Felon; or where by any Act now in force any Person making or using, or knowingly having in his Custody or Possession, any Frame, Mould, or Instrument for the making of Paper, with certain Words visible in the Substance thereof, or any Person making such Paper, or causing certain Words to appear visible in the Substance of any Paper, would, according to the Provisions contained in any such Act, be guilty of Felony, and would before the passing of the said Act of the First Year of King *William* the Fourth have been liable to suffer Death as a Felon; then, and in each of the several Cases aforesaid, if any Person shall after the Commencement of this Act be convicted of any such Felony as is herein-before in this Section mentioned, or of aiding, abetting, counselling, or procuring the Commission thereof, and the same shall not be punishable under any of the other Provisions of this Act, every such Person shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

49. In

Principals in the Second Degree and Accessories.

49. In the Case of every Felony punishable under this Act, every Principal in the Second Degree, and every Accessory before the Fact, shall be punishable in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessory after the Fact to any Felony punishable under this Act shall on Conviction be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement; and every Person who shall aid, abet, counsel, or procure the Commission of any Misdemeanor punishable under this Act shall be liable to be proceeded against, indicted, and punished as a principal Offender.

Abettors in Misdemeanors.

Offences committed within the Jurisdiction of the Admiralty.

50. All indictable Offences mentioned in this Act which shall be committed within the Jurisdiction of the Admiralty of *England* or *Ireland* shall be deemed to be Offences of the same Nature and liable to the same Punishments as if they had been committed upon the Land in *England* or *Ireland*, and may be dealt with, inquired of, tried, and determined in any County or Place in *England* or *Ireland* in which the Offender shall be apprehended or be in Custody, in the same Manner in all respects as if they had been actually committed in that County or Place; and in any Indictment for any such Offence, or for being an Accessory to such an Offence, the Venue in the Margin shall be the same as if the Offence had been committed in such County or Place, and the Offence shall be averred to have been committed on "the High Seas;" provided that nothing herein contained shall alter or affect any of the Laws relating to the Government of Her Majesty's Land or Naval Forces.

Fine and Sureties for keeping the Peace; in what Cases.

51. Whenever any Person shall be convicted of a Misdemeanor under this Act it shall be lawful for the Court, if it shall think fit, in addition to or in lieu of any of the Punishments by this Act authorized, to fine the Offender, and to require him to enter into his own Recognizances, and to find Sureties, both or either, for keeping the Peace and being of good Behaviour; and in all Cases of Felonies in this Act mentioned it shall be lawful for the Court, if it shall think fit, to require the Offender to enter into his own Recognizances, and to find Sureties, both or either, for keeping the Peace, in addition to any of the Punishments by this Act authorized; provided that no Person shall be imprisoned under this Clause for not finding Sureties for any Period exceeding One Year.

Hard Labour.

52. Whenever Imprisonment, with or without Hard Labour, may be awarded for any Offence under this Act, the Court may sentence the Offender to be imprisoned, or to be imprisoned and kept to Hard Labour, in the Common Gaol or House of Correction,

Solitary Confinement.

53. Whenever Solitary Confinement may be awarded for any Offence under this Act, the Court may direct the Offender to be kept in Solitary Confinement for any Portion or Portions of his Imprisonment, or of his Imprisonment with Hard Labour, not exceeding One Month at any One Time, and not exceeding Three Months in any One Year.

Costs of Prosecution of Misdemeanor may be allowed.

54. The Court before which any indictable Misdemeanor against this Act shall be prosecuted or tried may allow the Costs of the Prosecution in the same Manner as in Cases of Felony; and every Order for the Payment of such Costs shall be made out, and the Sum of Money mentioned therein paid and repaid, upon the same Terms and in the same Manner in all respects as in Cases of Felony.

Extent of Act.

55. Nothing in this Act contained shall extend to *Scotland*, except as otherwise herein-before expressly provided.

Commencement of Act.

56. This Act shall commence and take effect on the First Day of *November* One thousand eight hundred and sixty-one.

CAP. XCIX.

An Act to consolidate and amend the Statute Law of the United Kingdom against Offences relating to the Coin. [6th *August* 1861.]

'WHEREAS it is expedient to consolidate and amend the Statute Law of the United Kingdom against Offences relating to the Coin:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation of Terms.

Current Gold and Silver Coin.

Copper Coin.

False or counterfeit Coin.

Current Coin.

What shall be Possession.

1. In the Interpretation of and for the Purposes of this Act, the Expression "the Queen's current Gold or Silver Coin" shall include any Gold or Silver Coin coined in any of Her Majesty's Mints, or lawfully current, by virtue of any Proclamation or otherwise, in any Part of Her Majesty's Dominions, whether within the United Kingdom or otherwise; and the Expression "the Queen's Copper Coin" shall include any Copper Coin and any Coin of Bronze or mixed Metal coined in any of Her Majesty's Mints, or lawfully current, by virtue of any Proclamation or otherwise, in any Part of Her Majesty's said Dominions; and the Expression "false or counterfeit Coin resembling or apparently intended to "resemble or pass for any of the Queen's current Gold or Silver Coin" shall include any of the current Coin which shall have been gilt, silvered, washed, coloured, or cased over, or in any Manner altered, so as to resemble or be apparently intended to resemble or pass for any of the Queen's current Coin of a higher Denomination; and the Expression "the Queen's current Coin" shall include any Coin coined in any of Her Majesty's Mints, or lawfully current, by virtue of any Proclamation or otherwise, in any Part of Her Majesty's said Dominions, and whether made of Gold, Silver, Copper, Bronze, or mixed Metal; and where the having any Matter in the Custody or Possession of any Person is mentioned in this

this Act, it shall include, not only the having of it by himself in his personal Custody or Possession, but also the knowingly and wilfully having it in the actual Custody or Possession of any other Person, and also the knowingly and wilfully having it in any Dwelling House or other Building, Lodging, Apartment, Field, or other Place, open or inclosed, whether belonging to or occupied by himself or not, and whether such Matter shall be so had for his own Use or Benefit or for that of any other Person.

Counterfeiting the Gold or Silver Coin.

2. Whosoever shall falsely make or counterfeit any Coin resembling or apparently intended to resemble or pass for any of the Queen's current Gold or Silver Coin, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Colouring counterfeit Coin or any Pieces of Metal with Intent to make them pass for Gold or Silver Coin.

3. Whosoever shall gild or silver, or shall, with any Wash or Materials capable of producing the Colour or Appearance of Gold or of Silver, or by any Means whatsoever, wash, case over, or colour any Coin whatsoever resembling or apparently intended to resemble or pass for any of the Queen's current Gold or Silver Coin; or shall gild or silver, or shall, with any Wash or Materials capable of producing the Colour or Appearance of Gold or of Silver, or by any Means whatsoever, wash, case over, or colour any Piece of Silver or Copper, or of coarse Gold or coarse Silver, or of any Metal or Mixture of Metals respectively, being of a fit Size and Figure to be coined, and with Intent that the same shall be coined into false and counterfeit Coin resembling or apparently intended to resemble or pass for any of the Queen's current Gold or Silver Coin; or shall gild, or shall, with any Wash or Materials capable of producing the Colour or Appearance of Gold, or by any Means whatsoever, wash, case over, or colour any of the Queen's current Silver Coin, or file or in any Manner alter such Coin, with Intent to make the same resemble or pass for any of the Queen's current Gold Coin; or shall gild or silver, or shall, with any Wash or Materials capable of producing the Colour or Appearance of Gold or Silver, or by any Means whatsoever, wash, case over, or colour any of the Queen's current Copper Coin, or file or in any Manner alter such Coin, with Intent to make the same resemble or pass for any of the Queen's current Gold or Silver Coin, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Colouring or altering genuine Coin with Intent to make it pass for a higher Coin.

Impairing the Gold or Silver Coin with Intent, &c.

4. Whosoever shall impair, diminish, or lighten any of the Queen's current Gold or Silver Coin, with Intent that the Coin so impaired, diminished, or lightened may pass for the Queen's current Gold or Silver Coin, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Unlawful Possession of Filings or Clippings of Gold or Silver Coin.

5. Whosoever shall unlawfully have in his Custody or Possession any Filings or Clippings, or any Gold or Silver Bullion, or any Gold or Silver in Dust, Solution, or otherwise, which shall have been produced or obtained by impairing, diminishing, or lightening any of the Queen's current Gold or Silver Coin, knowing the same to have been so produced or obtained, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Buying or selling, &c. counterfeit Gold or Silver Coin for lower Value than its Denomination.

6. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall buy, sell, receive, pay, or put off, or offer to buy, sell, receive, pay, or put off, any false or counterfeit Coin resembling or apparently intended to resemble or pass for any of the Queen's current Gold or Silver Coin at or for a lower Rate or Value than the same imports or was apparently intended to import, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement; and in any Indictment for any such Offence as in this Section aforesaid it shall be sufficient to allege that the Party accused did buy, sell, receive, pay, or put off, or did offer to buy, sell, receive, pay, or put off, the false or counterfeit Coin at or for a lower Rate or Value than the same imports or was apparently intended to import, without alleging at or for what Rate, Price, or Value the same was bought, sold, received, paid, or put off, or offered to be bought, sold, received, paid, or put off.

Importing counterfeit Coin from beyond Seas.

7. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall import or receive into the United Kingdom from beyond the Seas any false or counterfeit Coin resembling or apparently intended to resemble or pass for any of the Queen's current Gold or Silver

Silver Coin, knowing the same to be false or counterfeit, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Exporting counterfeit Coin.

8. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall export or put on board any Ship, Vessel, or Boat for the Purpose of being exported from the United Kingdom, any false or counterfeit Coin, resembling or apparently intended to resemble or pass for any of the Queen's current Coin, knowing the same to be false or counterfeit, shall in *England* and *Ireland*, be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Uttering counterfeit Gold or Silver Coin.

9. Whosoever shall tender, utter, or put off any false or counterfeit Coin resembling or apparently intended to resemble or pass for any of the Queen's current Gold or Silver Coin, knowing the same to be false or counterfeit, shall, in *England* and *Ireland*, be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding One Year, with or without Hard Labour, and with or without Solitary Confinement.

Uttering, accompanied by Possession of other counterfeit Coin, or followed by a Second Uttering.

10. Whosoever shall tender, utter, or put off any false or counterfeit Coin resembling or apparently intended to resemble or pass for any of the Queen's current Gold or Silver Coin, knowing the same to be false or counterfeit, and shall, at the Time of such tendering, uttering, or putting off, have in his Custody or Possession, besides the false or counterfeit Coin so tendered, uttered, or put off, any other Piece of false or counterfeit Coin resembling or apparently intended to resemble or pass for any of the Queen's current Gold or Silver Coin, or shall, either on the Day of such tendering, uttering, or putting off, or within the Space of Ten Days then next ensuing, tender, utter, or put off any false or counterfeit Coin resembling or apparently intended to resemble or pass for any of the Queen's current Gold or Silver Coin, knowing the same to be false or counterfeit, shall, in *England* and *Ireland*, be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Having Three or more Pieces of counterfeit Gold or Silver Coin in possession, &c. with Intent, &c.

11. Whosoever shall have in his Custody or Possession Three or more Pieces of false or counterfeit Coin resembling or apparently intended to resemble or pass for any of the Queen's current Gold or Silver Coin, knowing the same to be false or counterfeit, and with Intent to utter or put off the same or any of them, shall, in *England* and *Ireland*, be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Every Second Offence of uttering, &c. after a previous Conviction shall be Felony.

12. Whosoever, having been convicted, either before or after the passing of this Act, of any such Misdemeanor or Crime and Offence as in any of the last Three preceding Sections mentioned, or of any Felony or high Crime and Offence against this or any former Act relating to the Coin, shall afterwards commit any of the Misdemeanors or Crimes and Offences in any of the said Sections mentioned, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Uttering Foreign Coin, Medals, &c. as current Coin, with Intent to defraud.

13. Whosoever shall, with Intent to defraud, tender, utter, or put off as or for any of the Queen's current Gold or Silver Coin, any Coin not being such current Gold or Silver Coin, or any Medal or Piece of Metal or mixed Metals, resembling in Size, Figure, and Colour the current Coin as or for which the same shall be so tendered, uttered, or put off, such Coin, Medal, or Piece of Metal or mixed Metals so tendered, uttered, or put off being of less Value than the current Coin as or for which the same shall be so tendered, uttered, or put off, shall, in *England* and *Ireland*, be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding One Year, with or without Hard Labour, and with or without Solitary Confinement.

Counterfeiting, &c. Copper Coin.

14. Whosoever shall falsely make or counterfeit any Coin resembling or apparently intended to resemble or pass for any of the Queen's current Copper Coin; and whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall knowingly make or mend, or begin or proceed to make or mend, or buy or sell, or have in his Custody or Possession, any Instrument, Tool, or Engine adapted and intended for the counterfeiting any of the Queen's current Copper Coin; or shall buy, sell, receive, pay, or put off, or offer to buy, sell, receive, pay, or put off, any false or counterfeit Coin resembling or apparently intended to resemble or pass for any of the Queen's current Copper Coin, at or for a lower Rate or Value than the same imports or was apparently intended to import, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for

any

any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Uttering base Copper Coin.

15. Whosoever shall tender, utter, or put off any false or counterfeit Coin resembling or apparently intended to resemble or pass for any of the Queen's current Copper Coin, knowing the same to be false or counterfeit, or shall have in his Custody or Possession Three or more Pieces of false or counterfeit Coin resembling or apparently intended to resemble or pass for any of the Queen's current Copper Coin, knowing the same to be false or counterfeit, and with Intent to utter or put off the same or any of them, shall, in *England* and *Ireland*, be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding One Year, with or without Hard Labour, and with or without Solitary Confinement.

Defacing the Coin by stamping Words thereon.

16. Whosoever shall deface any of the Queen's current Gold, Silver, or Copper Coin, by stamping thereon any Names or Words, whether such Coin shall or shall not be thereby diminished or lightened, shall, in *England* and *Ireland*, be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding One Year, with or without Hard Labour.

Tender of Coin so defaced not to be a legal Tender, and Penalty for uttering the same.

17. No Tender of Payment in Money made in any Gold, Silver, or Copper Coin so defaced by stamping as in the last preceding Section mentioned shall be allowed to be a legal Tender; and whosoever shall tender, utter, or put off any Coin so defaced shall, on Conviction thereof before Two Justices, be liable to forfeit and pay any Sum not exceeding Forty Shillings: Provided that it shall not be lawful for any Person to proceed for any such last-mentioned Penalty without the Consent, in *England* or *Ireland*, of Her Majesty's Attorney General for *England* or *Ireland* respectively, or in *Scotland* of the Lord Advocate.

Counterfeiting Foreign Gold and Silver Coin.

18. Whosoever shall make or counterfeit any Kind of Coin not being the Queen's current Gold or Silver Coin, but resembling or apparently intended to resemble or pass for any Gold or Silver Coin of any Foreign Prince, State, or Country, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Bringing such counterfeit Coin into the United Kingdom.

19. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall bring or receive into the United Kingdom any such false or counterfeit Coin resembling or apparently intended to resemble or pass for any Gold or Silver Coin of any Foreign Prince, State, or Country, knowing the same to be false or counterfeit, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Penalty for uttering such counterfeit Coin.

20. Whosoever shall tender, utter, or put off any such false or counterfeit Coin resembling or apparently intended to resemble or pass for any Gold or Silver Coin of any Foreign Prince, State, or Country, knowing the same to be false or counterfeit, shall, in *England* and *Ireland*, be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Six Months, with or without Hard Labour.

Second Offence of uttering counterfeit Foreign Coin.

21. Whosoever, having been so convicted as in the last preceding Section mentioned, shall afterwards commit the like Offence of tendering, uttering, or putting off any such false or counterfeit Coin as aforesaid, knowing the same to be false or counterfeit, shall, in *England* and *Ireland*, be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement; and whosoever, having been so convicted of a Second Offence, shall afterwards commit the like Offence of tendering, uttering, or putting off any such false or counterfeit Coin as aforesaid, knowing the same to be false or counterfeit, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Third Offence.

Persons counterfeiting Foreign Coin other than Gold and Silver Coin.

22. Whosoever shall falsely make or counterfeit any Kind of Coin not being the Queen's current Coin, but resembling or apparently intended to resemble or pass for any Copper Coin, or any other Coin made of any Metal or mixed Metals of less Value than the Silver Coin of any Foreign Prince, State, or Country, shall, in *England* and *Ireland*, be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, for the First Offence to be imprisoned for any Term not exceeding One Year, and for the Second Offence to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—

or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Penalty on Persons having more than Five Pieces of such counterfeit Foreign Coin in their Possession.

23. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall have in his Custody or Possession any greater Number of Pieces than Five Pieces of false or counterfeit Coin resembling or apparently intended to resemble or pass for any Gold or Silver Coin of any Foreign Prince, State, or Country, or any such Copper or other Coin as in the last preceding Section mentioned, shall, on Conviction thereof before any Justice of the Peace, forfeit and lose all such false and counterfeit Coin, which shall be cut in Pieces and destroyed by Order of such Justice, and shall for every such Offence forfeit and pay any Sum of Money not exceeding Forty Shillings nor less than Ten Shillings for every such Piece of false and counterfeit Coin which shall be found in the Custody or Possession of such Person, one Moiety to the Informer, and the other Moiety to the Poor of the Parish where such Offence shall be committed; and in case any such Penalty shall not be forthwith paid it shall be lawful for any such Justice to commit the Person who shall have been adjudged to pay the same to the Common Gaol or House of Correction, there to be kept to Hard Labour for the Space of Three Months, or until such Penalty shall be paid.

Making, mending, or having Possession of any Coining Tools, Felony.

24. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall knowingly make or mend, or begin or proceed to make or mend, or buy or sell, or have in his Custody or Possession, any Puncheon, Counter Puncheon, Matrix, Stamp, Die, Pattern, or Mould, in or upon which there shall be made or impressed, or which will make or impress, or which shall be adapted and intended to make or impress, the Figure, Stamp, or apparent Resemblance of both or either of the Sides of any of the Queen's current Gold or Silver Coin, or of any Coin of any Foreign Prince, State, or Country, or any Part or Parts of both or either of such Sides; or shall make or mend, or begin or proceed to make or mend, or shall buy or sell, or have in his Custody or Possession, any Edger, Edging or other Tool, Collar, Instrument, or Engine adapted and intended for the marking of Coin round the Edges with Letters, Grainings, or other Marks or Figures apparently resembling those on the Edges of any such Coin as in this Section aforesaid, knowing the same to be so adapted and intended as aforesaid; or shall make or mend, or begin or proceed to make or mend, or shall buy or sell, or have in his Custody or Possession, any Press for Coinage, or any Cutting Engine for cutting by force of a Screw or of any other Contrivance, round Blanks out of Gold, Silver, or other Metal or Mixture of Metals, or any other Machine, knowing such Press to be a Press for Coinage, or knowing such Engine or Machine to have been used or to be intended to be used for or in order to the false making or counterfeiting of any such Coin as in this Section aforesaid, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Conveying Tools or Monies out of the Mint without Authority, Felony.

25. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall knowingly convey out of any of Her Majesty's Mints any Puncheon, Counter Puncheon, Matrix, Stamp, Die, Pattern, Mould, Edger, Edging or other Tool, Collar, Instrument, Press, or Engine used or employed in or about the coining of Coin, or any useful Part of any of the several Matters aforesaid, or any Coin, Bullion, Metal, or Mixture of Metals, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Coin suspected to be diminished or counterfeit may be cut by any Person to whom it is tendered. Who shall bear the Loss.

26. Where any Coin shall be tendered as the Queen's current Gold or Silver Coin to any Person who shall suspect the same to be diminished otherwise than by reasonable wearing, or to be counterfeit, it shall be lawful for such Person to cut, break, bend, or deface such Coin, and if any Coin so cut, broken, bent, or defaced shall appear to be diminished otherwise than by reasonable wearing, or to be counterfeit, the Person tendering the same shall bear the Loss thereof; but if the same shall be of due Weight, and shall appear to be lawful Coin, the Person cutting, breaking, bending, or defacing the same is hereby required to receive the same at the Rate it was coined for; and if any Dispute shall arise whether the Coin so cut, broken, bent, or defaced be diminished in manner aforesaid, or counterfeit, it shall be heard and finally determined in a summary Manner by any Justice of the Peace, who is hereby empowered to examine upon Oath as well the Parties as any other Person, in order to the Decision of such Dispute; and the Tellers at the Receipt of Her Majesty's Exchequer, and their Deputies and Clerks, and the Receivers General of every Branch of Her Majesty's Revenue, are hereby required to cut, break, or deface, or cause to be cut, broken, or defaced every Piece of Counterfeit or unlawfully diminished Gold or Silver Coin which shall be tendered to them in Payment of any Part of Her Majesty's Revenue.

Provision for the Discovery and Seizure of counterfeit Coin and Coin-

27. If any Person shall find or discover in any Place whatever, or in the Custody or Possession of any Person having the same without lawful Authority or Excuse, any false or counterfeit Coin, resembling or apparently intended to resemble or pass for any of the Queen's current Gold, Silver, or Copper Coin, or any Coin of any Foreign Prince, State, or Country, or any Instrument, Tool, or Engine

Engine whatsoever, adapted and intended for the counterfeiting of any such Coin, or any Filings or Clippings, or any Gold or Silver Bullion, or any Gold or Silver in Dust, Solution, or otherwise, which shall have been produced or obtained by diminishing or lightening any of the Queen's current Gold or Silver Coin, it shall be lawful for the Person so finding or discovering and he is hereby required to seize the same, and to carry the same forthwith before some Justice of the Peace; and where it shall be proved, on the Oath of a credible Witness before any Justice of the Peace, that there is reasonable Cause to suspect that any Person has been concerned in counterfeiting the Queen's current Gold, Silver, or Copper Coin, or any such Foreign or other Coin as in this Act before mentioned, or has in his Custody or Possession any such false or counterfeit Coin, or any Instrument, Tool, or Engine whatsoever adapted and intended for the making or counterfeiting of any such Coin, or any other Machine used or intended to be used for making or counterfeiting any such Coin, or any such Filings, Clippings, or Bullion, or any such Gold or Silver in Dust, Solution, or otherwise as aforesaid, it shall be lawful for any Justice of the Peace, by Warrant under his Hand, to cause any Place whatsoever belonging to or in the Occupation or under the Control of such suspected Person to be searched, either in the Day or in the Night, and if any such false or counterfeit Coin, or any such Instrument, Tool, or Engine, or any such Machine, or any such Filings, Clippings, or Bullion, or any such Gold or Silver in Dust, Solution, or otherwise as aforesaid, shall be found in any Place so searched, to cause the same to be seized and carried forthwith before some Justice of the Peace; and whensoever any such false or counterfeit Coin, or any such Instrument, Tool, or Engine, or any such Machine, or any such Filings, Clippings, or Bullion, or any such Gold or Silver in Dust, Solution, or otherwise as aforesaid, shall in any Case whatsoever be seized and carried before a Justice of the Peace, he shall, if necessary, cause the same to be secured, for the Purpose of being produced in Evidence against any Person who may be prosecuted for any Offence against this Act; and all such false and counterfeit Coin, and all Instruments, Tools, and Engines adapted and intended for the making or counterfeiting of Coin, and all such Machines, and all such Filings, Clippings, and Bullion, and all such Gold and Silver in Dust, Solution, or otherwise as aforesaid, after they shall have been produced in Evidence, or when they shall have been seized, and shall not be required to be produced in Evidence, shall forthwith be delivered up to the Officers of Her Majesty's Mint, or to the Solicitors of Her Majesty's Treasury, or to any Person authorized by them to receive the same.

ing Tools, for securing them as Evidence, and for ultimately disposing of them.

28. Where any Person shall tender, utter, or put off any false or counterfeit Coin in one County or Jurisdiction, and shall also tender, utter, or put off any other false or counterfeit Coin in any other County or Jurisdiction, either on the Day of such first-mentioned tendering, uttering, or putting off, or within the Space of Ten Days next ensuing, or where Two or more Persons, acting in concert in different Counties or Jurisdictions, shall commit any Offence against this Act, every such Offender may be dealt with, indicted, tried, and punished, and the Offence laid and charged to have been committed, in any One of the said Counties or Jurisdictions, in the same Manner in all respects as if the Offence had been actually and wholly committed within such One County or Jurisdiction.

Venue.

29. Where, upon the Trial of any Person charged with any Offence against this Act, it shall be necessary to prove that any Coin produced in Evidence against such Person is false or counterfeit, it shall not be necessary to prove the same to be false and counterfeit by the Evidence of any Moneyer, or other Officer of Her Majesty's Mint, but it shall be sufficient to prove the same to be false or counterfeit by the Evidence of any other credible Witness.

What shall be sufficient Proof of Coin being counterfeit.

30. Every Offence of falsely making or counterfeiting any Coin, or of buying, selling, receiving, paying, tendering, uttering, or putting off, or of offering to buy, sell, receive, pay, utter, or put off, any false or counterfeit Coin, against the Provisions of this Act, shall be deemed to be complete, although the Coin so made or counterfeited, or bought, sold, received, paid, tendered, uttered, or put off, or offered to be bought, sold, received, paid, uttered, or put off, shall not be in a fit State to be uttered, or the counterfeiting thereof shall not be finished or perfected.

Where the counterfeiting Coin shall be complete.

31. It shall be lawful for any Person whatsoever to apprehend any Person who shall be found committing any indictable Offence, or any high Crime and Offence, or Crime and Offence, against this Act, and to convey or deliver him to some Peace Officer, Constable, or Officer of Police, in order to his being conveyed as soon as reasonably may be before a Justice of the Peace or some other proper Officer, to be dealt with according to Law.

Any Person may apprehend Offenders against this Act.

32. No Conviction for any Offence punishable on summary Conviction under this Act shall be quashed for Want of Form, or be removed by Certiorari into any of Her Majesty's Superior Courts of Record; and no Warrant of Commitment shall be held void by reason of any Defect therein, provided it be therein alleged that the Party has been convicted, and there be a valid Conviction to sustain the same.

No Certiorari, &c.

33. All Actions and Prosecutions to be commenced against any Person for anything done in pursuance of this Act shall, in *England* or *Ireland*, be laid and tried in the County where the Fact was committed, and shall, in *England*, *Ireland*, or *Scotland*, be commenced within Six Months after the Fact committed, and not otherwise; and Notice in Writing of such Action and of the Cause thereof shall be given to the Defendant or Defender One Month at least before the Commencement of the Action; and in any such Action brought in *England* or *Ireland* the Defendant may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial to be had thereupon, and in *Scotland* the Defender may

Venue in Proceedings against Persons acting under this Act.

General Issue.

Tender of Amends, &c.

may insist on all relevant Defences; and no Plaintiff or Pursuer shall recover in any such Action if Tender of sufficient Amends shall have been made before such Action brought, or if a sufficient Sum of Money shall have been paid into Court after such Action brought, by or on behalf of the Defendant or Defender; and if, in *England* or *Ireland*, a Verdict shall pass for the Defendant, or the Plaintiff shall become Nonsuit, or discontinue any such Action after Issue joined, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff, or if, in *Scotland*, the Verdict shall be for the Defender, or if the Pursuer shall abandon the Action, or the Court shall dismiss it as irrelevant or improperly laid, in every such Case the Defendant or Defender shall recover his full Costs as between Attorney and Client, and have the like Remedy for the same as any Defendant or Defender has by Law in other Cases; and though a Verdict shall be given for the Plaintiff or Pursuer in any such Action, such Plaintiff or Pursuer shall not have Costs against the Defendant or Defender, unless the Judge before whom the Trial shall be shall certify his Approbation of the Action.

Trial of Offences in Scotland.

34. All high Crimes and Offences, and Crimes and Offences, against this Act, which may be committed in *Scotland*, shall be proceeded against and tried according to the Rules and Procedure of the Criminal Law of *Scotland;* and all Proceedings by this Act made competent before any Justice or Justices, and all and every the Powers and Authorities by this Act given to or conferred upon any such Justice or Justices, shall, in *Scotland*, be competent before and may be exercised by any Sheriff, Magistrate, or Justice of the Peace.

Punishment of Principal in the Second Degree, and Accessories.

35. In the Case of every Felony punishable under the Act, every Principal in the Second Degree, and every Accessory before the Fact, shall be punishable in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessory after the Fact to any Felony punishable under this Act shall be liable to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Offences committed within the Jurisdiction of the Admiralty.

36. All indictable Offences mentioned in this Act which shall be committed within the Jurisdiction of the Admiralty of *England* or *Ireland* shall be deemed to be Offences of the same Nature and liable to the same Punishments as if they had been committed upon the Land in *England* or *Ireland*, and may be dealt with, inquired of, tried, and determined in any County or Place in *England* or *Ireland* in which the Offender shall be apprehended or be in Custody, in the same Manner in all respects as if the same had been actually committed in that County or Place, and in any Indictment for any such Offence, or for being accessory to any such Offence, the Venue in the Margin shall be the same as if such Offence had been committed in such County or Place, and the Offence itself shall be averred to have been committed "on the High Seas;" and where any of the Crimes and Offences, or high Crimes and Offences, mentioned in this Act, shall be committed at Sea, and the Vessel in which the same shall be committed shall be registered in *Scotland*, or touch at any Part thereof, the Courts of Criminal Law of *Scotland* may inquire, try, and determine the same in the same Manner as if such Crime and Offence, or high Crime and Offence, had been committed in *Scotland;* provided that nothing herein contained shall alter or affect any of the Laws relating to the Government of Her Majesty's Land or Naval Forces.

What shall be sufficient Evidence of Conviction for a previous Offence.

37. Where any Person shall have been convicted of any Offence against this Act, or any former Act relating to the Coin, and shall afterwards be indicted for any Offence against this Act committed subsequent to such Conviction, it shall be sufficient in any such Indictment, after charging such subsequent Offence, to state the Substance and Effect only (omitting the formal Part) of the Indictment and Conviction for the previous Offence; and a Certificate containing the Substance and Effect only (omitting the formal Part) of the Indictment and Conviction for the previous Offence, purporting to be signed by the Clerk of the Court or other Officer having or purporting to have the Custody of the Records of the Court where the Offender was first convicted, or by the Deputy of such Clerk or Officer, shall, upon Proof of the Identity of the Person of the Offender, be sufficient Evidence of the previous Conviction, without Proof of the Signature or official Character or Authority of the Person appearing to have signed the same, or of his Custody or Right to the Custody of the Records of the Court, and for every such Certificate a Fee of Six Shillings and Eightpence, and no more, shall be demanded or taken; and the Proceedings upon any Indictment for committing any Offence after a previous Conviction or Convictions shall be as follows; (that is to say,) the Offender shall, in the first instance, be arraigned upon so much only of the Indictment as charges the subsequent Offence, and if he plead Not Guilty, or if the Court order a Plea of Not Guilty to be entered on his Behalf, the Jury shall be charged, in the first instance, to inquire concerning such subsequent Offence only; and if they find him Guilty, or if on Arraignment he plead Guilty, he shall then, and not before, be asked whether he had been previously convicted as alleged in the Indictment, and if he answer that he had been so previously convicted the Court may proceed to sentence him accordingly, but if he deny that he had been so previously convicted, or stand mute of Malice, or will not answer directly to such Question, the Jury shall then be charged to inquire concerning such previous Conviction or Convictions, and in such Case it shall not be necessary to swear the Jury again, but the Oath already taken by them shall for all Purposes be deemed to extend to such last-mentioned Inquiry: Provided that if upon the Trial of any Person for any such subsequent Offence such Person shall give Evidence of his good Character, it shall be lawful for the Prosecutor, in answer thereto, to give Evidence of the Conviction of such Person for the previous Offence or Offences, before such Verdict of Guilty shall be returned, and the Jury shall inquire concerning

When the previous Conviction is to be proved on the Trial.

concerning such previous Conviction or Convictions at the same Time that they inquire concerning such subsequent Offence.

Fine and Sureties for keeping the Peace; in what Cases.

38. Whenever any Person shall be convicted of any indictable Misdemeanor punishable under this Act the Court may, if it shall think fit, in addition to or in lieu of any of the Punishments by this Act authorized, fine the Offender, and require him to enter into his own Recognizances, and to find Sureties, both or either, for keeping the Peace and being of good Behaviour; and in case of any Felony punishable under this Act, the Court may, if it shall think fit, require the Offender to enter into his own Recognizances, and to find Sureties, both or either, for keeping the Peace, in addition to any Punishment by this Act authorized; provided that no Person shall be imprisoned under this Clause for not finding Sureties for any Period exceeding One Year.

Hard Labour.

39. Whenever Imprisonment, with or without Hard Labour, may be awarded for any indictable Offence under this Act, the Court may sentence the Offender to be imprisoned, or to be imprisoned and kept to Hard Labour, in the Common Gaol or House of Correction.

Solitary Confinement.

40. Whenever Solitary Confinement may be awarded for any Offence under this Act, the Court may direct the Offender to be kept in Solitary Confinement for any Portion or Portions of his Imprisonment, or of his Imprisonment with Hard Labour, not exceeding One Month at any One Time, and not exceeding Three Months in any One Year.

Summary Proceedings in England may be under 11 & 12 Vict. c. 43., and in Ireland under 14 & 15 Vict. c. 93.; except in London and the Metropolitan Police District.

41. Every Offence hereby made punishable on summary Conviction may be prosecuted in *England* in the Manner directed by the Act of the Session holden in the Eleventh and Twelfth Years of Queen *Victoria*, Chapter Forty-three, and may be prosecuted in *Ireland* before Two or more Justices of the Peace or One Metropolitan or Stipendiary Magistrate, in the Manner directed by the Act of the Session holden in the Fourteenth and Fifteenth Years of Queen *Victoria*, Chapter Ninety-three, or in such other Manner as may be directed by any Act that may be passed for like Purposes; and all Provisions contained in the said Acts shall be applicable to such Prosecutions in the same Manner as if they were incorporated in this Act: Provided that nothing in this Act contained shall in any Manner alter or affect any Enactment relating to Procedure in the Case of any Offence punishable on summary Conviction within the City of *London* or the Metropolitan Police District, or the Recovery or Application of any Penalty or Forfeiture for any such Offence.

Costs of Prosecutions.

42. In all Prosecutions for any Offence against this Act in *England*, which shall be conducted under the Direction of the Solicitors of Her Majesty's Treasury, the Court before which such Offence shall be prosecuted or tried shall allow the Expenses of the Prosecution in all respects as in Cases of Felony; and in all Prosecutions for any such Offence in *England* which shall not be so conducted it shall be lawful for such Court, in case a Conviction shall take place, but not otherwise, to allow the Expenses of the Prosecution in like Manner; and every Order for the Payment of such Costs shall be made out, and the Sum of Money mentioned therein paid and repaid, upon the same Terms and in the same Manner in all respects as in Cases of Felony.

Commencement of Act.

43. This Act shall commence and take effect on the First Day of *November* One thousand eight hundred and sixty-one.

CAP. C.

An Act to consolidate and amend the Statute Law of *England* and *Ireland* relating to Offences against the Person. [6th *August* 1861.]

'WHEREAS it is expedient to consolidate and amend the Statute Law of *England* and *Ireland* relating to Offences against the Person:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Homicide.

Murder.

1. Whosoever shall be convicted of Murder shall suffer Death as a Felon.

Sentence for Murder.

2. Upon every Conviction for Murder the Court shall pronounce Sentence of Death, and the same may be carried into execution, and all other Proceedings upon such Sentence and in respect thereof may be had and taken, in the same Manner in all respects as Sentence of Death might have been pronounced and carried into execution, and all other Proceedings thereupon and in respect thereof might have been had and taken, before the passing of this Act, upon a Conviction for any other Felony for which the Prisoner might have been sentenced to suffer Death as a Felon.

Body to be buried in Prison.

3. The Body of every Person executed for Murder shall be buried within the Precincts of the Prison in which he shall have been last confined after Conviction, and the Sentence of the Court shall so direct.

Conspiring or soliciting to commit Murder.

4. All Persons who shall conspire, confederate, and agree to murder any Person, whether he be a Subject of Her Majesty or not, and whether he be within the Queen's Dominions or not, and whosoever shall solicit, encourage, persuade, or endeavour to persuade, or shall propose to any Person, to murder any other Person, whether he be a Subject of Her Majesty or not, and whether he be within the Queen's Dominions or not, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not more than Ten

and

and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Manslaughter.

5. Whosoever shall be convicted of Manslaughter shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, or to pay such Fine as the Court shall award, in addition to or without any such other discretionary Punishment as aforesaid.

Indictment for Murder or Manslaughter.

6. In any Indictment for Murder or Manslaughter, or for being an Accessory to any Murder or Manslaughter, it shall not be necessary to set forth the Manner in which or the Means by which the Death of the Deceased was caused, but it shall be sufficient in any Indictment for Murder to charge that the Defendant did feloniously, wilfully, and of his Malice aforethought kill and murder the Deceased; and it shall be sufficient in any Indictment for Manslaughter to charge that the Defendant did feloniously kill and slay the Deceased; and it shall be sufficient in any Indictment against any Accessory to any Murder or Manslaughter to charge the Principal with the Murder or Manslaughter (as the Case may be) in the Manner herein-before specified, and then to charge the Defendant as an Accessory in the Manner heretofore used and accustomed.

Excusable Homicide.

7. No Punishment or Forfeiture shall be incurred by any Person who shall kill another by Misfortune or in his own Defence, or in any other Manner without Felony.

Petit Treason.

8. Every Offence which before the Commencement of the Act of the Ninth Year of King *George* the Fourth, Chapter Thirty-one, would have amounted to Petit Treason, shall be deemed to be Murder only, and no greater Offence; and all Persons guilty in respect thereof, whether as Principals or as Accessories, shall be dealt with, indicted, tried, and punished as Principals and Accessories in Murder.

Murder or Manslaughter abroad.

9. Where any Murder or Manslaughter shall be committed on Land out of the United Kingdom, whether within the Queen's Dominions or without, and whether the Person killed were a Subject of Her Majesty or not, every Offence committed by any Subject of Her Majesty, in respect of any such Case, whether the same shall amount to the Offence of Murder or of Manslaughter, or of being accessory to Murder or Manslaughter, may be dealt with, inquired of, tried, determined, and punished in any County or Place in *England* or *Ireland* in which such Person shall be apprehended or be in Custody, in the same Manner in all respects as if such Offence had been actually committed in that County or Place; provided that nothing herein contained shall prevent any Person from being tried in any Place out of *England* or *Ireland* for any Murder or Manslaughter committed out of *England* or *Ireland*, in the same Manner as such Person might have been tried before the passing of this Act.

Provision for the Trial of Murder and Manslaughter where the Death only happens in England or Ireland.

10. Where any Person, being feloniously stricken, poisoned, or otherwise hurt upon the Sea, or at any Place out of *England* or *Ireland*, shall die of such Stroke, Poisoning, or Hurt in *England* or *Ireland*, or, being feloniously stricken, poisoned, or otherwise hurt at any Place in *England* or *Ireland*, shall die of such Stroke, Poisoning, or Hurt upon the Sea, or at any Place out of *England* or *Ireland*, every Offence committed in respect of any such Case, whether the same shall amount to the Offence of Murder or of Manslaughter, or of being accessory to Murder or Manslaughter, may be dealt with, inquired of, tried, determined, and punished in the County or Place in *England* or *Ireland* in which such Death, Stroke, Poisoning, or Hurt shall happen, in the same Manner in all respects as if such Offence had been wholly committed in that County or Place.

Attempts to murder.

Administering Poison, or wounding with Intent to murder.

11. Whosoever shall administer to or cause to be administered to or to be taken by any Person any Poison or other destructive Thing, or shall by any Means whatsoever wound or cause any grievous bodily Harm to any Person, with Intent in any of the Cases aforesaid to commit Murder, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Destroying or damaging a Building with Gunpowder, with Intent to murder.

12. Whosoever, by the Explosion of Gunpowder or other explosive Substance, shall destroy or damage any Building with Intent to commit Murder, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Setting fire to or casting away a Ship with Intent to murder.

13. Whosoever shall set fire to any Ship or Vessel or any Part thereof, or any Part of the Tackle, Apparel, or Furniture thereof, or any Goods or Chattels being therein, or shall cast away or destroy any Ship or Vessel, with Intent in any of such Cases to commit Murder, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Attempting to administer Poison, or shooting or attempting to shoot, or attempting to

14. Whosoever shall attempt to administer to or shall attempt to cause to be administered to or to be taken by any Person any Poison or other destructive Thing, or shall shoot at any Person, or shall, by drawing a Trigger or in any other Manner, attempt to discharge any kind of loaded Arms at any Person, or shall attempt to drown, suffocate, or strangle any Person, with Intent, in any of the Cases aforesaid, to commit Murder, shall, whether any bodily Injury be effected or not, be guilty of Felony, and being convicted

convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement. drown, &c., with Intent to murder.

15. Whosoever shall, by any Means other than those specified in any of the preceding Sections of this Act, attempt to commit Murder, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement. By any other Means attempting to commit Murder.

Letters threatening to murder.

16. Whosoever shall maliciously send, deliver, or utter, or directly or indirectly cause to be received, knowing the Contents thereof, any Letter or Writing threatening to kill or murder any Person, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Ten Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping. Sending Letters threatening to murder.

Acts causing or tending to cause Danger to Life or bodily Harm.

17. Whosoever shall unlawfully and maliciously prevent or impede any Person, being on board of or having quitted any Ship or Vessel which shall be in Distress, or wrecked, stranded, or cast on shore, in his Endeavour to save his Life, or shall unlawfully and maliciously prevent or impede any Person in his Endeavour to save the Life of any such Person as in this Section first aforesaid, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement. Impeding a Person endeavouring to save himself from Shipwreck.

18. Whosoever shall unlawfully and maliciously by any Means whatsoever wound or cause any grievous bodily Harm to any Person, or shoot at any Person, or, by drawing a Trigger or in any other Manner, attempt to discharge any Kind of loaded Arms at any Person, with Intent, in any of the Cases aforesaid, to maim, disfigure, or disable any Person, or to do some other grievous bodily Harm to any Person, or with Intent to resist or prevent the lawful Apprehension or Detainer of any Person, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement. Shooting or attempting shoot, or wounding with Intent to do grievous bodily Harm.

19. Any Gun, Pistol, or other Arms which shall be loaded in the Barrel with Gunpowder or any other explosive Substance, and Ball, Shot, Slug, or other destructive Material, shall be deemed to be loaded Arms within the Meaning of this Act, although the Attempt to discharge the same may fail from Want of proper Priming or from any other Cause. What shall constitute loaded Arms.

20. Whosoever shall unlawfully and maliciously wound or inflict any grievous bodily Harm upon any other Person, either with or without any Weapon or Instrument, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour. Inflicting bodily Injury, with or without Weapon.

21. Whosoever shall, by any Means whatsoever, attempt to choke, suffocate, or strangle any other Person, or shall, by any Means calculated to choke, suffocate, or strangle, attempt to render any other Person insensible, unconscious, or incapable of Resistance, with Intent in any of such Cases thereby to enable himself or any other Person to commit, or with Intent in any of such Cases thereby to assist any other Person in committing, any indictable Offence, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour. Attempting to choke, &c. in order to commit any indictable Offence.

22. Whosoever shall unlawfully apply or administer to or cause to be taken by, or attempt to apply or administer to or attempt to cause to be administered to or taken by, any Person, any Chloroform, Laudanum, or other stupefying or overpowering Drug, Matter, or Thing, with Intent in any of such Cases thereby to enable himself or any other Person to commit, or with Intent in any of such Cases thereby to assist any other Person in committing, any indictable Offence, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any other Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour. Using Chloroform, &c. to commit any indictable Offence.

23. Whosoever shall unlawfully and maliciously administer to or cause to be administered to or taken by any other Person any Poison or other destructive or noxious Thing, so as thereby to endanger the Life of such Person, or so as thereby to inflict upon such Person any grievous bodily Harm, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Ten Years and not less than Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour. Maliciously administering Poison, &c. so as to endanger Life or inflict grievous bodily Harm.

24. Whosoever

Maliciously administering Poison, &c. with Intent, &c.

24. Whosoever shall unlawfully and maliciously administer to or cause to be administered to or taken by any other Person any Poison or other destructive or noxious Thing, with Intent to injure, aggrieve, or annoy such Person, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

If Felony not proved, Jury may find guilty of Misdemeanor.

25. If, upon the Trial of any Person for any Felony in the last but one preceding Section mentioned, the Jury shall not be satisfied that such Person is guilty thereof, but shall be satisfied that he is guilty of any Misdemeanor in the last preceding Section mentioned, then and in every such Case the Jury may acquit the Accused of such Felony, and find him guilty of such Misdemeanor, and thereupon he shall be liable to be punished in the same Manner as if convicted upon an Indictment for such Misdemeanor.

Not providing Apprentices or Servants with Food, &c., whereby Life endangered.

26. Whosoever, being legally liable, either as a Master or Mistress, to provide for any Apprentice or Servant necessary Food, Clothing, or Lodging, shall wilfully and without lawful Excuse refuse or neglect to provide the same, or shall unlawfully and maliciously do or cause to be done any bodily Harm to any such Apprentice or Servant, so that the Life of such Apprentice or Servant shall be endangered, or the Health of such Apprentice or Servant shall have been or shall be likely to be permanently injured, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Exposing Children whereby Life endangered.

27. Whosoever shall unlawfully abandon or expose any Child, being under the Age of Two Years, whereby the Life of such Child shall be endangered, or the Health of such Child shall have been or shall be likely to be permanently injured, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Causing bodily Injury by Gunpowder.

28. Whosoever shall unlawfully and maliciously, by the Explosion of Gunpowder or other explosive Substance, burn, maim, disfigure, disable, or do any grievous bodily Harm to any Person, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Causing Gunpowder to explode, or sending to any Person an explosive Substance, &c. with Intent to do grievous bodily Harm.

29. Whosoever shall unlawfully and maliciously cause any Gunpowder or other explosive Substance to explode, or send or deliver to or cause to be taken or received by any Person any explosive Substance or any other dangerous or noxious Thing, or put or lay at any Place, or cast or throw at or upon or otherwise apply to any Person, any corrosive Fluid or any destructive or explosive Substance, with Intent in any of the Cases aforesaid to burn, maim, disfigure, or disable any Person, or to do some grievous bodily Harm to any Person, shall, whether any bodily Injury be effected or not, be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and if a Male under the Age of Sixteen Years, with or without Whipping.

Placing Gunpowder near a Building, with Intent to do bodily Injury to any Person.

30. Whosoever shall unlawfully and maliciously place or throw in, into, upon, against, or near any Building, Ship, or Vessel any Gunpowder or other explosive Substance, with Intent to do any bodily Injury to any Person, shall, whether or not any Explosion take place, and whether or not any bodily Injury be effected, be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and if a Male under the Age of Sixteen Years, with or without Whipping.

Setting Spring Guns, &c., with Intent to inflict grievous bodily Harm.

31. Whosoever shall set or place, or cause to be set or placed, any Spring Gun, Man Trap, or other Engine calculated to destroy Human Life or inflict grievous bodily Harm, with the Intent that the same or whereby the same may destroy or inflict grievous bodily Harm upon a Trespasser or other Person coming in contact therewith, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour; and whosoever shall knowingly and wilfully permit any such Spring Gun, Man Trap, or other Engine which may have been set or placed in any Place then being in or afterwards coming into his Possession or Occupation by some other Person to continue so set or placed, shall be deemed to have set and placed such Gun, Trap, or Engine with such Intent as aforesaid: Provided that nothing in this Section contained shall extend to make it illegal to set or place any Gin or Trap such as may have been or may be usually set or placed with the Intent of destroying Vermin: Provided also, that nothing in this Section shall be deemed to make it unlawful to set or place or cause to be set or placed, or to be continued set or placed, from Sunset to Sunrise, any Spring Gun, Man Trap, or other Engine which shall be set or placed, or caused or continued to be set or placed, in a Dwelling House, for the Protection thereof.

Placing Wood, &c. on a Rail-

32. Whosoever shall unlawfully and maliciously put or throw upon or across any Railway any Wood, Stone, or other Matter or Thing, or shall unlawfully and maliciously take up, remove, or displace any Rail,

Offences against the Person.

Rail, Sleeper, or other Matter or Thing belonging to any Railway, or shall unlawfully and maliciously turn, move, or divert any Points or other Machinery belonging to any Railway, or shall unlawfully and maliciously make or show, hide or remove, any Signal or Light upon or near to any Railway, or shall unlawfully and maliciously do or cause to be done any other Matter or Thing, with Intent, in any of the Cases aforesaid, to endanger the Safety of any Person travelling or being upon such Railway, shall be guilty of Felony, and being convicted thereof shall be liable at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and if a Male under the Age of Sixteen Years, with or without Whipping. way, with Intent to endanger Passengers.

33. Whosoever shall unlawfully and maliciously throw, or cause to fall or strike, at, against, into, or upon any Engine, Tender, Carriage, or Truck used upon any Railway, any Wood, Stone, or other Matter or Thing, with Intent to injure or endanger the Safety of any Person being in or upon such Engine, Tender, Carriage, or Truck, or in or upon any other Engine, Tender, Carriage, or Truck of any Train of which such first-mentioned Engine, Tender, Carriage, or Truck shall form Part, shall be guilty of Felony, and being convicted thereof shall be liable at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour. Casting Stone, &c. upon a Railway Carriage, with Intent to endanger the Safety of any Person therein.

34. Whosoever, by any unlawful Act, or by any wilful Omission or Neglect, shall endanger or cause to be endangered the Safety of any Person conveyed or being in or upon a Railway, or shall aid or assist therein, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour. Endangering Passengers by Railway.

35. Whosoever, having the Charge of any Carriage or Vehicle, shall by wanton or furious Driving or Racing, or other wilful Misconduct, or by wilful Neglect, do or cause to be done any bodily Harm to any Person whatsoever, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour. Drivers of Carriages injuring Persons by furious Driving.

Assaults.

36. Whosoever shall, by Threats or Force, obstruct or prevent, or endeavour to obstruct or prevent, any Clergyman or other Minister in or from celebrating Divine Service or otherwise officiating in any Church, Chapel, Meeting House, or other Place of Divine Worship, or in or from the Performance of his Duty in the lawful Burial of the Dead in any Churchyard or other Burial Place, or shall strike or offer any Violence to, or shall, upon any Civil Process, or under the Pretence of executing any Civil Process, arrest any Clergyman or other Minister who is engaged in, or to the Knowledge of the Offender is about to engage in, any of the Rites or Duties in this Section aforesaid, or who to the Knowledge of the Offender shall be going to perform the same or returning from the Performance thereof, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour. Obstructing or assaulting a Clergyman or other Minister in the Discharge of his Duties.

37. Whosoever shall assault and strike or wound any Magistrate, Officer, or other Person whatsoever lawfully authorized, in or on account of the Exercise of his Duty in or concerning the Preservation of any Vessel in Distress, or of any Vessel, Goods, or Effects wrecked, stranded, or cast on shore, or lying under Water, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour. Assaulting a Magistrate, &c. on account of his preserving Wreck.

38. Whosoever shall assault any Person with Intent to commit Felony, or shall assault, resist, or wilfully obstruct any Peace Officer in the due Execution of his Duty, or any Person acting in aid of such Officer, or shall assault any Person with Intent to resist or prevent the lawful Apprehension or Detainer of himself or of any other Person for any Offence, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour. Assault with Intent to commit Felony, or on Peace Officers, &c.

39. Whosoever shall beat, or use any Violence or Threat of Violence to any Person, with Intent to deter or hinder him from buying, selling, or otherwise disposing of, or to compel him to buy, sell, or otherwise dispose of, any Wheat or other Grain, Flour, Meal, Malt, or Potatoes, in any Market or other Place, or shall beat or use any such Violence or Threat to any Person having the Care or Charge of any Wheat or other Grain, Flour, Meal, Malt, or Potatoes, whilst on the Way to or from any City, Market Town, or other Place, with Intent to stop the Conveyance of the same, shall, on Conviction thereof before Two Justices of the Peace, be liable to be imprisoned and kept to Hard Labour in the Common Gaol or House of Correction for any Term not exceeding Three Months: Provided that no Person who shall be punished for any such Offence by virtue of this Section shall be punished for the same Offence by virtue of any other Law whatsoever. Assaults with Intent to obstruct the Sale of Grain, or its free Passage.

40. Whosoever shall unlawfully and with Force hinder or prevent any Seaman, Keelman, or Caster from working at or exercising his lawful Trade, Business, or Occupation, or shall beat or use any Violence to any such Person with Intent to hinder or prevent him from working at or exercising the same, Assaults on Seamen, &c.

shall, on Conviction thereof before Two Justices of the Peace, be liable to be imprisoned and kept to Hard Labour in the Common Gaol or House of Correction for any Term not exceeding Three Months: Provided that no Person who shall be punished for any such Offence by reason of this Section shall be punished for the same Offence by virtue of any other Law whatsoever.

Assaults arising from Combination.

41. Whosoever, in pursuance of any unlawful Combination or Conspiracy to raise the Rate of Wages, or of any unlawful Combination or Conspiracy respecting any Trade, Business, or Manufacture, or respecting any Person concerned or employed therein, shall unlawfully assault any Person, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Persons committing any Common Assault or Battery may be imprisoned or compelled by Two Magistrates to pay Fine and Costs not exceeding 5*l*.

42. Where any Person shall unlawfully assault or beat any other Person, Two Justices of the Peace, upon Complaint by or on behalf of the Party aggrieved, may hear and determine such Offence, and the Offender shall, upon Conviction thereof before them, at the Discretion of the Justices, either be committed to the Common Gaol or House of Correction, there to be imprisoned with or without Hard Labour for any Term not exceeding Two Months, or else shall forfeit and pay such Fine as shall appear to them to be meet, not exceeding, together with Costs (if ordered), the Sum of Five Pounds; and if such Fine as shall be so awarded, together with the Costs (if ordered), shall not be paid, either immediately after the Conviction or within such Period as the said Justices shall at the Time of the Conviction appoint, they may commit the Offender to the Common Gaol or House of Correction, there to be imprisoned, with or without Hard Labour, for any Term not exceeding Two Months, unless such Fine and Costs be sooner paid.

Persons convicted of aggravated Assaults on Females and Boys under Fourteen Years of Age may be imprisoned or fined.

43. When any Person shall be charged before Two Justices of the Peace with an Assault or Battery upon any Male Child whose Age shall not in the Opinion of such Justices exceed Fourteen Years, or upon any Female, either upon the Complaint of the Party aggrieved or otherwise, the said Justices, if the Assault or Battery is of such an aggravated Nature that it cannot in their Opinion be sufficiently punished under the Provisions herein-before contained as to Common Assaults and Batteries, may proceed to hear and determine the same in a summary Way, and, if the same be proved, may convict the Person accused; and every such Offender shall be liable to be imprisoned in the Common Gaol or House of Correction, with or without Hard Labour, for any Period not exceeding Six Months, or to pay a Fine not exceeding (together with Costs) the Sum of Twenty Pounds, and in default of Payment to be imprisoned in the Common Gaol or House of Correction for any Period not exceeding Six Months, unless such Fine and Costs be sooner paid, and, if the Justices shall so think fit, in any of the said Cases, shall be bound to keep the Peace and be of good Behaviour for any Period not exceeding Six Months from the Expiration of such Sentence.

If the Magistrates dismiss the Complaint, they shall make out a Certificate to that Effect.

44. If the Justices, upon the Hearing of any such Case of Assault or Battery upon the Merits, where the Complaint was preferred by or on the Behalf of the Party aggrieved, under either of the last Two preceding Sections, shall deem the Offence not to be proved, or shall find the Assault or Battery to have been justified, or so trifling as not to merit any Punishment, and shall accordingly dismiss the Complaint, they shall forthwith make out a Certificate under their Hands stating the Fact of such Dismissal, and shall deliver such Certificate to the Party against whom the Complaint was preferred.

Certificate or Conviction shall be a Bar to any other Proceedings.

45. If any Person, against whom any such Complaint as in either of the last Three preceding Sections mentioned shall have been preferred by or on the Behalf of the Party aggrieved, shall have obtained such Certificate, or, having been convicted, shall have paid the whole Amount adjudged to be paid, or shall have suffered the Imprisonment or Imprisonment with Hard Labour awarded, in every such Case he shall be released from all further or other Proceedings, Civil or Criminal, for the same Cause.

These Provisions not to apply to certain Cases.

46. Provided, That in case the Justices shall find the Assault or Battery complained of to have been accompanied by any Attempt to commit Felony, or shall be of opinion that the same is, from any other Circumstance, a fit Subject for a Prosecution by Indictment, they shall abstain from any Adjudication thereupon, and shall deal with the Case in all respects in the same Manner as if they had no Authority finally to hear and determine the same: Provided also, that nothing herein contained shall authorize any Justices to hear and determine any Case of Assault or Battery in which any Question shall arise as to the Title to any Lands, Tenements, or Hereditaments, or any Interest therein or accruing therefrom, or as to any Bankruptcy or Insolvency, or any Execution under the Process of any Court of Justice.

Assault occasioning bodily Harm.
Common Assault.

47. Whosoever shall be convicted upon an Indictment of any Assault occasioning actual bodily Harm shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour; and whosoever shall be convicted upon an Indictment for a common Assault shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding One Year, with or without Hard Labour.

Rape, Abduction, and Defilement of Women.

Rape.

48. Whosoever shall be convicted of the Crime of Rape shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

49. Whosoever

Procuring the Defilement of Girl under Age.

49. Whosoever shall, by false Pretences, false Representations, or other fraudulent Means, procure any Woman or Girl under the Age of Twenty-one Years to have illicit carnal Connexion with any Man, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Carnally knowing a Girl under Ten Years of Age.

50. Whosoever shall unlawfully and carnally know and abuse any Girl under the Age of Ten Years shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Carnally knowing a Girl between the Ages of Ten and Twelve.

51. Whosoever shall unlawfully and carnally know and abuse any Girl being above the Age of Ten Years and under the Age of Twelve Years shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Attempt to commit the last Two Offences.

52. Whosoever shall be convicted of any indecent Assault upon any Female, or of any Attempt to have carnal Knowledge of any Girl under Twelve Years of Age, shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Abduction of a Woman against her Will, from Motives of Lucre.

53. Where any Woman of any Age shall have any Interest, whether legal or equitable, present or future, absolute, conditional, or contingent, in any Real or Personal Estate, or shall be a presumptive Heiress or Coheiress, or presumptive Next of Kin, or One of the presumptive Next of Kin, to any one having such Interest, whosoever shall, from Motives of Lucre, take away or detain such Woman against her Will, with Intent to marry or carnally know her, or to cause her to be married or carnally known by any other Person; and whosoever shall fraudulently allure, take away, or detain such Woman, being under the Age of Twenty-one Years, out of the Possession and against the Will of her Father or Mother, or of any other Person having the lawful Care or Charge of her, with Intent to marry or carnally know her, or to cause her to be married or carnally known by any other Person, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour; and whosoever shall be convicted of any Offence against this Section shall be incapable of taking any Estate or Interest, legal or equitable, in any Real or Personal Property of such Woman, or in which she shall have any such Interest, or which shall come to her as such Heiress, Coheiress, or Next of Kin as aforesaid; and if any such Marriage as aforesaid shall have taken place, such Property shall, upon such Conviction, be settled in such Manner as the Court of Chancery in *England* or *Ireland* shall upon any Information at the Suit of the Attorney General appoint.

Fraudulent Abduction of a Girl under Age against the Will of her Father, &c.

Offender incapable of taking any of her Property.

Forcible Abduction of any Woman with Intent to marry her.

54. Whosoever shall, by Force, take away or detain against her Will any Woman, of any Age, with Intent to marry or carnally know her, or to cause her to be married or carnally known by any other Person, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Abduction of a Girl under Sixteen Years of Age.

55. Whosoever shall unlawfully take or cause to be taken any unmarried Girl, being under the Age of Sixteen Years, out of the Possession and against the Will of her Father or Mother, or of any other Person having the lawful Care or Charge of her, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Child-stealing.

Child-stealing.

56. Whosoever shall unlawfully, either by Force or Fraud, lead or take away, or decoy or entice away or detain, any Child under the Age of Fourteen Years, with Intent to deprive any Parent, Guardian, or other Person having the lawful Care or Charge of such Child of the Possession of such Child, or with Intent to steal any Article upon or about the Person of such Child, to whomsoever such Article may belong, and whosoever shall, with any such Intent, receive or harbour any such Child, knowing the same to have been, by Force or Fraud, led, taken, decoyed, enticed away, or detained as in this Section before mentioned, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and, if a Male under the Age of Sixteen Years, with or without Whipping: Provided that no Person who shall have claimed any Right to the Possession of such Child, or shall be the Mother or shall have claimed to be the Father of an illegitimate Child, shall be liable to be prosecuted by virtue hereof on account of the getting Possession of such Child, or taking such Child out of the Possession of any Person having the lawful Charge thereof.

Bigamy.

Bigamy.

57. Whosoever, being married, shall marry any other Person during the Life of the former Husband or Wife, whether the Second Marriage shall have taken place in *England* or *Ireland* or elsewhere, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or

Offences against the Person.

Offence may be dealt with where Offender shall be apprehended.

Not to extend to Second Marriages, &c. herein stated.

to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour; and any such Offence may be dealt with, inquired of, tried, determined, and punished in any County or Place in *England* or *Ireland* where the Offender shall be apprehended or be in Custody, in the same Manner in all respects as if the Offence had been actually committed in that County or Place: Provided that nothing in this Section contained shall extend to any Second Marriage contracted elsewhere than in *England* and *Ireland* by any other than a Subject of Her Majesty, or to any Person marrying a Second Time whose Husband or Wife shall have been continually absent from such Person for the Space of Seven Years then last past, and shall not have been known by such Person to be living within that Time, or shall extend to any Person who, at the Time of such Second Marriage, shall have been divorced from the Bond of the First Marriage, or to any Person whose former Marriage shall have been declared void by the Sentence of any Court of competent Jurisdiction.

Attempts to procure Abortion.

Administering Drugs or using Instruments to procure Abortion.

58. Every Woman, being with Child, who, with Intent to procure her own Miscarriage, shall unlawfully administer to herself any Poison or other noxious Thing, or shall unlawfully use any Instrument or other Means whatsoever with the like Intent, and whosoever, with Intent to procure the Miscarriage of any Woman, whether she be or be not with Child, shall unlawfully administer to her or cause to be taken by her any Poison or other noxious Thing, or shall unlawfully use any Instrument or other Means whatsoever with the like Intent, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Procuring Drugs, &c. to cause Abortion.

59. Whosoever shall unlawfully supply or procure any Poison or other noxious Thing, or any Instrument or Thing whatsoever, knowing that the same is intended to be unlawfully used or employed with Intent to procure the Miscarriage of any Woman, whether she be or be not with Child, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Concealing the Birth of a Child.

Concealing the Birth of a Child.

60. If any Woman shall be delivered of a Child, every Person who shall, by any secret Disposition of the dead Body of the said Child, whether such Child died before, at, or after its Birth, endeavour to conceal the Birth thereof, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour: Provided that if any Person tried for the Murder of any Child shall be acquitted thereof, it shall be lawful for the Jury by whose Verdict such Person shall be acquitted to find, in case it shall so appear in Evidence, that the Child had recently been born, and that such Person did, by some secret Disposition of the dead Body of such Child, endeavour to conceal the Birth thereof, and thereupon the Court may pass such Sentence as if such Person had been convicted upon an Indictment for the Concealment of the Birth.

Unnatural Offences.

Sodomy and Bestiality.

61. Whosoever shall be convicted of the abominable Crime of Buggery, committed either with Mankind or with any Animal, shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Ten Years.

Attempt to commit an infamous Crime.

62. Whosoever shall attempt to commit the said abominable Crime, or shall be guilty of any Assault with Intent to commit the same, or of any indecent Assault upon any Male Person, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Ten Years and not less than Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Carnal Knowledge Defined.

63. Whenever, upon the Trial for any Offence punishable under this Act, it may be necessary to prove carnal Knowledge, it shall not be necessary to prove the actual Emission of Seed in order to constitute a carnal Knowledge, but the carnal Knowledge shall be deemed complete upon Proof of Penetration only.

Making Gunpowder to commit Offences, and searching for the same.

Making or having Gunpowder, &c. with Intent to commit any Felony against this Act.

64. Whosoever shall knowingly have in his Possession, or make or manufacture, any Gunpowder, explosive Substance, or any dangerous or noxious Thing, or any Machine, Engine, Instrument, or Thing, with Intent by means thereof to commit, or for the Purpose of enabling any other Person to commit, any of the Felonies in this Act mentioned, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and if a Male under the Age of Sixteen Years, with or without Whipping.

Justices may issue Warrants for searching Houses, &c. in which

65. Any Justice of the Peace of any County or Place in which any such Gunpowder, or other explosive, dangerous, or noxious Substance or Thing, or any such Machine, Engine, Instrument, or Thing, is suspected to be made, kept, or carried for the Purpose of being used in committing any of the Felonies in this Act mentioned, upon reasonable Cause assigned upon Oath by any Person, may issue

issue a Warrant under his Hand and Seal for searching, in the Daytime, any House, Mill, Magazine, Storehouse, Warehouse, Shop, Cellar, Yard, Wharf, or other Place, or any Carriage, Waggon, Cart, Ship, Boat, or Vessel, in which the same is suspected to be made, kept, or carried for such Purpose as herein-before mentioned; and every Person acting in the Execution of any such Warrant shall have, for seizing, removing to proper Places, and detaining all such Gunpowder, explosive, dangerous, or noxious Substances, Machines, Engines, Instruments, or Things, found upon such Search, which he shall have good Cause to suspect to be intended to be used in committing any such Offence, and the Barrels, Packages, Cases, and other Receptacles in which the same shall be, the same Powers and Protections which are given to Persons searching for unlawful Quantities of Gunpowder under the Warrant of a Justice by the Act passed in the Session holden in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and thirty-nine, intituled *An Act to amend the Law concerning the making, keeping, and Carriage of Gunpowder and Compositions of an explosive Nature, and concerning the Manufacture, Sale, and Use of Fireworks.*

Explosive Substances are suspected to be made for the Purpose of committing Felonies against this Act.

23 & 24 Vict. c. 139.

Other Matters.

66. Any Constable or Peace Officer may take into Custody, without a Warrant, any Person whom he shall find lying or loitering in any Highway, Yard, or other Place during the Night, and whom he shall have good Cause to suspect of having committed or being about to commit any Felony in this Act mentioned, and shall take such Person as soon as reasonably may be before a Justice of the Peace, to be dealt with according to Law.

Persons loitering at Night, suspected of Felony may be apprehended.

67. In the Case of every Felony punishable under this Act, every Principal in the Second Degree, and every Accessory before the Fact, shall be punishable in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessory after the Fact to any Felony punishable under this Act (except Murder) shall be liable to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour; and every Accessory after the Fact to Murder shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour; and whosoever shall counsel, aid, or abet the Commission of any indictable Misdemeanor punishable under this Act shall be liable to be proceeded against, indicted, and punished as a principal Offender.

Punishment of Principals in the Second Degree, and Accessories.

68. All indictable Offences mentioned in this Act which shall be committed within the Jurisdiction of the Admiralty of *England* or *Ireland* shall be deemed to be Offences of the same Nature and liable to the same Punishments as if they had been committed upon the Land in *England* or *Ireland*, and may be dealt with, inquired of, tried, and determined in any County or Place in *England* or *Ireland* in which the Offender shall be apprehended or be in Custody, in the same Manner in all respects as if they had been actually committed in that County or Place; and in any Indictment for any such Offence, or for being an Accessory to such an Offence, the Venue in the Margin shall be the same as if the Offence had been committed in such County or Place, and the Offence shall be averred to have been committed "on the High Seas:" Provided that nothing herein contained shall alter or affect any of the Laws relating to the Government of Her Majesty's Land or Naval Forces.

Offences committed within Jurisdiction of Admiralty.

69. Whenever Imprisonment, with or without Hard Labour, may be awarded for any indictable Offence under this Act, the Court may sentence the Offender to be imprisoned, or to be imprisoned and kept to Hard Labour, in the Common Gaol or House of Correction.

Hard Labour in Gaol, &c.

70. Whenever Solitary Confinement may be awarded for any Offence under this Act, the Court may direct the Offender to be kept in Solitary Confinement for any Portion or Portions of any Imprisonment, or of any Imprisonment with Hard Labour, which the Court may award, not exceeding One Month at any One Time, and not exceeding Three Months in any One Year; and whenever Whipping may be awarded for any Offence under this Act, the Court may sentence the Offender to be once privately whipped, and the Number of Strokes and the Instrument with which they shall be inflicted shall be specified by the Court in the Sentence.

Solitary Confinement and Whipping.

71. Whenever any Person shall be convicted of any indictable Misdemeanor punishable under this Act, the Court may, if it shall think fit, in addition to or in lieu of any Punishment by this Act authorized, fine the Offender, and require him to enter into his own Recognizances, and to find Sureties, both or either, for keeping the Peace and being of good Behaviour; and in case of any Felony punishable under this Act otherwise than with Death the Court may, if it shall think fit, require the Offender to enter into his own Recognizances and to find Sureties, both or either, for keeping the Peace, in addition to any Punishment by this Act authorized; provided that no Person shall be imprisoned for not finding Sureties under this Clause for any Period exceeding One Year.

Fine, and Sureties for keeping the Peace; in what Cases.

72. No summary Conviction under this Act shall be quashed for Want of Form, or be removed by Certiorari into any of Her Majesty's Superior Courts of Record; and no Warrant of Commitment shall be held void by reason of any Defect therein, provided it be therein alleged that the Party has been convicted, and there be a good and valid Conviction to sustain the same.

No Certiorari, &c.

73. Where any Complaint shall be made of any Offence against Section Twenty-six of this Act, or of any bodily Injury inflicted upon any Person under the Age of Sixteen Years, for which the Party committing it is liable to be indicted, and the Circumstances of which Offence amount, in point of Law, to

Guardians and Overseers may be required to prosecute

in certain Cases of Offences against this Act.

to a Felony, or an Attempt to commit a Felony, or an Assault with Intent to commit a Felony, and Two Justices of the Peace before whom such Complaint is heard shall certify under their Hands that it is necessary for the Purposes of Public Justice that the Prosecution should be conducted by the Guardians of the Union or Place, or, where there are no Guardians, by the Overseers of the Poor of the Place, in which the Offence shall be charged to have been committed, such Guardians or Overseers, as the Case may be, upon personal Service of such Certificate or a Duplicate thereof upon the Clerk of such Guardians or upon any One of such Overseers, shall conduct the Prosecution, and shall pay the Costs reasonably and properly incurred by them therein (so far as the same shall not be allowed to them under any Order of any Court) out of the Common Fund of the Union, or out of the Funds in the Hands of the Guardians or Overseers, as the Case may be; and, where there is a Board of Guardians, the Clerk or some other Officer of the Union or Place, and where there is no Board of Guardians, One of the Overseers of the Poor, may, if such Justices think it necessary for the Purposes of Public Justice, be bound over to prosecute.

Costs of Prosecution.

Clerk may be bound over to prosecute.

On Conviction for Assault Court may order Payment of Prosecutor's Costs by Defendant.

74. Where any Person shall be convicted on any Indictment of any Assault, whether with or without Battery and Wounding, or either of them, such Person may, if the Court think fit, in addition to any Sentence which the Court may deem proper for the Offence, be adjudged to pay to the Prosecutor his actual and necessary Costs and Expenses of the Prosecution, and such moderate Allowance for the Loss of Time as the Court shall by Affidavit or other Inquiry and Examination ascertain to be reasonable; and, unless the Sum so awarded shall be sooner paid, the Offender shall be imprisoned for any Term the Court shall award, not exceeding Three Months, in addition to the Term of Imprisonment (if any) to which the Offender may be sentenced for the Offence.

Such Costs may be levied by Distress.

75. The Court may, by Warrant under Hand and Seal, order such Sum as shall be so awarded to be levied by Distress and Sale of the Goods and Chattels of the Offender, and paid to the Prosecutor, and that the Surplus, if any, arising from such Sale, shall be paid to the Owner; and in case such Sum shall be so levied the Imprisonment awarded until Payment of such Sum shall thereupon cease.

Summary Proceedings in England may be under 11 & 12 Vict. c. 43., and in Ireland under 14 & 15 Vict. c. 93., except in London and Metropolitan Police District.

76. Every Offence hereby made punishable on summary Conviction may be prosecuted in *England* in the Manner directed by the Act of the Session holden in the Eleventh and Twelfth Years of Queen *Victoria*, Chapter Forty-three, and may be prosecuted in *Ireland* before Two or more Justices of the Peace, or One Metropolitan or Stipendiary Magistrate, in the Manner directed by the Act of the Session holden in the Fourteenth and Fifteenth Years of Queen *Victoria*, Chapter Ninety-three, or in such other Manner as may be directed by any Act that may be passed for like Purposes; and all Provisions contained in the said Acts shall be applicable to such Prosecutions in the same Manner as if they were incorporated in this Act: Provided that nothing in this Act contained shall in any Manner alter or affect any Enactment now in force relating to Procedure, in the Case of any Offence punishable on summary Conviction, within the City of *London* or the Metropolitan Police District, or the Recovery or Application of any Penalty or Forfeiture for any such Offence.

Costs of Prosecution of Misdemeanors may be allowed.

77. The Court before which any Misdemeanor indictable under the Provisions of this Act shall be prosecuted or tried may allow the Costs of the Prosecution in the same Manner as in Cases of Felony; and every Order for the Payment of such Costs shall be made out, and the Sum of Money mentioned therein paid and repaid, upon the same Terms and in the same Manner in all respects as in Cases of Felony.

Extent of Act.

78. Nothing in this Act contained shall extend to *Scotland*, except as herein-before otherwise expressly provided.

Commencement of Act.

79. This Act shall commence and take effect on the First Day of *November* One thousand eight hundred and sixty-one.

CAP. CI.

An Act for promoting the Revision of the Statute Law by repealing divers Acts and Parts of Acts which have ceased to be in force. [6th *August* 1861.]

'WHEREAS with a view to the Revision of the Statute Law, and particularly to the Preparation of an Edition of the Statutes comprising only Enactments which are in force, it is expedient that divers Acts and Parts of Acts which have ceased to be in force otherwise than by express and specific Repeal should be expressly and specifically repealed:

'And whereas the Acts mentioned in the Schedule to this Act have so ceased to be in force to the Extent specified in the Third Column of the said Schedule:'

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Acts or Parts of Acts specified in Third Column of Schedule repealed.

1. The Acts mentioned in the Schedule to this Act shall be repealed to the Extent specified in the Third Column of the said Schedule, except as to any Operation already effected by, or Act done under, any Enactment herein comprised, or as to any Right, Title, Obligation, or Liability already acquired or accrued under any such Enactment.

Short Title.

2. This Act may be cited as The Statute Law Revision Act, 1861.

SCHE-

SCHEDULE.

Act.	Subject.	Extent of Repeal.
11 Geo. 3. c. 32. -	Militia Pay - - - - -	The whole.
„ c. 38. -	Greenland and Whale Fishery - -	The whole.
„ c. 55. -	Borough of New Shoreham Parliamentary Elections.	So much of Sect. 5. as relates to the Time for the proper Officer proceeding to Election.
12 Geo. 3. c. 29. -	Spurn Point Lighthouses - - -	The whole.
„ c. 30. -	Salaries of Justices of Chester and Great Sessions in Wales.	The whole.
„ c. 46. -	Prevention of Frauds in Excise Revenue, Tea, Soap, Low Wines and Spirits.	So much as relates to the Manufacture of Low Wines and Spirits, and to Treble Costs.
„ c. 54. -	Oak Timber for Navy, Restraint on East India Company.	The whole.
„ c. 55. -	Trade between Great Britain and Ireland -	The whole.
„ c. 58. -	Encouragement of Herring Fishery, Isle of Man.	The whole.
„ c. 60. -	Drawback on Tea exported, &c. - -	The whole.
„ c. 67. -	Incorporation of the Marine Society -	So much as relates to Stamp Duty, to Limitation of Actions for anything done in pursuance of the Act, to pleading of General Issue, and to Double Costs.
13 Geo. 3. c. 23. -	Militia Pay - - - - -	The whole.
„ c. 33. -	Preservation of Timber Trees - -	The whole.
„ c. 44. -	Drawback of Customs Duty on Exportation of Tea to America, &c.	The whole.
„ c. 51. -	Discouragement of frivolous and vexatious Suits in the Courts at Westminster for Cause of Action arising in Wales.	The whole.
„ c. 56. -	Retailing of Spirits, and Duties on Printed Calicoes, &c.	Sect. 5.
„ c. 58. -	Providing of Clergymen for Gaols - -	The whole.
„ c. 62. -	Regulation of the Assize and making of Bread	The whole.
„ c. 67. -	Importation of printed or painted Paper -	The whole.
„ c. 72. -	Free Importation of Cod, &c. caught in the Gulf of St. Lawrence or on the Coast of Labrador.	The whole.
„ c. 73. -	Importation and Exportation, Dominica and Jamaica.	The whole.
„ c. 74. -	Tonnage of Vessels and Customs Duties -	The whole.
„ c. 80. -	Preservation of Game - - -	The whole.
„ c. 81. -	Improvement of Commons - - -	So much as relates to Double Costs.
„ c. 82. -	Regulation of Lying-in Hospitals, and Settlement of Bastard Children born in them.	So much as relates to Treble Costs.
14 Geo. 3. c. 10. -	Exportation of Gum Senega - -	The whole.
„ c. 64. -	Ascertaining of the Prices of Corn - -	The whole.
„ c. 65. -	Forfeited Estates (Scotland) Management -	The whole.
„ c. 70. -	Gold Recoinage - - - -	The whole, except s. 7.
„ c. 72. -	Duty on printed, &c. Stuffs manufactured in Great Britain.	The whole, except s. 2.
„ c. 73. -	Distillation of Spirits, and Allowance to certain Manufacturers of the Duties on Soap.	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
14 Geo. 3. c. 74. -	Reduction of Duties upon Importation of Great Raisins.	The whole.
„ c. 78. -	Metropolitan Buildings Regulation, and Prevention of Mischiefs by Fire.	So much as relates to Time for Notice of Actions for anything done in pursuance of the Act, and to Treble Costs.
„ c. 79. -	Removal of Doubts concerning the Validity of Mortgages, &c. executed in Great Britain of Land, &c. in Ireland and the Colonies.	The whole.
„ c. 81. -	Election of Members of Parliament (Scotland).	The whole.
„ c. 92. -	Regulation of Weights used in weighing Gold and Silver Coin.	So much as relates to Salary of Officer to be paid by Warden of Mint.
15 Geo. 3. c. 1. -	Importation of Indian Corn and Maize -	The whole.
„ c. 10. -	Restraint of Commerce of Provinces of Massachuset's Bay, &c., and Colonies of Connecticut, &c.	The whole.
„ c. 18. -	Restraint of Commerce of Colonies of New Jersey, &c.	The whole.
„ c. 27. -	Admeasurement of Waggons, &c. used for loading Coals on board Ships.	So much as relates to Treble Costs.
„ c. 34. -	Encouragement of Manufacture of Rape Oil	The whole.
„ c. 36. -	Issue of Speaker's Warrants for Writs for Election of Members in the Place of Members dying or becoming Peers during the Recess.	The whole.
„ c. 37. -	Importation of painted Earthenware -	The whole.
„ c. 53. -	Copyright in Books given to the Universities, &c.	Sect. 6. and so much as relates to Plea of General Issue.
16 Geo. 3. c. 5. -	Prohibition of Trade and Intercourse with Colonies of New Hampshire, &c.	The whole.
„ c. 8. -	Importation of salted Beef, &c. from Ireland	The whole.
„ c. 37. -	Exportation of Wheat, &c. to certain Colonies in America, &c.	The whole.
„ c. 42. -	Landing of Corn, &c. imported into Port of Preston.	The whole.
17 Geo. 3. c. 7. -	Granting of Commissions to Privateers to make Prize of Ships, &c.	The whole.
„ c. 8. -	East India Company, Election of Directors -	The whole.
„ c. 11. -	Prevention of Frauds and Abuses by Wool Combers, &c. in Yorkshire, Lancashire, and Cheshire.	Sects. 17, 18, 19. and so much as relates to Limitation of Actions for anything done in pursuance of the Act, as to pleading of General Issue, and as to Treble Costs.
„ c. 26. -	Registering of Grants of Life Annuities -	The whole.
„ c. 27. -	Allowance of Drawback of Duties of Customs on Exportation of Tea to Ireland.	The whole.
„ c. 33. -	Power to Master Dyers in Middlesex, Essex, Surrey, and Kent to employ Journeymen who have not served Apprenticeships.	The whole.
„ c. 39. -	Duties on Servants and on Glass, and on Persons having certain Quantities of Silver Plate.	The whole.
„ c. 40. -	Carrying of certain Captures into His Majesty's Dominions in North America.	The whole.
„ c. 50. -	Duties on Auctioneers Licences, Sales by Auction, and Instruments.	The whole, except s. 24.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
17 Geo. 3. c. 56. -	Prevention of Frauds by Persons employed in the Manufacture of Hats, &c.	Sect. 18. and so much as relates to Treble Costs.
„ c. 57. -	Copyright of Engravings - - -	So much as relates to Double Costs.
18 Geo. 3. c. 14. -	Militia Pay and Supply of Vacancies in Militia.	The whole.
„ c. 16. -	Exportation of Wheat Flour, &c. to Newfoundland, &c.	The whole.
„ c. 18. -	Forgery of Acceptances of Bills, &c. with Intent to defraud Corporations.	The whole.
„ c. 24. -	Importation of Tobacco - - -	The whole.
„ c. 25. -	Importation of Corn into certain Ports -	The whole.
„ c. 40. -	Customs - - - - -	The whole.
„ c. 55. -	Exportation from Ireland to America, and Encouragement of the Fisheries, &c. of Ireland.	The whole.
„ c. 56. -	Importation of Cotton Yarn the Manufacture of Ireland Duty-free.	The whole.
„ c. 59. -	Militia and Fencibles - - -	The whole.
19 Geo. 3. c. 21. -	Licensing and regulating of Lottery Office Keepers.	The whole.
„ c. 25. -	Additional Duties upon the Produce of Customs and Excise Duties.	The whole.
„ c. 29. -	Landing of Corn, &c. in the Isle of Wight without Payment of Duties.	The whole.
„ c. 40. -	Duties on Starch - - - -	The whole.
„ c. 41. -	Drawback of Wine Duties on Exportation to certain Parts.	The whole.
„ c. 48. -	Encouragement of Shipping and Navigation.	The whole.
„ c. 50. -	Prevention of Frauds by private Distillers -	The whole.
„ c. 51. -	Duties on Horses, &c. - - -	The whole.
„ c. 52. -	Duty on Pilchards - - - -	The whole.
„ c. 53. -	Duties on Exportation of certain Cotton Wool, Discontinuance.	The whole.
„ c. 56. -	Duties on Auctioneers Licences and on Sales by Auction.	The whole.
„ c. 65. -	Augmentation of the Salaries of the Puisne Justices of the King's Bench and Common Pleas, and Barons of the Exchequer at Westminster.	The whole.
„ c. 66. -	Stamp Duties - - - -	The whole.
„ c. 69. -	Prevention of Smuggling, &c. - -	The whole.
„ c. 72. -	Militia and Fencibles - - -	The whole.
„ c. 76. -	Augmentation of the Militia - -	The whole.
20 Geo. 3. c. 8. -	Militia—Delivery of Certificates of Qualification to Clerks of the Peace.	The whole.
„ c. 30. -	Additional Duties upon Wines and Vinegar imported.	The whole.
„ c. 34. -	Additional Duties on Salt - - -	The whole.
„ c. 35. -	Additional Duties on Malt and upon Spirits, &c.	The whole.
„ c. 44. -	Militia - - - - -	The whole.
„ c. 51. -	Duties on Licences to let Horses for Hire -	The whole.
„ c. 52. -	Additional Duties on Starch and Hair Powder imported, and on Starch and Sweets made in Great Britain.	The whole.
„ c. 60. -	Fisheries in the Greenland Seas and Davis's Straits.	The whole.
21 Geo. 3. c. 7. -	Augmentation of the Militia - -	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
21 Geo. 3. c. 17. -	Additional Duty on the Produce of the Excise Duties.	The whole.
„ c. 32. -	Encouragement of the Manufacture of Verdigris.	The whole.
„ c. 34. -	Admeasurement of Coals, Westminster, &c.	The whole.
„ c. 51. -	Registration by Papists of their Names and Real Estates.	The whole.
„ c. 56. -	Duty on Almanacks - - -	The whole.
„ c. 60. -	Agreement with Bank of England for advancing Two Millions.	The whole.
„ c. 68. -	Punishment of Stealers of Copper, Brass, &c. fixed to Houses.	The whole.
„ c. 69. -	Punishment of Receivers of stolen Pewter -	The whole.
22 Geo. 3. c. 21. -	Customs Duties - - - -	The whole.
„ c. 28. -	Additional Duty upon Tobacco and Snuff, and Duties upon Importation of Brandy and Arrack.	The whole.
„ c. 31. -	Borough of Cricklade, Parliamentary Elections.	So much of s. 5. as relates to the Time for the proper Officer proceeding to Election.
„ c. 33. -	Stamp Duty upon Bills and Notes - -	The whole.
„ c. 39. -	Duties on Salt - - - -	The whole.
„ c. 49. -	Rectifying of a Mistake in an Act of this Session.	The whole.
„ c. 58. -	Discovery and Punishment of Buyers and Receivers of stolen Goods.	The whole.
„ c. 61. -	Duty upon Bees Wax imported - -	The whole.
„ c. 62. -	Militia - - - - -	The whole.
„ c. 64. -	Houses of Correction - - -	The whole.
„ c. 66. -	Additional Duties of Customs and Excise -	The whole.
„ c. 68. -	Duties on Beer and Coaches, &c. - -	The whole.
23 Geo. 3. c. 11. -	Customs, &c. Regulations - - -	The whole.
„ c. 49. -	Duties on Bills of Exchange, &c. - -	The whole.
„ c. 56. -	Allowance of Drawback of Customs on Exportation of Rice.	The whole.
„ c. 58. -	Stamp Duties - - - -	The whole.
„ c. 62. -	Stamp Duty on Licences for vending Medicines, &c.	The whole.
„ c. 63. -	Duty on Stage Coaches, &c. - -	The whole.
„ c. 65. -	African Company - - - -	The whole.
„ c. 75. -	Duties on Smalts and Tobacco - -	The whole.
„ c. 76. -	Prevention of Frauds in Landing of Wines, &c.	The whole.
„ c. 77. -	Encouragement of Manufacture of Flax and Cotton.	The whole.
„ c. 79. -	Encouragement of Growth of Coffee and Cocoa Nuts.	The whole.
„ c. 82. -	Regulation of the Receipt of the Exchequer	The whole.
„ c. 83. -	East India Company—Allowance of further Time for Payment of their Debt to the Public.	The whole.
„ c. 88. -	Rogues and Vagabonds - - -	The whole.
24 Geo. 3. Sess. 1. c. 7.	Duties on Bills of Exchange, &c. - -	The whole.
„ c. 12.	Removal of Prisoners and Transportation -	The whole.
„ c. 13.	Militia Pay, &c. - - - -	The whole.
24 Geo. 3. Sess. 2. c. 3.	Prevention of Frauds and Abuses by Persons employed in Woolcombing, &c., Suffolk.	Sects. 19, 20, 21, and so much as relates to Limitation of Actions for anything done in pursuance of the Act, as to pleading of General Issue, and as to Treble Costs.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
24 Geo. 3. Sess. 2. c. 11.	Additional Duties upon Candles - -	The whole.
„ c. 16.	Customs, &c. Duties - - -	The whole, except so much as relates to the Duties payable to the Corporation of London.
„ c. 30.	Additional Duty upon Licences for retailing Beer, &c.	The whole.
„ c. 34.	East India Company - - -	The whole.
„ c. 36.	Duties on Wax Candles - -	The whole.
„ c. 38.	Duties on Tea, Inhabited Houses, and Cocoa Nuts and Coffee.	The whole.
„ c. 40.	Duties on Linens, printed, painted, stained, or dyed in Great Britain, &c.	The whole.
„ c. 41.	Duties on Licences to be taken out by the Makers of and Dealers in certain Exciseable Commodities.	The whole.
„ c. 43.	Duties on Certificates for killing Game -	The whole.
„ c. 46.	Duties on Spirits - - - -	The whole.
„ c. 48.	Duties on Starch and Soap - - -	The whole.
„ c. 49.	Duties upon Silk imported, and Drawbacks upon Exportation of Silk Manufactures.	The whole.
„ c. 51.	Duty on Licences for vending Hats, &c. -	The whole.
„ c. 53.	Duties on Gold and Silver Plate imported, and on Gold and Silver wrought Plate made in Great Britain.	Customs Duties and Stamp Duties granted by.
„ c. 54.	Gaols - - - - -	The whole.
„ c. 55.	Houses of Correction - - -	The whole.
25 Geo. 3. c. 22. -	Distillation of Spirits in small Stills in certain Counties in the Highlands.	Duty granted by.
„ c. 40. -	Prevention of Frauds by Woolcombers, &c. in certain Counties.	Sects. 21, 22, 23, and so much as relates to Limitation of Actions for anything done in pursuance of the Act, as to pleading of General Issue, and as to Treble Costs.
„ c. 46. -	Transportation, &c. - - - -	The whole.
„ c. 48. -	Duties on Pawnbrokers Licences - -	Duties granted by.
„ c. 49. -	Duties on Coachmakers Licences, and on Carriages built for Sale.	The whole.
„ c. 50. -	Duties on Certificates for killing Game -	The whole.
„ c. 58. -	Encouragement of the Pilchard Fishery -	The whole.
„ c. 63. -	Salt Duties - - - - -	The whole.
„ c. 65. -	Encouragement of the Fisheries - -	The whole.
„ c. 69. -	Duties upon Oil Flasks, &c. - -	The whole.
„ c. 72. -	Duties on Linens printed, &c. in Great Britain, &c.	The whole.
„ c. 73. -	Allowance to Brewers for Waste - -	The whole.
„ c. 74. -	Duties on Tea—Exportation of Exciseable Commodities, &c.	Duties granted by, and Sects. 16–21. and 25–31.
„ c. 80. -	Duties on Attorneys Certificates, &c. -	Duties granted by.
26 Geo. 3. c. 25. -	Appointment of Governor General and Council of Fort William in Bengal.	The whole.
„ c. 36. -	Salt Duties—Importation and Exportation, Isle of Man.	The whole.
„ c. 38. -	Imprisonment under Process of Small Debts Courts, &c.	The whole, except Sects. 7 and 8.
„ c. 40. -	Production of Manifests, &c. - -	The whole, except ss. 18. and 19.
„ c. 41. -	Fisheries in the Greenland Seas and Davis's Straits.	The whole.
„ c. 42.	Additional Duty upon Battens and Deals imported.	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
26 Geo. 3. c. 46. -	Salaries of Judges (Scotland) - -	The whole.
„ c. 48. -	Stamp Duties (Scotland) - - -	Duties granted by.
„ c. 49. -	Stamp Duties on Perfumery - -	The whole.
„ c. 51. -	Duties on Starch - - - -	The whole.
„ c. 59. -	Duties on Wine. - - - -	Duties granted by.
„ c. 64. -	Duties on Spirits (Scotland) - -	Duties granted by.
„ c. 73. -	Duties on Spirits - - - -	Duties granted by.
„ c. 74. -	Additional Duties on Sweets, &c. - -	Excise Duty granted by.
„ c. 77. -	Excise Duties - - - -	Sects. 5, 6, 7, 9.
„ c. 82. -	Stamp Duties, and Duties on Policies of Fire for Insurance as to Property abroad.	Sect. 7.
„ c. 90. -	Salt Duties; making of Mineral Alkali or Flux for Glass.	The whole.
„ c. 91. -	Regulation of Madhouses - - -	The whole.
„ c. 99. -	Ascertaining of Fees to be taken by Officers of the Exchequer.	The whole.
27 Geo. 3. c. 19. -	Shipping and Navigation - - -	The whole.
„ c. 27. -	Importation and Exportation, West Indies -	The whole.
„ c. 29. -	Objections to Competency of Witnesses -	The whole.
„ c. 30. -	Additional Duties on Licences for the retailing of Spirituous Liquors.	The whole.
„ c. 31. -	Allowances to Dealers in Foreign Wines for certain Wines in Stock—Amendment of Excise Laws.	The whole, except Sect. 25.
„ c. 43. -	County Palatine of Chester—Swearing of Affidavits, &c.	The whole.
28 Geo. 3. c. 27. -	Reduction of Duties on Importation of Goods from the United Provinces.	The whole.
„ c. 28. -	Exemption of Stipendiary Curates Licences from Stamp Duties.	The whole.
„ c. 33. -	Alteration of Duties and Drawbacks on certain Wine, &c.	The whole.
„ c. 34. -	Quarantine and Customs - - -	The whole.
„ c. 37. -	Certain Duties of Excise and Customs -	The whole, except Sect. 15.
„ c. 38. -	Exportation of Sheep, &c. - - -	The whole.
„ c. 49. -	Power for Justices to act out of the Counties in which they are.	The whole.
„ c. 53. -	Indemnifying Persons against certain Penalties incurred in the Coal Trade, and preventing Combinations in the Coal Trade.	The whole.
29 Geo. 3. c. 26. -	Duty on Hawkers, &c. - - -	The whole.
„ c. 49. -	Duties on Horses and Carriages - -	The whole.
„ c. 50. -	Additional Duties on Newspapers, Advertisements, Cards, and Dice.	The whole.
„ c. 51. -	Additional Stamp Duties on Probate of Wills, &c.	Duties granted by.
„ c. 53. -	Encouragement of the Newfoundland, Greenland, and Southern Whale Fisheries.	The whole.
„ c. 59. -	Drawback on Exportation of Teas to Guernsey, &c.	The whole.
„ c. 63. -	Exemption of Piece Goods woven in this Kingdom from Auction Duty. Licences for selling Spirituous Liquors, &c.	Sects. 1, 2, 3, 4.
„ c. 67. -	Regulation of Gaols - - -	The whole.
30 Geo. 3. c. 4. -	Exemption of unwrought Tin, exported to certain Parts, from Customs Duty.	The whole.
„ c. 26. -	Exemption of Goods imported from Yucatan from Auction Duty, &c.	The whole.
„ c. 27. -	Encouragement of new Settlers in the Colonies of America.	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
30 Geo. 3. c. 28. -	Duty on Cashew Gum imported from the West Indies.	The whole.
„ c. 37. -	Duties on Spirits (Scotland) - -	Duty granted by.
„ c. 38. -	Duties on Licences for retailing Wine, &c. -	Duty granted by.
„ c. 41. -	Importations from North America of Rape Seed, &c.	The whole.
31 Geo. 3. c. 1. -	Duties on Worts and Spirits, &c. - -	The whole.
„ c. 5. -	Additional Duties on Amount of Assessed Taxes.	The whole.
„ c. 15. -	Duty on Sugar imported - - -	The whole.
„ c. 21. -	Duty on Certificates for killing Hares -	The whole.
„ c. 25. -	Duties on Bills of Exchange, &c. - -	Duties granted by.
„ c. 26. -	Importation of Seal Skins - - -	The whole.
„ c. 27. -	Duties on Tanned Goat Skins, &c. - -	The whole.
„ c. 37. -	Importation of Silk Crapes, &c. of the Manufacture of Italy.	The whole.
„ c. 42. -	Indemnity in respect of a certain Order in Council. Duties on Importation of Salt Petre.	The whole.
„ c. 43. -	Continuance of several Laws, &c. - -	The whole.
„ c. 46. -	Regulation of Gaols - - -	The whole.
„ c. 47. -	Importation and Exportation of Tobacco and Snuff.	The whole.
„ c. 51. -	Protection of the Oyster Fisheries - -	The whole.
„ c. 55. -	Establishment of the Sierra Leone Company	The whole.
„ c. 56. -	Prevention of Frauds and Abuses by Wool Combers, &c. in Norfolk.	Sects. 22, 23, 24, and so much as relates to Limitation of Actions for anything done in pursuance of the Act, as to pleading of General Issue, and as to Treble Costs.
32 Geo. 3. c. 9. -	Exportation of Tea to Ireland or America -	The whole.
„ c. 10. -	Execution of Warrants for Apprehension of Persons convicted of Offences against Excise Laws.	
„ c. 11. -	Sales by Auction - - - -	The whole.
„ c. 12. -	Grant towards Reduction of National Debt -	The whole.
„ c. 22. -	Encouragement of Fisheries in Greenland Seas and Davis's Straits.	The whole.
„ c. 37. -	Importation and Exportation at certain Ports	The whole.
„ c. 41. -	Auction Duty - - - -	The whole.
„ c. 45. -	Rogues and Vagabonds - - -	The whole.
„ c. 48. -	Sessions of the Peace and of Oyer and Terminer for Middlesex.	The whole.
„ c. 49. -	Importation of Quercitron, &c. - -	The whole.
„ c. 51. -	Exemption of Letters between Merchants from Stamp Duty.	The whole.
„ c. 54. -	Duties on Foreign printed, &c., Papers -	The whole.
„ c. 55. -	Reduction of National Debt - -	The whole.
„ c. 65. -	Trade into Levant Seas - - -	The whole.
33 Geo. 3. c. 5. -	Relief of Debtors from Imprisonment -	The whole.
„ c. 22. -	Grant towards Reduction of National Debt -	The whole.
„ c. 23. -	Quality of Table Beer - - -	The whole.
„ c. 28. -	Loan on Annuities, Excise Duties, &c. -	So much as relates to Excise Duties, Assessed Taxes, Consolidated Fund, and Treble Costs.
„ c. 29. -	Exchequer Bills for Loans - - -	The whole.
„ c. 30. -	Prevention of Forgeries and Frauds in Transfer of Funds transferable at the Bank of England.	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
33 Geo. 3. c. 33. -	Making of Salt - - - -	The whole.
„ c. 57. -	Regulation of warehoused Tobacco - -	The whole.
„ c. 58. -	Premiums to Ships carrying on Southern Whale Fishery.	The whole.
„ c. 61. -	Distilleries (Scotland) - - -	Duties granted by.
„ c. 63. -	Importation into Great Britain of certain Goods imported into Ireland.	The whole.
„ c. 68. -	Judgments of Courts of Great Sessions, &c. of Wales, Cheshire, Lancaster, and Durham, and County Courts in Wales.	So much as relates to Court of Great Sessions in Wales.
„ c. 69. -	Duties on Coal, Licences for Sale of Spirits, &c. (Scotland).	Duties granted by.
34 Geo. 3. c. 2. -	Additional Duties upon Worts, Wash, &c. in England, and upon Spirits in Scotland.	The whole.
„ c. 3. -	Additional Duties on Spirits imported -	The whole.
„ c. 4. -	Duties on Spirits and Sugar imported -	The whole.
„ c. 14. -	Stamp Duties on Indentures of Clerkship to Solicitors and Attornies.	Duties granted by.
„ c. 21. -	Annuities and Payment of Navy and Victualling Bills.	Sect. 18.
„ c. 33. -	Duties of Excise - - - -	The whole.
„ c. 42. -	Grant to Foreign Ships put under His Majesty's Protection of the Privileges of Prize Ships, &c.	The whole.
„ c. 45. -	Establishment of a Court of Criminal Jurisdiction in Norfolk Island.	The whole.
„ c. 48. -	Grant towards Reduction of National Debt -	The whole.
„ c. 63. -	Allowing of the Exercise of an Invention of a new Method of tanning Hides and Skins.	The whole.
„ c. 75. -	Management of Land Revenues of Crown -	The whole.
35 Geo. 3. c. 10. -	Additional Duties of Excise on Foreign Wine and Sweets.	The whole.
„ c. 11. -	Additional Duties of Excise on Worts, Wash, &c. for Spirits, and Use of Wheat in making Wash.	The whole.
„ c. 12. -	Additional Duties of Excise on Foreign Spirits.	The whole.
„ c. 13. -	Additional Duties of Excise on Tea, Coffee, and Cocoa Nuts.	The whole.
„ c. 20. -	Duties of Customs - - - -	The whole.
„ c. 23. -	Grant towards the Reduction of the National Debt.	The whole.
„ c. 30. -	Stamp Duties - - - -	The whole.
„ c. 31. -	Prevention of Smuggling - - -	The whole.
„ c. 38. -	Continuance of various Laws - -	The whole.
„ c. 49. -	Duty on Hair Powder Certificates - -	The whole.
„ c. 59. -	Duties on Scotch Distilleries, &c. - -	The whole.
„ c. 89. -	Duties on Spirits - - - -	The whole.
„ c. 91. -	Regulation of Hawkers and Pedlars -	The whole.
„ c. 93. -	Guarantee of Dividends on Loan to Emperor of Germany.	The whole.
„ c. 96. -	Relief of Persons detained in Gaol for Want of Bail in certain Cases relating to the Revenue.	The whole.
„ c. 97. -	Duties of Excise on tanned Hides and Skins	The whole.
„ c. 109. -	Carriage Duties - - - -	The whole.
„ c. 110. -	Drawback on Exportation of Sugar -	The whole.
„ c. 117. -	Importation of Rape and other Seeds -	The whole.
„ c. 118. -	Warehousing of Wines, &c. - - -	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
36 Geo. 3. c. 13. -	Additional Excise Duties on Tobacco and Snuff.	The whole.
„ c. 14. -	Additional Duties on Amount of Duties under Commissioners of Taxes.	The whole.
„ c. 18. -	Drawbacks and Bounties on Exportation of Sugar.	The whole.
„ c. 19. -	Duties on Salt - - - -	The whole.
„ c. 22. -	Making of Bread - - -	The whole.
„ c. 53. -	Exportation of Rock Salt - - -	The whole.
„ c. 55. -	Making of Port of Scarborough (Island of Tobago) a free Port.	The whole.
„ c. 78. -	Duty on Mahogany imported - -	The whole.
„ c. 79. -	Duty on Black Lead imported - -	The whole.
„ c. 105. -	Grant towards Reduction of the National Debt.	The whole.
„ c. 113. -	Importation of Arrowroot, &c. - -	The whole.
„ c. 123. -	Additional Duties on Foreign Wines and British Sweets.	The whole.
„ c. 125. -	Duty on Hats - - - -	The whole.
37 Geo. 3. c. 14. -	Excise Duties on various Matters - -	The whole.
„ c. 15. -	Duties of Customs - - - -	The whole.
„ c. 16. -	Additional Stage Coach Duties - -	The whole.
„ c. 17. -	Additional Duties on Distilleries (Scotland), &c.	The whole.
„ c. 18. -	Postage - - - - -	The whole.
„ c. 26. -	More speedy Payment of Navy, Victualling, and Transport Bills.	The whole.
„ c. 28. -	Issue of Bank of England Notes under 5*l.* -	The whole.
„ c. 59. -	Loan to the Emperor of Germany - -	The whole.
„ c. 63. -	Grant to Foreign Ships put under His Majesty's Protection of the Privileges of Prize Ships, &c.	The whole.
„ c. 69. -	Additional Duties on Amount of certain Duties under the Management of Commissioners of Taxes.	The whole.
„ c. 77. -	Making of Port of San Josef in Trinidad a free Port.	The whole.
„ c. 102. -	Scotch Distilleries - - - -	The whole.
„ c. 105. -	Additional Duties on Inhabited Houses -	The whole.
„ c. 108. -	Duties on Clocks and Watches - -	The whole.
„ c. 110. -	Customs Duties - - - -	The whole.
„ c. 111. -	Additional Stamp Duty on Deeds - -	The whole.
„ c. 115. -	Grant towards Reduction of National Debt -	The whole.
„ c. 118. -	Height between Decks of Vessels carrying Slaves.	The whole.
„ c. 121. -	Encouragement of the Southern Whale Fisheries.	The whole.
„ c. 124. -	Frauds by Bankrupts Prevention - -	The whole.
„ c. 141. -	Sending and receiving of Letters free of Postage by Deputy Clerk of House of Commons.	The whole.
38 Geo. 3. c. 13. -	Augmentation of 60th Regiment by Enlistment of Foreigners, &c.	The whole.
„ c. 16. -	Grant of an Aid and Contribution for the Prosecution of the War.	The whole.
„ c. 39. -	Importation and Exportation, West Indies -	The whole.
„ c. 42. -	Excise Duty on Tea, &c. - - -	The whole.
„ c. 43. -	Additional Duties on Salt - - -	The whole.
„ c. 45. -	Purchase of Debts due to the Governments of Switzerland, &c.	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
38 Geo. 3. c. 47.	Grant for Reduction of National Debt	The whole.
„ c. 50.	Aliens	The whole.
„ c. 53.	Duties on Certificates issued with respect to Armorial Bearings or Ensigns.	The whole.
„ c. 54.	Laws of Excise Amendment	The whole.
„ c. 62.	Assize of Bread	The whole.
„ c. 71.	Copyright of Models, &c.	The whole.
„ c. 81.	Aid and Contribution for Prosecution of the War.	The whole.
„ c. 85.	Stamp Duties	The whole, except Sections 4 and 5.
„ c. 89.	Salt Duties	The whole.
„ c. 92.	Scotch Distilleries	The whole.
39 Geo. 3. c. 13.	Duties on Income	The whole.
„ c. 22.	Duties on Income	The whole.
„ c. 38.	Continuance of various Acts relating to Importation, &c.	The whole.
„ c. 42.	Duties on Income	The whole.
„ c. 45.	Making perpetual of Enactment altering Punishment of Burning in the Hand.	The whole.
„ c. 63.	Duties on Sugar and Coffee	The whole.
„ c. 64.	Grant for Reduction of National Debt	The whole.
„ c. 65.	Bounty on Pilchards exported and Salt Duties	The whole.
„ c. 72.	Duties on Income	The whole.
„ c. 75.	Prohibition of Exportation of Light Silver Coin of the Realm, &c.	The whole.
„ c. 77.	Salt Duties	The whole.
„ c. 78.	Duties on Distilleries (Scotland)	The whole.
„ c. 80.	Carrying of Slaves from Africa	The whole.
„ c. 83.	Transfer to Commissioners for auditing Public Accounts of Duties of Auditors of Land Revenue.	The whole.
„ c. 85.	Embezzlement	The whole.
„ c. 94.	Salary of Master and Worker of the Mint	The whole, except s. 5.
„ c. 99.	Trade to the Levant Seas, and Reduction of certain Export Duty.	The whole.
„ c. 104.	Augmentation of the 60th Regiment by Enlistment of Foreigners.	The whole.
„ c. 107.	Stamp Duties on Bills of Exchange and Promissory Notes.	Duties imposed, and s. 25.
39 & 40 Geo. 3. c. 11.	Appropriation of certain Duties	The whole.
„ c. 23.	Duties of Excise on Spirits and Tea	The whole.
„ c. 26.	Grant towards Reduction of National Debt	The whole.
„ c. 32.	Exemptions from Duties on Hair Powder, and Horses of Officers in the Navy, and Persons in Volunteer Cavalry Corps.	The whole.
„ c. 44.	Allowances to Adjutants, &c. of Militia (England).	The whole.
„ c. 45.	Perpetuation of an Act relating to Duties on Glass, and Continuance of various Acts.	The whole.
„ c. 49.	Duties on Income	The whole.
„ c. 55.	Salaries of Scotch Judges	The whole.
„ c. 60.	Duties on Wine, &c., imported from the Cape of Good Hope.	The whole.
„ c. 72.	Amendment of Law relating to Stamp Duties	Sects. 3, 4, 5, 9, 11, 12, and 19.
„ c. 73.	Duties on Distillation (Scotland)	The whole.
„ c. 74.	Price and Assize of Bread	The whole.
„ c. 95.	Indemnity to Printers of public Documents against certain Penalties.	The whole.
„ c. 96.	Duties on Income	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
41 Geo. 3. (G.B.) c. 21.	Use of Salt, Duty free, in preserving Fish; Protection from Impressment; and Discontinuance of Bounty on White Herrings.	The whole.
„ c. 22.	Appointment of Commissioners for Examination of Accounts of Expenditure in the West Indies during present War.	The whole.
„ c. 23.	Making of the Port of Amsterdam, in the Island of Curaçao, a Free Port.	The whole.
„ c. 25.	Importation of undressed Hemp from Countries within the Limits of the exclusive Trade of the East India Company, free of Duty.	The whole.
„ c. 30.	Amendment of Act for erecting a Lazaret at Chetney Hill, and reducing into One Act the Laws relating to Quarantine, &c.	The whole.
41 Geo. 3. (U.K.) c. 10.	Additional Stamp Duties on Bills, &c. and Deeds.	The whole.
„ c. 28.	Certain Customs Duties - - -	The whole.
„ c. 29.	Additional Duty on English Spirits imported into Scotland, &c.	The whole.
„ c. 33.	Duties on Tea, Sugar, and Coals (Ireland) -	The whole.
„ c. 42.	Sale of Elephant Oil free of Auction Duty (Great Britain).	The whole.
„ c. 48.	Licences for Sale of Wine, Ale, &c. (Ireland)	The whole.
„ c. 62.	Exemption of Irish Members of Parliament, &c. from Payment of certain Duties.	The whole.
„ c. 65.	Grant towards Redemption of National Debt.	The whole.
„ c. 68.	Duties and Drawbacks on Copper - -	The whole.
„ c. 74.	Drawbacks on Sugar, &c. (Ireland) -	The whole.
„ c. 80.	Indemnity to Printers of Public Documents against certain Penalties.	The whole.
„ c. 86.	Additional Stamp Duties on Cards, Dice, Probates of Wills, Deeds, Ale Licences, &c., (Great Britain).	The whole, except Sect. 3.
„ c. 87.	Duties of Customs on Playing Cards (Great Britain).	The whole.
„ c. 89.	Duty on Importation of Statues - -	The whole.
„ c. 91.	Regulation, &c. of certain Excise Duties -	The whole.
„ c. 98.	Militia Pay (Ireland) - - -	The whole.
42 Geo. 3. c. 14. -	Manufacture of Starch from Potatoes, &c. -	The whole.
„ c. 20. -	Duties on Rum for Ships Stores; Exportation and Importation, &c.	The whole.
„ c. 24. -	Duties on Cinnamon, Cassia Lignea, &c. -	The whole.
„ c. 34. -	Additional Duties on Windows and on Inhabited Houses (Great Britain).	The whole.
„ c. 37. -	Additional Duties on Servants, Carriages, Horses, Mules, and Dogs (Great Britain).	The whole.
„ c. 38. -	Additional Duties on Beer, Ale, Malt, and Hops (Great Britain); on Spirits (Ireland), &c.	The whole.
„ c. 43. -	Duties of Customs and Tonnage (Great Britain).	The whole.
„ c. 47. -	Duties on Sugar and Coffee exported, &c. (Great Britain).	The whole.
„ c. 56. -	Stamp Duties - - - -	Duties imposed.
„ c. 61. -	Encouragement of Irish Mariners, &c. -	The whole.
„ c. 66. -	Yeomanry and Volunteers - - -	The whole.
„ c. 70. -	Public Accounts - - - -	The whole.
„ c. 71. -	Reduction of the National Debt - -	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
42 Geo. 3. c. 77. -	Pacific Ocean Fisheries - - -	The whole.
„ c. 93. -	Duties of Excise on Wines, Home made Spirits, &c.	The whole.
„ c. 103. -	Repeal, &c. of certain Duties (Ireland) -	The whole.
„ c. 112. -	Grant towards the Redemption of National Debt.	The whole.
„ c. 117. -	Additional Import and Export Duties (Ireland)	The whole.
43 Geo. 3. c. 2. -	Enrolment of Militia (Ireland) - -	The whole.
„ c. 7. -	Payment of Navy, Victualling, and Transport Bills.	The whole.
„ c. 19. -	Militia, Extension of Period of Training and Exercise (Great Britain).	The whole.
„ c. 33. -	Enrolment of Militia (Ireland) - -	The whole.
„ c. 48. -	East India Company Volunteer Corps -	The whole.
„ c. 69. -	Excise Duties (Great Britain) - -	The whole.
„ c. 90. -	Enlargement of the Limits of the Southern Whale Fishery.	The whole.
„ c. 92. -	Import and Export Duties, &c. (Ireland) -	The whole.
„ c. 98. -	Collection of Revenue upon Malt; Regulation of Distilling Trade (Ireland).	The whole.
„ c. 113. -	Wilful casting away of Vessels, &c. - -	The whole.
„ c. 118. -	Discovery of Longitude at Sea, &c. - -	The whole.
„ c. 124. -	Additional Military Force, and Militia; Exemptions from (Scotland).	The whole.
„ c. 130. -	Duties on Auctioneers, &c. - - -	The whole.
„ c. 131. -	Additional Customs Duty on Lignum Quassia (Great Britain).	The whole.
„ c. 152. -	Pilots of Dover, Deal, and Isle of Thanet -	The whole.
„ c. 158. -	Grant for building Glebe Houses (Ireland) -	The whole.
44 Geo. 3. c. 18. -	Volunteers and Yeomanry (Great Britain) -	The whole.
„ c. 33. -	Augmentation of Militia (Ireland) - -	The whole.
„ c. 44. -	Newfoundland Trade, Exemption of Vessels from Passenger Act.	The whole.
„ c. 49. -	Additional Duties on Wine imported (Great Britain).	The whole.
„ c. 58. -	Laying of certain public Accounts before Parliament (Ireland).	The whole.
„ c. 71. -	Counterfeit Dollars and Tokens (England and Ireland).	The whole.
„ c. 102. -	Habeas Corpus ad Testificandum (England and Ireland).	Sect. 2.
45 Geo. 3. c. 14. -	Additional Salt Duties (Great Britain) -	The whole.
„ c. 29. -	Additional Customs Duties (Great Britain) -	The whole.
„ c. 30. -	Additional Duties of Excise (Great Britain)	The whole.
„ c. 42. -	Counterfeiting of Bank of Ireland Silver Tokens, &c.	The whole.
„ c. 44. -	Duty on Slates brought Coastwise within Great Britain.	The whole.
„ c. 45. -	Additional Duties on Wine imported, and Drawbacks to Naval Officers.	The whole.
„ c. 53. -	Collection of Malt Duties and Regulation of the Trade of Maltsters (Ireland).	The whole.
„ c. 67. -	Additional Duties on Spanish Red Wine (Great Britain).	The whole.
„ c. 75. -	Appointments to certain Offices in the Court of Chancery made during Vacancy of the Office of Register, &c.	The whole.
„ c. 88. -	Duties on Cochineal Dust and Granilla -	The whole.
„ c. 91. -	Appointment of additional Commissioners for auditing Public Accounts.	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
45 Geo. 3. c. 93.	Drawbacks and Bounties on Sugar exported from Great Britain.	The whole.
„ c. 98.	Increase of Drawback on Linens exported from Great Britain to West Indies.	The whole.
„ c. 100.	Distillation of Spirits in England for Exportation to Scotland, and vice versâ, &c.	The whole.
„ c. 103.	Additional Duties on Importation of Straw Platting, Hats, and Bonnets.	The whole.
„ c. 123.	Grant of Annuity to Duke of Atholl and Heirs general of Seventh Earl of Derby.	The whole.
46 Geo. 3. c. 11.	Exportation of Corn, &c. for the Use of His Majesty's Forces and Garrisons.	The whole.
„ c. 35.	Exemption from Stamp Duties of Notes, &c. of the Bank of Ireland.	The whole.
„ c. 38.	Customs and Excise Duties upon Tea	The whole.
„ c. 44.	Certain Wine Duties carried to the Consolidated Fund.	The whole.
„ c. 45.	Office of Treasurer of the Ordnance	The whole.
„ c. 52.	Slave Trade	The whole.
„ c. 64.	Stamp Duties (Ireland)	The whole.
„ c. 75.	Office of Receiver General of Excise Duties (England).	The whole.
„ c. 78.	Increase in Amount of Assessed Taxes (Great Britain).	The whole.
„ c. 87.	Consolidation and Amendment of Laws relating to Collection of Customs Duties, and Payment of Drawbacks (Ireland).	The whole.
„ c. 97.	Free Interchange of Grain between Great Britain and Ireland.	The whole.
„ c. 102.	Duties on Stills and Spirits, &c. (Scotland)	The whole.
„ c. 109.	Bounty on Refined Sugar, &c. (Great Britain).	The whole.
„ c. 110.	Additional Bounty on Silk Manufactures (Great Britain).	The whole.
„ c. 114.	Drawback on Linens exported to the West Indies.	The whole.
„ c. 115.	Exportation of Raisins, Currants, and Figs from Great Britain, Duty free.	The whole.
„ c. 124.	Volunteers from Irish Militia	The whole.
„ c. 128.	Salaries and retiring Allowances to Masters in Chancery.	The whole.
„ c. 138.	Excise; Countervailing Duty on Hops, Window Glass, &c. (Ireland). Exemption of Draining Tiles.	Duties and Drawbacks on Glass.
„ c. 142.	Office of Surveyor-General of Woods and Forests.	The whole.
„ c. 151.	Crown Lands; New Leases on former Rents for Charitable Institutions, &c.	The whole.
47 Geo. 3. Sess. 1. c. 7.	Interchange of Grain between Great Britain and Ireland.	The whole.
„ c. 12.	Abolition and Regulation of Offices in the Customs (Ireland.)	The whole.
„ c. 18.	Excise Duties and Taxes (Ireland)	Duties on Sweets and Made Wines.
„ c. 19.	Drawbacks on Sugar, &c. (Ireland)	The whole.
„ c. 35.	Duties on Excise Licences (Ireland)	The whole.
„ c. 36.	Abolition of the Slave Trade	The whole.
„ c. 38.	Paper Duties (Ireland)	The whole.
„ c. 40.	Duties, &c. on Malt and Spirits (Ireland)	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
47 Geo. 3. Sess. 1. c. 47.	Prize Money on Captures by Foreign, in conjunction with British, Ships.	The whole.
„ c. 50.	Stamp Duties (Ireland). - - -	The whole.
„ c. 55.	Charge of Loan upon War Duties of Customs, &c.	The whole.
47 Geo. 3. Sess. 2. c. 10.	Export of Salted Beef and Pork (Ireland) -	The whole.
„ c. 11.	Assessed Taxes, Excise Duties, &c. Recovery of Penalties (Ireland)	The whole.
„ c. 14.	Excise and Stamp Duties (Ireland) - -	The whole.
„ c. 16.	Duties, &c. on Importation and Exportation	The whole.
„ c. 19.	Trade of rectifying Spirits (Ireland) -	The whole.
„ c. 20.	Power to appoint the Chancellor of the Exchequer of Ireland one of the Commissioners of the Treasury in England.	The whole.
„ c. 23.	Grant for Glebe Houses (Ireland) - -	The whole.
„ c. 30.	Excise Duties, &c. (Great Britain) - -	The whole.
„ c. 34.	Importation and Exportation, Port of Amsterdam, Curaçoa.	The whole.
„ c. 44.	Sierra Leone Company - - -	Section 4.
„ c. 53.	Power for Postmaster-General to open and return Letters directed to Places abroad, but not delivered.	The whole.
„ c. 56.	Increase of Militia (Ireland) - -	The whole.
„ c. 63.	Excise Duties and Drawback on Silks -	The whole.
„ c. 65.	Exemption from Auction Duty of certain Sales by West India Dock Company.	The whole.
48 Geo. 3. c. 2. -	Duties on Malt, Sugar, Tobacco, and Snuff in Great Britain, and on Pensions and Offices in England.	The whole.
„ c. 9. -	Abolition of the Office of Surveyor of Subsidies and Petty Customs in the Port of London.	The whole.
„ c. 30. -	Trade between Ireland and the East Indies -	The whole.
„ c. 31. -	Counterfeiting of Bank of Ireland Silver Tokens, and Circulation of same.	The whole.
„ c. 41. -	Repeal of certain Excise Duties, and Grant of Stamp Duties in lieu thereof, &c. (Ireland.)	The whole.
„ c. 55. -	Assessed Taxes and Stamp Duties on Game Certificates.	So much of Section 7. as enacts that "every Receiver General "shall have an Allowance of "Three Halfpence in the "Pound on all Monies by him "received and paid into the "Receipt of Exchequer, or "duly accounted for accord-"ing to the Course of His "Majesty's Exchequer."
„ c. 56. -	Abolition of Fees received by Customs Officers in Irish Ports, and Hours of Attendance and Holidays of said Officers and Officers of Excise.	The whole.
„ c. 57. -	Duties of Customs on ready-made Corks -	The whole.
„ c. 62. -	Collection of Revenues of Customs and Excise (Ireland).	The whole.
„ c. 64. -	Militia Enlistment into the Army (Ireland).	The whole.
„ c. 68. -	Extension of Bounty on Pilchards exported	The whole.
„ c. 74. -	Collection of Malt Duties (Great Britain) -	The whole.
„ c. 78. -	Malt and Spirit Duties (Ireland) - -	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
48 Geo. 3. c. 91. -	Examination of Accounts of Public Expenditure in West Indies.	The whole.
„ c. 99. -	Warehousing of Prize Goods liable to Duty, and Reduction of Strength of Spirits condemned as Prizes.	The whole.
„ c. 107. -	Returns of Fines, &c., under Acts relating to the Defence of the Realm.	The whole.
„ c. 117. -	Duties upon painted or stained Silks -	The whole.
„ c. 119. -	Regulation of Duties on Spirits imported into Great Britain according to the Strength.	The whole.
„ c. 120. -	Duties on Coffee, and warehousing the same, and Cocoa.	The whole.
„ c. 121. -	Duties on Coffee taken out of Warehouses for Home Consumption.	The whole.
„ c. 122. -	Vesting in the Commissioners for the Affairs of Barracks, of all Property occupied for the Barrack Service, &c.	The whole.
„ c. 129. -	Larceny from the Person - - -	The whole.
„ c. 143. -	Stamp Duties on Licences for selling Excise-able Liquors by retail.	Duties granted by.
„ c. 145. -	Annuities to the Judges of the Courts of Session, &c., on Resignation (Scotland).	As to Annuities to the Barons of the Exchequer.
49 Geo. 3. c. 4. -	Militia (Great Britain) Enlistment into the Army.	The whole.
„ c. 5. -	Militia (Ireland) Enlistment into the Army -	The whole.
„ c. 9. -	Importation of Flax Seed into Ireland -	The whole.
„ c. 24. -	Excise Duty on Spent Wash redistilled (Great Britain).	So far as relates to England.
„ c. 33. -	Excise Duty on Spirits made from Sugar (Ireland), &c.	The whole.
„ c. 34. -	Registry at Malta of Ships taken as Prize -	The whole.
„ c. 44. -	Exemption from Home Consumption Duties of Goods brought in as Prize or seized as Droits, and restored by Court of Admiralty.	The whole.
„ c. 56. -	Completing the Militia (Ireland) - -	The whole.
„ c. 66. -	Holidays, &c. in Offices of Excise - -	The whole.
„ c. 68. -	Law of Bastardy (England) - -	The whole, except s. 3., so far as it relates to a Mother of a Bastard.
„ c. 69. -	Indemnity to Persons having printed Books, &c. without full Description of Printer's Place of Abode.	The whole.
„ c. 71. -	Loan on Annuities - - - -	Section 16.
„ c. 76. -	Exportation of Gunpowder, Arms, &c. (Ireland).	The whole.
„ c. 81. -	Laws of Excise relating to Paper, Silks, Salt, &c. (Great Britain).	The whole.
„ c. 95. -	Constitution of Board of Commissioners for auditing the Public Accounts.	The whole.
„ c. 96. -	Superannuation Allowance to Officers of Excise.	The whole.
„ c. 106. -	Warehoused Goods - - - -	The whole.
c. 109. -	Woollen Manufacture - - -	Sect. 5. in part, namely, from "nor shall any such Persons" to "Parish or Place."
„ c. 112. -	Purchase of Lands for Defence of the Realm.	The whole.
„ c. 116. -	Management of Customs and Excise (Ireland).	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
49 Geo. 3. c. 117. -	Excise Duty on Coffee, Growth of British Dominions in Africa (Great Britain).	The whole.
„ c. 121. -	Bankrupts (England and Ireland) - -	The whole.
„ c. 127. -	Salaries of Chief Baron and other Judges, Chief Justice of Chester, &c.	The whole.
50 Geo. 3. c. 10. -	Clandestine running of Uncustomed Goods, &c.	The whole.
„ c. 26. -	Duty on Exportation of Foreign plain Linen taken out of Warehouse.	The whole.
„ c. 34. -	Exportation of British and Irish made Malt from one Part of the Kingdom to the other.	The whole.
„ c. 38. -	Bonded Warehouses (Ireland) - -	The whole.
„ c. 44. -	Excise Officers, Superannuation Allowance (Scotland).	The whole.
„ c. 47. -	Relief and Maintenance of Insolvent Debtors (Ireland).	The whole.
„ c. 51. -	Punishment of Women delivered of Bastards.	The whole.
„ c. 58. -	Redemption and Sale of Land Tax - -	Section 4.
„ c. 60. -	Exportation from Bristol to Newfoundland of Foreign Salt, Duty free. Shipping Salt in certain Cases to North America.	The whole.
„ c. 71. -	Provision for Charges of the Loan, &c. of the present Session.	The whole.
„ c. 73. -	Regulation of Baking Trade beyond London, &c.	The whole.
„ c. 75. -	Additional Window Duty (Ireland) - -	The whole.
„ c. 76. -	Stamp Duties (Ireland) - - -	The whole.
„ c. 77. -	Additional Customs Duties on certain Kinds of Wood.	The whole.
51 Geo. 3. c. 20. -	Enlistment of a Proportion of the Militia into the Regular Forces.	The whole.
„ c. 23. -	Abolition of Slave Trade - - -	The whole.
„ c. 30. -	Militia Enlistment into the Army (Ireland) -	The whole.
„ c. 32. -	Security of Exciseable Goods on board Vessels in the Port of Bristol.	The whole.
„ c. 34. -	Premiums to Ships employed in Southern Whale Fishery.	The whole, except Section 6.
„ c. 47. -	Treaty of Commerce with Portugal - -	The whole, except Section 9.
„ c. 55. -	Abolition of Superannuation Fund in the Customs Department.	The whole.
„ c. 56. -	Additional Duties on Tobacco manufactured in Ireland.	The whole.
„ c. 57.	Exportation of salted Beef and Pork from Ireland.	The whole.
„ c. 59. -	Additional Duties on Wash or other Liquors used in the Distillation of Spirits and on Foreign Spirits.	The whole.
„ c. 61. -	Provision for defraying increased Charge occasioned by Loan.	The whole.
„ c. 67. -	Duties on Hides in the Hair - -	The whole.
„ c. 68. -	Additional Duty on Verdigris - -	The whole.
„ c. 72. -	Exemption from Duties of Assessed Taxes on Servants, Horses, Carriages, and Dogs kept in Great Britain and Ireland.	The whole.
„ c. 74. -	Sale of warehoused Prize Goods - -	The whole.
„ c. 82. -	Regulation respecting Rock Salt delivered to Refineries, &c.	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
51 Geo. 3. c. 89. -	Increase of Salary of the Lord Lieutenant of Ireland.	The whole.
„ c. 93. -	Duties on Norway Fir Timber - -	The whole.
„ c. 95. -	Auction Duty; Roasting Coffee; Water-mark on Paper intended for Exportation.	Section 1.
„ c. 110. -	Counterfeiting of Silver Tokens issued by the Bank of England.	The whole.
52 Geo. 3. c. 30. -	Warehousing of Spirits distilled from Corn (Ireland).	The whole.
„ c. 34. -	Relief of Debtors - - - -	The whole.
„ c. 36. -	Duties on Mahogany, &c. - - -	The whole.
„ c. 46. -	Duties upon Spirits, &c. (Ireland) - -	The whole.
„ c. 48. -	Duties on Spirits distilled from Corn in Stills of and under 100 Gallons Content (Ireland).	The whole.
„ c. 53. -	Auction Duty on Sale of Colonial Coffee -	The whole.
„ c. 60. -	Payment of Superannuation Allowances in Customs Department (Scotland).	The whole.
„ c. 64. -	Obtaining Bonds and other Securities under false Pretences.	The whole.
„ c. 81.	Superannuation Allowance of Officers of Excise.	The whole.
„ c. 82. -	Transfer to Consolidated Fund of Scotch Excise Charity and Superannuation Funds, &c.	The whole.
„ c. 87. -	Stamp Duties; Duties on Cards and Dice (Ireland).	The whole.
„ c. 94. -	Excise Duties on Glass, Hides, Tobacco and Snuff (Great Britain).	The whole.
„ c. 96. -	Application of Amount of Bounties on Linen, &c., towards defraying Charge of any Loan made in the present Session.	The whole.
„ c. 107. -	Allowance of Duty on Salt used for making Acid for Bleaching.	The whole.
„ c. 117. -	Customs Duties on certain Woods, and on Pot and Pearl Ashes.	The whole.
„ c. 118. -	Amendment of Act respecting Prohibition of Distillation of Spirits from Corn, &c.	The whole.
„ c. 119. -	Importation from Turkey, &c., in Foreign Ships.	The whole.
„ c. 128. -	Regulations for securing Excise Duties on Malt (Great Britain).	The whole.
„ c. 135. -	Advance to the East India Company for Discharge of Part of the Indian Debt.	The whole.
„ c. 139. -	Duties on Stone Bottles - - -	The whole.
„ c. 142. -	Removal of Goods from one bonding Warehouse to another.	The whole.
„ c. 153. -	British White Herring Fishery - -	The whole.
53 Geo. 3. c. 8. -	Duties and Drawbacks on Importation and Exportation of Spanish or Red Wine.	The whole.
„ c. 9. -	Duties on Malt - - - -	The whole.
„ c. 10. -	Additional Duty on Rice - - -	The whole.
„ c. 11. -	Additional Drawback on Chocolate - -	The whole.
„ c. 19. -	Prevention of Issue and Circulation of Gold or Silver Tokens, other than those of the Banks of England and Ireland.	The whole.
„ c. 20. -	Militia (Great Britain) Enlistment of a Proportion of the Corps of Miners of Cornwall and Devon into the Regular Forces.	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
53 Geo. 3. c. 21. -	Provision for poor Persons confined for Debt, &c., sued for by Order of Commissioners of Customs and Excise.	The whole.
„ c. 22. -	Sale of Salt seized, Duty free, and Reward to seizing Officer.	The whole.
„ c. 30. -	Bounty on Exportation of Manufactures of Waste Silk.	The whole.
„ c. 33. -	Additional Duties of Customs - -	The whole.
„ c. 34. -	Additional Excise Duties on Importation of Tobacco, Snuff, and French Wines, and Drawbacks.	The whole.
„ c. 38. -	Exportation of Corn and other Articles to Newfoundland, &c.	The whole.
„ c. 52. -	Distillation and warehousing of Spirits made from Sugar (Ireland).	The whole.
„ c. 56. -	Excise Duties on Malt (Ireland) - -	The whole.
„ c. 57. -	Excise Duties on Tobacco (Ireland) -	The whole.
„ c. 59. -	Duties on Carriages, Horses, Male Servants, and Windows (Ireland).	The whole.
„ c. 60. -	Collection of Duties on Hides dressed in Oil, Vellum, and Parchment (Ireland).	The whole.
„ c. 62. -	Duties on Sugar for Home Consumption from Martinique, &c.	The whole.
„ c. 84. -	Duties on Cape Wines - - -	The whole.
„ c. 86. -	Naval Compensations and Pensions - -	The whole.
„ c. 87. -	Frauds by Boatmen and others, and Adjustment of Salvage.	The whole.
„ c. 97. -	Sale by Glassmakers of Muriate of Potash for Manufacture of Alum, and Excise Duty thereon.	The whole.
„ c. 100. -	Audit of Accounts of Paymaster-General of the Forces, &c.	The whole.
„ c. 103. -	Transfer of Excise Licences to Executors, &c. of licensed Traders.	The whole.
„ c. 104. -	Entry into Ireland for Home Consumption of Sugar from Martinique, &c., at reduced Duty.	The whole.
„ c. 106. -	Counterfeiting of Tokens of the Bank of Ireland.	The whole.
„ c. 112. -	Prosecutions under Acts relating to the Abolition of the Slave Trade.	The whole.
„ c. 114. -	Prevention of Issue and Circulation of Gold and Silver Tokens, except those of Banks of England and Ireland.	The whole.
„ c. 116. -	Price and Assize of Bread sold out of City of London, and beyond the Bills of Mortality, &c.	The whole.
„ c. 120. -	Reduction of the National Debt (Ireland) -	The whole.
„ c. 124. -	Use of Salt, Duty free, for curing certain Fish.	The whole.
„ c. 128. -	Relief of Roman Catholics holding Civil or Military Offices in Ireland, from Penalties of Popish Recusancy in England, &c.	The whole.
„ c. 129. -	Sale of Offices of Six Clerks in Chancery (Ireland).	The whole.
„ c. 137. -	Licences for Sale of Spirituous Liquors, &c. (Ireland.)	The whole.
„ c. 140. -	Cinque Ports Pilots - - -	The whole.
„ c. 145. -	Distillation of Spirits (Ireland) - -	The whole.
„ c. 147. -	Excise Duties on Spirits (Great Britain) -	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
53 Geo. 3. c. 148. -	Illicit Distillation of Spirits (Ireland) -	The whole.
„ c. 156. -	Provision for Payment of the Charge of certain Annuities.	The whole.
54 Geo. 3. c. 1. -	British and Irish Militias, Service out of the United Kingdom.	The whole.
„ c. 11. -	Provision for Serjeants of Militia (Great Britain and Ireland).	The whole.
„ c. 12. -	Augmentation of 60th Regiment by Enlistment of Foreigners.	The whole.
„ c. 17. -	City of London Militia Service out of the United Kingdom.	The whole.
„ c. 20. -	Amendment of Act as to Service of the British and Irish Militias out of the United Kingdom.	The whole.
„ c. 21. -	Duty on Scotch Salt brought to England -	The whole.
„ c. 32. -	Illicit Distillation of Spirits (Ireland) -	The whole.
„ c. 36. -	Customs Duties on Goods imported from East Indies into Great Britain, East India Company's Accounts, &c.	The whole.
„ c. 42. -	Punishment for the Destruction of Stocking or Lace Frames, &c.	The whole.
„ c. 50. -	Customs Duties on Salt - - - -	The whole.
„ c. 59. -	Slave Trade Suppression, Registration of Condemned Ships - - -	The whole.
„ c. 64. -	War Duties of Customs Continuance -	The whole.
„ c. 65. -	Customs Duties on Importation of French Goods, &c.	The whole.
„ c. 66. -	Repeal of Customs Duties on Teak or other Wood for Ship-building, imported from East Indies.	The whole.
„ c. 69. -	Repeal of all Customs Duties, Bounties, and Restrictions on the Exportation of Corn from the United Kingdom.	The whole.
„ c. 77. -	Customs Regulations for securing Duties on Cape Wines.	The whole.
„ c. 88. -	Collection of Excise Duties on Spirits (Ireland).	The whole.
„ c. 97. -	Excise Duties on Glass (Great Britain) -	The whole.
„ c. 120. -	Management of Customs and Excise (Ireland).	The whole.
„ c. 121. -	Excise Duties on Foreign Wine, Spirits, and other Liquors.	The whole.
„ c. 124. -	Importation of Tobacco and Snuff into Plymouth.	The whole.
„ c. 127. -	Exportation from Scotland and Ireland of Linen Cloth without Stamps.	So far as relates to Scotland.
„ c. 142. -	Exportation of Tea to British America, &c., Duty free.	The whole.
„ c. 174. -	Farming of the Post Horse Duties, and Measurement of Roads (Great Britain).	The whole.
55 Geo. 3. c. 14. -	Customs Duties on Wood (Ireland) - -	The whole.
„ c. 22. -	Customs Duties on Tobacco - -	The whole.
„ c. 23. -	Customs Duties on Citrat of Lime - -	The whole.
„ c. 29. -	Trade of Malta - - - -	The whole.
„ c. 35. -	Additional Excise Duty on Tobacco (Ireland).	The whole.
„ c. 36. -	Customs Duty on Tobacco (Ireland) -	The whole.
„ c. 37. -	Exportation or Importation of Sugar, Coffee, &c. (Ireland).	The whole.
„ c. 55. -	Land Revenues of the Crown. - -	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
55 Geo. 3. c. 57. -	Repeal of South Sea Company's exclusive Privileges of Trade, and Indemnity to the Company for the Loss.	The whole.
„ c. 62. -	Excise Duties on Malt (Ireland) - -	The whole.
„ c. 66. -	Excise Duties on Salt, Drawback on Foreign Brimstone, &c.	The whole.
„ c. 95. -	Customs Duties on Vegetable Substances used in Tanning.	The whole.
„ c. 99. -	Excise Duties on Malt (Ireland) - -	The whole.
„ c. 105. -	Excise Duties on Hides and Skins tanned in Ireland.	The whole.
„ c. 110. -	Excise Duties on Sweets or made Wines (Ireland).	The whole.
„ c. 114. -	Salaries, &c., of Master of the Rolls; Offices of Six Clerks in Chancery (Ireland).	Sections 3, 4, 5, 6.
„ c. 129. -	Drawbacks and countervailing Duties on Tobacco; Exportation of Wine.	The whole.
„ c. 135. -	Customs Regulations as to Newfoundland Blubber and Train Oil.	The whole.
„ c. 141. -	Amendment of the Act for Repeal of South Sea Company's exclusive Privileges of Trade.	The whole.
„ c. 163. -	Customs Regulations; Licences to open Boats.	The whole.
„ c. 168. -	Amendment of Laws relating to Militias of Great Britain and Ireland.	So far as relates to the Militia of Scotland.
„ c. 169. -	Provision for Charge of Addition to Funded Debt.	The whole.
„ c. 172. -	Support of captured Slaves during the Period of Adjudication.	The whole.
„ c. 177. -	Prevention of Frauds in Manufacture of Sweets.	The whole.
„ c. 179. -	Use of Salt, Duty free, for curing Fish, &c.	The whole.
„ c. 181. -	Customs Duty on certain Seeds imported -	The whole.
56 Geo. 3. c. 25. -	Duty on Importation of Butter - -	The whole.
„ c. 26. -	Duty on Importation of Cheese - -	The whole.
„ c. 29. -	Perpetuation of certain War Duties of Customs, &c.	The whole.
„ c. 34. -	Additional Duty on Corks - - -	The whole.
„ c. 44. -	Excise Duties, &c. on Soap - - -	The whole.
„ c. 59. -	Excise Duty on Malt (Ireland) - -	The whole.
„ c. 64. -	Amendment of Acts relating to the Militia of Great Britain.	So far as relates to the Militia of Scotland.
„ c. 70. -	Redemption of National Debt (Ireland) -	The whole.
„ c. 73. -	Removal of Difficulties in Conviction of Offenders stealing Property from Mines.	The whole.
„ c. 75. -	Customs Duties on Rape Seed, &c. - -	The whole.
„ c. 77. -	Repeal of certain Duties granted by the Act for repealing the exclusive Privileges of the South Sea Company.	The whole.
„ c. 79. -	Customs Duties on Rape Seed Cakes, Bones, &c.	The whole.
„ c. 85. -	Management of Customs and Excise (Ireland).	The whole.
„ c. 86. -	Aliens - - - - -	The whole.
„ c. 94. -	Use of crushed Rock Salt, Duty free, in Manufacture of Muriatic Acid, &c.	The whole.
„ c. 113. -	Beer, &c. Licences (Great Britain) - -	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
56 Geo. 3. c. 118. -	Duty on Oil and Blubber from the North American Colonies.	The whole.
„ c. 119. -	Mutiny Act Amendment - - -	The whole.
„ c. 127. -	Duty on Exportation of small Coals from Great Britain.	The whole.
„ c. 133. -	Provision for the annual Charge of the Loans of this Session.	The whole.
„ c. 135. -	Crinan Canal (Scotland) - - -	The whole.
„ c. 137. -	Bankrupts - - - - -	The whole.
57 Geo. 3. c. 18. -	Business of the Court of Exchequer (England) Equity Side.	The whole.
„ c. 30. -	Interest on and Periods of Payments of Navy, Victualling, and Transport Bills.	The whole.
„ c. 32. -	Excise Duties on Stone Bottles - -	The whole.
„ c. 49. -	Laws of Excise respecting Salt and Rock Salt.	The whole.
„ c. 51. -	Celebration of Marriages, Newfoundland -	The whole.
„ c. 61. -	Abolition of Offices of Wardens, Chief Justices, and Justices in Eyre of the Royal Forests, &c. North and South of the Trent.	The whole.
„ c. 63. -	Regulation of Offices of Clerks of the Signet and Privy Seal.	The whole.
„ c. 76. -	Drawback on Paper allowed to the Universities in Scotland.	The whole.
„ c. 79. -	Transfer from Funds in Great Britain to Funds in Ireland.	The whole.
„ c. 86. -	Importation of Foreign Cambrics and Lawns into Ireland.	The whole.
„ c. 88. -	Fuller's Earth, &c. carried Coastwise -	The whole.
„ c. 96. -	Duties on Coal, &c. removed Coastwise (Wales).	The whole.
„ c. 119. -	Exemption of Stone Blacking Bottles from Duty.	The whole.
„ c. 123. -	Excise Duty on Spirits made from Corn in England, &c.	The whole.
„ c. 128. -	Window Duties (Scotland) - - -	The whole.
58 Geo. 3. c. 8. -	Kilmainham Hospital, Suspension of Pensions for Misconduct.	The whole.
„ c. 13. -	Duties on Licences for retailing Aqua Vitæ in Scotland.	The whole.
„ c. 18. -	Customs Duties on Corks ready made imported into Ireland.	The whole.
„ c. 21. -	Excise Duties on Glass - - -	The whole.
„ c. 33. -	Allowance for broken Plate Glass, &c. -	The whole.
„ c. 36. -	Execution of Treaty with Spain, for preventing Traffic in Slaves.	The whole.
„ c. 41. -	Collection of Duties on Paper (Ireland) and Drawback on Paper used at Press of Trinity College, Dublin.	The whole.
„ c. 49. -	Abolition of Slave Trade - - -	The whole.
„ c. 56. -	Bounty on Exportation of Silk Manufactures.	The whole.
„ c. 65. -	Excise Duties on Vinegar or Acetous Acid -	The whole.
„ c. 75. -	Preservation of Game - - -	The whole.
„ c. 77. -	Excise Duties on Rock Salt - -	The whole.
„ c. 79. -	Auction Duties (Ireland) - - -	The whole.
„ c. 80. -	Transfer from Stocks in Great Britain to Stocks in Ireland.	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
58 Geo. 3. c. 85. -	Execution of Convention with Portugal, for preventing Traffic in Slaves.	The whole.
„ c. 89. -	Attendance of Magistrates on board outward bound Passenger Vessels.	The whole.
„ c. 93. -	Relief to bonâ fide Holders for Value of negotiable Securities without Notice of usurious Consideration.	The whole.
„ c. 94. -	Sea Fisheries (Ireland) - - -	The whole.
„ c. 98. -	Abolition of the Slave Trade - -	The whole.
59 Geo. 3. c. 17. -	Execution of Convention with Portugal for preventing Traffic in Slaves.	The whole.
„ c. 28. -	Division of Courts of Quarter Sessions -	The whole.
„ c. 29. -	Customs Duties on Mineral Alkali - -	The whole.
„ c. 36. -	Making and Sale of Bread out of City of London and beyond Bills of Mortality, &c.	The whole.
„ c. 57. -	Excise Duties, Salt (Great Britain) - -	The whole.
„ c. 64. -	Proceedings against Warden of the Fleet in Vacation.	The whole.
„ c. 71. -	Loan from Commissioners for Reduction of National Debt.	The whole.
„ c. 91. -	Applications to Courts of Equity regarding Charity Estates (England).	The whole.
„ c. 97. -	Trial of Offences committed in Africa against the Laws for Abolition of the Slave Trade.	The whole.
„ c. 103. -	Provisions respecting Accounts to be laid before Parliament.	The whole.
„ c. 105. -	Excise Duties on Spirits, certain Licences, Leather and Glass of Carriages, &c. (Great Britain and Ireland).	The whole.
„ c. 113. -	Premiums to Ships employed in Southern Whale Fishery.	The whole.
„ c. 120. -	Registry of Colonial Slaves in Great Britain, and Removal of Slaves from Colonies.	The whole.
„ c. 124. -	Passenger Vessels to Colonies, &c. - -	The whole.
1 Geo. 4. c. 9. -	Grant of Privileges of British Ships to Vessels built at Malta, &c.	The whole.
„ c. 22. -	Loan from Commissioners for Reduction of National Debt.	The whole.
„ c. 26. -	Coasting Trade (Ireland) - - -	The whole.
„ c. 35. -	Court of Exchequer (England) Suitors' Money, Appointment of Accountant General, &c.	The whole.
„ c. 37. -	Appointment of Special Constables by Magistrates.	The whole.
„ c. 40. -	Compensation for Tithes withheld (Ireland)	The whole.
„ c. 72. -	Lotteries - - - - -	The whole.
„ c. 75. -	Excise Duty on Tobacco - - -	The whole.
„ c. 78. -	Duties on Spirit Licences, &c. (Ireland) -	The whole.
„ c. 87. -	Recovery of Possession by Landlords -	The whole.
„ c. 99. -	Maintenance of a Volunteer Infantry Corps by the East India Company.	The whole.
„ c. 102. -	Indictments in respect of Property belonging to Partners.	The whole.
„ c. 115. -	Abolition of Capital Punishment for certain Offences, and Substitution of other Punishment.	The whole.
„ c. 118. -	Excise Duty on Malt (Scotland) - -	The whole.
1 & 2 Geo. 4. c. 14. -	Free Importation of Cochineal and Indigo -	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
1 & 2 Geo. 4. c. 22. -	Ale and Beer Duties (Great Britain) -	So much as relates to Certificates and Increases in Stock.
„ c. 29. -	Allowances in certain Cases in respect of Duty on Irish Starch imported into Great Britain.	The whole.
„ c. 47. -	Disfranchisement of Borough of Grampound, and additional Knights of the Shire for Yorkshire.	Sections 2 and 3.
„ c. 50. -	Making and Sale of Bread out of City of London and beyond Bills of Mortality, &c.	The whole.
„ c. 60. -	Exemption of Ships in Ballast in the South Sea Trade from certain Tonnage Duties.	The whole.
„ c. 70. -	Loan from Commissioners for Reduction of National Debt.	The whole.
„ c. 75. -	Frauds by Boatmen and others, and Adjustment of Salvage in England.	The whole.
„ c. 91. -	Silk and Mohair, &c. Bounties - -	The whole.
„ c. 96. -	British Spirits Duty (Lisburne, Ireland) -	The whole.
„ c. 99. -	Slave Trade - - - -	The whole.
„ c. 102. -	Drawback on Acetous Acid exported, and Exemption of Drainage Tiles from Duty.	The whole.
„ c. 105. -	Amendment of Laws of Excise as to warehoused Goods.	The whole.
„ c. 110. -	Horse Duties - - - -	The whole.
„ c. 120. -	Lotteries - - - - -	The whole.
3 Geo. 4. c. 25. -	Starch and Soap Duties Allowances -	The whole.
„ c. 32. -	Duties on plain Silk Net or Tulle - -	The whole.
„ c. 38. -	Punishment for Manslaughter and for Robbery by Servants, and of Accessories before the Fact to certain Felonies.	The whole.
„ c. 47. -	Rate of Interest on Securities made in Great Britain on Land, &c. in Ireland or the Colonies.	The whole.
„ c. 73. -	Loan from Commissioners for Reduction of National Debt.	The whole.
„ c. 74. -	Bankrupts under joint Commissions -	The whole.
„ c. 101. -	Lotteries - - - - -	The whole.
„ c. 109. -	Duties and Drawbacks on Barilla - -	The whole.
„ c. 125. -	Leases of Tithes by Ecclesiastical Persons (Ireland).	The whole.
4 Geo. 4. c. 23. -	Consolidation of Boards of Customs, and of Boards of Excise of Great Britain and Ireland.	The whole.
„ c. 45. -	Assessed Taxes Composition - -	The whole.
„ c. 70. -	Court of Exchequer, Equity Side (Ireland) -	The whole.
„ c. 77. -	Duties on Goods in Foreign Vessels, &c. -	The whole, except Sections 5 and 6.
„ c. 78. -	Stamp Duty on Proceedings in Equity (Ireland).	So far as relates to the Equity Side of the Court of Exchequer.
„ c. 89. -	Limitation of Expenses of certain Law Proceedings (Ireland).	Section 3.
5 Geo. 4. c. 4. -	Law Proceedings (Ireland) - - -	The whole.
„ c. 8. -	Church Lands (Ireland) - - -	The whole.
„ c. 16. -	Court of Exchequer, Equity Side (Ireland) -	The whole.
„ c. 17. -	Slave Trade Suppression - - -	The whole.
„ c. 26. -	Barrack Property - - - -	The whole.
„ c. 50. -	Price of Bread - - - -	The whole.
„ c. 54. -	Beer and Spirit Licences - - -	Duties granted by.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
5 Geo. 4. c. 70. -	Substitution of Flour for Foreign Wheat in Warehouses.	The whole.
„ c. 75. -	Excise and Customs Duties - -	The whole.
„ c. 85. -	Gaols and Houses of Correction (England) -	So much as requires the making of any Return in the Form of the Schedule (A.) to this Act.
„ c. 106. -	Courts of Great Sessions in Wales - -	The whole.
„ c. 113. -	Slave Trade Abolition - - -	From Section 13 to Section 20, both inclusive. Sections 37 and 42. From Section 52 to Section 59, both inclusive as to Portugal or Spain. Section 67. Section 72.
6 Geo. 4. c. 19. -	Threatening Letters as to accusing of infamous Crimes.	The whole.
„ c. 56. -	Indictments for Forgery on Partnerships -	The whole.
„ c. 60. -	Exchequer, Equity Side (Ireland) - -	The whole.
„ c. 85. -	Salaries and Pensions of Judges in India, and Bishop of Calcutta; Transportation from St. Helena; Administration of Justice at Singapore, &c.	Section 17.
„ c. 96. -	Writs of Error - - - -	The whole.
7 Geo. 4. c. 17. -	Administration of Justice, Durham - -	The whole.
„ c. 20. -	Stamp Duties in Courts of Law (Ireland) -	The whole.
„ c. 48. -	Customs Laws Amendment - -	The whole, except so much of Section 52 as relates to Excise.
„ c. 55. -	Poll at Elections of Knights of the Shire for the County of York.	The whole.
7 & 8 Geo. 4. c. 34. -	Ministers Money (Ireland) - - -	The whole.
„ c. 46. -	General Register House, Edinburgh -	The whole.
„ c. 66. -	Grants of Crown Lands for Public Buildings and Cemeteries.	The whole.
9 Geo. 4. c. 9. -	Sessions of the Peace, Westminster - -	The whole.
„ c. 59. -	Mode of taking the Poll at Parliamentary Elections for Boroughs (England).	The whole.
„ c. 72. -	Bombay Marine - - - -	The whole.
„ c. 76. -	Customs - - - - -	The whole.
„ c. 84. -	Slave Trade Abolition - - -	The whole.
„ c. 93. -	Delivery of Sugar out of Bond to be refined	The whole.
10 Geo. 4. c. 16. -	Appointment of Writers in the East India Company's Service.	The whole.
11 Geo. 4. & 1 Will. 4. c. 10.	Maintenance of Families of Smugglers sentenced to serve in the Navy.	The whole.
„ c. 69. -	Judicial Establishments (Scotland) - -	Section 42.
1 Will. 4. c. 3. -	Administration of Justice, Law Terms, &c. -	Sections 5 and 6.
2 & 3 Will. 4. c. 13. -	Presentments, Baronies of St. Sepulchres and Donore (Ireland).	The whole.
„ c. 31. -	Regulation of Baking Trade (Ireland) -	The whole.
„ c. 41. -	Recovery of Tithes (Ireland) - -	The whole.
„ c. 49. -	Office of Clerks of the Signet and Privy Seal.	The whole.
3 & 4 Will. 4. c. 10. -	Cotton Wool Customs Duty - -	The whole.
„ c. 16. -	Excise Duties on Soap - - -	The whole.
„ c. 17. -	Manufacture of Stone Blue - - -	The whole.
„ c. 41. -	Judicial Committee of Privy Council -	Sections 22, 25, 26, and 27.
„ c. 98. -	Bank of England Privileges - -	Section 7.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
4 & 5 Will. 4. c. 32. -	Reduction of Tonnage Rates in the Port of London.	Section 4.
„ c. 89. -	Customs - - - - -	The whole.
5 & 6 Will. 4. c. 32. -	Tea Duties - - - - -	The whole.
„ c. 37. -	Militia Staff Reduction and Ballots Suspension.	The whole.
„ c. 40. -	Duties on Wood, the Produce of Places in Europe.	The whole.
6 & 7 Will. 4. c. 25. -	Postage, Milford and Waterford - -	The whole.
„ c. 26. -	Sugar Duties - - - -	The whole.
„ c. 61. -	Shipowners' Liability for Losses by Fire -	The whole.
„ c. 101.	Parliamentary Elections; List of Voters; Returning Officers (England).	Section 3.
„ c. 112.	Court of Exchequer, Equity Side - . -	The whole.
7 Will. 4. & 1 Vict. c. 51.	Loans for Public Works and Fisheries -	Section 17.
„ c. 70.	Haileybury College, &c. - - -	Sections 1, 2, 3, 7, and so much of Section 5 as relates to Admission to Haileybury College.
„ c. 85.	Amendment of Laws relating to Offences against the Person.	Section 11.
1 & 2 Vict. c. 10. -	Banking and other Copartnerships, in which Spiritual Persons are interested, Validity of Contracts.	The whole.
„ c. 22. -	Haileybury College - - -	The whole.
„ c. 54. -	Investment of Suitors' Money, Courts of Chancery and Exchequer.	Sections 3 and 4.
„ c. 120. -	Duchy of Cornwall Tin Duties - -	Section 8.
2 & 3 Vict. c. 14. -	Certain Appointments in Cathedral Churches (England).	The whole.
3 & 4 Vict. c. 17. -	Customs, Excise, and Assessed Taxes -	So much as relates to Customs Duties and Drawbacks.
„ c. 34. -	Masters in Chancery - - -	The whole.
„ c. 49. -	Excise Duties on Soap - - -	The whole.
4 & 5 Vict. c. 13. -	South Australia, Loan to Colonization Commissioners.	The whole.
5 & 6 Vict. c. 89. -	Drainage of Lands (Ireland) - -	Section 27.
„ c. 110. -	Coventry Boundary - - -	Section 9.
6 & 7 Vict. c. 12. -	Coroners' Inquests - - - -	Section 4.
„ c. 29. -	Duties on Wheat, &c. imported from Canada	The whole.
7 & 8 Vict. c. 28. -	Sugar Duties - - - -	The whole.
„ c. 33. -	County Rates and High Constables - -	So far as relates to County Rates.
8 & 9 Vict. c. 5. -	Sugar Duties - - - -	The whole.
„ c. 13. -	Excise Duties on Sugar - - -	The whole.
„ c. 48. -	Oaths Dispensation, Bankruptcy - -	The whole.
9 & 10 Vict. c. 22. -	Corn Importation - - - -	The whole.
„ c. 58. -	Duties of Customs on Books and Engravings	The whole.
„ c. 63. -	Sugar Duties - - - -	The whole.
„ c. 94. -	Reduction of Duties of Customs by Legislatures of certain British Possessions.	The whole.
10 & 11 Vict. c. 45. -	Prisoners' Removal in certain Cases (Ireland).	The whole.
„ c. 85. -	Post Office - - - - -	Section 11.
12 & 13 Vict. c. 19. -	Removal of Prisoners from Gaols in Cases of Epidemic Diseases.	The whole.
„ c. 70. -	Summary Convictions (Ireland) - -	The whole.
„ c. 93. -	Metropolitan Sewers - - -	The whole.
13 & 14 Vict. c. 14. -	Advances to Distressed Unions (Ireland) -	The whole.

Statute Law Revision. *Tramways (Ireland) Act Amendment.*

Act.	Subject.	Extent of Repeal.
13 & 14 Vict. c. 67. -	Excise on Sugar, and Brewers' and Distillers' Licences.	Section 3.
14 & 15 Vict. c. 89. -	Metropolitan Interment Act, 1850, Amendment.	The whole.
15 & 16 Vict. c. 16. -	Repayment of Advances (Ireland) Act Amendment.	The whole.
16 & 17 Vict. c. 54. -	Customs Duties - - - -	The whole.
„ c. 125. -	Metropolitan Sewers Acts Continuance and Amendment.	The whole.

CAP. CII.

An Act to amend the Tramways (*Ireland*) Act (1860). [6th *August* 1861.]

23 & 24 Vict. c. 152.

'WHEREAS an Act was passed in the last Session of Parliament, intituled *An Act to facilitate internal Communication by means of Tramroads or Tramways:* And whereas some of the 'Provisions of the said Act have been found to cause unnecessary Expense and Delay, and it is 'expedient to amend the same:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

This and recited Act to be read together.

1. The said recited Act shall be continued and be in full Force except when the same shall be altered or amended by or be inconsistent with the Provisions of this Act, and the recited Act and this Act shall be read together as One Act.

One Approval by Grand Jury to be sufficient.

2. It shall not be necessary for the Grand Jury in future to pronounce a provisional Approval of the Undertaking, but the Grand Jury in proceeding under the Fifth Section of the said recited Act shall definitively approve or disapprove of the said Undertaking at the first Assizes at which the same shall be brought before them, and it shall not be necessary to obtain any further or other Approval from the Grand Jury at any subsequent Assizes.

Applications at Spring or Summer Assizes.

3. The Application of the Grand Jury for their Approval may be made either at the Spring or Summer Assizes.

Notices to be given for Spring Assizes.

4. In case the Application is made at the Spring Assizes, the Advertisements required by the First Section of the said Act shall be published in the Months of *November* or *December* or either of them immediately preceding, and the Deposits required by the Second and Fourth Sections of the said Act shall be made on or before the First and Twelfth Day of *December* respectively, and the Notices required by the Third Section shall be given on or before the Second Day of *December*.

Approval of Grand Jury may be traversed.

5. Any Person entitled to appear on the Inquiry before the Grand Jury may, in the Case of their Approval of the Undertaking, traverse such Approval, subject to and under the following Regulations:—

Such Traverse shall be entered with the Clerk of the Crown not later than Twelve o'Clock on the Day following the Approval of the Grand Jury;

It shall be on either of the following Grounds:—

First. That the Preliminaries required by Law for the Application to the Grand Jury have not been complied with;

Second. That the Construction of the Undertaking according to the Plan approved of by the Grand Jury would not be beneficial to the Public;

In case of a Traverse on the First Ground, same shall be disposed of by the Judges of Assize, or One of them, after hearing such Evidence as may be adduced;

In case of a Traverse on the Second Ground, same shall be tried in all respects as Issues joined in the Superior Courts of Common Law are or may be triable by Law at such Assizes;

The Judges of Assize, or One of them, may, if it shall appear fit, direct such Traverse to be tried by a Special Jury;

In case more Persons than One shall enter a Traverse on the Second Ground, there shall be One Trial of all such Traverses, and the Judge shall make such Order as may seem fit for the conducting of such Trial, and the Appearance and Intervention of the several Traversers thereat;

Every Traverse under this Act shall be determined or tried at the same Assizes at which it is entered, and in case the Judge shall rule or the Jury find in favour of such Traverse, as the Case may be, the Approval of the Grand Jury shall be void and of no Effect;

Every Traverse on the First Ground shall be confined to the specific Points mentioned by the Traverser in his Memorial lodged with the Secretary of the Grand Jury, and the particular Points of Non-compliance complained of shall be also stated in such Traverse.

6. The

Inquiry by Board of Works in the first instance.

6. The Inquiry by the Board of Works directed by the Ninth Section of the said Act shall take place before any Application is made to the Grand Jury, in order that their Report shall be submitted to the Grand Jury at the first Application, and the Board of Works shall institute such Inquiry upon the Request of the Promoters, and upon having deposited with them a reasonable Sum, not in any Case exceeding One hundred Pounds, to cover the Expenses of such Inquiry.

To be confined to Engineering Questions.

7. The Inquiry to be made by the Board of Works, and the Report to be made thereon, shall extend only to the Merits of the Undertaking in an Engineering Point of View, and to any Modification of the same in that Respect which may be advantageously made.

Existing Company may be empowered to execute Work.

8. Instead of constituting a new Company under the Fifteenth Section of the said Act, the Lord Lieutenant in Council may, if he shall so think fit, and if so desired by the Promoters, empower any existing Company incorporated by Act of Parliament or Charter, or constituted by any Statute regulating Joint Stock Companies, to execute such Undertaking, if it shall appear that such Company have Power to provide the necessary Capital and to apply the same to the Purposes of such Undertaking, but no such Order shall be deemed or taken to authorize or sanction the Employment by the said Company for the Purposes of such Undertaking or of the Application for the same of any Funds which independently of such Order they would not have Power so to apply.

Orders in Council valid without Confirmation by Parliament.

9. In any Case in which the Undertaking shall be approved of by the Grand Jury, and no Petition of Appeal shall be presented against such Approval to the Lord Lieutenant in Council by any of the Parties entitled under such Act to appeal, the Order in Council shall immediately take Effect without any Act of Parliament confirming the same, but in any Case in which such Petition of Appeal is presented before the Order in Council is made, such Order shall have no Effect until confirmed by Act of Parliament, even although no Person shall appear to sustain such Appeal, and when any Order shall be made after the Presentation of such Appeal the Fact of such Appeal having been presented shall be stated in such Order.

Grand Jury may give Permission for Tramway to cross a Highway.

10. In any Case in which Persons constructing any Tramway shall only seek under the Provisions of the said Act Power to cross a Highway, it shall be lawful for the Grand Jury, with the previous Approbation of the Presentment Sessions held for the Barony in which such proposed Crossing is situate, to give Permission for such Crossing to be made, and thereupon and immediately upon such Permission being given, and without any other Approval, it shall be lawful for the Persons constructing such Tramway to lay down the same across any public Road or Roads for which Permission shall have been so given; and it shall be lawful for the Grand Jury to annex to such Permission any Conditions or Stipulations which to them shall seem fit; and in case such Permission shall be used by the Promoters, they shall be bound by such Conditions and Stipulations as if the same had been inserted in a Special Act of Parliament authorizing such Crossing, and all Persons interested in same may have the same Rights and Remedies; and it shall be further lawful for the Grand Jury, if they shall so think fit, before such Permission is acted on, to require Persons of sufficient Substance, to be approved of as they may direct, to enter into a Bond to the Secretary of the Grand Jury, County Treasurer, or such other Person as they may appoint, in such Sum as they may name, conditioned for the Observance of all such Conditions and Stipulations.

Short Title.

11. This Act may be cited as "The Tramways (*Ireland*) Amendment Act, 1861."

CAP. CIII.

An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and sixty-one, and to appropriate the Supplies granted in this Session of Parliament. [6th *August* 1861.]

§ 1. There shall be applied for the Service of the Year 1861 the Sum of £32,605,936 11*s.* 5*d.* out of the Consolidated Fund.

2. The Treasury may cause £32,605,936 11*s.* 5*d.* of Exchequer Bills to be made out in manner prescribed by 48 G. 3. c. 1., 4 & 5 W. 4. c. 15., and 5 & 6 Vict. c. 66.

3. The Clauses, &c. in recited Acts extended to this Act.

4. Interest on Exchequer Bills.

5. Bank of England may advance £32,605,936 11*s.* 5*d.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

6. Bills prepared by virtue of this Act to be delivered to the Bank, as Security for such Advances.

7. Monies raised by Exchequer Bills to be applied to the Services voted by the Commons.

8. Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

9. Treasury may apply, for the Service of the Year 1861, £424,207 7*s.* Surplus of Ways and Means.

10. Appropriation of Ways and Means to Services hereafter expressed. 24 Vict. c. 2.; 24 Vict. c. 6.; 24 Vict. c. 19.

§ 11. There shall be issued,

£	12,276,250	0	0	For Navy Services; viz.	
	3,122,580	0	0	For Wages to 78,200 Seamen and Marines, &c.	For the Year ending 31st March 1862.
	1,328,259	0	0	For Victuals, &c. in the Navy	
	161,157	0	0	For Salaries, &c. in Admiralty Office	
	253,422	0	0	For Salaries, &c. of Coast Guard, Naval Coast Volunteers, and Naval Reserve	
	63,851	0	0	For the Navy Scientific Departments	
	172,947	0	0	For Naval Establishments at home	
	33,640	0	0	For Naval Establishments abroad	
	1,112,126	0	0	For Wages of Artificers, &c. at home	
	67,828	0	0	For Wages to Artificers, &c. abroad	
	66,000	0	0	For Medicines, &c.	
	90,510	0	0	For Naval Miscellaneous Services	
	684,016	0	0	For Naval Half Pay, &c.	
	486,430	0	0	For Military Pensions	
	180,397	0	0	For Civil Pensions	
	247,000	0	0	For Freight of Ships, Victualling, and Conveyance of Troops, &c.	
	3,489,477	0	0	For Naval Stores, &c.	
	466,610	0	0	For New Works in Naval Establishments	
	250,000	0	0	For building Iron Ships by Contract, &c.	
12.	206,629	10	9	For Army Services, 1859–60.	
13.	6,071,029	0	0	For Army Services, viz.:	
	860,447	0	0	For Wages of Artificers, &c.	For the Year ending 31st March 1862.
	525,416	0	0	For Clothing and Necessaries	
	1,456,834	0	0	For Provisions, Barrack Furniture, &c.	
	2,200,581	0	0	For Stores for Land and Sea Service	
	158,185	0	0	For Fortifications	
	179,407	0	0	For Civil Buildings	
	690,159	0	0	For Barracks	
	9,202,722	0	0	For other Army Services, viz.:	
	4,780,000	0	0	For Pay, &c. of Land Forces, exclusive of India	
	648,096	0	0	For Miscellaneous Charges of ditto	
	201,833	0	0	For Departments of Secretary for War and Commander-in-Chief	
	398,695	0	0	For Manufacturing Departments, &c.	
	133,276	0	0	For Volunteer Corps	
	261,014	0	0	For Educational and Scientific Branches	
	24,300	0	0	For Rewards of Military Services	
	78,600	0	0	For General Officers	
	490,669	0	0	For Reduced and Retired Officers	
	181,363	0	0	For Pensions to Widows of Officers, and Compassionate List	
	42,953	0	0	For Pensions, &c. to wounded Officers	
	32,409	0	0	For In-Pensioners, &c. of Chelsea and Kilmainham Hospitals	
	1,124,363	0	0	For Out-Pensioners of Chelsea Hospital	
	138,151	0	0	For Superannuation and Retired Allowances	
	637,000	0	0	For Disembodied Militia	
	30,000	0	0	For further Charges on account of Volunteer Corps	
14.	53,430	15	10	For War with Russia, (Excess of Expenditure), 1854–5, 1855–6, 1856–7.	For the Year ended 31st March 1861.
15.	1,000,000	0	0	For Naval and Military Operations in China.	
16.	7,225,500	0	0	For Exchequer Bills, 1861.	
17.	30,000	0	0	For Marriage Portion of H.R.H. Princess Alice Maud Mary.	
18.	17,983	11	10	For Revenue Departments' non-effective Charges (Excess of Expenditure)	
19.	750,000	0	0	For Customs Department	For the Year ending 31st March 1862.
	1,440,000	0	0	For Inland Revenue Department	
	2,050,000	0	0	For Post Office, &c.	
	919,956	0	0	For Packet Service	

Consolidated Fund (Appropriation).

	£538,574	0	0	For Superannuations, &c., Customs, Inland Revenue, and Post Office	For the Year ending 31st March 1862.
§ 20.	75,000	0	0	For Civil Contingencies	

CIVIL SERVICES.—*Class* 1.

21.	38,214	0	0	For Repair of Royal Palaces	To 31st March 1862.
	85,470	0	0	For Maintenance, &c. of Public Buildings, temporary Accommodation, &c.	
	22,400	0	0	For Furniture for Public Departments	
	98,298	0	0	For Maintenance, &c. of Royal Parks, Pleasure Grounds, &c.	
	54,692	0	0	For New Houses of Parliament	
	3,035	0	0	For Embassy Houses, &c., abroad	
	2,982	0	0	For new Consular Offices and Prison at Constantinople	
	53,000	0	0	For Western Approaches to Westminster Bridge	For the Year ending 31st March 1862.
	64,606	0	0	For Westminster Bridge	To 31st March 1862.
	8,200	0	0	For New Buildings, General Register House, Edinburgh	For the Year ending 31st March 1862.
	11,200	0	0	For Industrial Museum, Edinburgh	
	6,870	0	0	For King's and Marischal Colleges, Aberdeen University	
	800	0	0	For Stained Glass Window in Glasgow Cathedral	
	413	0	0	For Plan and Estimate, Main Drainage of London	To 31st March 1862.
	3,000	0	0	For National Gallery, &c., Dublin	For the Year ending 31st March 1862.
	160,000	0	0	For Harbours of Refuge	To 31st March 1862.
	46,702	0	0	For New Packet Harbour and Harbour of Refuge at Holyhead, &c.	
	64,556	0	0	For erecting, &c. Public Buildings, Ireland	
	2,628	0	0	For Works, &c. of Kingstown Harbour	
	5,000	0	0	For erecting, &c. Sheriff Courts, Scotland	For the Year ending 31st March 1862.
	32,600	0	0	For erecting, &c. Lighthouses abroad	To 31st March 1862.
	5,000	0	0	For Highland Roads and Bridges	
	35,000	0	0	For Contributions in aid of Poor Relief Assessments	
	30,000	0	0	Towards erecting a new Foreign Office	For the Year ending 31st March 1862.

CIVIL SERVICES.—*Class* 2.

22.	50,599	0	0	For Salaries, &c. of Houses of Parliament	To 31st March 1862.
	53,173	0	0	For the Treasury	
	25,753	0	0	For the Home Department	
	62,715	0	0	For Foreign Department	
	30,449	0	0	For the Department of Colonies	
	20,508	0	0	For Privy Council	
	59,595	0	0	For Committee of Privy Council for Trade, &c.	
	2,760	0	0	For Lord Privy Seal	
	6,106	0	0	For Civil Service Commission	
	13,550	0	0	For Paymaster General's Department	
	6,640	0	0	For Department of Comptroller General of Exchequer	
	30,333	0	0	For Office of Commissioners of Works and Public Buildings	
	25,708	0	0	For Office of Woods, Forests, &c.	
	13,753	0	0	For Public Record Department and State Paper Office	
	184,711	0	0	For Administration of Poor Laws	
	72,357	0	0	For the Mint	
	21,305	0	0	For Salaries, &c. of Inspectors of Factories, Mines, &c.	

Consolidated Fund (Appropriation).

	£6,284	0	0	For Civil Charges, &c., Scotland	To 31st March 1862.
	6,431	0	0	For Officers, &c. of Lord Lieutenant of Ireland	
	10,339	0	0	For Chief Secretary, &c., Ireland	
	4,108	0	0	For Inspection, &c. of Lunatic Asylums, Ireland	
	24,570	0	0	For Board of Public Works, Ireland	
	33,092	0	0	For Department of Commissioners for auditing Public Accounts	
	20,029	0	0	For Copyhold, Inclosure, and Tithe Commission	
	12,190	0	0	For Imprest Expenses, &c. of Copyhold, Inclosure, and Tithe Commission	
	47,163	0	0	For Salaries, &c., General Register Office, London, Dublin, and Edinburgh	
	14,482	0	0	For Salaries, &c., National Debt Office	
	4,120	0	0	For Salaries, &c., Public Works Loan Commission, &c.	
	6,975	0	0	For Lunacy Commission, England, and Salaries, &c., Lunacy Board, Scotland	
	1,223	0	0	For General Superintendent of County Roads in South Wales	
	2,273	0	0	For Registrars of Friendly Societies, England, Scotland, and Ireland	
	17,398	0	0	For Charity Commission	
	5,055	0	0	For Salaries, &c. of Office under the Local Government Act, and Inspection of Burial Grounds	
	1,192	0	0	For collecting Agricultural and Emigration Statistics, Ireland	
	2,113	0	0	For Salaries in Land Revenue Records and Inrolments, London, &c.	
	1,644	0	0	For Quarantine Expenses	
	32,000	0	0	For Foreign and other Secret Services	
	416,218	0	0	For Stationery, &c., for Public Departments	
	100,148	0	0	For Postage of Letters on the Public Service	
				CIVIL SERVICES.—*Class* 3.	
§ 23.	32,395	0	0	For Law Charges and Office of Solicitor to the Treasury, &c.	
	167,000	0	0	For Prosecutions at Assizes and Quarter Sessions, &c.	
	224,575	0	0	For Police in Counties and Boroughs in England and Wales, and Police in Scotland	
	3,020	0	0	For Crown Office, Queen's Bench	
	10,950	0	0	For Department of Registrar of the Admiralty, and Admiralty Court, Dublin	
	6,176	0	0	For Insolvent Debtors Court	
	71,980	0	0	For Court of Probate, &c.	
	200,320	0	0	For County Courts	
	21,355	0	0	For Police Courts of the Metropolis	
	136,204	0	0	For Metropolitan Police	
	3,500	0	0	For Queen's Prison	
	17,850	0	0	For Revising Barristers, England and Wales	
	3,342	0	0	For Lord Advocate and Solicitor General, Scotland	
	18,213	0	0	For Salaries, Court of Session, Scotland	
	11,071	0	0	For Court of Justiciary, Scotland	
	4,000	0	0	For Criminal Prosecutions by Lord Advocate	
	1,620	0	0	For certain Officers in the Exchequer in Scotland	
	25,000	0	0	For Criminal Prosecutions, &c. in Scotland	
	18,935	0	0	For Procurators Fiscal in Scotland	
	11,730	0	0	For Sheriff Clerks Scotland	
	2,200	0	0	For Expenses in Matters of Tithes, &c.	
	17,457	0	0	For General Register House, Edinburgh	
	2,425	0	0	For Department of Commissary Clerk, Edinburgh	
	1,528	0	0	For Department of Accountant in Bankruptcy, Scotland	
	61,634	0	0	For Criminal Prosecutions, &c., Ireland	

Consolidated Fund (Appropriation).

	£4,663	0	0	For Court of Chancery, Ireland	To 31st March 1862.
	18,851	0	0	For Courts of Queen's Bench, Common Pleas, &c., Ireland	
	5,932	0	0	For Registrars to Judges, Ireland, &c.	
	4,000	0	0	For Compensations to Seneschals, &c. of Manor Courts, Ireland	
	2,319	0	0	For Office for Registration of Judgments in Ireland	
	300	0	0	For Fees to Advocates, High Court of Delegates	
	7,888	0	0	For Salaries, &c. of Court of Bankruptcy, &c., Ireland	
	7,380	0	0	For Court of Probate, &c., Ireland	
	11,311	0	0	For Landed Estates Court, Ireland	
	2,253	0	0	For Consolidated Office of Writs, Four Courts, Dublin	
	450	0	0	For Revising Barristers, Dublin	
	47,051	0	0	For Salaries of Police Justices, Metropolitan Police, &c., Dublin	
	696,947	0	0	For Constabulary Force, Ireland	
	2,717	0	0	For Four Courts, Marshalsea, Dublin	
	17,695	0	0	For General Superintendence of Prisons, &c.	
	356,879	0	0	For Government Prisons and Convict Establishments at home	
	211,976	0	0	For Maintenance of Prisoners and Removal of Convicts	
	15,776	0	0	For Transportation of Convicts	
	150,590	0	0	For Convict Establishments in the Colonies	
				CIVIL SERVICES.—*Class* 4.	
§ 24.	803,794	0	0	For Public Education, Great Britain	For the Year ending 31st March 1862.
	111,484	0	0	For Department of Science and Art, &c.	
	285,377	0	0	For Public Education, Ireland	
	1,257	0	0	For Secretary, &c. of Commissioners of Education, Ireland	
	4,995	0	0	For University of London	
	16,285	0	0	For Scottish Universities	
	2,336	0	0	For Queen's University, Ireland	
	4,800	0	0	For Queen's Colleges, Ireland	
	500	0	0	For Royal Irish Academy	
	2,500	0	0	For Theological Professors, Retired Allowances, &c., Belfast	
	12,134	0	0	For Expenses, Purchase of Pictures, &c. of the National Gallery	
	2,000	0	0	For Gallery of Portraits of Eminent Persons	
	3,000	0	0	For purchasing Objects of Art from Prince Soltykoff's Collection	
	7,620	0	0	For Magnetic Observations abroad, &c.	To 31st March 1862.
	500	0	0	For Royal Geographical Society	
	1,000	0	0	For Experiments by Royal Society	
	100,414	0	0	For Salaries, &c. at British Museum, including Buildings, &c.	
				CIVIL SERVICES.—*Class* 5.	
25.	4,300	0	0	For Civil Establishment, Bermudas	
	6,278	0	0	For Ecclesiastical Establishment of British North American Provinces	
	1,600	0	0	For Indian Department, Canada	
	17,800	0	0	For British Columbia	
	14,728	0	0	For Salaries of West Indian and Colonial Governors	
	5,706	0	0	For Stipendiary Justices in West Indies and Mauritius	
	15,230	0	0	For Civil Establishments, West Coast of Africa	
	5,954	0	0	For St. Helena	
	700	0	0	For Officers employed in Orange River Territory	

Consolidated Fund (Appropriation).

	£15,000	0	0	For Improvement of Kaffirs, and Government of British Kaffraria - - - -	To 31st March 1862.
	960	0	0	For Heligoland - - - - -	
	3,986	0	0	For Falkland Islands - - - -	
	8,014	0	0	For Labuan - - - - -	
	500	0	0	For Pitcairn's Islanders - - - -	
	1,800	0	0	For Inquiry concerning Sovereignty of Fiji Islands	For the Year ending 31st March 1862.
	10,090	0	0	For Emigration Board and Officers - -	
	125,098	0	0	For Expenses on account of Treasury Chest -	
	5,000	0	0	For Expedition to River Zambesi - - -	
	7,000	0	0	For Expedition to River Niger - - - -	
	2,000	0	0	For Exploration in North-western Part of Australia	
	50,000	0	0	For Support of captured Negroes and liberated Africans, &c. - - - - -	
	4,750	0	0	For Mixed Commissions for suppressing the Slave Trade - - - - - -	
	168,143	0	0	For Consular Establishments abroad - -	
	64,646	0	0	For Establishments in China, Japan, and Siam -	
	40,000	0	0	For Extraordinary Disbursements of Embassies and Missions abroad - - - - -	
	50,000	0	0	For Special Missions, Outfits, &c. - - - -	
	60,000	0	0	For surveying Boundary Line in Western Part of North America - - - - -	
				Civil Services.—*Class* 6.	
§ 26.	185,140	0	0	For Superannuation Allowances, and Compensations, Public Service - - - - -	
	10,000	0	0	For Compensation under Probates and Letters of Administration Acts, 1857 - - - -	
	1,040	0	0	For Toulonese and Corsican Emigrants, &c. -	
	325	0	0	For the Refuge for the Destitute - - -	
	3,210	0	0	For Polish Refugees, &c. - - - -	
	3,951	0	0	For Miscellaneous Allowances formerly defrayed from Civil List, &c. - - - - -	
	2,539	0	0	For Treasurers of Public Infirmaries, Ireland -	To 31st March 1862.
	2,600	0	0	For Westmoreland Lock Hospital, Dublin - -	
	700	0	0	For Rotunda Lying-in Hospital, Dublin -	
	200	0	0	For Coombe Lying-in Hospital, Dublin - -	
	7,600	0	0	For Hospitals of House of Industry, Dublin -	
	2,500	0	0	For House of Recovery and Fever Hospital, Dublin	
	600	0	0	For Meath Hospital, Dublin - - -	
	100	0	0	For St. Mark's Ophthalmic Hospital, Dublin -	
	1,300	0	0	For Dr. Steevens' Hospital, Dublin - -	
	265	0	0	For Board of Superintendence of Hospitals, Dublin	
	58,700	0	0	For Pensions to Masters, &c. of Merchant Service -	
	20,400	0	0	For Distressed British Seamen abroad - -	
	8,721	0	0	For Charitable Allowances charged on Concordatum Fund in Ireland, &c. - - - -	
	39,747	0	0	For Nonconforming, &c. Ministers in Ireland -	
				Civil Services.—*Class* 7.	
27.	3,750	0	0	For Ecclesiastical Commissioners, England -	
	18,706	0	0	For Salaries, &c. for sundry temporary Commissions	
	29,005	0	0	For Fees, &c. under Patent Law Amendment Act -	
	13,018	0	0	For Board of Fisheries, Scotland - - -	
	2,000	0	0	For Annuity to Board of Manufacturers, Scotland -	
	35,000	0	0	For Dues payable under Treaties of Reciprocity -	
	3,500	0	0	For Inspectors of Corn Returns - - -	
	1,000	0	0	For defining Boundaries of Counties, &c., Ireland -	
	126,930	0	0	For Expenses of Census - - - -	
	26,457	0	0	For Engagements with Telegraph Companies - -	
	36,600	0	0	For Telegraphic Communication between Malta and Alexandria - - - - -	
	155,000	0	0	For Redemption of Stade Tolls.	

§ **28.** Supplies to be applied only for the Purposes aforesaid.
29. Expenditure for Navy and Army Services respectively to be confined to the separate Services for which granted.
Treasury may, on Application, alter the proportionate Amounts for such separate Services, provided the total Grant to each Department be not exceeded.
30. Rules to be observed in the Application of the Sum appropriating Half Pay.
Not to prevent the receiving of Half Pay under any Act relating to the General or Local Militia, &c.
31. Paymaster General, by Permission of the Treasury, may issue Half Pay to Officers appointed to Civil Offices since July 1828.
32. An Account of the Number of Officers so receiving Half Pay to be laid before Parliament annually.
Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.
Half Pay Allowances to Chaplains of Regiments not holding Ecclesiastical Benefices derived from the Crown.
33. Widows, &c. claiming Pensions to make required Declaration.
34. Declarations to be made as specified in 5 & 6 W. 4. c. 62.

CAP. CIV.

An Act for establishing High Courts of Judicature in *India*. [6th *August* 1861.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

High Courts may be established in the several Presidencies of India.

1. It shall be lawful for Her Majesty, by Letters Patent under the Great Seal of the United Kingdom, to erect and establish a High Court of Judicature at *Fort William* in *Bengal* for the *Bengal* Division of the Presidency of *Fort William* aforesaid, and by like Letters Patent to erect and establish like High Courts at *Madras* and *Bombay* for those Presidencies respectively, such High Courts to be established in the said several Presidencies at such Time or respective Times as to Her Majesty may seem fit, and the High Court to be established under any such Letters Patent in any of the said Presidencies shall be deemed to be established from and after the Publication of such Letters Patent in the same Presidency, or such other Time as in such Letters Patent may be appointed in this Behalf.

Constitution of High Courts.

2. The High Court of Judicature at *Fort William* in *Bengal* and at the Presidencies of *Madras* and *Bombay* respectively shall consist of a Chief Justice and as many Judges, not exceeding Fifteen, as Her Majesty may from Time to Time think fit and appoint, who shall be selected from—

1st. Barristers of not less than Five Years standing ; or,

2d. Members of the Covenanted Civil Service of not less than Ten Years standing, and who shall have served as Zillah Judges, or shall have exercised the like Powers as those of a Zillah Judge for at least Three Years of that Period ; or,

3d. Persons who have held Judicial Office not inferior to that of Principal Sudder Ameen or Judge of a Small Cause Court for a Period of not less than Five Years ; or,

4th. Persons who have been Pleaders of a Sudder Court or High Court for a Period of not less than Ten Years, if such Pleaders of a Sudder Court shall have been admitted as Pleaders of a High Court :

Provided that not less than One Third of the Judges of such High Courts respectively, including the Chief Justice, shall be Barristers, and not less than One Third shall be Members of the Covenanted Civil Service.

Certain existing Judges to be First Judges of High Court.

3. Provided always, That the Persons who at the Time of the Establishment of such High Court in any of the said Presidencies are Judges of the Supreme Court of Judicature and permanent Judges of the Court of Sudder Dewanny Adawlut or Sudder Adawlut of the same Presidency shall be and become Judges of such High Court without further Appointment for that Purpose ; and the Chief Justice of such Supreme Court shall become the Chief Justice of such High Court.

Tenure of Office of High Courts.

4. All the Judges of the High Courts established under this Act shall hold their Offices during Her Majesty's Pleasure : Provided that it shall be lawful for any Judge of a High Court to resign such Office of Judge to the Governor General of *India* in Council or Governor in Council of the Presidency in which such High Court is established.

Precedence of Judges of High Courts.

5. The Chief Justice of any such High Court shall have Rank and Precedence before the other Judges of the same Court, and such of the other Judges of such Court as on its Establishment shall have been transferred thereto from the Supreme Court shall have Rank and Precedence before the Judges of the High Court not transferred from the Supreme Court, and, except as aforesaid, all the Judges of each High Court shall have Rank and Precedence according to the Seniority of their Appointments, unless otherwise provided in their Patents.

6. Any

Salaries, &c. of Judges of the High Courts.

6. Any Chief Justice or Judge transferred to any High Court from the Supreme Court shall receive the like Salary and be entitled to the like Retiring Pension and Advantage as he would have been entitled to for and in respect of Service in the Supreme Court, if such Court had been continued, his Service in the High Court being reckoned as Service in the Supreme Court; and, except as aforesaid, it shall be lawful for the Secretary of State in Council of *India* to fix the Salaries, Allowances, Furloughs, Retiring Pensions, and (where necessary) Expenses for Equipment and Voyage of the Chief Justices and Judges of the several High Courts under this Act, and from Time to Time to alter the same: Provided always, that such Alteration shall not affect the Salary of any Judge appointed prior to the Date thereof.

Provision for Vacancy of the Office of Chief Justice or other Judge.

7. Upon the happening of a Vacancy in the Office of Chief Justice, and during any Absence of a Chief Justice, the Governor General in Council or Governor in Council, as the Case may be, shall appoint One of the Judges of the same High Court to perform the Duties of Chief Justice of the said Court until some Person has been appointed by Her Majesty to the Office of Chief Justice of the same Court, and has entered on the Discharge of the Duties of such Office, or until the Chief Justice has returned from such Absence; and upon the happening of a Vacancy in the Office of any other Judge of any such High Court, and during any Absence of any such Judge, or on the Appointment of any such Judge to act as Chief Justice, it shall be lawful for the Governor General in Council or Governor in Council, as the Case may be, to appoint a Person, with such Qualifications as are required in Persons to be appointed to the High Court, to act as a Judge of the said High Court, and the Person so appointed shall be authorized to sit and to perform the Duties of a Judge of the said Court until some Person has been appointed by Her Majesty to the Office of Judge of the same Court, and has entered on the Discharge of the Duties of such Office, or until the absent Judge has returned from such Absence, or until the Governor General in Council or Governor in Council as aforesaid shall see Cause to cancel the Appointment of such acting Judge.

Abolition of Supreme Courts and Sudder Courts.

8. Upon the Establishment of such High Court as aforesaid in the Presidency of *Fort William* in *Bengal* the Supreme Court and the Court of Sudder Dewanny Adawlut and Sudder Nizamut Adawlut at *Calcutta* in the same Presidency shall be abolished:

And upon the Establishment of such High Court in the Presidency of *Madras* the Supreme Court and the Court of Sudder Adawlut and Foujdarry Adawlut in the same Presidency shall be abolished:

And upon the Establishment of such High Court in the Presidency of *Bombay* the Supreme Court and the Court of Sudder Dewanny Adawlut and Sudder Foujdarry Adawlut in the same Presidency shall be abolished:

And the Records and Documents of the several Courts so abolished in each Presidency shall become and be Records and Documents of the High Court established in the same Presidency.

Jurisdiction and Powers of High Courts.

9. Each of the High Courts to be established under this Act shall have and exercise all such Civil, Criminal, Admiralty, and Vice-Admiralty, Testamentary, Intestate, and Matrimonial Jurisdiction, original and appellate, and all such Powers and Authority for and in relation to the Administration of Justice in the Presidency for which it is established, as Her Majesty may by such Letters Patent as aforesaid grant and direct, subject, however, to such Directions and Limitations as to the Exercise of original Civil and Criminal Jurisdiction beyond the Limits of the Presidency Towns as may be prescribed thereby; and, save as by such Letters Patent may be otherwise directed, and subject and without Prejudice to the Legislative Powers in relation to the Matters aforesaid of the Governor General of *India* in Council, the High Court to be established in each Presidency shall have and exercise all Jurisdiction and every Power and Authority whatsoever in any Manner vested in any of the Courts in the same Presidency abolished under this Act at the Time of the Abolition of such last-mentioned Courts.

High Courts to exercise same Jurisdiction as Supreme Courts.

10. Until the Crown shall otherwise provide under the Powers of this Act, all Jurisdiction now exercised by the Supreme Courts of *Calcutta*, *Madras*, and *Bombay* respectively over Inhabitants of such Parts of *India* as may not be comprised within the local Limits of the Letters Patent to be issued under this Act establishing High Courts at *Fort William*, *Madras*, and *Bombay*, shall be exercised by such High Courts respectively.

Existing Provisions applicable to Supreme Courts to apply to High Courts.

11. Upon the Establishment of the said High Courts in the said Presidencies respectively all Provisions then in force in *India* of Acts of Parliament, or of any Orders of Her Majesty in Council, or Charters, or of any Acts of the Legislature of *India*, which at the Time or respective Times of the Establishment of such High Courts are respectively applicable to the Supreme Courts at *Fort William* in *Bengal*, *Madras*, and *Bombay* respectively, or to the Judges of those Courts, shall be taken to be applicable to the said High Courts, and to the Judges thereof respectively, so far as may be consistent with the Provisions of this Act, and the Letters Patent to be issued in pursuance thereof, and subject to the Legislative Powers in relation to the Matters aforesaid of the Governor General of *India* in Council.

Provision as to pending Proceedings in abolished Courts.

12. From and after the Abolition of the Courts abolished as aforesaid in any of the said Presidencies, the High Court of the same Presidency shall have Jurisdiction over all Proceedings pending in such abolished Courts at the Time of the Abolition thereof, and such Proceedings, and all previous Proceedings in the said last-mentioned Courts, shall be dealt with as if the same had been had in the said High Court,

Court, save that any such Proceedings may be continued, as nearly as Circumstances permit, under and according to the Practice of the abolished Courts respectively.

High Courts may provide for Exercise of Jurisdiction by single Judges, &c.

13. Subject to any Laws or Regulations which may be made by the Governor General in Council the High Court established in any Presidency under this Act may by its own Rules provide for the Exercise, by One or more Judges, or by Division Courts constituted by Two or more Judges of the said High Court, of the original and appellate Jurisdiction vested in such Court, in such Manner as may appear to such Court to be convenient for the due Administration of Justice.

Chief Justice to determine what Judges shall sit alone, &c.

14. The Chief Justice of each High Court shall from Time to Time determine what Judge in each Case shall sit alone, and what Judges of the Court, whether with or without the Chief Justice, shall constitute the several Division Courts as aforesaid.

High Court to superintend and to frame Rules of Practice for subordinate Courts.

15. Each of the High Courts established under this Act shall have Superintendence over all Courts which may be subject to its appellate Jurisdiction, and shall have Power to call for Returns, and to direct the Transfer of any Suit or Appeal from any such Court to any other Court of equal or superior Jurisdiction, and shall have Power to make and issue General Rules for regulating the Practice and Proceedings of such Courts, and also to prescribe Forms for every Proceeding in the said Courts for which it shall think necessary that a Form be provided, and also for keeping all Books, Entries, and Accounts to be kept by the Officers, and also to settle Tables of Fees to be allowed to the Sheriff, Attorneys, and all Clerks and Officers of Courts, and from Time to Time to alter any such Rule or Form or Table; and the Rules so made, and the Forms so framed, and the Tables so settled shall be used and observed in the said Courts, provided that such General Rules and Forms and Tables be not inconsistent with the Provisions of any Law in force, and shall before they are issued have received the Sanction, in the Presidency of *Fort William*, of the Governor General in Council, and in *Madras* or *Bombay* of the Governor in Council of the respective Presidencies.

Her Majesty may establish a High Court in the North-western Provinces.

16. It shall be lawful for Her Majesty, if at any Time hereafter Her Majesty see fit so to do, by Letters Patent under the Great Seal of the United Kingdom, to erect and establish a High Court of Judicature in and for any Portion of the Territories within Her Majesty's Dominions in *India*, not included within the Limits of the local Jurisdiction of another High Court, to consist of a Chief Justice and of such Number of other Judges, with such Qualifications as are required in Persons to be appointed to the High Courts established at the Presidencies herein-before mentioned, as Her Majesty from Time to Time may think fit and appoint; and it shall be lawful for Her Majesty by such Letters Patent to confer on such Court any such Jurisdiction, Powers, and Authority as under this Act is authorized to be conferred on or will become vested in the High Court to be established in any Presidency herein-before mentioned; and, subject to the Directions of such Letters Patent, all the Provisions of this Act having reference to the High Court established in any such Presidency, and to the Chief Justice and other Judges of such Court, and to the Governor General or Governor of the Presidency in which such High Court is established, shall, as far as Circumstances may permit, be applicable to the High Court established in the said Territories, and to the Chief Justice and other Judges thereof, and to the Person administering the Government of the said Territories.

Other or supplemental Charters may be granted within Three Years after Establishment of Court.

17. It shall be lawful for Her Majesty, if Her Majesty shall so think fit, at any Time within Three Years after the Establishment of any High Court under this Act, by Her Letters Patent to revoke all or such Parts or Provisions as Her Majesty may think fit of the Letters Patent by which such Court was established, and to grant and make such other Powers and Provisions as Her Majesty may think fit, and as might have been granted or made by such First Letters Patent, or without any such Revocation as aforesaid, by like Letters Patent to grant and make any additional or supplementary Powers and Provisions which might have been granted or made in the first instance.

Territorial Limits may be altered by Order in Council.

18. It shall be lawful for Her Majesty, from Time to Time by Her Order in Council, to transfer any Territory or Place from the Jurisdiction of One to the Jurisdiction of any other of the High Courts established under this Act, and generally to alter and determine the territorial Limits of the Jurisdiction of the said several Courts as to Her Majesty, with the Advice of Her Privy Council, may seem meet.

Interpretation of Terms.

19. The Word "Barrister" in this Act shall be deemed to include Barristers of *England* or *Ireland* or Members of the Faculty of Advocates in *Scotland;* and the Words "Governor General and Governor" shall comprehend the Officer administering the Government.

CAP. CV.

An Act to prevent the future Grant by Copy of Court Roll and certain Leases of Lands and Hereditaments in *England* belonging to Ecclesiastical Benefices. [6th *August* 1861.]

'WHEREAS there are in *England* certain Ecclesiastical Benefices to which belong Manors, Lands, Tenements, and Hereditaments which, by Custom or otherwise, the Rectors, Vicars, Perpetual Curates, or Incumbents thereof have Power to grant and lease out for Lives and long Terms of Years, and such Grants have been made by them at nominal annual Rents, to the Prejudice of their Successors; and it is expedient to determine and put an end to the Power to make such Grants:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords

Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

No Grant by any future Prebendary, Rector, &c. to be valid, unless made in conformity with the Provisions of certain Acts.

1. It shall not be lawful for any Prebendary of any Prebend, not being a Prebend of any Cathedral or Collegiate Church, Rector, Vicar, Perpetual Curate, or Incumbent who after the passing of this Act may become possessed of or entitled to any Manors, Lands, Tenements, or Hereditaments belonging to any Ecclesiastical Benefice in *England*, to make any Grant by Copy of Court Roll or Lease of any such Manors, Lands, Tenements, or Hereditaments in consideration of any Fine, Premium, or Foregift, but the same may, by any Rector, Vicar, Perpetual Curate, or Incumbent appointed after the passing of this Act, be leased, sold, exchanged, or enfranchised, or disposed of under the Provisions of a certain Act passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of Her Majesty, Chapter Twenty-seven, intituled *An Act for better enabling Incumbents of Ecclesiastical Benefices to demise the Lands belonging to their Benefices on Farming Leases;* of a certain other Act passed in the same Session of Parliament, Chapter One hundred and eight, intituled *An Act for enabling Ecclesiastical Corporations, aggregate and sole, to grant Leases for long Terms of Years;* and of a certain other Act passed in the Session of Parliament held in the Twenty-first and Twenty-second Years of the Reign of Her Majesty, Chapter Fifty-seven, intituled *An Act to amend the Act of the Fifth and Sixth Years of Her present Majesty, for enabling Ecclesiastical Corporations, aggregate and sole, to grant Leases for long Terms of Years*, or such of the Provisions of such Acts respectively as are now in force.

Reserving Rights of present Incumbents and other Rights.

2. Nothing herein contained shall interfere with or prevent the Right and Power of any such present Prebendary, Rector, Vicar, Perpetual Curate, or Incumbent, during his Incumbency, to make any Grant by Copy of Court Roll or Lease which he might lawfully have made before the passing of this Act, and nothing herein contained shall prejudice or affect any Grant heretofore made by any such Prebendary, Rector, Vicar, Perpetual Curate, or Incumbent, or any Right of Renewal or Tenant Right, if any such there be, in any Manors, Lands, Tenements, or Hereditaments held under any such Grant, or under any Lease, nor shall this Act prejudice or affect any Power of Sale, Exchange, or Enfranchisement existing under any Statute now in force, or any present or future Right of Admission of any Person to any Copyhold Tenement according to the Custom of the Manor of which it is holden, and to which such Person may be legally entitled.

Rectors to have same Powers of Sale as are possessed by Ecclesiastical Corporations.

3. Notwithstanding anything contained in the Eleventh Section of an Act passed in the Session held in the Fourteenth and Fifteenth Years of Her Majesty, Chapter One hundred and four, any Rector, Vicar, Perpetual Curate, or Incumbent shall have such and the same Powers of Sale, Exchange, and Enfranchisement as are possessed by any Ecclesiastical Corporation, sole or aggregate, under any Act now in force; and the Provisions of an Act passed in the Session held in the Twenty-third and Twenty-fourth Years of Her Majesty, Chapter One hundred and twenty-four, shall, so far as the same relate to Powers for the raising or Application of Money by Trustees, Allowances to Lessees, Arbitration, Valuation, Rate of Interest, Apportionment of Rent, and Substitution of Titles on Exchange, be applied, *mutatis mutandis*, to Sales, Exchanges, or Enfranchisements of any Manors, Lands, Tenements, or Hereditaments in this Act comprised; but the Proceeds of any such Sales or Enfranchisements, and any Monies received by way of Equality of Exchange, shall be applied according to the Provisions in that Behalf contained in the said Act passed in the Session held in the Fifth and Sixth Years of Her Majesty, Chapter One hundred and eight, and in the said Act passed in the Session held in the Twenty-first and Twenty-second Years of Her Majesty, Chapter Fifty-seven.

CAP. CVI.

An Act to enable the Admiralty to close the Harbour of *Portpatrick* in *Scotland* during the Execution of certain Works in such Harbour sanctioned by Parliament. [6th *August* 1861.]

'WHEREAS Parliament having voted the Sum of Twenty thousand Pounds for the Improvement 'of the Harbour of *Portpatrick* in *Scotland*, with a view to the Resumption of the Packet Service 'between *Scotland* and *Ireland*, the Commissioners for executing the Office of Lord High Admiral of 'the United Kingdom have on the Part of Her Majesty contracted for the Execution of certain Works, 'in order that such Harbour may be improved accordingly, for the Use of a Packet Service with '*Ireland:* And whereas it is expedient that the Admiralty shall have Power to close up the said 'Harbour during the Execution of the said Works:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power for Admiralty to close the Harbour.

1. It shall be lawful for the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of the said Lord High Admiral, or any Two of such Commissioners, by Writing under his or their Hand or Hands, to stop up and close, either partly or altogether, the said Harbour of *Portpatrick* during the Execution of the said Works, when and so long and so often as the said Lord High Admiral or the said Commissioners shall deem fit, and during the Time the said Harbour shall be so stopped up or closed it shall not be lawful for any Person to navigate or move or cause to be navigated or moved any Ship or any Vessel, Boat, or Barge of any Description into or out of or within the said Harbour,

Harbour, save and except in such Cases and under such Circumstances and Restrictions as the said Lord High Admiral or the said Commissioners shall by Writing under his or their Hand or Hands permit.

Penalty for navigating Ship, &c. in the Harbour when ordered to be closed.

2. If any Person navigate or move, or cause to be navigated or moved, any Ship, Vessel, Boat, or Barge, contrary to the Provisions of this Act, every such Offender shall forfeit and pay any Sum not exceeding Twenty Pounds, and shall also pay the full Amount of all Damage (if any) which the said Works, and the Machinery and other Means for executing such Works, or any of them, or any Part thereof, may have thereby sustained; and every such Penalty, and the Amount of every such Damage, (if any,) shall be paid to such Officer or Person as the said Lord High Admiral or the said Commissioners may direct notwithstanding any Law to the contrary, and may be recovered by the Procurator Fiscal of any Court, or any Person or Persons who shall, with the Permission of the said Lord High Admiral or the said Commissioners, sue for the same before any Sheriff or Two Justices of the Peace; and it shall be lawful for the Sheriff or Justices before whom any Complaint for the Recovery of any Penalty or Damage may be brought to proceed in a summary Way, and to grant Warrant for bringing the Parties complained upon immediately before him or them, and on Proof on Oath by One or more credible Witness or Witnesses, or other legal Evidence, forthwith to determine and give Judgment in such Complaint, without any Written Pleadings or Record of Evidence, and to grant Warrant for the Recovery of any Penalties, Expenses, and Damage decerned for, failing Payment within Eight Days after Conviction, by Poinding, and Imprisonment for a Period, at the Discretion of the Sheriff or Justices, not exceeding Six Calendar Months.

CAP. CVII.

An Act to alter and amend the Law relating to Parochial and Burgh Schools, and to the Test required to be taken by Schoolmasters in *Scotland*. [6th *August* 1861.]

43 G. 3. c. 54.

'WHEREAS an Act was passed in the Forty-third Year of the Reign of His Majesty *George* the Third, Chapter Fifty-four, intituled *An Act for making better Provision for the Parochial Schoolmasters, and for making further Regulations for the better Government of the Parish Schools in* Scotland: And whereas it is expedient to amend the said Act, and to make further and other Provisions for the Maintenance and Government of the said Schoolmasters and Schools, and to abolish the Test imposed by Law on Schoolmasters in *Scotland*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation of Terms.

1. Where not inconsistent with the Context, the following Expressions shall have the Meaning hereinafter assigned them; that is to say,

The Expression "Parochial School" shall mean and include every School established or to be established or provided for under the said recited Act:

The Expression "Burgh School" shall mean and include every Burgh, Grammar, or other public School, not being a Parochial School.

Schoolmasters Salaries to be not less than 35*l.* nor more than 70*l.* per Annum, but where Two or more Schools, not less than 50*l.* nor more than 80*l.*

2. From and after the Term of *Martinmas* next after the passing of this Act the Salary of every Schoolmaster of any Parochial School shall not be less than the Sum of Thirty-five Pounds nor more than the Sum of Seventy Pounds *per Annum*: Provided always, that where Two or more Schools have been or shall be established in any Parish in Terms of the said Act the total Amount of the Salary payable to the Schoolmasters therein shall not be less than Fifty Pounds nor more than Eighty Pounds *per Annum*, to be apportioned among the said Schoolmasters as the Heritors shall determine, in the Manner provided by the said Act; and the Salaries herein provided shall be in lieu of the Salaries payable under the Provisions of the said Act: Provided also, that it shall be lawful for the Heritors, if they shall think fit, to make any Addition granted by them to the Salary of any Schoolmaster beyond the minimum Amount hereby fixed to be dependent upon the Number of Scholars receiving Instruction in his School, under such Regulations as they may deem expedient.

Salary to be fixed by the Heritors and Minister, and to be payable in Money at the Terms and under Conditions now in use.

3. The Minister of every Parish in which there is a Parochial School shall, within Three Months from and after the passing of this Act, and on every Occasion of a Vacancy in the Office of Schoolmaster within Six Weeks after such Vacancy shall have taken place, call a Meeting of the Heritors together with the said Minister, in the Manner prescribed in the said recited Act, for the Purpose of fixing the Salary of the Schoolmaster under this Act, subject always to the Appeal provided in the said recited Act; and the Salary to be so fixed shall be payable in Sterling Money, at the same Terms and under the same Conditions, Provisions, and Regulations as are at present in use; and in case in regard to any Parish such Meeting shall not have been held or the Salary shall not have been fixed in manner and within the Period herein prescribed, the Salary shall, until such Meeting shall have been held and such Salary so fixed, be held as fixed at the Amount of Fifty Pounds *per Annum*, which Amount shall be payable to the Schoolmaster in manner herein-before prescribed; and where Two or more Schools have been established in any One Parish, the said Sum of Fifty Pounds shall be payable to the several Schoolmasters thereof, in the same Proportion according to which their several Salaries were payable before the passing of this Act: Provided always, that where any Parish shall be vacant at the Time of the passing of this Act, or become vacant before any such Meeting shall be called, or where any

Minister shall decline or delay calling such Meeting, after having been required so to do by any Heritor or Heritors holding not less than One Third of the Valuation of the Parish, it shall be competent for such Heritor or Heritors to call, by Notice affixed to the Door of the Parish Church, and either a Circular sent to each Heritor, or an Advertisement published in a Newspaper of general Circulation in the District, a Meeting for the Purpose of fixing the Salary of the Schoolmaster under this Act, and the Salary fixed at such Meeting within the Limits specified in this Act shall be the Salary of the Schoolmaster or Schoolmasters.

Heritors may discontinue existing Side Schools.

4. At the Meeting aforesaid it shall be lawful for the Heritors and Minister to resolve to discontinue, from and after a Date to be fixed by them, any subsisting Side School in the Parish: Provided always, that if such Side School is not vacant at the Date of such Meeting they shall provide to the Schoolmaster thereof during his Life, from and after its Discontinuance, an annual Payment equal in Amount to the full Salary to which at the Date of the passing of this Act he had Right by Law, under the Provisions of the said recited Act, together with the annual Value of any Dwelling House to which he may have been entitled as such Schoolmaster, as the same is or shall be valued by the Assessor for the County, which Amount shall be assessed, levied, and paid over and above the Salaries payable under this Act, and in like Manner as such Salaries are hereby directed to be assessed, levied, and paid.

Heritors may establish a Female Teacher.

5. It shall be lawful for the Heritors and Minister, at the Meeting aforesaid, or at any subsequent Meeting duly called for that Purpose, to resolve that a Female Teacher shall be established, to give Instruction in such Branches of Female Industrial and Household Training, as well as of Elementary Education, as they shall then or from Time to Time prescribe, and to provide, over and above the Salary herein-before mentioned, a yearly Sum not exceeding Thirty Pounds as a Salary for such Female Teacher, which yearly Sum shall be assessed, levied, and paid in like Manner as such herein-before mentioned Salary is hereby directed to be assessed, levied and paid; and it shall be lawful for the said Heritors and Minister to engage and appoint such Female Teacher for such Period of Time and on such Terms and Conditions as shall be agreed on.

Side School Teacher may be required to resign, on increasing Salaries, Provision being made for him during Life.

6. It shall be lawful for the Heritors and Minister, at such Meeting as aforesaid, to resolve to require the Teacher of any Side School in the Parish, on a Notice of not less than Three Months, to resign his Office, on their providing to him during his Life an annual Payment equal in Amount to the full Salary to which at the Date of the passing of this Act he had Right by Law, under the Provisions of the said recited Act, together with the annual Value of any Dwelling House to which he may have been entitled as such Schoolmaster, as the same is or shall be valued by the Assessor of the County, which Amount shall be assessed, levied, and paid over and above the Salaries payable under this Act, and in like Manner as such Salaries are hereby directed to be assessed, levied, and paid; and at the Expiry of Three Months from Notice as aforesaid, if such Teacher shall not previously have given in his Resignation, the Heritors and Minister having made Provision for such annual Payment as aforesaid, the Right of such Teacher to his Office shall cease and determine.

Salaries where not fixed at the maximum Amount may be increased.

7. If in any Parish the Salary shall have been fixed at a yearly Sum less than the maximum Amount herein-before specified, it shall be lawful to the Heritors and Minister, at any Meeting to be called and held in the Manner before prescribed, from Time to Time to increase the Amount of such Salary, provided the same shall not exceed the said maximum Amount, and on any Vacancy in the Office of Schoolmaster from Time to Time to reduce the Salary, so that it shall not be less than the minimum Salary herein-before specified; provided that it shall be the Duty of the Minister to call such Meeting only on the Requisition of any Heritor or Heritors being Proprietors of not less than One Fourth Part of the whole Lands and Heritages situate within the Parish.

Office of Schoolmaster may be declared vacant where retiring Salary provided for.

8. In case the Heritors shall, previously to the passing of this Act, have entered into any Agreement with the Schoolmaster of any Parish for his Retirement from the Performance of the Duties of his Office, on Payment to him of a retiring Allowance or otherwise, it shall be lawful to the Heritors, at any Meeting to be called and held as aforesaid, to declare the Office of Schoolmaster of such Parish vacant, and to proceed to elect another Schoolmaster, and to grant such retiring Allowance or other Terms to such retiring Schoolmaster as may have been agreed upon as aforesaid, payable during the Remainder of his Life, which retiring Allowance shall be payable in all respects in like Manner with the Salary of the Schoolmaster.

Examination by Examiners appointed by Universities instead of Examination by Presbytery.

9. The Sixteenth Section of the said recited Act shall be and is hereby repealed; and in place of the Examination by the Presbytery therein prescribed it is hereby enacted as follows; viz.,

(1.) It shall be the Duty of the University Court of each University in *Scotland*, as soon as conveniently may be, and in no Case later than Two Months after the passing of this Act, and thereafter from Time to Time, to appoint Six Persons to be Examiners of Parochial Schoolmasters, Three of such Persons being Professors in the Faculty of Arts, and Three of such Persons being Professors in the Faculty of Divinity of the University:

Examiners to hold the Office for Two Years, but may be re-appointed; and Vacancies to be filled up.

(2.) The Persons so appointed shall continue to be Examiners during Two Years from and after the Date of their respective Appointments, and until other Persons shall have been in like Manner appointed in their Room; provided that it shall be lawful to the University Court to re-appoint all or any of the same Persons to be such Examiners, and to fill up from Time to Time any Vacancy which may occur by the Death, Resignation, or Disqualification of any of the Examiners; and it shall be lawful to each of the Persons so appointed to nominate as his Deputy,

Deputy, with Power to act as his Substitute in case of his Absence at any Meeting of the Examiners, any Person who may have become a Graduate in Arts of the University not later than Three Years prior to such Nomination; provided that such Nomination shall be approved by the University Court, and also provided that the Persons nominated by such Examiners as are Professors in the Faculty of Divinity shall be Ministers or Licentiates of the Church of *Scotland:*

Examiners to make and publish Regulations with Approval of University Court.

(3.) It shall be lawful to the Examiners to make, on or before the Eleventh Day of *November* One thousand eight hundred and sixty-one, and thereafter from Time to Time, such Regulations as they shall see fit in regard to the Time and Manner of Examinations, and as to the Subjects to which the same shall extend, and to regulate the Notice to be given thereof, regard being always had in the framing of these Regulations to the Circumstances of each particular District; provided that such Regulations shall be approved of by the University Court; and the said Regulations, when so approved, shall be published by Advertisement in such Manner as the University Court shall direct; and the Examiners may appoint One of their own Number, or any One of their Substitutes, to act as their Secretary; and such Examinations shall be held within the Buildings of the University, and at such Time and Place as shall be fixed by the University Court:

Scotland to be divided into Four Districts, &c.

(4.) For the Purposes of the Examination of Parochial Schoolmasters the Parochial Schools in *Scotland* shall be and are hereby distributed into Four Districts, each in connexion with One of the Universities, as set forth in the Schedule (A.) hereto annexed:

Persons elected Schoolmasters to be examined by the Examiners.

(5.) Every Person elected to be a Parochial Schoolmaster under the Provisions of this and the said recited Act, and every Person elected to be a Schoolmaster under the Provisions of the Act of the First and Second Years of the Reign of Her Majesty, Chapter Eighty-seven, shall, before his Admission to the said Office, and as a Condition thereof, submit himself to the Trial and Examination of the Examiners for the District to which the Parish for which he has been elected appertains, as to his Fitness and Qualifications for the Duties of the said Office; and being found qualified, the said Examiners shall furnish to him a Certificate to that Effect subscribed by them or by a Majority of their Number, which Certificate shall be conclusive Evidence that he has passed the requisite Examination, and been found qualified for the said Office, and the Examiners shall have Power, with Consent of the Committee of the Privy Council on Education, to require the Attendance at any such Examination, for the Purpose of assisting therein, of One of Her Majesty's Inspectors of Schools.

Electors of Schoolmaster may choose more than One Candidate to be tried by Examiners.

10. It shall be lawful for the Persons entitled to elect any Burgh or Parochial Schoolmaster, if they shall see fit, instead of electing some One Person to the vacant Office, to choose and nominate Two Persons or Three Persons to be tried by the Examiners, whose Duty it shall be to make Trial of the comparative Fitness and Qualifications of the Persons so chosen and nominated, and to determine which of them is the best qualified and most fit for the School with reference to which they have been so chosen, and to give the Person so preferred by them a Certificate to that Effect, and such Certificate, along with the Minute of Nomination by the Persons entitled to elect, and also, in the Case of a Parochial Schoolmaster, the Certificate of his having emitted the Declaration herein-after set forth, shall complete the Right of the Person so preferred to the Office of Schoolmaster: Provided always, that if the Examiners shall not be satisfied of the Fitness and Qualifications of any of the Persons nominated as aforesaid, they may decline to grant a Certificate to any of them, of which Declinature they shall forthwith cause Intimation to be made to the Persons having the Right of Election; and provided further, that in the event of Two or more Candidates for the Office of Schoolmaster being remitted by the Heritors and Minister to the Examiners for competitive Examination, the Heritors shall pay to each of the Examiners a Fee of Ten Shillings for each additional Candidate so examined; and in the event of the Magistrates of any Burgh remitting any Candidate for Examination to the Examiners, they shall pay to each of the Examiners a Fee of One Pound One Shilling if there be only One, and a Fee of Ten Shillings for each additional Candidate.

Treasury to pay 21*s.* each to Examiners for each Examination, and 15*s.* to Secretary.

11. It shall be lawful to the Commissioners of Her Majesty's Treasury to pay out of any Monies which may be voted by Parliament for that Purpose the Sum of One Pound One Shilling to each of the said Examiners for and in respect of every Person examined by them under the Provisions of this Act, and also the Sum of Fifteen Shillings for each such Examination to the Secretary of the Examiners, out of which Sum he shall defray the Expense of the Advertisements required by this Act and other incidental Expenses.

Parochial Schoolmasters not to be required to sign Confession of Faith or Formula, but to make a Declaration and to undertake to conform

12. From and after the passing of this Act, it shall not be necessary for any Schoolmaster, or for any Person elected a Schoolmaster, of any Parochial School, or of any School under the Provisions of the Act of the First and Second Years of the Reign of Her Majesty, Chapter Eighty-seven, to profess or subscribe the Confession of Faith, or the Formula of the Church of *Scotland*, or to profess that he will submit himself to the Government and Discipline thereof: Provided always, that every Person elected a Schoolmaster of any such School shall, as a Condition of the Office, and before Admission thereto, produce before the Principal, or, in case of his Absence or Inability to act, before One or other of the Professors in the Faculty of Divinity of the University in which he has been examined, an Extract or certified Copy of the Minutes of his Election, together with the said Certificate by the Examiners, and shall in the Presence of the Principal or Professor emit and subscribe a Declaration in the following Terms; that is to say,

to the Shorter Catechism.

'I *A.B.* do solemnly and sincerely, in the Presence of God, profess, testify, and declare, That, as 'Schoolmaster of the Parochial School at in the Parish of , and in the 'Discharge of the said Office, I will never endeavour, directly or indirectly, to teach or inculcate any 'Opinions opposed to the Divine Authority of the Holy Scriptures, or to the Doctrines contained in 'the Shorter Catechism agreed upon by the Assembly of Divines at Westminster, and approved by the 'General Assembly of the Church of Scotland, in the Year One thousand six hundred and forty-eight; 'and that I will faithfully conform thereto in my teaching of the said School, and that I will not 'exercise the Functions of the said Office to the Prejudice or Subversion of the Church of Scotland as 'by Law established, or the Doctrines and Privileges thereof.'

And the Person elected to be Schoolmaster, having made such Productions and Declaration, shall be furnished with an Attestation to that Effect subscribed by the said Principal or Professor, which Attestation shall complete his Right to the Emoluments provided by this Act.

Presbytery may present Complaint against Schoolmaster.

13. It shall be competent for the Presbytery of the Bounds, or for the Heritors, whensoever they shall see Cause for instituting Proceedings against the Schoolmaster of any Parish, for Contravention of the said Declaration, to present a Complaint to One of Her Majesty's Principal Secretaries of State against such Schoolmaster; and it shall be lawful to the Secretary of State thereupon to appoint a Commission to inquire into the said Charge, and to censure, suspend, or deprive such Schoolmaster, as they shall find to be just; provided that no such Sentence shall take effect until it has been confirmed and approved of by the Secretary of State.

Jurisdiction of the Presbytery in Cases of immoral Conduct or Cruelty transferred to the Sheriff.

14. So much of the Twenty-first Section of the said recited Act as provides that the Presbytery shall take cognizance of, and, if they see Cause, proceed by Libel against any Schoolmaster in respect of any Complaint charging him with immoral Conduct, or cruel and improper Treatment of the Scholars under his Charge, is hereby repealed; and in lieu thereof it is hereby enacted, That it shall be lawful to the Heritors and Ministers, or the Clerk of the Presbytery of the Bounds, by the Authority of the said Presbytery, given on the Application of the Heritors and Minister, or of any Six Heads of Families in the Parish whose Children are attending the School, to make a Complaint in Writing to the Sheriff of the County in which the School is situate, charging the Schoolmaster with immoral Conduct, or cruel and improper Treatment of the Scholars under his Charge, and specifying in such Complaint the particular Acts in respect of which the Complaint is made; and a Copy of such Complaint shall be served upon the Schoolmaster, who shall be required, on an Induciæ of Fourteen Days, to appear before the Sheriff, by himself or his Agent, to answer to the said Complaint; and the Schoolmaster accused shall, if he deny the Charge, if he think fit, answer the Particulars of the Complaint, such Answer to be in Writing, and to be lodged within the said Fourteen Days, or may, when the Cause comes to be tried, state his Plea to be Not Guilty; and the Sheriff shall thereafter proceed to the Trial of the Complaint, and take the Evidence in the same Way as and under the same Rules as those which are in force in the Sheriff Court in regard to Process in Civil Causes; and in the event that he shall find such Complaint or any material and relevant Part thereof to be proved, the Sheriff shall give Judgment accordingly, and shall pass such Sentence of Censure, Suspension, or Deprivation as in his Opinion the Case requires, which Sentence shall be final and not subject to Review, and shall have all the Effects consequent before the passing of this Act on any similar Sentence of any Presbytery under the Provisions of the last-recited Section of the said Act, and no Sentence of Censure, Suspension, or Deprivation otherwise pronounced on such Charges shall be valid or effectual: Provided always, that where Sentence of Suspension shall be pronounced the Salary of the Schoolmaster in respect of his Office shall cease and determine from the Date of such Sentence until the next Term of *Whitsunday* or *Martinmas* following the Expiration of the Term of Suspension specified in such Sentence, and the Salary accruing during the said Period shall be applied by the Heritors and Minister towards providing a Substitute for such Schoolmaster during the Period of the Suspension.

Expenses incurred by the Complainers to be repaid out of the Rogue Money.

15. The Sheriff shall by his Decerniture ascertain and specify the Amount of the Expenses properly incurred by the Complainers in the Proceedings connected with any Complaint against the Schoolmaster of any Parochial School; and the Complainers shall be entitled to recover the Amount so ascertained from the Collector, and out of the readiest Proceeds of the Assessments commonly called the Rogue Money levied for the County within which the School is situate, under the Provisions of an Act passed in the Eleventh Year of the Reign of His Majesty *George* the First, Chapter Twenty-six; and the Receipt of the Agent of the Complainers shall be a sufficient Discharge to the said Collector for any Payments so made by him out of the said Rogue Money or Assessments.

Repeal of recited Act as to Estimate of Value of Grain at successive Periods.

16. So much of the Second Section of the said recited Act as provides that where the Salaries of Parochial Schoolmasters had been before the passing thereof payable in Grain or Meal such Salary in Grain or Meal should continue to be paid, and also the Third, Fourth, and Sixth Sections of the said recited Act, shall be and are hereby repealed; and it is hereby declared and provided, that the Right of electing a Parochial Schoolmaster, *juro devoluto*, conferred by the Fifteenth Section of the said recited Act on the Commissioners of Supply of the County, after the Expiration of Four Months from the Time when the Vacancy in any Parochial School shall have taken place, shall not arise or accrue to the Commissioners of Supply until the Expiration of Six Months from the Time of such Vacancy.

Schoolmaster's House to consist of Four Apartments.

17. Where in any Parish it shall be necessary to provide a House for the Parochial Schoolmaster, in Terms of the recited Act, and of an Act passed in the First and Second Years of the Reign of Her present

present Majesty, intituled *An Act to facilitate the Foundation and Endowment of additional Schools in* Scotland, or either of them, such House shall consist of at least Three Apartments besides the Kitchen.

Act not to interfere with Arrangements as to Retirement of Schoolmaster.

18. Nothing in this Act shall be held to interfere with any Arrangement which may have been concluded between the Heritors and Schoolmaster of any Parish for the Retirement of such Schoolmaster, except as regards the House and Garden, and Premises attached thereto, which shall in every Case be made over at the Term of *Whitsunday* next after the passing of this Act to the Person actually discharging the Duties of Schoolmaster, and where the Use of such Premises may have formed Part of a retiring Allowance the Heritors shall make reasonable Compensation to the Ex-Schoolmaster.

Heritors and Ministers may permit or require Schoolmaster to resign.

19. In case it shall be found, on a Report by One of Her Majesty's Inspectors of Schools, made on the Application of the Heritors of the Parish and concurred in by the Presbytery of the Bounds, that the Schoolmaster of any Parish is disqualified because of Infirmity or Old Age for the due Performance of the Duties of his Office, or that from Negligence or Inattention he has failed efficiently to discharge such Duties, it shall be lawful to the Heritors and Minister, at any Meeting called and held as aforesaid, to permit or require such Schoolmaster to resign his said Office, and in case of his Refusal so to do to dismiss or suspend such Schoolmaster, and when necessary to declare the School vacant; and in every Case of such Resignation the Heritors and Minister may grant to such Schoolmaster a retiring Allowance payable during the Remainder of his Life; provided that where such Resignation shall not be occasioned by any Fault on the Part of the Schoolmaster the Heritors shall grant a retiring Allowance the Amount whereof shall not be less than Two Third Parts of the Amount of the Salary pertaining to said Office at the Date of such Resignation thereof, and shall not exceed the gross Amount of such Salary, which retiring Allowance shall be payable in all respects in like Manner with the Salary of the Schoolmaster; provided also, that no Schoolmaster shall be suspended for a longer Period than Three Months, or be dismissed for Neglect of Duty, excepting under the above Provisions.

Minister and Heritors may grant annual Allowance to Schoolmaster, &c.

20. In all Cases in which the Minister and Heritors are by this Act empowered to provide a retiring Allowance for a Schoolmaster who shall resign or shall be removed from his Office, it shall be lawful for them, if they see fit, to provide for such Schoolmaster, in addition to such Allowance, and in like Manner, a further yearly Sum, equal in Amount to the annual Value of any Dwelling House and Garden to which he may be entitled as such Schoolmaster, as the same shall be valued by the Assessor for the County.

20 & 21 Vict. c. 59. repealed.

21. The whole Provisions of an Act passed in the Twentieth and Twenty-first Years of the Reign of Her present Majesty, Chapter Fifty-nine, intituled *An Act concerning the Parochial Schoolmasters in* Scotland, shall be and are hereby repealed.

Schoolmasters in Royal Burghs not to be required to sign Confession of Faith, &c.

22. From and after the passing of this Act, it shall not be necessary for any Person elected to be a Schoolmaster of any Burgh School to profess or subscribe the Confession of Faith, or the Formula of the Church of *Scotland*, or to profess that he will submit himself to the Government and Discipline thereof, nor shall any such Schoolmaster be subject to the Trial, Judgment, or Censure of the Presbytery of the Bounds for his Sufficiency, Qualifications, or Deportment in his Office, any Statute to the contrary notwithstanding; and this Enactment shall be a sufficient Defence in answer to any Proceedings against any Schoolmaster of any Burgh School in respect that he has not made such Profession or Subscription.

Not to affect Acts as to Parochial Schools, &c.

23. Nothing herein contained shall repeal, alter, or affect the Provisions of the recited Act, or of any other Act relating to Parochial Schools or Schoolmasters in *Scotland*, excepting in so far only as shall be necessary to give Effect to the Provisions of this Act.

Short Title.

24. This Act may be quoted in all Proceedings as "The Parochial and Burgh Schoolmasters (*Scotland*) Act, 1861."

SCHEDULE (A).

DIVISION OF SCOTLAND INTO FOUR DISTRICTS IN CONNEXION WITH THE FOUR UNIVERSITIES.

ST. ANDREWS.	GLASGOW.	ABERDEEN.	EDINBURGH.
All the Parochial Schools situate within any of the Counties of Clackmannan and Kinross, Fife, Forfar, Perth.	All the Parochial Schools situate within any of the Counties of Ayr, Argyll, Bute, Dumbarton, Dumfries, Kirkcudbright, Lanark, Renfrew, Wigton.	All the Parochial Schools situate within any of the Counties of Aberdeen, Banff, Caithness, Elgin and Nairn, Inverness, Kincardine, Orkney and Shetland, Ross and Cromarty, Sutherland.	All the Parochial Schools situate within any of the Counties of Berwick, Edinburgh, Haddington, Linlithgow, Peebles, Roxburgh, Selkirk, Stirling.

CAP. CVIII.

An Act to provide for the winding up the Naval Medical Supplemental Fund Society.

[6th *August* 1861.]

Order in Council, dated 13th Aug. 1817. 22 Vict. c. 28.

'WHEREAS under an Order in Council dated the Thirteenth Day of *August* One thousand eight hundred and seventeen the Naval Medical Supplemental Fund Society was established, for the Relief of Widows of Medical Officers in the Royal Navy: And whereas an Act was passed in the Session of Parliament holden in the Twenty-second Year of Queen *Victoria*, Chapter Twenty-eight, for continuing for the Space of Ten Years, and thence to the End of the then next Session of Parliament, the Act of the Session of the Eleventh and Twelfth of Queen *Victoria*, Chapter Fifty-eight, for the Regulation of the Annuities and Premiums of the said Society: And whereas it is expedient that the said Society should be brought to an End, and the Affairs thereof wound up, and Provision made for satisfying the just Demands of Persons having Claims upon the Funds of the said Society:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for any Purpose as "The Naval Medical Supplemental Fund Society Winding-up Act, 1861."

The Admiralty to superintend the winding up of the Society, and may appoint Persons to carry Act into execution.

2. The Lord High Admiral, or, as the Case may be, the First Lord Commissioner of the Admiralty Board and the Secretary of the Admiralty respectively for the Time being, shall undertake the general Supervision of the winding up of the said Society, and may appoint, at such Remuneration as they shall think fit, not less than Three Persons as Trustees, One of such Persons to be chosen by a Majority of the Officers who have effected Insurances with the said Society which are now in force, and of the Annuitants who may either in Person or by Proxy attend at the Meeting to be convened for that Purpose, the Time, Place, and Object of which Meeting shall be advertised in Two of the Daily Newspapers published in *London*, and the Person so appointed, together with the present Trustees of the said Society, if such Trustees shall be willing to act, shall carry this Act into execution; and on the Death or Resignation of any Person appointed to carry this Act into execution, other than the Person chosen by such insuring Officers and Annuitants as aforesaid, the Lord High Admiral or the First Lord Commissioner of the Admiralty Board and the Secretary of the Admiralty may from Time to Time appoint another Person to act in his Place; and in the event of the Death or Resignation of any Person so chosen as aforesaid, the Majority of such insuring Officers and Annuitants who may attend any Meeting to be convened and advertised as aforesaid may from Time to Time appoint another Person to act in his Place: Provided always, that if at any Time there should not be any Person chosen or appointed by the said insuring Officers and Annuitants, the other Persons hereby authorized to carry this Act into execution shall have full Power to act as if there were a Person chosen or appointed by the said insuring Officers and Annuitants.

Present Trustees of Society to act, but Vacancies not to be filled up.

3. The present Trustees of the said Society shall continue to have and exercise such of the same Powers and Authorities now vested in or exercisable by them as are not inconsistent with the Provisions of this Act, but on the Death or Resignation of any of the said Trustees the Vacancy caused thereby shall not be filled up.

Persons now employed may be dismissed, &c.

4. The Persons hereby authorized to carry this Act into execution may continue in or dismiss from their Employment all or any of the Persons now employed in the Business of the said Society, and may, with the Consent of the Persons having such general Supervision as aforesaid, appoint any Officers or Servants to assist in the Administration of the General Fund herein-after mentioned, at such Salary or Remuneration as such last-mentioned Persons shall approve of.

One General Fund to be formed.

5. All the Property of or belonging to the said Society, and the Income thereof, and all Monies arising from Contributions or otherwise accruing to the Funds of the said Society, except the Compassionate Fund, shall form One General Fund for the Purpose of meeting the various Expenses hereby authorized; and all Persons whosoever having any Funds or Property of or belonging to the said Society, except as regards the Compassionate Fund, shall render such Account thereof, and pay over or apply the same, as the Persons hereby authorized to carry this Act into execution shall from Time to Time require or direct.

Salaries, &c. to be paid out of General Fund.

6. All Salaries, Remunerations, and Wages payable to any Persons employed in the Execution of this Act or in the Administration of the said General Fund, and all Expenses incurred in respect thereof, shall be defrayed out of the said General Fund, and all Disbursements on account of the said Fund shall be made through the Hands of the Officers appointed for that Purpose, and shall not be made by any Person or in any other Manner.

No new Contributors to the Fund allowed.

7. No Person who has not contributed to the Funds of the said Society as an insured Member before the passing of this Act shall be allowed to contribute thereto, so as to establish any Claim for an Annuity for his Widow, nor shall any Medical Officer in the Royal Navy be compelled or be liable after the passing of this Act to pay to the Compassionate Fund on Entry, Promotion, or Appointment to any permanent Civil Situation the Fee mentioned in the said Order in Council, but the Compassionate Fund referred to in the said Order in Council shall continue, and the Interest thereof shall be distributed among the Orphans of those Members of the said Society who have died, and the Orphans of those

Naval

Naval Medical Officers who have hitherto contributed or may hereafter voluntarily contribute any such Fee to the said Fund.

Annuities may be purchased out of the Fund.

8. The Persons hereby authorized to carry this Act into execution may, with the Approbation in Writing of the said Lord High Admiral, or, as the Case may be, the said First Lord Commissioner of the Admiralty Board and the Secretary of the Admiralty respectively for the Time being, with and out of the said General Fund herein-before mentioned, purchase from Time to Time of and from the Commissioners for the Reduction of the National Debt any Life Annuities of not less than Twenty-six Pounds Thirteen Shillings and Fourpence each as may be payable out of the Funds of the said Society, being the same Amount of Annuity now legally payable to the respective Persons entitled thereto, and after providing for all such Annuities as aforesaid may, with such Approbation as aforesaid, when and so soon as the said General Fund shall be sufficient for the Purpose, apply the same in the Purchase of and from the said Commissioners, or any Life Assurance Company in *London* or *Westminster* which may have been established for Twenty-five Years or upwards, such and so many reversionary Life Annuities as would or might have become payable if this Act had not been passed.

Annuities to be purchased in Names of Persons entitled, &c.

9. Every Life Annuity hereby authorized to be purchased shall be purchased in the Name of the Person entitled thereto, and shall be her sole and absolute Property, and all Acts done for the Purpose of charging, Alienation, or otherwise disposing of the whole or any Part of the said Annuity, shall be absolutely null and void.

Annuities, until purchased, to be payable out of General Fund, and Contributions to continue payable, &c.

10. Such and so many of the said Annuities as for the Time being shall not have been purchased under the Authority of this Act shall continue payable and be paid out of the General Fund herein-before mentioned; and all Persons who at the Time of the passing of this Act may be liable to pay any Contribution to the said Naval Medical Supplemental Fund shall continue liable to and shall make such Payments, except to the Compassionate Fund, until all the said Annuities, immediate or reversionary, shall have been purchased, but any Person who has before the passing of this Act contracted for a reversionary Annuity shall continue to make all such Payments as he would have been liable to if this Act had not been passed.

When Act fully carried out, Notice to be inserted in Gazette, and Order in Council and 22 Vict. c. 28. to cease.

11. When and so soon as the Purposes of this Act shall have been fully carried into execution, Notice thereof, under the Hands of the said Lord High Admiral, or, as the Case may be, the First Lord Commissioner of the Admiralty Board and the Secretary of the Admiralty for the Time being respectively, shall be published in the *London Gazette*, and thereupon the said Order in Council of the Thirteenth Day of *August* One thousand eight hundred and seventeen, so far as relates to Annuities, shall cease to operate and take effect, and the said Act of the Twenty-second of Queen *Victoria*, Chapter Twenty-eight, shall be repealed.

CAP. CIX.

An Act to amend the Laws relating to Fisheries of Salmon in *England*. [6th *August* 1861.]

'WHEREAS the Salmon Fisheries of *England* have of late Years been greatly injured, and for the Purpose of increasing the Supply of Salmon it is expedient to amend the Laws relating to Fisheries of Salmon in *England*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Short Title.

1. This Act may be cited for all Purposes as the Salmon Fishery Act, 1861.

Application of Act.

2. This Act shall not extend to *Scotland* or *Ireland*, or to the River *Tweed*, as defined by the *Tweed* Fisheries Amendment Act, 1859.

Commencement of Act.

3. This Act shall not come into operation until the First Day of *October* One thousand eight hundred and sixty-one.

Definition of Terms.

4. In this Act, unless there is something inconsistent in the Context, the Words and Expressions herein-after mentioned shall have respectively the Meanings hereby assigned to them; that is to say,

"Person" shall include any Body of Persons, corporate or unincorporate:

"Salmon" shall include all migratory Fish of the Genus Salmon, whether known by the Names herein-after mentioned, that is to say, Salmon, Cock or Kipper, Kelt, Laurel, Girling, Grilse, Botcher, Blue Cock, Blue Pole, Fork Tail, Mort, Peal, Herring Peal, May Peal, Pugg Peal, Harvest Cock, Sea Trout, White Trout, Sewin, Buntling, Guiniad, Tub, Yellow Fin, Sprod, Herling, Whiting, Bull Trout, Whitling, Scurf, Burn Tail, Fry, Samlet, Smoult, Smelt, Skirling or Scarling, Parr, Spawn, Pink, Last Spring, Hepper, Last Brood, Gravelling, Shed, Scad, Blue Fin, Black Tip, Fingerling, Brandling, Brondling, or by any other local Name:

"Young of Salmon" shall include all Young of the Salmon Species, whether known by the Names of Fry, Samlet, Smolt, Smelt, Skirling or Skarling, Par, Spawn, Pink, Last Spring, Hepper, Last Brood, Gravelling, Shed, Scad, Blue Fin, Black Tip, Fingerling, Brandling, Brondling, or by any other Name, local or otherwise:

"Court" shall include Two or more Magistrates assembled in Petty Sessions:

"Tidal Waters" shall include the Sea, and all Rivers, Creeks, Streams, and other Water as far as the Tide flows and reflows:

"Inland Waters" shall mean all Waters that are not tidal Waters:

"Dam" shall mean all Weirs and other fixed Obstructions used for the Purpose of damming up Water:

"Fishing Weir" shall mean a Dam used for the exclusive Purpose of catching or facilitating the catching of Fish:

"Fishing Mill Dam" shall mean a Dam used or intended to be used partly for the Purpose of catching or facilitating the catching of Fish, and partly for the Purpose of supplying Water for Milling or other Purposes:

"Fixed Engine" shall include Stake Nets, Bag Nets, Putts, Putchers, and all fixed Implements or Engines for catching or for facilitating the catching of Fish:

"Home Office" shall mean One of Her Majesty's Principal Secretaries of State.

LAW OF FISHING.

Prohibition of certain Modes of destroying Fish.

Penalty on mixing poisonous Substances in Rivers.

5. Every Person who causes or knowingly permits to flow, or puts or knowingly permits to be put, into any Waters containing Salmon, or into any Tributaries thereof, any liquid or solid Matter to such an Extent as to cause the Waters to poison or kill Fish, shall incur the following Penalties; (that is to say,)

(1.) Upon the First Conviction a Penalty not exceeding Five Pounds:

(2.) Upon the Second Conviction a Penalty not exceeding Ten Pounds, and a further Penalty not exceeding Two Pounds for every Day during which such Offence is continued:

(3.) Upon the Third or any subsequent Conviction, a Penalty not exceeding Twenty Pounds a Day for every Day during which such Offence is continued, commencing from the Date of the Third Conviction:

But no Person shall be subject to the foregoing Penalties for any Act done in the Exercise of any Right to which he is by Law entitled, if he prove to the Satisfaction of the Court before whom he is tried that he has used the best practicable Means, within a reasonable Cost, to render harmless the liquid or solid Matter so permitted to flow or to be put into Waters; but nothing herein contained shall prevent any Person from acquiring a legal Right in Cases where he would have acquired it if this Act had not passed, or exempt any Person from any Punishment to which he would otherwise be subject, or legalize any Act or Default that would but for this Act be deemed to be a Nuisance or otherwise be contrary to Law.

Power to have Question under preceding Section decided by Jury.

6. Where any Proceedings are instituted by any Complainant against any Person for the Recovery of any Penalties alleged to have been incurred by him under the last preceding Section, if such Person, herein-after referred to as "the Defendant," on appearing before the Justices constituting the Court by which he is to be tried in pursuance of this Act, alleges, by way of Defence, that he has used the best practicable Means, within a reasonable Cost, to render such Matter harmless, and proves to the Satisfaction of the Court that in the event of the Complaint being decided against him the Expense of permanently preventing the Matter complained of would, exclusive of Costs, exceed One hundred Pounds, and gives Security, to be approved by such Court, duly to prosecute his Appeal and to abide the Event thereof, all Proceedings before the Justices shall be stayed, and it shall be lawful for such Complainant to bring an Action in One of Her Majesty's Superior Courts of Law at *Westminster* against the Defendant; and the Plaintiff in such Action shall deliver to the Defendant an Issue or Issues whereby the Question whether he has used the best practicable Means, within a reasonable Cost, to render such Matter harmless may be tried; and the Form of such Issue or Issues, in case of Dispute, or in the Case of Nonappearance of the Defendant, shall be settled by the Court in which the Action is brought, and such Action shall be prosecuted and Issue or Issues tried in the same Manner and subject to the same Incidents in and subject to which Actions are prosecuted and Issues tried in other Cases within the Jurisdiction of such Court, or as near thereto as Circumstances admit.

Effect of Issue.

7. The Verdict of the Jury on such Issue shall, unless the Court before which the same is tried orders a new Trial, be conclusive as to the Questions involved in any subsequent Proceedings that may be had for the Recovery of any Penalties in pursuance of the said Section, and any Costs that may have been incurred before the Justices by the Parties to such Action as is mentioned in this Section shall be deemed to be Costs incurred in such Action, and be payable accordingly.

Penalty on fishing with Lights, Spears, &c.

8. No Person shall do the following Things or any of them; that is to say,

(1.) Use any Light for the Purpose of catching Salmon:

(2.) Use any Spear, Gaff, Strokehall, Snatch, or other like Instrument for catching Salmon:

(3.) Have in his Possession a Light or any of the foregoing Instruments under such Circumstances as to satisfy the Court before whom he is tried that he intended at the Time to catch Salmon by means thereof:

And any Person acting in contravention of this Section shall incur a Penalty not exceeding Five Pounds, and shall forfeit any Instruments used by him or found in his Possession in contravention of this

this Section; but this Section shall not apply to any Person using a Gaff as auxiliary to angling with a Rod and Line.

Penalty on using Roe as a Bait.

9. No Person shall do the following Things or any of them; that is to say,

(1.) Use any Fish Roe for the Purpose of fishing:

(2.) Buy, sell, or expose for Sale, or have in his Possession, any Salmon Roe:

And any Person acting in contravention of this Section shall for each Offence incur a Penalty not exceeding Two Pounds, and shall forfeit all Salmon Roe found in his Possession; but this Section shall not apply to any Person who uses or has in his Possession Salmon Roe for artificial Propagation or other scientific Purposes, or gives any Reason satisfactory to the Court by whom he is tried for having the same in his Possession.

Penalty on using certain Nets.

10. No Person shall take or attempt to take Salmon with any Net having a Mesh of less Dimensions than Two Inches in extension from Knot to Knot (the Measurement to be made on each Side of the Square), or Eight Inches measured round each Mesh when wet; and any Person acting in contravention of this Section shall forfeit all Nets and Tackle used by him in so doing, and shall for each Offence incur a Penalty not exceeding Five Pounds; and the placing Two or more Nets behind or near to each other in such Manner as to practically diminish the Mesh of the Nets used, or the covering the Nets used with Canvas, or the using any other Artifice so as to evade the Provisions of this Section with respect to the Mesh of Nets, shall be deemed to be an Act in contravention of this Section.

Penalty on placing or fixing fixed Engines.

11. No fixed Engine of any Description shall be placed or used for catching Salmon in any inland or tidal Waters; and any Engine placed or used in contravention of this Section may be taken possession of or destroyed; and any Engine so placed or used, and any Salmon taken by such Engine, shall be forfeited, and, in addition thereto, the Owner of any Engine placed or used in contravention of this Section shall, for each Day of so placing or using the same, incur a Penalty not exceeding Ten Pounds; and for the Purposes of this Section a Net that is secured by Anchors, or otherwise temporarily fixed to the Soil, shall be deemed to be a fixed Engine, but this Section shall not affect any ancient Right or Mode of Fishing as lawfully exercised at the Time of the passing of this Act by any Person by virtue of any Grant or Charter or immemorial Usage; provided always, that nothing in this Section contained shall be deemed to apply to Fishing Weirs or Fishing Mill Dams.

Penalty on using certain Dams for catching Salmon.

12. The following Regulations shall be observed with respect to Dams:

(1.) No Dam except such Fishing Weirs and Fishing Mill Dams as are lawfully in use at the Time of the passing of this Act, by virtue of a Grant or Charter or immemorial Usage, shall be used for the Purpose of catching or facilitating the catching of Salmon:

1. Any Person catching or attempting to catch Salmon in contravention of this Section shall incur a Penalty not exceeding Five Pounds for each Offence, and a further Penalty not exceeding One Pound for each Salmon which he catches:
2. All Traps, Nets, and Contrivances used in or in connexion with the Dam for the Purpose of catching Salmon shall be forfeited:
3. All Salmon caught in contravention of the above Prohibition shall be forfeited:

And no Fishing Weir, although lawfully in use as aforesaid, shall be used for the Purposes of catching Salmon unless it have therein such Free Gap as is herein-after mentioned; and no Fishing Mill Dam, although lawfully in use as aforesaid, shall be used for the Purposes of catching Salmon unless it have attached thereto a Fish Pass of such Form and Dimensions as shall be approved of by the Home Office, nor unless such Fish Pass has constantly running through it such a Flow of Water as will enable Salmon to pass up and down such Pass, but so nevertheless that such Pass shall not be larger nor deeper than requisite for the above Purposes:

(2.) No Person shall catch or attempt to catch, except by Rod and Line, any Salmon in the Head Race or Tail Race of any Mill, or within Fifty Yards below any Dam, unless such Mill or Dam has attached thereto a Fish Pass of such Form and Dimensions as may be approved by the Home Office, and such Fish Pass has constantly running through it such a Flow of Water as will enable Salmon to pass up and down it; and if any Person acts in contravention of the foregoing Provision,

1. He shall incur a Penalty not exceeding Two Pounds for each Offence, and a further Penalty not exceeding One Pound for every Salmon so caught:
2. He shall forfeit all Salmon caught in contravention of this Section, and all Nets or other Instruments used or placed for catching the same.

Penalty on Company or Person not erecting Gratings to prevent the Descent of Salmon into Artificial Streams.

13. Where Salmon or the Young of Salmon are led aside out of a main Stream by means of any artificial Channel used for the Purpose of supplying Towns with Water, or for supplying any navigable Canal, the Company or Persons having the Control over such artificial Channel shall, within Six Months after the Commencement of this Act, put up and shall maintain, at their own Costs and Charges, a Grating or Gratings across such Channel, for the Purpose of preventing the Descent of the Salmon or the Young of Salmon, and such Grating or Gratings shall be placed in such Form and Manner as may be approved by One of the Inspectors in this Act mentioned; and any Company or Persons failing to put a Grating or Gratings in Cases where they are required to do so by this Section shall incur a Penalty not exceeding Five Pounds for every Day after the Expiration of such Period of

Six Months during which he fails to comply with the Provisions of this Section; and any such Company or Person failing so to maintain the same shall incur a Penalty not exceeding One Pound for every Day during which such Failure continues: Provided always, that no such Grating shall be so placed as to interfere with the Passage of Boats on any navigable Canal.

Prohibition of the Destruction of unseasonable Fish.

Penalty on taking unclean Fish.

14. No Person shall do any of the following Things; that is to say,

(1.) Wilfully take any unclean or unseasonable Salmon;

(2.) Buy, sell, or expose for Sale, or have in his Possession, any unclean or unseasonable Salmon, or any Part thereof:

And any Person acting in contravention of this Section shall incur the following Penalties; that is to say,

(1.) He shall forfeit any Fish taken, bought, sold, or exposed for Sale, or in his Possession;

(2.) He shall incur a Penalty not exceeding Five Pounds in respect of each Fish taken, sold, or exposed for Sale, or in his Possession:

But this Section shall not apply—

(1.) To any Person who takes such Fish accidentally, and forthwith returns the same to the Water with the least possible Injury:

(2.) To any Person who takes or is in possession of such Fish for artificial Propagation or other scientific Purposes.

Penalty on taking the Young of Salmon.

15. No Person shall do the following Things or any of them; that is to say,

(1.) Wilfully take or destroy the Young of Salmon;

(2.) Buy, sell, or expose for Sale, or have in his Possession, the Young of Salmon;

(3.) Place any Device for the Purpose of obstructing the Passage of the Young of Salmon;

(4.) Wilfully injure the Young of Salmon;

(5.) Wilfully disturb any Spawning Bed, or any Bank or Shallow on which the Spawn of Salmon may be:

And any Person acting in contravention of this Section shall incur the following Penalties; that is to say,

(1.) He shall forfeit all the Young of Salmon found in his Possession;

(2.) He shall forfeit all Rods, Lines, Nets, Devices, and Instruments used in committing any of the above Offences;

(3.) He shall for each Offence pay a Penalty not exceeding Five Pounds;

But nothing herein contained shall apply to any Person who may have obtained such Young of Salmon for artificial Propagation or other scientific Purposes, and nothing herein contained shall prejudice the legal Right of any Owner to take Materials from any Stream.

Penalty on disturbing Fish when spawning.

16. If any Person wilfully disturbs or attempts to catch Salmon when spawning, or when on or near their Spawning Beds, he shall for each Offence incur a Penalty not exceeding Five Pounds; but this Section shall not apply to any Person who may catch or attempt to catch Salmon for the Purposes of artificial Propagation or other scientific Purposes.

Restrictions as to Times of Fishing.

Close Time.

17. No Person shall fish for, catch, or attempt to catch, or kill Salmon between the Days hereinafter mentioned (which Interval is herein referred to as the Close Season); that is to say, between the First Day of *September* and the First Day of *February* following, both inclusive, except only that it shall be lawful to fish with a Rod and Line between the First Day of *September* and the First Day of *November* following, both inclusive; and any Person acting in contravention of this Section shall forfeit any Salmon caught by him, and shall in addition thereto incur a Penalty not exceeding Five Pounds, and a further Penalty not exceeding Two Pounds in respect of each Salmon so caught.

Power of Home Office to extend or vary Close Season.

18. The Home Office may, upon the Application of the Justices in Quarter Sessions assembled of any County abutting on Water containing Salmon, extend or vary the Time during which it is prohibited to take Salmon in such Waters; any such Application shall be forwarded to the Home Office by the Chairman of such Justices, but it shall not be entertained by the Home Office until due Proof is given that Notice of such Application has been served on the Clerk of the Peace of every County abutting on such River other than the County from the Justices of which the Application proceeds, and that a Copy of such Notice has been published in every County abutting on such River by Advertisement once at least in each of Four successive Weeks in some local Newspaper; the Extension of such Time as aforesaid by the Home Office shall be made by Order under the Hand of One of Her Majesty's Principal Secretaries of State, and a Copy of the *London Gazette* containing such Order shall be Evidence of the same having been made.

For the Purposes of this Section any Riding or other Division of a County having a separate Court of Quarter Sessions shall be deemed a separate County, and any Penalties imposed by this Act for the Purpose of prohibiting the killing of Fish during the Close Time shall apply to such extended Close Time; and the Home Office may from Time to Time vary the Close Time so extended.

19. No

Salmon Fisheries.

Penalty on selling Fish during Close Time.

19. No Person shall buy, sell, or expose for Sale, or have in his Possession for Sale, any Salmon between the Third Day of *September* and the Second Day of *February* following; and any Person acting in contravention of this Act shall forfeit any Fish so bought, sold, or exposed for Sale, or in his Possession for Sale, and shall incur a Penalty not exceeding Two Pounds for each such Fish; but this Section shall not apply to any Person buying, selling, or exposing for Sale, or having in his Possession for Sale, Salmon cured, pickled, or dried, or any fresh Salmon caught beyond the Limits of this Act, nevertheless the Burden of proving any fresh Salmon that is sold, or exposed, or in the Possession of any Person for Sale between the said Third Day of *September* and the said Second Day of *February* to have been caught beyond the Limits of this Act shall lie on the Person selling or exposing the same for Sale, or having the same in his Possession for Sale.

Removal of fixed Engines during Close Time.

20. The Proprietor or Occupier of every Fishery for Salmon shall, within Thirty-six Hours after the Commencement of the Close Season, cause to be removed and carried away from the Waters within his Fishery the Inscales, Hecks, Tops, and Rails of all Cruives, Boxes, or Cribs, and all Planks and temporary Fixtures used for taking or killing Salmon, and all other Obstructions to the free Passage of Fish in or through the Cruives, Cribs, and Boxes within his Fishery; and if any Proprietor or Occupier omits to remove and carry away in manner aforesaid any Things hereby required to be removed and carried away he shall incur the following Penalties; (that is to say,)

(1.) He shall forfeit all the Engines or other Things that are not removed and carried away in compliance with this Section:

(2.) He shall, for every Day during which he suffers such Things to remain unremoved beyond the Period prescribed by this Act, pay a Sum not exceeding Ten Pounds.

Weekly Close Time.

21. No Person shall fish for, catch, or kill by any Means other than a Rod and Line, any Salmon between the Hour of Twelve of the Clock at Noon on *Saturday* and the Hour of Six of the Clock on *Monday* Morning; and any Person acting in contravention of this Section shall forfeit all Fish taken by him, and any Net or moveable Instrument used by him in taking the same, and in addition thereto shall incur a Penalty not exceeding Five Pounds, and a further Penalty not exceeding One Pound in respect of each Fish so taken between Twelve of the Clock at Noon on *Saturday* and Six of the Clock on *Monday* Morning; but nothing in this Section contained shall compel the Owner of any Putts or Putchers to remove or draw up the same during such Time as is mentioned in this Section, or subject him to a Penalty, so that he lets down a Net in such Manner or uses such other Device as the Home Office approves for the Purpose of preventing Salmon passing into the Putts or Putchers during such Time as aforesaid.

A free Passage to be left through Cribs or Traps during Weekly Close Time.

22. The Proprietor or Occupier of every Fishery shall, between Twelve of the Clock at Noon on *Saturday* and Six of the Clock on the *Monday* Morning following, maintain a clear Opening, of not less than Four Feet in Width from the Bottom to the Top, through all Cribs, Boxes, or Cruives used for taking Salmon within his Fishery, so that a free Space of that Width is effectually secured for the Passage of Fish up and down through each Box, Crib, or Cruive, whether used for the Purpose of fishing or not; and shall, for the Purpose of maintaining such Opening, remove the Inscales and Rails of all such Boxes, Cribs, or Cruives; and any Person acting in contravention of this Section shall incur the following Penalties:

(1.) He shall for each Offence pay a Sum not exceeding Five Pounds, and a further Penalty not exceeding One Pound for each Fish so taken:

(2.) He shall forfeit every Fish caught in contravention of this Section.

Fish Passes.

Proprietor with Consent of Home Office may attach Fish Passes to existing Dams.

23. Any Proprietor of a Fishery with the written Consent of the Home Office may attach to every Dam existing at the Time of the passing of this Act a Fish Pass, of such Form and Dimensions as the Home Office may approve, so that no Injury be done to the Milling Power or to the Supply of Water to or of any navigable River, Canal, or other Inland Navigation by such Fish Pass; and any Person obstructing any Person legally authorized in erecting or doing any necessary Act to erect or maintain such Fish Pass shall incur a Penalty not exceeding Ten Pounds for each Act of Obstruction; and any Person injuring such Fish Pass shall pay the Expense of repairing the Injury, such Expense to be recovered in a summary Manner, and, in addition thereto, if such Injury is wilful, shall incur a Penalty not exceeding Five Pounds; and any Person doing any Act for the Purpose of preventing Salmon from passing through a Fish Pass, or taking any Salmon in its Passage through the same, shall incur a Penalty not exceeding Five Pounds for a First Offence, and not exceeding Ten Pounds for each subsequent Offence, and shall forfeit any Salmon taken by him in contravention of this Section, and any Instrument used by him in taking the same: Provided that if any Injury is done to any Dam by reason of the affixing of a Fish Pass in pursuance of this Section, any Person sustaining any Loss thereby may recover Compensation for such Injury in a summary Manner from the Person or Body of Persons by whom such Fish Pass has been affixed.

Notice required before Home Office gives Consent.

24. The Home Office shall not give their Consent to the Attachment by a Proprietor of a Fish Pass to any Dam, in pursuance of the last preceding Section, unless such Proprietor proves, to the Satisfaction of the Home Office, that he has served Notice on the Owner of such Dam of his Intention to apply for

for such Consent, and at the same Time has furnished him with Plan and Specification of the Fish Pass which he proposes to erect, a reasonable Time before his Application ; and it shall be lawful for such Owner to urge any Objections he may think fit to the Home Office against their giving their Consent, and the Home Office shall take any Objections so made into consideration before they give their Consent to the Attachment of the Fish Pass.

Fish Passes to be attached to future Dams.

25. Every Person who, after the passing of this Act, in Waters where Salmon are found, constructs a new Dam, or raises or alters, so as to create increased Obstruction to Fish, a Dam already constructed, shall attach and maintain attached thereto in an efficient State a Fish Pass of such Form and Dimensions as may be determined by the Home Office, and if he do not, such Person shall incur a Penalty not exceeding Five Pounds ; and it shall be lawful for the Home Office to cause to be done any Work by this Section required to be done by such Person, and to recover the Expense of doing the same in a summary Manner from the Person in default ; but this Section shall not authorize anything to be done which may injuriously affect any navigable River, Canal, or Inland Navigation, nor shall anything in this or the last preceding Section prevent any Person from removing a Fish Pass for the Purpose of repairing or altering a Dam, so that within a reasonable Time he restore such Fish Pass in as an efficient a State as it was before he removed the same.

Supply of Water to Fish Passes.

26. Where a Fish Pass is attached to any Dam in pursuance of this Act, the Sluices, if any, for drawing off the Water which would otherwise flow over the Dam shall be kept shut at all Times when the Water is not required for Milling Purposes in such Manner as to cause such Water to flow through the Fish Pass ; and any Person making Default in complying with the Requisitions of this Section shall incur a Penalty not exceeding Five Shillings *per* Hour for every Hour during which such Default continues ; but this Section shall not preclude any Person from opening a Sluice for the Purpose of letting off Water in Cases of Flood, or for Milling Purposes, or when necessary for the Purposes of Navigation, or for cleaning or repairing any Dam or Mill or the Appurtenances thereof.

Restrictions as to Fishing Weirs.

Construction of Free Gaps.

27. Where any Fishing Weir extends more than halfway across any Stream at its lowest State of Water, it shall have a Free Gap or Opening in accordance with the Regulations following, unless otherwise authorized by the Home Office, under the Powers of this Act ; that is to say,

(1.) The Free Gap shall be situate in the deepest Part of the Stream between the Points where it is intercepted by the Weir :

(2.) The Sides of the Gap shall be in a Line with and parallel to the Direction of the Stream at the Weir :

(3.) The Bottom of the Gap shall be level with the natural Bed of the Stream above and below the Gap :

(4.) The Width of the Gap in its narrowest Part shall be not less than One Tenth Part of the Width of the Stream ; provided always, that such Gap shall not be required to be wider than Forty Feet, and shall not in any Case be narrower than Three Feet.

Enforcing Free Gaps in Fishing Weirs.

28. The following Rules shall be observed for the Purpose of enforcing efficient Free Gaps in Fishing Weirs ; that is to say,

(1.) Where a Weir is without a legal Free Gap at the Time of the Commencement of this Act the Owner of such Weir shall within Twelve Months after the Commencement of this Act make such a Gap, and if he does not he shall incur a Penalty not exceeding Five Pounds for every Day after the Expiration of such Period of Twelve Months during which he does not make such Gap :

(2.) Where a Free Gap has been made in a Weir, but the same is not maintained in accordance with this Act, the Owner of such Weir shall incur a Penalty not exceeding One Pound a Day for each Day he is in default :

(3.) No Alteration shall be made in the Bed of any River in such Manner as to reduce the Flow of Water through a Free Gap ; if it is, the Person making the same shall incur a Penalty not exceeding Five Pounds, and a further Penalty of One Pound a Day until he restores the Bed of the River to its original State :

(4.) No Person shall place any Obstruction, use any Contrivance, or do any Act whereby Fish may be scared, deterred, or in any way prevented from freely entering and passing up and down a Free Gap at all Periods of the Year ; and any Person placing any Obstruction, using any Contrivance, or doing any Act in contravention of the Regulation lastly herein-before contained shall incur a Penalty not exceeding Five Pounds for the First Offence, and not exceeding Ten Pounds for each subsequent Offence ; but this last Regulation shall not apply to a temporary Bridge or Board used for crossing the Free Gap, and taken away immediately when a Person has crossed the same :

Construction of Boxes and Cribs in Fishing Weirs and Fishing Mill Dams.

29. The following Rules shall be observed in relation to the Construction of Boxes and Cribs in Fishing Weirs and Fishing Mill Dams ; that is to say,

(1.) The Upper Surface of the Sill shall be level with the Bed of the River :

(2.) The Bars or Inscales of the Heck or Upstream Side of the Box or Crib shall not be nearer each other than Two Inches, and shall be capable of being removed and shall be placed perpendicularly :

And the Owner of any Fishing Weir or Fishing Mill Dam that has attached thereto any Box or Crib in contravention of this Act shall bring the same into conformity with this Act within Six Months after the

the Commencement of this Act; and he shall incur a Penalty not exceeding Five Pounds for every Day after the Expiration of such Period of Six Months during which he fails to comply with the Provisions of this Section; and any Owner failing so to maintain the same shall incur a Penalty not exceeding One Pound for every Day during which such Failure continues.

Construction of Spur Walls in Fishing Weirs or Fishing Mill Dams.

30. There shall not be attached to any Box or Crib in any Fishing Weir or Fishing Mill Dam any Spur or Tail Wall, Leader, or Outrigger of a greater Length than Twenty Feet from the upper or lower Side of such Box or Crib; and if any Box or Crib in any Fishing Weir or Fishing Mill Dam has any Walls, Leaders, or Outriggers in contravention of this Section, the Owner of the Weir or Fishing Mill Dam shall incur a Penalty not exceeding One Pound for every Day during the Continuance thereof.

CENTRAL AUTHORITY.

General Superintendence of Fisheries by Home Office.

31. The general Superintendence of the Salmon Fisheries throughout *England* shall be vested in the Home Office, and it shall be lawful for the Home Office to appoint Two Inspectors of Fisheries for Three Years, to assign to them their Duties, and to pay to them such Salaries as may from Time to Time be determined by the Commissioners of Her Majesty's Treasury.

The Home Office may from Time to Time remove the said Inspectors, and appoint other Persons in their Stead.

Reports of Inspectors to be laid before Parliament.

32. The Home Office shall annually lay before Parliament Reports from the Inspectors, which Reports shall contain as far as may be practicable a Statistical Account of the Fisheries, with such other Information as may be collected, and Suggestions offered for their Regulation and Improvement.

Justices to appoint Conservators of Rivers.

33. It shall be lawful for the Justices of the Peace assembled at any General or Quarter Sessions of the Peace from Time to Time to appoint Conservators or Overseers for the Preservation of Salmon, and enforcing for that Purpose the Provisions of this Act within the Limits of the Jurisdiction of such Justices.

Justice may grant a Warrant to enter suspected Places.

34. It shall be lawful for any Justice of the Peace, upon an Information on Oath that there is probable Cause to suspect any Breach of the Provisions of this Act to have been committed on any Premises, or any Salmon illegally taken or any illegal Nets or other Engines to be concealed on any Premises, by Warrant under his Hand and Seal, to authorize and empower any Inspector, Water Bailiff, Conservator, Constable, or Police Officer to enter such Premises for the Purposes of detecting such Offence, or such concealed Fish, at such Time or Times, in the Day or Night, as in such Warrant may be mentioned, and to seize all illegal Engines, or any Salmon illegally taken, that may be found on such Premises; provided that no such Warrant shall continue in force for more than One Week from the Date thereof.

LEGAL PROCEEDINGS.

Recovery of Penalties.

35. All Penalties imposed by this Act, and all Costs or Expenses by this Act directed to be recovered in a summary Manner, may be recovered, within Six Months after the Commission of the Offence, before Two Justices, in manner directed by an Act passed in the Eleventh and Twelfth Years of the Reign of Her present Majesty Queen *Victoria*, Chapter Forty-three, intituled *An Act to facilitate the Performance of the Duties of the Justices of the Peace out of Sessions within* England *and* Wales *with respect to Summary Convictions and Orders*, or of any Act amending the same; and all Monies received in respect of Penalties recovered under the Act shall be paid as follows; that is to say,

Such Portion not exceeding One Half, as the Court may think fit, to the Person on whose Complaint the Penalty is recovered, and the Remainder in manner directed by the said Act of Eleventh and Twelfth Years of the Reign of Her present Majesty *Victoria*, Chapter Forty-three; and all Forfeitures shall be disposed of as the Court may direct, and the Proceeds, if any, shall be applied in manner in which the Monies received in respect of Penalties are hereby directed to be applied.

Where Offences on Rivers may be tried.

36. Where any Offence under this Act is committed in or upon any Waters forming the Boundary between any Two Counties, Districts of Quarter Sessions or Petty Sessions, such Offence may be prosecuted before any Justice or Justices of the Peace in either of such Counties or Districts.

Offences committed on Sea Coast where to be tried.

37. Any Offence committed under this Act, on the Sea Coast or at Sea, beyond the ordinary Jurisdiction of any Justice of the Peace, shall be deemed to have been committed within the Body of any County abutting on such Sea Coast or adjoining such Sea, and may be tried and punished accordingly.

Saving Clause for dredging.

38. Nothing in this Act contained shall prejudice the legal Right of any Conservators, Directors, Commissioners, Undertakers, Persons, or Body of Persons corporate or unincorporate to dredge, scour, cleanse, or improve any navigable River, Canal, or other Inland Navigation.

REPEAL OF ACTS.

Repeal of Acts.

39. From and after the Commencement of this Act there shall be hereby repealed the several Acts and Parts of Acts set forth in the Schedule hereto, to the Extent to which such Acts or Parts of Acts are therein expressed to be repealed: Provided that such Repeal shall not affect—

1. Any Security duly given before this Act comes into operation:
2. Anything duly done before this Act comes into operation:
3. Any Liability accruing before this Act comes into operation:
4. Any Penalty, Forfeiture, or other Punishment incurred or to be incurred in respect of any Offence committed before this Act comes into operation:
5. The Institution of any legal Proceeding or any other Remedy for ascertaining, enforcing, or recovering any such Liability, Penalty, Forfeiture, or Punishment as aforesaid.

SCHE-

SCHEDULE.

Reference to Act.	Title of Act.	Extent of Repeal.
13 Ed. 1. Stat. 1. c. 47.	A Penalty for taking of Salmon at certain Times of the Year.	The whole Act.
25 Ed. 3. Stat. 4. c. 4. -	"New Weirs shall be pulled down and not repaired"	The whole Act.
45 Ed. 3. c. 2. - -	The Penalty of him that setteth up or enhanceth Wares.	The whole Act.
13 Rich. 2. Stat. 1. c. 19.	A Confirmation of Stat. 13 Ed. 1. Stat. 1. c. 47. -	The whole Act.
17 Rich. 2. c. 9. -	Justices of Peace shall be Conservators of the Statutes made touching Salmon.	The whole Act.
1 Hen. 4. c. 12. - -	A Confirmation of former Statutes touching pulling down of Wears.	The whole Act.
4 Hen. 4. c. 11. -	Commissions shall be awarded to Justices, &c. to inquire of Wears and Kidels, &c.	The whole Act.
2 Hen. 6. c. 15. -	No Man shall fasten Nets to anything over Rivers -	The whole Act.
12 Ed. 4. c. 7. - -	An Act for the taking away Wears and Fishgarthes -	The whole Act.
11 Hen. 7. c. 5. -	Every Man may pull down the Wears and Engines in the Haven of Southampton, &c.	The whole Act.
14 & 15 Hen. 8. c. 13.	A Confirmation of the Statute 11 Hen. 7. c. 5., and the same made perpetual.	The whole Act.
23 Hen. 8. c. 18. -	For pulling down Piles and Fishgarths in the Rivers Ouse and Humber.	The whole Act.
1 Eliz. c. 17. - -	An Act for the Preservation of Spawn and Fry of Fish.	In so far at it relates to Salmon.
3 Car. 1. c. 4. - -	An Act for Continuance and Repeal of divers Statutes	The First Section of the Act.
3 Jas. 1. c. 12. - -	An Act for the better Preservation of Sea Fish -	The whole Act.
30 Car. 2. c. 9. -	An Act for the better Preservation of Fishing in the River of Severn.	The whole Act.
4 Ann. c. 21. - -	An Act for the Increase and better Preservation of Salmon and other Fish in the Rivers within the Counties of Southampton and Wiltshire.	The whole Act.
9 Ann. c. 26. -	An Act for the better Preservation and Improvement of Fishery within the River of Thames, and for regulating and governing the Company of Fishermen of the said River.	The Second Section of the Act.
1 Geo. 1. Stat. 2. c. 18.	An Act for the better preventing Fresh Fish taken by Foreigners being imported into this Kingdom, and for the Preservation of the Fry of Fish, and for the giving Leave to import Lobsters and Turbets in Foreign Bottoms, and for the better Preservation of Salmon within several Rivers in that Part of this Kingdom called England.	Sects. 11 to 16 inclusive.
23 Geo. 2. c. 26. -	An Act to continue several Laws for the better Regulation of Pilots for the conducting of Ships and Vessels from Dover, Deal, and Isle of Thanet up the River of Thames and Medway, and for permitting Rum or Spirits of the British Sugar Plantations to be landed before the Duties of Excise are paid thereon, and to continue and amend an Act for preventing Frauds on the Admeasurement of Coals within the City and Liberty of Westminster and several Parishes near thereunto, and to continue several Laws for preventing Exactions of Occupiers of Locks and Wears upon the River Thames Westward, and for ascertaining the Rates of Water Carriage upon the said River, and for the better	Sects. 7, 8, & 9.

Salmon Fisheries.

Reference to Act.	Title of Act.	Extent of Repeal.
	Regulation and Government of Seamen in the Merchants Service; and also to amend so much of an Act made in the First Year of the Reign of King George the First as relates to the better Preservation of Salmon in the River Ribble, and to regulate Fees in Trials at Assizes and Nisi Prius upon Records issuing out of the Office of Pleas of the Court of Exchequer, and for the apprehending of Persons in any County or Place upon Warrant granted by Justices of the Peace in any other County or Place, and to repeal so much of an Act made in the 12th Year of the Reign of King Charles the Second as relates to the Time during which the Office of Excise is to be kept open each Day, and to appoint for how long Time the same shall be kept open upon each Day for the future, and to prevent the dealing or destroying of Turnips, and to amend an Act made in the Second Year of His present Majesty for better Regulation of Attorneys and Solicitors.	
33 Geo. 2. c. 27 -	An Act to repeal so much of an Act passed in the Twenty-ninth Year of His present Majesty's Reign concerning a free Market for Fish at Westminster as requires Fishermen to enter their Fishing Vessels at the Office of the Searcher of the Customs at Gravesend, and to regulate the Sale of Fish at the First Hand in the Fish Markets in London and Westminster, and to prevent Salesmen of Fish buying Fish to sell again on their own Account, and to allow Biet and Turbot, Brill and Pear, although under the respective Dimensions mentioned in a former Act, to be imported and sold, and to punish any Persons who shall take or sell any Spawn, Brood, or Fry of Fish, unsizeable Fish, or Fish out of Season, or Smelts under the Size of Five Inches, and for other Purposes.	Sect. 13.
18 Geo. 3. c. 33. -	An Act for the better Preservation of Fish, and regulating the Fisheries in the Rivers Severn and Verniew.	In so far as it relates to Salmon.
37 Geo. 3. c. 95. -	An Act to amend Two Acts made in the Fourth Year of the Reign of Queen Anne and the First Year of the Reign of King George the First, for the Preservation of Salmon and other Fish in the Rivers within the Counties of Southampton and Wilts.	In so far as it relates to Salmon.
58 Geo. 3. c. 43. -	An Act for preventing the Destruction of the Breed of Salmon and Fish of Salmon Kind in the Rivers of England.	The whole Act.
6 & 7 Vict. c. 33. -	An Act to repeal so much of an Act of the First Year of King George the First as limits the Time for taking and being restrained from taking Salmon in certain Rivers, and to amend and extend the Provisions of an Act of the Fifty-eighth Year of King George the Third to the Rivers therein mentioned.	The whole Act.
11 & 12 Vict. c. 52. -	An Act to explain the Acts for preventing the Destruction of the Breed of Salmon and Fish of the Salmon Kind.	The whole Act.

Private Acts relating to Salmon Fisheries.

	Rivers affected.	Extent of Repeal.
43 Geo. 3. c. 61. -	Teign, Dart, and Plym, Devon - - -	The whole Act.
44 Geo. 3. c. 45. -	Rivers flowing into the Solway Firth - - -	The whole Act, except in so far as it relates to Scotland, and to Fish other than Salmon in England.
45 Geo. 3. c. 33. -	Carmarthenshire Rivers - - - -	The whole Act.
46 Geo. 3. c. 19. -	Rivers running into Milford Harbour - -	In so far as it relates to Salmon.
49 Geo. 3. c. 2. -	Lord Lonsdale's Fisheries in Derwent - -	The whole Act.
5 & 6 Vict. c. 63. -	Tyne - - - - - - -	The whole Act.
21 & 22 Vict. c. 141.	Tees - - - - - -	So much of Sects. 63 & 64 as relates to the making of Bye-laws for the Regulation of Salmon Fisheries.

CAP. CX.

An Act for regulating the Business of Dealers in old Metals. [6th *August* 1861.]

'WHEREAS by the Four hundred and eightieth Section of the Merchant Shipping Act, 1854, certain Provisions were enacted for the Regulation of the Business of Persons dealing in, buying, and selling Anchors, Cables, Sails, or old Junk, old Iron or Marine Stores of any Description, and such Provisions have been found beneficial in diminishing the Facilities for disposing of stolen Goods; and it is expedient that similar Provisions should be enacted for the Regulation of the Business of all Dealers in old Metals which afford Facilities for the disposing of stolen Goods:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The old Metal Dealers Act, 1861."

Commencement of Act.

2. This Act shall come into operation on the First Day of *January* One thousand eight hundred and sixty-two.

Definition of Terms.

3. In the Construction and for the Purposes of this Act the Term "Dealer in old Metals" shall mean any Person dealing in, buying, and selling old Metal, scrap Metal, broken Metal, or partly manufactured Metal Goods, or defaced or old Metal Goods, and whether such Person deals in such Articles only, or together with Second-hand Goods or Marine Stores, and the Term "old Metals" shall mean the said Articles.

Penalty on Dealer in old Metals being in possession of stolen Property.

4. It shall be lawful for any Justice of the Peace, upon Complaint made before him, upon Oath, that the Complainant has reason to believe and does believe that any old Metal stolen or unlawfully obtained is kept in any House, Shop, Room, or Place by any Dealer in old Metals within the Limits of the Jurisdiction of such Justice, to give Authority, by Special Warrant, to any Constable or Police Officer to enter, in the Daytime, such House, Shop, Room, or other Place, with such Assistance as may be necessary, and to search for and seize all such old Metals there found, and to carry all the Articles so seized before the Justice issuing the said Warrant, or some other Justice exercising similar Jurisdiction, and such Justice shall thereupon issue a Summons requiring such Dealer to appear before Two Justices, at a Time and Place to be named in such Summons, and if such Dealer shall not then and there prove to the Satisfaction of such Justices how he came by the said Articles, or if any such Dealer shall be found in possession of any old Metal which has been stolen or unlawfully obtained, and on his being taken or summoned before Two Justices it shall be proved to the Satisfaction of such Justices that at the Time when he received it he had reasonable Cause to believe it to have been stolen or unlawfully obtained, then in either of such Cases such Dealer shall be liable to a Penalty not exceeding Five Pounds, and for any subsequent Offence to a Penalty not exceeding Twenty Pounds, or at the Discretion of the Justices in the Case of such Second or subsequent Offence shall be imprisoned and kept to Hard Labour for any Period not exceeding Three Calendar Months: Provided always, that nothing herein contained shall interfere with or affect any Proceeding by Indictment to which such Dealer in old Metals may be liable

liable for feloniously and knowingly receiving stolen Goods, but no Person shall be prosecuted by Indictment and proceeded against under this Act for the same Offence.

Justices may order Dealer to be registered.

5. When any Dealer in old Metals is convicted of either of the Offences aforesaid, it shall be lawful for such Justices, or, on Proof of such Conviction, for any other Two Justices of the same Petty Sessional District of a County, or City or Borough, on Proof of such Conviction, to order and direct that such Dealer shall be registered at the Principal Police Office of such District or City or Borough in a Book to be kept by the Chief Officer of Police for the Purpose, according to the Form No. 1. in the Schedule to this Act annexed, and from and after such Registration such Dealer shall be subject to and shall conform to the several Regulations herein-after provided, for such Period, not exceeding Three Years, as such Justices shall order; and if such Dealer shall during such Period be convicted of any Offence under this Act, the Justices so convicting him may order such Period to be extended for not more than Three Years from the Time when such Period would otherwise expire; and in like Manner, whilst such Dealer is subject to the Regulations of this Act, on any further Conviction under this Act, and as often as such further Conviction shall take place, the Justices so convicting him may order the Period for which he is then subject to such Regulations to be extended for not more than Three Years from the Time when such Period would otherwise expire: Provided always, that where any Dealer in old Metals who is also a Dealer in Marine Stores within the Meaning of the Four hundred and eightieth Section of the Merchant Shipping Act, 1854, is registered as aforesaid, he shall likewise conform to the Regulations contained in the said Section of the said Act, and shall be liable to the Penalties in the said Section provided for not conforming to such Regulations.

Dealer to give Notice of Change of Place of Business.

6. Every Dealer in old Metals who is subject to the Regulations of this Act as aforesaid, shall upon removing to any other Place of Business give Notice of such Removal at the Police Office where he is registered, and if he shall continue to carry on Business as a Dealer in old Metals without giving such Notice, he shall incur a Penalty not exceeding Five Pounds, and a Penalty not exceeding Ten Shillings for every Day after the first on which he continues to carry on such Business without giving such Notice; and where such Dealer shall remove to any Place out of the Petty Sessional District of a County or the City or Borough in which he has been registered, it shall be the Duty of the Superintendent of Police for such District, City, or Borough to transmit a Certificate of such Registration signed by himself, which shall be Evidence of such Registration, together with a certified Copy of any Order of Justices, as to the Period for which such Dealer is to be subject to the Regulations of this Act, to the Clerk of the Justices for the District, City, or Borough in which such Dealer has taken up his Residence, and any of the Justices of such District, City, or Borough may thereupon issue a Summons to such Dealer to appear before Two Justices, and if it shall appear to such Justices that he intends carrying on Business as a Dealer in old Metals, such Justices may order him to be registered in the same Manner as provided in the Fifth Section of this Act, and such Registration shall have the same Effect, during the Period for which such Dealer is to be subject to the Regulations of this Act by any Order of Justices as aforesaid, as in the said Section provided.

Inspectors and Serjeants of Police to visit Places of Business of registered Dealers in old Metals.

7. It shall be lawful for Two Justices by Order in Writing to authorize One or more Inspectors or Serjeants of Police to visit at any Time the Places of Business and inspect the Goods and Books of Dealers in old Metals who are subject to the Regulations of this Act as aforesaid, and who carry on Business within the District of a County or the City or Borough for which such Justices act, and every such Inspector or Serjeant shall and is hereby empowered to record in the Book herein-after required to be kept by every such Dealer in old Metals the Day and Hour of his Visit, and place opposite the Entry of every Article examined by him his Initials or Name in attestation of the same.

Regulations to be observed by registered Dealers in old Metals.

8. Every Dealer in old Metals who is registered as aforesaid shall, during the Period which the Justices shall order as above provided, conform to the following Regulations; (that is to say,)

(1.) He shall keep a Book or Books fairly written, and shall enter therein, according to the Form No. 2. in the Schedule to this Act annexed, an Account of all such old Metals as he may from Time to Time become possessed of, stating in respect of each Article the Name of the Person who purchased or received the same, and the Time at which and the Name of the Person from whom he purchased or received the same, adding in the Case of every such last-mentioned Person a Description of his Business and Place of Abode; and he shall also enter in such Book or Books, according to the Form No. 3. in the Schedule to this Act annexed, an Account of all such old Metals as he may from Time to Time sell or dispose of, stating in respect of such old Metals the Name of the Person to whom he sold or disposed of the same, adding a Description of his Business and Place of Abode; and every such Entry in such Book or Books shall be deemed and taken, unless the contrary be shown, to have been made by or with the Authority of the Dealer in old Metals to whom such Book or Books belong:

(2.) He shall not by himself or any other Person purchase or receive any old Metals of any Description before the Hour of Nine in the Morning nor after the Hour of Six in the Evening, nor shall he by himself or any other Person purchase or receive old Metals of any Description from any Person apparently under the Age of Sixteen Years, nor shall he employ any Servant or Apprentice or any other Person under the Age of Sixteen Years to purchase or receive old Metals of any Description:

(3.) He shall produce to any Inspector or Serjeant of Police, authorized as in the last preceding Section provided, whenever thereto requested, the Book or Books required to be kept as aforesaid, and any old Metals purchased or received by him then in his Possession; and such old Metals shall be deemed to be in the Possession of such Dealer when they are placed in any House, Outhouse, Yard, Garden, or Place occupied by him, or shall have been removed with his Knowledge and Permission to any other Place without a *bonâ fide* Sale of such old Metals having been made by him:

(4.) He shall without Delay give Notice to the Officer on Duty at the Police Station nearest to the Place where he carries on Business of any Articles then in his Possession or which shall thereafter come into his Possession answering the Description of any Articles which have been stolen, embezzled, or fraudulently obtained, of which printed or written Information, containing a Description of such Articles, is given to him by any Officer of Police:

(5.) He shall keep all old Metals purchased or received by him without changing the Form in which such Articles were when so purchased, or disposing of the same in any way for a Period of Forty-eight Hours after such Article has been purchased or received:

For any Act or Default contrary to the foregoing Regulations done or made by any registered Dealer in old Metals, during the Period which the Justices shall order as above provided, he shall incur a Penalty of not less than Twenty Shillings and not exceeding Five Pounds, and for every subsequent Offence a Penalty of not less than Five Pounds and not exceeding Twenty Pounds.

Recovery of Penalties.

9. Every Penalty hereby incurred and all Costs directed to be paid upon any Information or Complaint laid under the Provisions of this Act shall be recovered summarily before any Two or more Justices of the Peace in the Manner directed by the Act of the Eleventh and Twelfth Years of the Reign of Her Majesty Queen *Victoria*, Chapter Forty-three, or in such other Manner as may be directed by any Act or Acts that may be passed for like Purposes; and where any Costs or Expenses are incurred in or about the Prosecution or carrying into effect of this Act, which are not recoverable under the Provisions of the above Act, it shall be lawful for any Two Justices of the Peace of any County or Borough, if they shall think fit, to order and direct the same to be paid to the Party incurring the same out of the same Fund and in the same Manner as is directed by the Act of the Seventh Year of the Reign of His late Majesty King *George* the Fourth, Chapter Sixty-four, in Cases of Felony and Misdemeanor.

Application of Penalties.

10. The Justices imposing any Penalty under this Act may, if they shall think fit, direct the whole or any Part thereof to be applied in compensating any Person for any Wrong or Damage which he may have sustained by the Act or Default in respect of which such Penalty is imposed, or to be applied in and towards Payment of the Expenses of the Proceedings; and subject to such Directions or specific Application as aforesaid, all Penalties shall be paid to the Treasurer of the County or of the City or Borough within which such Penalties are recovered, and shall be carried to and form Part of the County Fund or of the City or Borough Fund of such County or of such City or Borough respectively.

Appeal in certain Cases.

11. In all Cases of Convictions under the Fourth Section of this Act, and in all other Cases of Convictions under this Act where a Sum of Money exceeding Five Pounds shall be adjudged to be paid, any Person who thinks himself aggrieved by such Conviction may appeal to the next Court of General or Quarter Sessions which is holden not less than Twelve Days after the Day of such Refusal or Conviction for the County, City, Borough, Liberty, Riding, Division, or Place wherein the Case has been tried; provided that such Person shall give to the Justices or the Complainant, as the Case may be, a Notice in Writing of such Appeal, and of the Cause and Matter thereof, within Three Days after such Conviction, and Seven clear Days at the least before such Sessions, and shall also within such Periods respectively enter into a Recognizance with Two sufficient Sureties before a Justice of the Peace, conditioned personally to appear at the said Sessions and try such Appeal, and abide the Judgment of the Court thereupon, and pay such Costs as shall be by the Court awarded; and the Court at such Sessions shall hear and determine the Matter of the Appeal, and shall make such Order therein, with or without Costs to either Party, as to the Court shall seem meet: Provided always, that in case the Conviction appealed against shall be under the Fourth Section of this Act, and an Order for Registration has been made on such Conviction, the Party so convicted shall not be subject to the Regulations of this Act until after such Appeal is heard and determined against such Party.

Limit of Act.

12. This Act shall extend to *England* only.

SCHEDULE.

No. 1.

REGISTER OF DEALERS IN OLD METALS.

Date of Registration.	Date of Conviction.	Period for which to be subject to Regulations of this Act.	Name.	Place of Abode and Business.

No. 2.

No. 2.

ENTRY OF PURCHASES AND RECEIPTS.

Day of Purchase or Receipt, and Hour of Day.	Description of old Metal purchased or received.	Name and Surname of Person who purchased or received.	Name and Surname of Person from whom purchased or received.	Business and Place of Abode of Person from whom purchased or received.

No. 3.

ENTRY OF SALES.

Day of Sale.	Description of old Metal sold.	Name and Surname of Person to whom sold.	Business and Place of Abode or Business of Person to whom sold.

CAP. CXI.

An Act to amend "The Probates and Letters of Administration Act (*Ireland*), 1857."

[6th *August* 1861.]

'WHEREAS by an Act passed in the Seventh and Eighth Years of Her Majesty, Chapter Ninety-seven, for the more effectual Application of Charitable Donations and Bequests in *Ireland*, it is provided, that the Judge of Her Majesty's Court of Prerogative for Causes Ecclesiastical and Court of Faculties in and throughout *Ireland* for the Time being shall be One of the Commissioners of Charitable Donations and Bequests: And whereas by another Act passed in the Twentieth and Twenty-first Years of the Reign of Her Majesty, Chapter Seventy-nine, for amending the Law relating to Probates and Letters of Administration in *Ireland*, it is provided, that the Judge of Her Majesty's Court of Probate in *Ireland* shall be One of the Commissioners of Charitable Donations and Bequests, in lieu of the Judge of Her Majesty's Court of Prerogative for Causes Ecclesiastical and Court of Faculties in and throughout *Ireland*: And whereas the Judge of Her Majesty's Court of Probate in *Ireland* may be called upon as Judge of the said Court to decide Cases in which the Commissioners of Charitable Donations and Bequests are Parties, and it is therefore expedient that the said Judge should cease to be a Commissioner of Charitable Donations and Bequests, and that the said last-recited Act should be amended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

7 & 8 Vict. c. 97.

20 & 21 Vict. c. 79.

Certain Parts of 20 & 21 Vict. c. 79. repealed, and a new Commissioner to be appointed.

1. So much of the said recited Act of the Twentieth and Twenty-first Years of Her Majesty, Chapter Seventy-nine, as provides that the Judge of Her Majesty's Court of Probate shall be One of the Commissioners of Charitable Donations and Bequests for *Ireland*, shall be and the same is hereby repealed, and it shall be lawful for Her Majesty, by Warrant under the Sign Manual, to appoint One other Person to be a Commissioner of Charitable Donations and Bequests for *Ireland*, instead of the said Judge of Her Majesty's Court of Probate so ceasing to be such Commissioner, and the Appointment of such Commissioner shall be published in the *Dublin Gazette*.

No Decision made by Judge to be set aside by reason of such Judge being a Commissioner, &c.

2. Provided always, That no Order, Decree, or Judgment which shall have been made or given, or Proceeding which shall have been taken, before the passing of this Act, by the Court of Probate in *Ireland*, in or in respect of any Issue which shall have been tried in the said Court, in which the said Commissioners of Charitable Donations and Bequests were Parties or had any Interest, shall be subject to be overruled or rendered invalid by reason of the Judge of the said Court having been *ex officio* One of the said Commissioners.

CAP. CXII.

An Act for the Appropriation of the Seats vacated by the Disfranchisement of the Boroughs of *Sudbury* and *Saint Alban*. [6th *August* 1861.]

7 & 8 Vict. c. 53.

15 & 16 Vict. c. 9.

'WHEREAS by an Act of the Session of the Seventh and Eighth Years of the Reign of Her present Majesty, Chapter Fifty-three, intituled *An Act for the Disfranchisement of* Sudbury, it is provided that the Borough of *Sudbury* in the County of *Suffolk* shall, from and after the passing of that Act, cease to return any Member or Members to serve in Parliament: And whereas by an Act of the Session of the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, Chapter Nine, intituled *An Act to disfranchise the Borough of* St. Albans, it is provided that the Borough of *St. Albans* in the County of *Hertford* shall, from and after the passing of that Act, cease to return any Members or Member to serve in Parliament: And whereas it is expedient to appropriate in manner herein-after mentioned the Four Seats vacated by the Disfranchisement of the said Boroughs:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Division of West Riding of Yorkshire.

1. After the Dissolution of this present Parliament the West Riding of the County of *York* shall be divided into Two Divisions, to be called respectively the Northern and Southern Divisions; the Northern Division shall contain the Wapentakes of *Staincliffe* and *Ewecross, Claro, Skyrack*, and *Morley;* the Southern Division shall contain the Wapentakes of *Barkston Ash, Osgoldcross, Strafforth* and *Tickhill, Staincross*, and *Agbrigg*.

Number of Members in future Elections.

2. In all future Parliaments there shall be Two Knights of the Shire to serve for each of the said Northern and Southern Divisions, and such Knights shall be chosen in the same Manner, and by the same Classes or Descriptions of Voters, and in respect of the same Rights of Voting, as if each such Division were a separate County; and all Enactments now in force applicable to Divisions of Counties returning Knights of the Shire to serve in Parliament shall apply to the Divisions hereby constituted.

Courts and Polling Places.

3. The Court for the Election of Knights of the Shire for the said Northern Division shall be held at *Leeds*, and the Court for the Election of Knights of the Shire of the said Southern Division shall be held at *Wakefield;* but the Justices of the Peace for the said West Riding, assembled at any Court of Quarter Sessions not later than the first to be holden after the Dissolution of the present Parliament, shall name the Polling Places for each of the said Northern and Southern Divisions, and divide such Divisions into convenient Districts for polling, and shall assign One of such Districts to every Polling Place named; and a List stating the Polling Places and describing the Districts assigned shall be lodged with the Clerk of the Peace of the West Riding, who shall forthwith cause Copies of such List to be printed, and shall deliver a Copy of such List to every Person who shall apply for the same, upon Payment of One Shilling for each Copy: Provided always, that nothing herein contained shall, as regards the Divisions constituted by this Act, affect the Power of altering from Time to Time Polling Places and Districts contained in the Act of the Session held in the Sixth and Seventh Years of King *William* the Fourth, Chapter One hundred and two.

Provision in case of Dissolution before Construction of new Polling District.

4. In case of a Dissolution of the present Parliament, and a new Election taking place before the Justices have named such Polling Places and assigned such Polling Districts as aforesaid, the Places then by Law appointed for taking the Poll for Elections of Knights of the Shire for the West Riding of *York*, which are situate in the respective Divisions constituted by this Act, shall be the Places for taking the Poll at such Election for the Election of Knights of the Shire to serve in Parliament for the respective Divisions constituted as aforesaid, and the Districts assigned to such Polling Places shall be deemed to continue for the Purposes of such Election, subject to this Qualification: that if a Portion of any District assigned to any Polling Place is situate in a different Division from the Polling Place, the Sheriff shall, in his Proclamation of the Place and Time at which the Election of Members for either Division is to be held, declare at what Polling Place or Polling Places the Voters of any Parish or Township situate in such outlying Portion are to vote.

Voters for First General Election.

5. For the Purposes of the First General Election for the said Northern and Southern Divisions that takes place after the Dissolution of this present Parliament, the Clerk of the Peace of the said West Riding shall make a new Register of Voters by apportioning to each Division, according to the Situation in such Division of the Parishes or Townships, the several Persons appearing, by the existing Register, to be for the Time being Voters for the said West Riding, and the Voters for the said Northern and Southern Divisions respectively shall be determined by such new Register, and shall be entitled to vote accordingly, and the Clerk of the Peace of the said West Riding shall send Notice to the Overseers of each Parish and Township within the said West Riding of the Division for which the Voters of such Parish or Township are entitled to vote, and the said Overseer shall publish such Notice in manner directed by Law; and at such General Election as is mentioned in this Section all Persons shall vote in the Polling District in which their Qualifications are situate, unless they may have claimed, and be entitled by Law, to vote in some other Polling District within the same Division.

Voters at subsequent General Elections.

6. For the Purposes of all Elections subsequent to the First General Election held for the said Divisions after the Dissolution of this present Parliament, Registers of Voters shall be formed in respect of

of the Divisions of the said West Riding constituted under this Act, at the same Time and in like Manner as if they were Divisions of Counties now returning Members to serve in Parliament; but nothing in this Act shall affect the Rights of Persons whose Names are for the Time being on the Register of Voters to vote at any Election of a Member of the West Riding in respect of any Vacancy that may take place before such Dissolution.

Additional Member for Southern Division of Lancashire.

7. After the passing of this Act the Southern Division of *Lancashire* shall be entitled to return Three Knights of the Shire, instead of Two, to serve in Parliament.

Provision for Election of such additional Member.

8. As soon as may be after the passing of this Act the Speaker of the House of Commons shall, without any Motion being made, or, if it be during the Recess, without receiving any such Notice as is required in the Case of an ordinary Vacancy, issue a Warrant to the Clerk of the Crown to make out a Writ for electing an additional Member of the House of Commons for the said Southern Division of *Lancashire*, and such Warrant shall be valid notwithstanding the Issue thereof during the Recess of the House of Commons by Prorogation or Adjournment, and the same Proceedings, as nearly as Circumstances admit, shall be had in pursuance of the Writ so made out as if the said Division had previously returned Three Members, instead of Two, to serve in Parliament, and a Vacancy had occurred in the Seat of One of the Members returned for such Division.

Birkenhead to form a Borough to return One Member.

9. *Birkenhead* in the County of *Cheshire* shall, for the Purposes of this Act, be a Borough, and shall from and after the First Day of *December* One thousand eight hundred and sixty-one return One Member to serve in Parliament; it shall as such Borough include the Places following; that is to say, the Extra-parochial Chapelry of *Birkenhead*, the several Townships of *Claughton*, *Tranmere*, and *Oxton*, and so much of the Township of *Higher Bebbington* as lies to the Eastward of the Road leading from *Higher Tranmere* to *Lower Bebbington*.

Provision for Appointment of Returning Officer for such Borough.

10. The Sheriff for the Time being of the County in which the Borough constituted by this Act is situate shall as soon as possible after the passing of this Act, and in every subsequent Year in the Month of *March*, by Writing under his Hand, to be delivered to the Clerk of the Peace of the County within One Week, and to be by such Clerk of the Peace filed and preserved with the Records of his Office, appoint for such Borough a fit Person being resident therein to be, and such Person so appointed shall accordingly be, the Returning Officer for such Borough until the Appointment to be made in the succeeding *March;* and the Provisions contained in Section Eleven of the Act of the Session of the Second and Third Years of King *William* the Fourth, Chapter Forty-five, providing for the Event of the Death or Incapacity of any Person appointed as Returning Officer for any Borough, as therein mentioned, and exempting any Person so appointed from serving again in the same Office, and disqualifying certain Persons from being so appointed, and Persons so appointed from being appointed Churchwardens or Overseers, shall extend and be applicable to and for the Appointment of Returning Officer for the Borough constituted by this Act, and to the Returning Officer to be appointed for the same.

A Register of Voters to be formed in 1861 for such Borough.

11. Notwithstanding the Continuance of this present Parliament, a Register of Voters shall be formed in and after the Year One thousand eight hundred and sixty-one for the Borough constituted by this Act, in like Manner as if it were a Borough now returning a Member to serve in Parliament, with this Qualification, that for the Purposes of the Register of the said Borough to be formed in the Year One thousand eight hundred and sixty-one, the Act passed in the Session holden in the Sixth Year of the Reign of Her present Majesty, Chapter Eighteen, shall be construed as if the Month of *August* had been inserted therein in place of the Month of *June*, and the Month of *September* in the Place of the Month of *July*, and the Month of *October* in the Place of the Month of *August*, and the Month of *November* in the Place of the Month of *September;* and it shall be the Duty of the Revising Barrister to hold his Court for the Revision of the List of the Voters for the Borough between the Fourteenth Day of *November* and the Twenty-first Day of *November* One thousand eight hundred and sixty-one, instead of between the Fifteenth Day of *September* and the last Day of *October*, as in the said Act mentioned; and the printed Book or Books constituting the Register of Voters for the Borough of *Birkenhead* shall be delivered to the Returning Officer of the said Borough on or before the last Day of *November* as in the said Act mentioned; and the said Register shall be deemed to be in force from and after such last-mentioned Day.

Provisions consequent on Formation of Borough.

12. No Person shall be registered in the Register of Voters formed after the passing of this Act for the County of *Cheshire* who would not be entitled to be so registered in case the Borough of *Birkenhead* were now a Borough returning a Member to serve in Parliament.

Provision as to such Borough in case of a Dissolution before its Register is in force.

13. In case a Dissolution of this present Parliament takes place before the Day at and from which the Register of Voters to be first made for the Borough constituted by this Act begins to be in force, the Writs for the Election of a Member to serve in Parliament for such Borough shall not be issued until such Register begins to be in force; but if no Dissolution of this present Parliament takes place before such last-mentioned Day, the Speaker of the House of Commons shall, without any Motion being made, or, if it be during the Recess, without receiving any such Notice as is required in the Case of an ordinary Vacancy, issue a Warrant to the Clerk of the Crown to make out a Writ for the Election of One Member for the said Borough, and such Warrant shall be valid notwithstanding the Issue thereof during the Recess of the House of Commons by Prorogation or Adjournment, and the same Proceedings,

ceedings, as nearly as Circumstances admit, shall be had in pursuance of the Writ so made out as if the said Borough had previously returned a Member to Parliament, and a Vacancy had occurred in the Seat of such Member.

Writs, &c. to be made conformable to this Act.

14. All Warrants and Writs to be issued for the Election of Members to serve in Parliament in pursuance of this Act, and all Mandates, Precepts, Instruments, Proceedings, and Notices consequent upon such Writs, shall be framed in such Manner and Form as may be necessary for the carrying the Provisions of this Act into effect.

Election Laws to remain in force.

15. Subject to the Provisions of this Act, all Laws, Statutes, Usages, Provisions, and Penalties now in force relating to the issuing of Writs, the Conduct of Elections, or otherwise respecting the Representation of the People in *England* and *Wales*, shall remain in full force, and shall apply, as nearly as Circumstances admit, to the Borough hereby constituted, as if it were now a Borough returning a Member to Parliament, and to the Divisions of Counties hereby authorized to return additional Members, as if they were now returning such additional Member.

CAP. CXIII.

An Act for amending and consolidating the Law relating to Industrial Schools.

[6th *August* 1861.]

'WHEREAS it is expedient to make further Provision for the Education and Control in Industrial Schools of destitute and refractory Children:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Short Title.

1. This Act may be cited for all Purposes as "The Industrial Schools Act, 1861."

Limits of Act.

2. This Act shall not extend to *Scotland* or *Ireland*.

Interpretation of Terms.

3. The following Words and Expressions shall have the Meanings hereby assigned to them respectively, unless there be something in the Subject or Context repugnant to such Construction:

"Justices" shall mean any Two or more Justices of the Peace acting together in Petty Sessions, also the Lord Mayor or any Alderman of the City of *London*, or any other Magistrate authorized by Statute to do alone whatsoever is authorized by the Act of the Eleventh and Twelfth Years of Her present Majesty, Chapter Forty-three, to be done by any Two or more Justices of the Peace:

"Managers" shall include the Directors, Managers, or other Persons who have the Management or Control of any such Industrial School as is herein-after mentioned:

"Parent" shall include any Person legally liable to maintain a Child, except the putative Father of a Bastard Child on whom an Order of Affiliation has been made:

"County" shall include any City, Borough, Riding, Division of a County, or other Place having a separate Commission of the Peace:

"Parish" shall include any Place maintaining its own Poor.

Certified Industrial Schools.

Mode of certifying Industrial School.

4. Her Majesty's Secretary of State for the Home Department, herein-after referred to as the Secretary of State, may, upon the Application of the Managers of any School in which industrial Training is provided, and in which Children are clothed, lodged, and fed, as well as taught, appoint such Person as he may think fit to examine into the Condition of the School, and to report to him thereon, and if satisfied with such Report he may by Writing under his Hand certify that such School is fitted for the Reception of such Children as may be sent there in pursuance of this Act, and shall cause a Copy of the Certificate to be sent to the Clerk of the Peace of the County in which the School is situate, and to the Town Clerk of every Borough within such County; but no School shall be certified under this Act and also under the Act of the Session of the Seventeenth and Eighteenth Years of Her Majesty, Chapter Eighty-six, intituled *An Act for the better Care and Reformation of youthful Offenders in* Great Britain.

Withdrawal of Certificate by Secretary of State.

5. Every Industrial School that has been certified under this Act, herein-after referred to as "a certified Industrial School," shall from Time to Time, and at least once in each Year, be inspected by a Person to be appointed by the Secretary of State; and it shall be lawful for the Secretary of State, if dissatisfied with the Condition of such School as reported to him, by Notice under his Hand, addressed to the Managers of such School, to declare that the Certificate is withdrawn, from and after a Day to be specified in such Notice, not less than Two Months after the Date thereof.

Notice of Withdrawal.

6. Any such Notice as aforesaid may be served on the Managers of such School by delivering the same personally to any One of them, or by sending it, by Post or otherwise, in a Letter addressed to them or any of them at the said School, or at the usual or last known Place of Abode of any Manager, or of the authorized Secretary, and shall cause a Copy of the Notice to be sent to the Clerk of the Peace of the County in which the School is situate, and to the Town Clerk of every Borough within such County; and any School on the Managers of which such Notice has been served shall from and after

after the Day therein specified cease to be a certified Industrial School within the Meaning of this Act.

Resignation of Certificate by Managers.

7. The Managers of any certified Industrial School may, upon giving Six Months previous Notice of their Intention so to do, in Writing under the Hand of One or more of them, or of the authorized Secretary, require the Secretary of State to withdraw the Certificate given to such School; and accordingly, at the Expiration of Six Months from the Date of the Notice, such Certificate shall be deemed to be withdrawn, and from thenceforth it shall not be lawful to send or receive there any more Children under this Act; but the Managers of a certified Industrial School shall not, except in manner provided by this Section, have Power, without the Consent of the Secretary of State, expressed in Writing, to withdraw from the Obligation of educating, clothing, lodging, and feeding any Children that at the Time of the giving such Notice may be in the School, in pursuance of the Provisions of this Act, until the Certificate be withdrawn, or until such Children be removed to some other Industrial School by an Order of the Secretary of State; and if such Managers make default in so doing they shall incur a Penalty not exceeding Five Pounds for each Default, to be recovered in manner hereinafter mentioned.

Guardians may contract with Managers.

8. The Guardians of any Union or any Parish wherein the Relief to the Poor is administered by a Board of Guardians, may, if they deem proper, with Consent of the Poor Law Board, contract with the Managers of any certified Industrial School for the Maintenance and Education of any Pauper Child.

Admission of Children to and their Status at School.

Description of Children liable to be sent to School.

9. Children of the Descriptions herein-after mentioned may be sent to certified Industrial Schools in pursuance of the Provisions of this Act; that is to say,

1. Any Child apparently under the Age of Fourteen Years found begging or receiving Alms, or being in any Street or public Place for the Purpose of begging or receiving Alms:
2. Any Child apparently under the Age of Fourteen Years that is found wandering, and not having any Home or settled Place of Abode, or any visible Means of Subsistence, or frequents the Company of reputed Thieves:
3. Any Child apparently under the Age of Twelve Years who, having committed an Offence punishable by Imprisonment or some less Punishment, ought nevertheless, in the Opinion of the Justices, regard being had to his Age, and to the Circumstances of the Case, to be sent to an Industrial School:
4. Any Child under the Age of Fourteen Years whose Parent represents that he is unable to control him, and that he desires such Child to be sent to an Industrial School, in pursuance of this Act, and who at the same Time gives such Undertaking or other Security as may be approved by the Justices before whom he is brought, in pursuance of this Act, to pay all Expenses incurred for the Maintenance of such Child at School:

Provided that no Child who, on being brought before the Justices, is proved to have been previously convicted of Felony, shall be deemed to be within the Provisions of this Act.

Justices may send Child to School.

10. Any Person may bring before Justices any Child that is herein-before declared to be liable to be sent to an Industrial School; and the Justices shall make full Inquiry into all the Facts of the Case, and if satisfied, on the Result of such Inquiry that this Act applies to such Child, and that it is expedient to deal with him under its Provisions, may, by Writing under their Hands and Seals, order the Child to be sent, for such Period as they may think necessary for his Education and Training, to any certified Industrial School, whether situate within their Jurisdiction or not, the Managers of which are willing to receive such Child; subject to this Qualification, that it shall be the Duty of the Justices to select, if possible, an Industrial School conducted in accordance with the Religious Persuasion to which the Parent of the Child appears to them to belong: Provided also, that the Justices shall have Power, while Inquiry is being made respecting such Child, or respecting a School to which he may be sent, to order him to be taken to the Workhouse belonging to the Parish in which such Child has been found, and to be detained therein, at the Cost of the Union to which the Parish belongs, for any Time not exceeding Seven Days, or until an Order be made, previous to the Expiration thereof, for the Discharge of such Child, or for his being sent to an Industrial School, as herein-before provided, and such Child shall be so detained accordingly: Provided that the Order of the Justices sending the Child to School shall specify the Religious Persuasion to which the Child appears to the Justices to belong, and it shall be lawful for a Minister of that Religious Persuasion to visit the Child at the School on such Days and at such Times of the Day as may from Time to Time be fixed by Regulations to be made by the Secretary of State, for the Purpose of instructing him in Religion.

Lodging Child at School.

11. The Managers of any certified Industrial School may, at their Discretion, permit any Child sent there in pursuance of this Act to sleep or lodge at the Dwelling of his Parent, or of any trustworthy and respectable Person, so that they educate, feed, and clothe the Child in all respects as if he were lodging in the School itself, and that they report to the Secretary of State, in such Manner as he may require, every Instance in which they exercise a Discretion under this Section.

Settlement not acquired by Stay at School.

12. The Time during which any Child is lodged in any certified Industrial School under this Act shall, for all the Purposes of the Act of the Session of the Ninth and Tenth Years of Her present Majesty, Chapter Sixty-six, and of every Act incorporated therewith, be excluded in the Computation of the Time therein mentioned.

Power to make Rules, &c.

13. It shall be lawful for the Managers of any certified Industrial School to make all necessary Rules, Orders, and Byelaws for the Regulation and Management of the School under their Charge, not repugnant to the Provisions of this Act; but no such Rules, Orders, or Byelaws shall be enforced until they have been submitted to and approved by the Secretary of State.

Limitation of Stay at School.

14. No Child shall in pursuance of this Act be detained against his Consent in any certified Industrial School after he has attained the Age of Fifteen Years.

Discharge of Child from School.

15. The Secretary of State may from Time to Time, by Writing under his Hand, remove any Child sent to an Industrial School in pursuance of this Act from one certified Industrial School to another, so that the whole Period of the Detention of such Child at Industrial Schools be not thereby increased: He may also, in like Manner, discharge any Child from an Industrial School, either absolutely or upon Condition of the Parent of such Child or any near Relation undertaking to educate, clothe, and feed him, or entering into such other Undertaking as the Secretary of State may require.

Power in certain Cases to discharge Child before Expiration of Period, &c.

16. On the Application of the Parent, or of the Managers, or of the Guardians who may be liable to make any Repayment as aforesaid on account of any Child, any Justices of the County in which the School is situate, if satisfied that a suitable Employment has been provided for the Child, or that there is otherwise sufficient Cause, may discharge the Child from the School before the full Expiration of the Period for which he has been sent there.

Maintenance of Children at School.

Maintenance of Child at School.

17. The Commissioners of Her Majesty's Treasury, upon the Representation of the Secretary of State, may, out of Monies provided by Parliament, contribute towards the Maintenance of any Children sent ~~to School~~ in pursuance of this Act, except such Children as are sent to School, in pursuance of this Act, at the Desire of their Parents, and on their Representation that ~~they are unable to control them~~, at such Rate *per* Head as may be determined by him, or such Portion of the Cost as may not be recovered from the Parent of the Child in manner herein provided, or such other Portion as the Secretary of State may recommend.

Order for Payment of Maintenance.

18. The Justices by whom any Child is sent to School in pursuance of this Act, or Justices having Jurisdiction within the District where the School is situate to which any Child is sent in pursuance of this Act, or in which the Parent of such Child shall reside, upon an Application made by any Person appointed by the Secretary of State for that Purpose, or by any Agent of such Person, shall have Authority to ~~make an Order~~ on the Parent of such Child for the Payment, either at the Time of the Child being first sent to School, or at any Time during his Continuance at School, of the Expenses of his Maintenance at School to an Amount not exceeding Five Shillings for every Week during which the Child remains at such School.

Variation of Order.

19. The Order made by the Justices may specify the Time during which the Parent is to pay the Sums thereby directed to be paid, or it may be indefinite, and until further Order; and any Justices of the Peace having Jurisdiction to make such Order may from Time to Time vary the same whenever Circumstances require it, on the Application either of the Parent or of any Person appointed by the Secretary of State to receive the Money, or by the Agent of such Person, on Fourteen Days Notice being first given of such Application to such Person or his Agent, or to such Parent, respectively.

Absconding from School.

Penalty on Child absconding.

20. If any Child, whether lodging in the School or elsewhere, before attaining the Age of Fifteen Years, or before being duly discharged, wilfully absconds from the School to which he is sent in pursuance of this Act, or neglects to attend thereat, or wilfully refuses to conform to the Regulations thereof, any Justices having Jurisdiction in the Place in which the School is situate or in which the Child is retaken may, by Writing under their Hands and Seals, order him to be sent back to the School, and to be detained there until he attains the Age of Fifteen Years, or for such shorter Period as the Justices think fit, or, instead of sending him back to such last-mentioned School, the Justices may commit him, under the Provisions of the Act of the Session of the Seventeenth and Eighteenth Years of *Victoria*, Chapter Eighty-six, to any Reformatory School certified under the said Act.

Penalty on inducing Child to abscond.

21. Any Person who directly or indirectly withdraws a Child from the certified Industrial School to which he has been sent, previously to his attaining the Age of Fifteen Years or to being duly discharged, or who induces or aids him to abscond, or who knowingly conceals or harbours him, or in any way prevents his Return, shall for every such Offence incur a Penalty not exceeding Five Pounds, or shall be liable, at the Discretion of the Justices, to be imprisoned for any Period not exceeding Twenty Days.

Recovery of Penalties.

22. Penalties may be recovered and Payments may be enforced under this Act in manner provided by the Act of the Session of the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Forty-three, and any Act amending the same. Mode of recovering Penalties.

Evidence.

23. Whenever the Secretary of State grants a Certificate to or withdraws it from any Industrial School, in pursuance of this Act, he shall cause a Notice of such Grant or Withdrawal to be published in the *London Gazette* within One Calendar Month, and such Publication shall be sufficient Evidence of the Fact in all Proceedings before Justices and other Courts. Evidence of School being certified.

24. The Order made by the Justices sending any Child to a certified Industrial School shall be forwarded to the Managers thereof, and shall be a sufficient Warrant for the Detention of the Child. Evidence of Order of Justices.

25. Whenever it is necessary to prove that any Industrial School is duly certified under this Act, the Production of an attested Copy of the Certificate or of the Notice published in the *London Gazette* shall be sufficient Evidence thereof; and the Production of the Order under which any Child has been sent to or is detained in any certified Industrial School under this Act, or a Copy of such Order, with a Memorandum signed by One of the Managers or their authorized Secretary, or by the Superintendent or Master or Matron of any such School, that the Child named in such Order was duly received into and is at the signing thereof detained in such School, or has been otherwise disposed of according to Law, and the Production of any Order made under this Act, or a Copy thereof, certified by the Clerk to the Justices making the same to be a correct Copy, shall in all Proceedings whatsoever be sufficient Evidence of the due making and signing of all or any of such Orders, Memorandum, and Certificate respectively, and of the sending, Detention, and Identity of the Child or Parent named in such Orders respectively, without Proof of the Signatures of the Justices or other Persons appearing to have signed the same respectively. Evidence of Certificate of School, Identity of Child, and making of Orders.

Forms.

26. No Summons, Notice, or Order made for the Purpose of carrying into effect the Provisions of this Act shall be invalidated for Want of Form only; and the Form in the Schedule to this Act annexed, or any Form to the like Effect, may be used in the Case to which it refers, and when used shall be deemed sufficient. Use of Form in Schedule.

Repeal of Acts.

27. There shall be repealed the Acts herein-after mentioned; that is to say, Repeal of Acts herein named.

1. An Act passed in the Session holden in the Twentieth and Twenty-first Years of Her Majesty, Chapter Forty-eight, intituled *An Act to make better Provision for the Care and Education of vagrant, destitute, and disorderly Children, and for the Extension of Industrial Schools:*
2. An Act passed in the Session holden in the Twenty-third and Twenty-fourth Years of Her Majesty, Chapter One hundred and eight, intituled *An Act to amend the Industrial Schools Act*, 1857:

Provided that such Repeal shall not affect—

1. Any Certificate given or anything duly done under any Act hereby repealed:
2. Any Order made under any Act hereby repealed:
3. Any Penalty, Forfeiture, or other Punishment incurred under any Act hereby repealed, or any Remedy for recovering or enforcing the same.

28. This Act shall apply to all Schools certified under the Acts hereby repealed or either of them, and to all Children sent to any Industrial School, under the Acts hereby repealed or either of them, in the same Manner in all respects as if such Certificate had been given or Children been sent under the Provisions of this Act, with this Qualification, that no Child shall be detained at any Industrial School, in pursuance of any Order made under the repealed Acts, for a longer Period than he would have been detained if this Act had not passed. Application of Act to existing certified Schools.

29. This Act shall remain in force until the First Day of *January* One thousand eight hundred and sixty-four. Duration of Act

SCHEDULE.

FORM.

Order sending Child to Industrial School.

} To the Constable of and to the Managers of
to wit. } the certified Industrial School at :

WHEREAS a certain Child named *A.B.* was this Day brought before us, Her Majesty's Justices of the Peace for the in Petty Sessions assembled, under the Provisions of the Industrial Schools Act, 1861: Now therefore we, the said Justices, being satisfied that the said Act applies to such Child, and that it is expedient to deal with him [*or* her] under its Provisions, order you the said Constable in pursuance of the said Act to take the said Child, and him [*or* her] safely convey

to the certified Industrial School at aforesaid, and there to deliver him [*or* her], together with this Order; and we do hereby command you the said Managers to receive the said Child into your Charge in the said School, and there to detain, educate, clothe, and feed him [*or* her] for the Period of from the Date hereof.

Given under our Hands and Seals, this Day of at in the County aforesaid.

[*Signatures and Seals of Justices.*]

CAP. CXIV.

An Act to amend the Law with respect to Wills of Personal Estate made by *British* Subjects. [6th *August* 1861.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Wills made out of the Kingdom to be admitted if made according to the Law of the Place where made, or of the Place of Domicile.

1. Every Will and other testamentary Instrument made out of the United Kingdom by a *British* Subject (whatever may be the Domicile of such Person at the Time of making the same or at the Time of his or her Death) shall as regards Personal Estate be held to be well executed for the Purpose of being admitted in *England* and *Ireland* to Probate, and in *Scotland* to Confirmation, if the same be made according to the Forms required either by the Law of the Place where the same was made or by the Law of the Place where such Person was domiciled when the same was made, or by the Laws then in force in that Part of Her Majesty's Dominions where he had his Domicile of Origin.

Wills made in any Part of the Kingdom to be admitted if made according to Law in force where made.

2. Every Will and other testamentary Instrument made within the United Kingdom by any *British* Subject (whatever may be the Domicile of such Person at the Time of making the same or at the Time of his or her Death) shall as regards Personal Estate be held to be well executed, and shall be admitted in *England* and *Ireland* to Probate, and in *Scotland* to Confirmation, if the same be executed according to the Forms required by the Laws for the Time being in force in that Part of the United Kingdom where the same is made.

Change of Domicile not to invalidate Will.

3. No Will or other testamentary Instrument shall be held to be revoked or to have become invalid, nor shall the Construction thereof be altered, by reason of any subsequent Change of Domicile of the Person making the same.

Nothing in this Act to invalidate Wills otherwise made.

4. Nothing in this Act contained shall invalidate any Will or other testamentary Instrument as regards Personal Estate which would have been valid if this Act had not been passed, except as such Will or other testamentary Instrument may be revoked or altered by any subsequent Will or testamentary Instrument made valid by this Act.

Extent of Act.

5. This Act shall extend only to Wills and other testamentary Instruments made by Persons who die after the passing of this Act.

CAP. CXV.

An Act for the Government of the Navy. [6th *August* 1861.]

'WHEREAS it is expedient to amend the Law relating to the Government of the Navy, whereon, under the good Providence of God, the Wealth, Safety, and Strength of the Kingdom chiefly depend:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

PART I.

ARTICLES OF WAR.

Public Worship.

Public Worship to be performed.

1. All Officers in Command of Her Majesty's Ships of War shall cause the Public Worship of Almighty God according to the Liturgy of the Church of *England* established by Law to be solemnly, orderly, and reverently performed in their respective Ships, and shall take care that Prayers and Preaching, by the Chaplains in Holy Orders of the respective Ships, be performed diligently, and that the Lord's Day be observed according to Law.

Misconduct in the Presence of the Enemy.

Penalty for Misconduct in Action.

2. Every Flag Officer, Captain, Commander or Officer commanding subject to this Act who upon Signal of Battle, or on Sight of a Ship of an Enemy which it may be his Duty to engage, shall not,

(1.) Use his utmost Exertion to bring his Ship into Action;

(2.) Or shall not during such Action, in his own Person and according to his Rank, encourage his inferior Officers and Men to fight courageously;

(3.) Or who shall surrender his Ship to the Enemy when capable of making a successful Defence, or who in Time of Action shall improperly withdraw from the Fight,

shall,

shall, if he has acted traitorously, suffer Death; if he has acted from Cowardice shall suffer Death, or be imprisoned, and be also dismissed with Disgrace from Her Majesty's Service; and if he has acted from Negligence, or through other Default, he shall be dismissed from Her Majesty's Service, with or without Disgrace, or shall suffer such other Punishment as is herein-after mentioned.

Penalty for not pursuing the Enemy and of not assisting a Friend in View.

3. Every Officer subject to this Act who shall forbear to pursue the Chase of any Enemy, Pirate, or Rebel, beaten or flying, or shall not relieve and assist a known Friend in View to the utmost of his Power, or who shall improperly forsake his Station, shall, if he has therein acted traitorously, suffer Death; if he has acted from Cowardice, suffer Death or such other Punishment as is herein-after mentioned; if he has acted from Negligence, or through other Default, shall be dismissed from Her Majesty's Service, with Disgrace, or shall suffer such other Punishment as is herein-after mentioned.

Penalty for discouraging the Service, or deserting his Post, &c.

4. When any Action or any Service is commanded, every Person subject to this Act who shall presume to delay or discourage the said Action or Service upon any Pretence whatsoever, or in the Presence or Vicinity of the Enemy shall desert his Post or sleep upon his Watch, shall suffer Death, or such other Punishment as is herein-after mentioned.

Penalty for Misconduct of subordinate Officers and Men in Action.

5. Every Person subject to this Act, and not being a Commanding Officer, who shall not use his utmost Exertions to carry the Orders of his superior Officers into execution when ordered to prepare for Action, or during the Action, shall, if he has acted traitorously, suffer Death; if he has acted from Cowardice shall suffer Death, or such other Punishment as is herein-after mentioned; and if he has acted from Negligence, or through other Default, be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Communications with the Enemy.

Penalty for Spies.

6. All Spies for the Enemy shall be deemed to be Persons subject to this Act, and shall suffer Death, or such other Punishment as is herein-after mentioned.

Penalty for corresponding, &c. with the Enemy.

7. Every Person subject to this Act who shall traitorously hold—

(1.) Correspondence with or shall give Intelligence to the Enemy;

(2.) Or fail to make known to the proper Authorities any Information he may have received from the Enemy;

(3.) Or who shall relieve the Enemy with any Supplies,

shall suffer Death, or such other Punishment as is herein-after mentioned.

Penalty for improper Communication with the Enemy.

8. Every Person subject to this Act who shall, without any treacherous Intention, hold any improper Communication with the Enemy, shall be dismissed from Her Majesty's Service, or shall suffer such other Punishment as is herein-after mentioned.

Neglect of Duty.

Penalty for abandoning Post, &c.

9. Every Person subject to this Act who shall desert his Post or sleep upon his Watch, or negligently perform the Duty imposed on him, shall be dismissed from Her Majesty's Service, with Disgrace, or shall suffer such other Punishment as is herein-after mentioned.

Mutiny.

Penalty for Mutiny with Violence.

10. Where Mutiny is accompanied by Violence, every Person subject to this Act who shall join therein shall suffer Death, or such other Punishment as is herein-after mentioned; and every Person subject to this Act who shall not use his utmost Exertions to suppress such Mutiny shall, if he has acted traitorously, suffer Death, or such other Punishment as is herein-after mentioned; if he has acted from Cowardice, shall suffer Penal Servitude or such other Punishment as is herein-after mentioned; if he has acted from Negligence he shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty for Mutiny without Violence.

11. Where a Mutiny is not accompanied by Violence, the Ringleader or Ringleaders of such Mutiny shall suffer Death, or such other Punishment as is herein-after mentioned; and all other Persons who shall join in such Mutiny, or shall not use their utmost Exertions to suppress the same, shall suffer Imprisonment or such other Punishment as is herein-after mentioned.

Penalty for inciting to Mutiny.

12. Every Person subject to this Act who shall endeavour to seduce any other Person subject to this Act from his Duty or Allegiance to Her Majesty, or endeavour to incite him to commit any Act of Mutiny, shall suffer Death or such other Punishment as is herein-after mentioned.

Penalty for Civilians endeavouring to seduce from Allegiance.

13. Every Person, not otherwise subject to this Act, who being on board any Ship of Her Majesty, shall endeavour to seduce from his Duty or Allegiance to Her Majesty any Person subject to this Act, shall so far as respects such Offence be deemed to be a Person subject to this Act, and shall suffer Death or such other Punishment as is herein-after mentioned.

Penalty for making mutinous Assemblies, &c.

14. Every Person subject to this Act who shall make or endeavour to make any mutinous Assembly, or shall lead or incite any other Person to join in any mutinous Assembly, or shall utter any Words of Sedition or Mutiny, shall suffer Penal Servitude or such other Punishment as is herein-after mentioned.

Penalty for concealing any traitorous Practice, &c.

15. Every Person subject to this Act who shall wilfully conceal any traitorous or mutinous Practice or Design, or any traitorous or mutinous Words spoken against Her Majesty, or any Words, Practice, or Design tending to the Hindrance of the Service, shall suffer Penal Servitude or such other Punishment as is herein-after mentioned.

16. Every

Penalty for striking or offering to strike superior Officer.

16. Every Person subject to this Act who shall strike or offer to strike or use any Violence against his superior Officer, being in the Execution of his Office, shall be punished with Death, or such other Punishment as is herein-after mentioned; and every Person subject to this Act who shall strike or offer to strike or use any Violence against his superior Officer, not being in the Execution of his Office, shall be punished with Penal Servitude or such other Punishment as is herein-after mentioned.

Insubordination.

Penalty for Disobedience, &c.

17. Every Person who shall wilfully disobey any lawful Command of his superior Officer, or shall use threatening or insulting Language or behave with Contempt to his superior Officer, shall be punished with Dismissal from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty for quarrelling, &c., or using reproachful Speech or Gestures.

18. Every Person subject to this Act who shall quarrel or fight with any other Person, whether such other Person be or be not subject to this Act, or shall use reproachful or provoking Speeches or Gestures, tending to make any Quarrel or Disturbance, shall suffer Imprisonment or such other Punishment as is herein-after mentioned.

Desertion and Absence without Leave.

Penalty for Desertion.

19. Every Person subject to this Act who shall absent himself from his Ship or from the Place where his Duty requires him to be, without any Intention of returning to such Ship or Place, or who shall at any Time and under any Circumstances when absent from his Ship do any Act which shows that he has not any Intention of returning to such Ship or Place, shall be deemed to have deserted, and shall be punished accordingly; that is to say,

(1.) If he has deserted to the Enemy he shall be punished with Death or such other Punishment as is herein-after mentioned;

(2.) If he has deserted under any other Circumstances he shall be punished with Penal Servitude or such other Punishment as is herein-after mentioned;

and in every such Case he shall forfeit all Pay, Head Money, Bounty, Salvage, Prize Money, and Allowances that have been earned by him, and all Annuities, Pensions, Gratuities, Medals, and Decorations that may have been granted to him, and also all Clothes and Effects which he may have left on board the Ship or at the Place from which he has deserted, unless the Tribunal by which he is tried shall otherwise direct.

Penalty for inducing to desert.

20. Every Person subject to this Act who shall endeavour to seduce any other Person subject to this Act to desert shall suffer Imprisonment, or such other Punishment as is herein-after mentioned.

Penalty for entertaining a Deserter.

21. Every Officer in Command of any Ship of Her Majesty who shall receive or entertain any Deserter from Her Majesty's Military or Naval Forces, after discovering him to be a Deserter, and shall not, with all convenient Speed, in the Case of a Deserter from Her Majesty's Naval Forces, give Notice to the Commanding Officer of the Ship to which such Deserter belongs, or, if such Ship is at a Distance, to the Secretary of the Admiralty or to the Commander-in-Chief, or, in case of a Deserter from Her Majesty's Military Forces, give Notice to the Secretary of War or the Commanding Officer of the Regiment to which such Deserter belongs, the Officer so offending shall be dismissed from Her Majesty's Service, or shall suffer such other Punishment as is herein-after mentioned.

Penalty for Absence without Leave.

22. Every Person subject to this Act who shall be absent without Leave shall be liable to Imprisonment for any Period not exceeding Ten Weeks, with or without Hard Labour, or such other Punishment as the Circumstances of the Case may require, and shall also forfeit out of his Wages a Sum not exceeding the Amount of Two Days Pay, exclusive of all Charges of Apprehension, and in addition for every Twenty-five Hours of Absence a Sum not exceeding Six Days Pay; and any Person may be deemed to be absent without Leave, notwithstanding his Absence may not have been voluntary, but may have been caused by Imprisonment under any Commitment for any Offence against the Law.

Miscellaneous Offences.

Penalty for profane Swearing and other Immoralities.

23. Every Person subject to this Act who shall be guilty of any profane Oath, Cursing, Execration, Drunkenness, Uncleanness, or other scandalous Action in derogation of God's Honour and Corruption of good Manners, shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty on Officer for Cruelty or Oppression.

24. Every Officer subject to this Act who shall be guilty of Cruelty, or of any scandalous or fraudulent Conduct, shall be dismissed with Disgrace from Her Majesty's Service; and every Officer subject to this Act who shall be guilty of any other Conduct unbecoming the Character of an Officer shall be dismissed, with or without Disgrace, from Her Majesty's Service.

Penalty for suffering Ships to be improperly lost.

25. Every Person subject to this Act who shall either designedly or negligently or by any Default lose, strand, or hazard, or suffer to be lost, stranded, or hazarded, any Ship of Her Majesty, or in Her Majesty's Service, shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty for not taking care

26. The Officers of all Ships of Her Majesty appointed for the Convoy and Protection of any Ships or Vessels shall diligently perform their Duty without Delay according to their Instructions in that Behalf;

Behalf; and every Officer who shall fail in his Duty in this respect, and shall not defend the Ships and Goods under his Convoy, without Deviation to any other Objects, or shall refuse to fight in their Defence if they are assailed, or shall cowardly abandon and expose the Ships in his Convoy to Hazard, or shall demand or exact any Money or other Reward from any Merchant or Master for convoying any Ships or Vessels entrusted to his Care, or shall misuse the Masters or Mariners thereof, shall make such Reparation in Damages to the Merchants, Owners, and others as the Court of Admiralty may adjudge, and also shall be punished criminally according to the Nature of his Offence, by Death or such other Punishment as is herein-after mentioned. of and defending Ships under Convoy.

27. Every Master or other Officer in command of any Merchant or other Vessel under the Convoy of any Ship of Her Majesty shall obey the Commanding Officer thereof in all Matters relating to the Navigation or Security of the Convoy, and shall take such Precautions for avoiding the Enemy as may be directed by such Commanding Officer; and if he shall fail to obey such Directions such Commanding Officer may compel Obedience by Force of Arms, without being liable for any Loss of Life or of Property that may result from his using such Force. Master of Merchant Vessel to obey Orders of convoying Officer.

28. Every Officer in Command of any of Her Majesty's Ships who shall receive on board, or permit to be received on board, such Ship any Goods or Merchandises whatsoever, other than for the sole Use of the Ship, except Gold, Silver, or Jewels, and except the Goods and Merchandise belonging to any Merchant, or on board any Ship which may be shipwrecked or in imminent Danger, either on the High Seas or in some Port, Creek, or Harbour, for the Purpose of preserving them for their proper Owners, or except such Goods or Merchandise as he may at any Time be ordered to take or receive on board by Order of the Admiralty, shall be dismissed from Her Majesty's Service, or suffer such other Punishment as is herein-after mentioned. Penalty for taking Goods on board other than for Use of Vessel, except Gold, &c.

29. Every Person subject to this Act who shall wastefully expend, embezzle, or fraudulently buy, sell, or receive, any Ammunition, Provisions, or other Public Stores, and every Person subject to this Act who shall knowingly permit any such wasteful Expenditure, Embezzlement, Sale, or Receipt, shall suffer Imprisonment or such other Punishment as is herein-after mentioned. Penalty for embezzling Public Stores.

30. Every Person subject to this Act who shall unlawfully set fire to any Dockyard, Victualling Yard, or Steam Factory Yard, Arsenal, Magazine, Building, Stores, or to any Ship, Vessel, Hoy, Barge, Boat, or other Craft, or Furniture thereunto belonging, not being the Property of an Enemy, Pirate, or Rebel, shall suffer Death or such other Punishment as is herein-after mentioned. Penalty for burning any Magazine, &c. not belonging to Enemy.

31. Every Person subject to this Act who shall knowingly make or sign a false Muster or Record or other official Document, or who shall command, counsel, or procure the making or signing thereof, or who shall aid or abet any other Person in the making or signing thereof, shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned. Penalty for making or signing false Musters.

32. Every Person subject to this Act who shall wilfully do any Act, or wilfully disobey any Orders, whether in Hospital or elsewhere, with Intent to produce or to aggravate any Disease or Infirmity, or to delay his Cure, or who shall feign any Disease, Infirmity, or Inability to perform his Duty, shall suffer Imprisonment, or such other Punishment as is herein-after mentioned. Penalty for Misconduct in Hospital.

33. Every Person subject to this Act who shall have any Cause of Complaint, either of the Unwholesomeness of the Victuals or upon any other just Ground, shall quietly make the same known to his Superior, or Captain, or Commander-in-Chief, and the said Superior, Captain, or Commander-in-Chief shall, as far as he is able, cause the same to be presently remedied; and no Person subject to this Act upon any Pretence whatever shall attempt to stir up any Disturbance, upon Pain of such Punishment as a Court-martial may think fit to inflict, according to the Degree of Offence. Penalty for endeavouring to stir up Disturbance on account of unwholesome Victuals.

34. Every Person subject to this Act who shall be guilty of any Act, Disorder, or Neglect to the Prejudice of good Order and Naval Discipline, not herein-before specified, shall be dismissed from Her Majesty's Service with Disgrace, or suffer such other Punishment as is herein-after mentioned. Penalty for Offences against Discipline.

35. All the Papers, Charter Parties, Bills of Lading, Passports, and other Writings whatsoever that shall be taken, seized, or found aboard any Ship or Ships which shall be taken as Prize shall be duly preserved, and the Commanding Officer of the Ship which shall take such Prize shall send the Originals entire and without Fraud to the Court of Admiralty, or such other Court or Commissioners as shall be authorized to determine whether such Prize be lawful Capture, there to be viewed, made use of, and proceeded upon, according to Law, upon Pain that every Person offending herein shall be dismissed from Her Majesty's Service, or shall suffer such other Punishment as is herein-after mentioned, and in addition thereto shall forfeit and lose his Share of the Capture. Penalty for not sending to Court of Admiralty all Papers found aboard Prize Ships.

36. No Person subject to this Act shall take out of any Prize or Ship seized for Prize any Money, Plate, or Goods, unless it shall be necessary for the better securing thereof, or for the necessary Use and Service of any of Her Majesty's Ships and Vessels of War, before the same be adjudged lawful Prize in some Admiralty Court; but the full and entire Account of the whole without Embezzlement shall be brought in, and Judgment passed entirely upon the whole, without Fraud, upon Pain that every Person offending herein shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned, and in addition thereto forfeit and lose his Share of the Capture. Penalty for taking Money or other Effects out of any Prize before the same shall be condemned.

37. If

Penalty for stripping or ill-using Persons taken on board a Prize.

37. If any Ship or Vessel shall be taken as Prize, none of the Officers, Mariners, or other Persons on board her shall be stripped of their Clothes, or in any sort pillaged, beaten, or evil intreated, upon Pain that the Person or Persons so offending shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Offences punishable by Ordinary Law.

Penalty for Offences punishable by ordinary Law.

38. Every Person subject to this Act who shall be guilty of Murder shall suffer Death:

If he shall be guilty of Manslaughter he shall suffer Penal Servitude, or such other Punishment as is herein-after mentioned:

If he shall be guilty of Sodomy with Man or Beast he shall suffer Penal Servitude:

If he shall be guilty of indecent Assaults he shall suffer Penal Servitude, or such other Punishment as is herein-after mentioned:

If he shall be guilty of Robbery or Theft he shall suffer Penal Servitude, or such other Punishment as is herein-after mentioned:

If he shall be guilty of any other Criminal Offence which if committed in *England* would be punishable by the Law of *England*, he shall, whether the Offence be or be not committed in *England*, be punished either in pursuance of the First Part of this Act as an Act to the Prejudice of good Order and Naval Discipline not otherwise specified, or the Offender shall be subject to the same Punishment as might be awarded by any ordinary Criminal Tribunal competent to try the Offender, if the Offence had been committed in *England*.

Offences, when punishable.

39. For all Offences specified or referred to in this Act, if committed by any Person subject thereto in any Harbour, Haven, or Creek, or on any Lake or River, whether in or out of the United Kingdom or anywhere within the Jurisdiction of the Admiralty, or at any Place on shore out of the United Kingdom of *Great Britain* and *Ireland*, or in any of Her Majesty's Dockyards, Victualling Yards, Steam Factory Yards, or on any Gun Wharf, or in any Arsenal, Barrack, or Hospital belonging to Her Majesty, whether in or out of the said United Kingdom, the Offender may be tried and punished under this Act, and for all Offences herein-before specified under the Headings "Misconduct in the Presence of the Enemy," "Communications with the Enemy," "Neglect of Duty," "Mutiny," "Insubordination," "Desertion and Absence without Leave," or "Miscellaneous Offences," if committed by any Person subject to this Act at any Place on shore, whether in or out of the said United Kingdom, the Offender may be tried and punished under this Act.

PART II.

General Provisions.

Power of Court-martial to find Intent with which Offence committed.

40. Where the Amount of Punishment for any Offence under this Act depends upon the Intent with which it has been committed, and any Prisoner is charged with having committed such Offence with an Intent involving a greater Degree of Punishment, a Court-martial may find that the Offence was committed with an Intent involving a less Degree of Punishment, and award such Punishment accordingly.

Power of Court-martial to find Prisoner guilty of lesser Offence on Charge of greater.

41. Where any Prisoner shall be charged with Murder, a Court-martial may find him guilty of Manslaughter or of a Common Assault; where he shall be charged with Sodomy, a Court-martial may find him guilty of an indecent Assault; where he shall be charged with Theft, a Court-martial may find him guilty of an Attempt to thieve, or of Embezzlement, or of wrongful Appropriation of Property belonging to another; and generally where any Prisoner shall be charged with any Offence under this Act he may upon Failure of Proof of the Commission of the greater Offence be found guilty of another Offence of the same Class involving a less Degree of Punishment, but not of any Offence involving a greater Degree of Punishment.

Rebels, &c. to be deemed Enemies.

42. All armed Rebels, armed Mutineers and Pirates, shall be deemed to be Enemies within the Meaning of this Act.

Power to arrest Offenders.

43. Every Officer in Command of One of Her Majesty's Ships may, by Warrant under his Hand, authorize any Person to arrest an Offender belonging to such Ship for any Offence against this Act mentioned in such Warrant; and any Person so authorized may use Force, if necessary, for the Purpose of effecting such Apprehension, towards any Person subject to this Act.

Penalty for not assisting in Detection of Prisoners.

44. Every Person subject to this Act who shall not use his utmost Endeavours to detect, apprehend, and bring to Punishment all Offenders against this Act, and shall not assist the Officers appointed for that Purpose, shall suffer Imprisonment or such other Punishment as is herein-after mentioned.

PART III.

Regulations as to Punishments.

Punishments.

45. The following Punishments may be inflicted in Her Majesty's Navy:

(1.) Death:

(2.) Penal Servitude:

(3.) Dismissal with Disgrace from Her Majesty's Service:

(4.) Imprisonment or Corporal Punishment:

(5.) Dismissal

(5.) Dismissal from Her Majesty's Service:
(6.) Forfeiture of Seniority as an Officer for a specified Time, or otherwise:
(7.) Dismissal from the Ship to which the Offender belongs:
(8.) Severe Reprimand, or Reprimand:
(9.) Disrating a Subordinate or Petty Officer:
(10.) Forfeiture of Pay, Head Money, Bounty, Salvage, Prize Money, and Allowances earned by, and of all Annuities, Pensions, Gratuities, Medals, and Decorations granted to the Offender, or of any One or more of the above Particulars; also, in the Case of Desertion, of all Clothes and Effects left by the Deserter on board the Ship to which he belongs:
(11.) Such minor Punishments as are now inflicted according to the Custom of the Navy, or may from Time to Time be allowed by the Admiralty:

and each of the above Punishments shall be deemed to be inferior in Degree to every Punishment preceding it in the above Scale.

Regulations as to Punishments.

46. The following Regulations are hereby made with respect to the Infliction of Punishments in Her Majesty's Navy:

(1.) The Admiralty may, except in case of Sentence of Death, which shall only be remitted by Her Majesty, suspend, annul, or modify any Sentence passed on any Person subject to this Act:
(2.) Judgment of Death shall not be passed on any Prisoner unless Four at least of the Officers present at the Court-martial, where the Number does not exceed Five, and in other Cases a Majority of not less than Two Thirds of the Officers present, concur in the Sentence:
(3.) The Punishment of Death shall not be inflicted on any Prisoner until the Sentence has been confirmed by the Admiralty or by the Commander in Chief on a Foreign Station:
(4.) The Punishment of Penal Servitude may be inflicted for the Term of Life, or for any other Term of not less than Three Years:
(5.) The Punishment of Penal Servitude shall in all Cases involve Dismissal with Disgrace from Her Majesty's Service:
(6.) Dismissal with Disgrace shall involve in all Cases a Forfeiture of all Pay, Head Money, Bounty, Salvage, Prize Money, and Allowances that have been earned by, and of all Annuities, Pensions, Gratuities, Medals, and Decorations that may have been granted to the Offender, and an Incapacity to serve Her Majesty again in any Military, Naval, or Civil Service; and may also in all Cases be accompanied by a Sentence of Imprisonment, with or without Solitary Confinement not exceeding the Periods herein-after mentioned, and with or without Hard Labour for all or any Part of the Term of Imprisonment, and with or without Corporal Punishment:
(7.) The Punishment of Imprisonment may be inflicted for any Term not exceeding Two Years; it may be accompanied with a Direction that the Prisoner shall be kept in Solitary Confinement for any Period of such Term not exceeding Fourteen Days at any One Time, and not exceeding Eighty-four Days in any One Year, with Intervals between the Periods of Solitary Confinement of not less Duration than the Periods of Solitary Confinement, and when the Imprisonment awarded exceeds Eighty-four Days, the Solitary Confinement shall not exceed Seven Days in any Twenty-eight Days of the whole Imprisonment awarded, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods, and the Punishment of Imprisonment may also be accompanied with a Direction that the Prisoner shall be kept to Hard Labour for all or any Part of the Term of Imprisonment, or any such Direction may apply either to Solitary Confinement or Hard Labour only, and Corporal Punishment may be awarded in addition to any Sentence of Imprisonment, whether such Imprisonment is or is not to be accompanied with Solitary Confinement and Hard Labour, or either of them: In any Case of Corporal Punishment not more than Forty-eight Lashes shall be inflicted:
(8.) No Officer shall be subject to Corporal Punishment: No Petty or Non-commissioned Officer shall be subject to Corporal Punishment, except in case of Mutiny:

All other Punishments authorized by this Act may be inflicted in the Manner heretofore in use in the Navy.

Limitation of Time as to Trials.

47. No Person, unless he be an Offender who has avoided Apprehension or fled from Justice, shall be tried or punished in pursuance of this Act for any Offence committed by him unless such Trial shall take place within Three Years from the Commission of such Offence, or within One Year after the Return of such Offender to the United Kingdom, where he has been absent from the United Kingdom during such Period of Three Years

Scale of Punishment.

48. Subject to the foregoing Regulations, where any Punishment is specified by this Act as the Penalty for any Offence, and it is further declared that another Punishment may be awarded in respect of the same Offence, the Expression "other Punishment" shall be deemed to comprise any one or more of the Punishments inferior in Degree to the specified Punishment, according to the Scale herein-before mentioned; but Corporal Punishment shall be deemed equal in Degree to Imprisonment, and may in all Cases, subject to the foregoing Regulations, be inflicted as a Substitute for or in addition to Imprisonment.

Authorities having Power to try Offences.

49. Any Offence triable under this Act may be tried and punished by Court-martial; and any Offence, triable under this Act, not committed by an Officer, and not hereby made Capital, may, under such

such Regulations as the Admiralty may from Time to Time issue, be summarily tried and punished by the Officer in Command of the Ship to which such Offender belongs, subject to the following Restrictions; (that is to say,)

(1.) The Commanding Officer shall not have Power to award the Punishment of Penal Servitude:

(2.) The Commanding Officer shall not have Power to sentence any Man, except a Deserter, or Man absent without Leave, to Imprisonment for a longer Period than Twenty-eight Days, nor to sentence a Deserter to Imprisonment for a longer Period than Three Calendar Months, nor a Man absent without Leave to Imprisonment for a longer Period than Six Weeks, nor to award Solitary Confinement for more than Seven Days at a Time with Intervals of not less than Seven Days between each Period of Solitary Confinement:

(3.) Except in case of open Mutiny, no Man shall be sentenced by the Commanding Officer to Corporal Punishment until his Offence has been inquired into by One or more Officers appointed by such Commanding Officer, and his or their Opinion as to the Guilt or Innocence of the Prisoner reported to such Commanding Officer, and the Commanding Officer shall thereupon act as according to his Judgment may seem right.

PART IV.

COURTS-MARTIAL.

Constitution of Courts-martial.

Construction of Courts-martial.

50. The following Regulations are hereby made with respect to Courts-martial:

(1.) A Court-martial shall consist of not less than Five nor more than Nine Officers:

(2.) No Officer shall be qualified to sit as a Member of any Court-martial held in pursuance of this Act unless he be a Flag Officer, Captain Commander, or Lieutenant of Her Majesty's Navy on Full Pay:

(3.) A Court-martial shall not be held unless at least Three of Her Majesty's Ships, not being Tenders, and not commanded by Officers under the Rank of Lieutenant, are together at the Time when such Court-martial is held:

(4.) No Officer shall sit on a Court-martial who is under Twenty-one Years of Age:

(5.) No Court-martial for the Trial of a Flag Officer shall be duly constituted unless the President is a Flag Officer, and the other Officers composing the Court are of the Rank of Captain, or of higher Rank:

(6.) No Court Martial for the Trial of a Captain in Her Majesty's Navy shall be duly constituted unless the President is a Captain or of higher Rank, and the other Officers composing the Court are Commanders or Officers of higher Rank:

(7.) No Court-martial for the Trial of any Person below the Rank of Captain in Her Majesty's Navy shall be duly constituted, unless the President is a Captain or of higher Rank, nor unless in addition to the President there are Two other Members of the Court of the Rank of Commander or of higher Rank:

(8.) The Prosecutor shall not sit on any Court-martial for the Trial of a Prisoner whom he prosecutes:

(9.) The Admiralty shall have Power to order Courts-martial to be held for the Trial of Offences under this Act, and to grant Commissions to any Officer of Her Majesty's Navy on full Pay authorizing him to order Courts-martial to be held for the Trial of such Offences:

(10.) An Officer holding a Commission from the Admiralty to order Courts-martial shall not be empowered to do so if there is present at the Place where such Court-martial is to be held any Officer superior in Rank to himself, although such last-mentioned Officer may not hold a Commission to order Courts-martial; and in such a Case such last-mentioned Officer may order a Court-martial although he does not hold any Commission for the Purpose:

(11.) If any Officer holding a Commission from the Admiralty to order Courts-martial, having the Command of a Fleet or Squadron, and being in Foreign Parts, die, be recalled, leave his Station, or be removed from his Command, the Officer upon whom the Command of the Fleet or Squadron devolves, and so from Time to Time the Officer who shall have the Command of the Fleet or Squadron, shall, without any Commission from the Admiralty, have the same Power to order Courts-martial as the first-mentioned Officer was invested with:

(12.) If any Officer holding a Commission from the Admiralty to order Courts-martial, and having the Command of any Fleet or Squadron of Her Majesty's Ships in Foreign Parts, shall detach any Part of such Fleet or Squadron, he may, by Commission under his Hand, empower the Commanding Officer of the Squadron or Detachment ordered on such separate Service, and in case of his Death or ceasing so to command the Officer to whom the Command of such separate Squadron or Detachment shall belong, to order Courts-martial during the Time of such separate Service, or until such Authority shall be revoked, or until the Officer commanding the Detachment shall come under the Command of another superior Officer, or shall return to the United Kingdom:

(13.) The

(13.) The Officer ordering a Court-martial shall not sit thereon:

(14.) The President of every Court-martial shall be named by the Authority ordering the same, or by any Officer empowered by such Authority to name the President:

(15.) No Commander or Lieutenant shall be required to sit as a Member of any Court-martial when Four Officers of a higher Rank and junior to the President can be assembled at the Place where the Court-martial is to be holden; and when any Commander or Lieutenant sits at any Court-martial the Members of it shall not exceed Five in Number.

(16.) Subject to the foregoing Regulations, whenever a Court-martial shall be held the Officer appointed to preside thereat shall summon all the Officers next in Seniority to himself present at the Place where the Court-martial shall be held to sit thereon, until the Number of Nine, or such Number, not less than Five, as is attainable, is complete; subject to this Proviso, that the Admirals and Captains, being Superintendents of Her Majesty's Dockyards, shall not be summoned to sit on Courts-martial unless specially directed to do so by Orders from the Admiralty.

Proceedings of Courts-martial.

Sittings of Courts-martial.

51. A Court-martial held in pursuance of this Act shall sit from Day to Day, with the Exception of *Sundays*, until Sentence is given, and its Proceedings shall not be delayed by the Absence of any Member, so that not less than Five are present; and no Member shall absent himself unless compelled so to do by Sickness or other just Cause, to be approved of by the other Members of the Court; and if any Member of a Court-martial shall absent himself therefrom, in contravention of this Section, he shall be dismissed from Her Majesty's Service, or shall suffer such other Punishment as may be awarded by a Court-martial.

Appointment of officiating Judge Advocate.

52. In the Absence of a Judge Advocate or his Deputy, the Officer who is to be the President of the Court-martial may appoint any Person to officiate as Judge Advocate at the Trial; and the Judge Advocate of any Fleet for the Time being, or his Deputy, or the Person officiating as Judge Advocate, herein-after included under the Term "the Judge Advocate," shall administer an Oath to every Witness appearing at the Trial.

Proceedings at Trial.

53. As soon as the Court is assembled, the Names of the Officers composing the Court shall be read over to the Prisoner, who shall be asked if he objects to being tried by any Member of the Court. If the Prisoner shall object to any Member, the Objection shall be decided by the Court. If the Objection shall be allowed, the Place of the Member objected to shall be filled up by the Officer next in Seniority who is not on the Court-martial, subject to the Regulations herein-before contained.

Oaths to be administered to Members of Courts-martial.

54. Before the Court shall proceed to try the Prisoner, the Judge Advocate shall administer to every Member of the Court the following Oath; that is to say,

'I do swear, That I will duly administer Justice according to Law, without Partiality, Favour, or Affection; and I do further swear, that I will not on any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of this Court-martial, unless thereunto required in due Course of Law. So help me GOD.'

Oath to be administered to Judge Advocate, &c.

55. As soon as the said Oath shall be administered to the Members of the Court-martial, the President shall administer to the Judge Advocate the following Oath:

'I do swear, That I will not upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless thereunto required in due Course of Law. So help me GOD.'

Summoning Witnesses.

56. Every Person, Civil, Naval, and Military, who may be required to give Evidence before a Court-martial, shall be summoned by the Judge Advocate; and all Persons so summoned and attending as Witnesses before any Court-martial shall, during their necessary Attendance in or on such Court, and in going to and returning from the same, be privileged from Arrest, and shall, if unduly arrested, be discharged by the Court out of which the Writ or Process issued by which such Witness was arrested, or if such Court be not sitting, then by any Judge of the Superior Courts of *Westminster* or *Dublin*, or the Court of Session in *Scotland*, or of the Courts of Law in the *East* or *West Indies* or elsewhere, according as the Case shall require, upon its being made to appear to such Court or Judge, by any Affidavit in a summary Way, that such Witness was arrested in going to or returning from or attending upon such Court-martial; and all Witnesses so duly summoned as aforesaid who make default in attending on such Courts, or attending refuse to be sworn or make Affirmation, or being sworn or having made Affirmation refuse to give Evidence, or to answer all such Questions as the Court may legally demand of them, or prevaricate in giving their Evidence, shall, upon Certificate thereof under the Hand of the President of such Court-martial, be liable to be attached in the Court of Queen's Bench in *London* or *Dublin*, or the Court of Session, or Sheriff Depute or Stewarts Depute, or their respective Substitutes, within their several Shires and Stewartries, in *Scotland*, or Courts of Law in the *East* or *West Indies*, or in any of Her Majesty's Colonies, Garrisons, or Dominions in *Europe* or elsewhere, respectively, upon Complaint made, in like Manner as if such Witness after having been duly summoned and subpœnaed had neglected to attend on a Trial in any Proceeding in the Court in which such Complaint is made, or had refused to be sworn, or on being sworn had refused to give Evidence, or to answer all such

Questions as the Court may legally demand, or had prevaricated in giving Evidence, or if the Court-martial shall think fit, in case any such Person belong to Her Majesty's Navy, being called upon to give Evidence at any Court-martial, shall refuse or neglect to attend to give his Evidence upon Oath or Affirmation, or shall prevaricate in his Evidence, or behave with Contempt to the Court, such Court-martial may punish every such Offender by Imprisonment not longer than Three Months, in case of such Refusal, Neglect, or Prevarication, nor longer than One Month in the Case of such Contempt; and every Person not subject to this Act who may be so summoned to attend shall be allowed and paid his reasonable Expenses, under the Authority of the Admiralty, for such Attendance.

Penalty on Persons giving false Evidence.

57. Every Person who, upon any Examination upon Oath or upon Affirmation, before any Court-martial held in pursuance of this Act, shall wilfully and corruptly give false Evidence, shall be liable to the Penalties of wilful and corrupt Perjury.

Where Persons are insane at the Time of Offence or Trial.

58. Where it shall appear upon the Trial by Court-martial of any Person charged with an Offence that such Person is insane, the Court shall find specially the Fact of his Insanity, and shall order such Person to be kept in strict Custody in such Place and in such Manner as to the Court shall deem fit, until the Directions of the Admiralty thereupon are known; and it shall be lawful for the Lords of the Admiralty to give Orders for the safe Custody of such Person during Her Majesty's Pleasure, in such Place and in such Manner as they shall think fit.

Report of Proceedings of Courts-martial.

59. Every Judge Advocate, or Person officiating as Judge Advocate, shall transmit with as much Expedition as may be the original Proceedings and Sentence of every Court-martial attended by him to the Commander-in-Chief or senior Officer, who shall transmit them to the Secretary of the Admiralty for the Time being, and any Person tried by a Court-martial shall be entitled, on Demand, to a Copy of such Proceedings and Sentence, at any Time not sooner than Six Months after the Trial, if the same takes place in the *Mediterranean*, Three Months if at any other Naval Station within *Europe*, and Twelve Months if elsewhere, (upon Payment for the same at the Rate of Fourpence *per* Folio of Seventy-two Words,) but no such Demand shall be allowed after the Space of Three Years from the Date of the final Decision of such Court-martial.

PART V.

Penal Servitude and Prisons.

Penal Servitude.

Sentence of Penal Servitude.

60. Whenever any Sentence of Death shall be commuted for Penal Servitude, or whenever Sentence of Penal Servitude shall be passed upon any Offender by any Court-martial, and such Sentence, or any Part thereof, is intended to be carried into effect, the Admiralty shall cause the same to be notified in Writing to any Justice of the Queen's Bench, Common Pleas, or Baron of the Exchequer, and thereupon such Justice or Baron shall make an Order for the Penal Servitude of such Offender, upon the Terms and for the Time specified in such Notification, and shall do all such other Acts consequent upon such Notification as any such Justice or Baron is or may be authorized to make or do by any Statute or Statutes in force at the Time of making any such Order in relation to Penal Servitude of Offenders sentenced by Courts of Criminal Jurisdiction to Penal Servitude; and such Order and other Acts to be so made and done as aforesaid shall be obeyed and executed by such Person in whose Custody such Offender may at that Time be, and by all other Persons whom it may concern, and shall be as effectual and have all the same Consequences as any Order made under the Authority of any Statute relating to Penal Servitude with respect to any Offender in such Statute mentioned, and every Sheriff, Gaoler, Keeper, Governor, or Superintendent whom it may concern, and all Constables and other Persons, shall be bound to obey the aforesaid Order and Orders, and be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience to or for interrupting the Execution of such Order as they would be if the same had been made under the Authority of any such Statute; and every Person so ordered to be kept in Penal Servitude shall be subject to all the Penalties and Provisions made by Law, and in force for the Time being, concerning Persons under Sentence of Penal Servitude, or receiving Her Majesty's Pardon on Condition of Penal Servitude; and from the Time when such Order of Penal Servitude is made, every Law in force touching the Escape of Felons, or their afterwards returning or being at large without Leave, shall apply to such Offender, and to all Persons aiding, abetting, contriving, or assisting in any Escape or intended Escape, or the returning without Leave of any such Offender; and the Judge or Baron who makes an Order for Penal Servitude as aforesaid shall direct the Notification of the Admiralty, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of Queen's Bench, and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender or to any Person applying in his or the Admiralty's Behalf, showing the Christian and Surname of such Offender, his Offence, the Place where the Court was held before which he was convicted, the Sentence, and the Conditions on which the Order of Penal Servitude was made, and such Certificate shall be sufficient Proof of the Conviction and of the Sentence of such Offender, and also of the Terms on which such Order for his Penal Servitude was made, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

61. When

Government of the Navy.

Disposal of Offender after Sentence of Penal Servitude.

61. When any Sentence of Death shall have been commuted for Penal Servitude, or when any Person subject to this Act shall have been condemned to Penal Servitude, it shall be lawful for the Admiralty, or any Commander-in-Chief on any Foreign Station, or the Commanding Officer of the Ship to which such Person belongs or has belonged, to cause him to be detained and conveyed to any One of Her Majesty's Ships, or any Gaol or Prison, there to remain in safe Custody until he is removed therefrom by the Order of the Admiralty or any such Commander-in-Chief or other due Authority, or under an Order for his Penal Servitude, to be made by some Justice of the Queen's Bench or Common Pleas or Baron of the Exchequer as aforesaid, and a Certificate of his Sentence (such Certificate to be signed by the Secretary of the Admiralty, or by any such Commander-in-Chief, or such Commanding Officer) shall be a sufficient Authority to the Commanding Officer of the Ship to which he may be sent, or to the Governor, Keeper, or Superintendent of the Gaol or Prison, to receive and detain him.

Subsistence of Offender.

62. In case any such Offender shall be conveyed to any Prison, not being a Naval Prison appointed by virtue of this Act, an Allowance such as the Admiralty shall from Time to Time direct shall be made to the Governor, Keeper, or Superintendent of the Gaol or Prison, for the Subsistence of such Offender during his Detention therein, and such Allowance shall be paid by Order of the Admiralty, upon Production by the said Governor, Keeper, or Superintendent of a Declaration, to be made by him before One of Her Majesty's Justices of the Peace of such County, of the Number of Days during which the Offender has been so detained and subsisted in such Gaol or Prison.

Imprisonment of Offender already under Sentence for previous Offence.

63. Whenever Sentence shall be passed by a Court-martial on an Offender already under Sentence either of Imprisonment or of Penal Servitude, passed upon him by a Court-martial for a former Offence, the Court may award Sentence of Imprisonment or Penal Servitude for the Offence for which he is under Trial to commence at the Expiration of the Imprisonment or Penal Servitude to which he has been previously sentenced, although the aggregate of the Terms of Imprisonment or Penal Servitude may exceed the Term for which either of those Punishments could be otherwise awarded.

Prisons.

Term and Place of Imprisonment.

64. Every Term of Penal Servitude or of Imprisonment in pursuance of this Act shall be reckoned as commencing on the Day on which the Sentence was awarded, and the Place of Imprisonment, whether the Imprisonment was awarded as an original or as a commuted Punishment, shall be such Place as may be appointed by the Court or the Commanding Officer awarding the Punishment, or which may from Time to Time be appointed by the Admiralty, or by the Commander-in-Chief on any Foreign Station, and may be One of the Naval Prisons appointed under this Act, or any Common Gaol, House of Correction, or Military Prison within Her Majesty's Dominions.

Place of Imprisonment may be changed, &c.

65. Whenever it is deemed expedient it shall be lawful for the Admiralty or any such Commander-in-Chief, by any Order in Writing, from Time to Time to change the Place of Confinement of any Offender imprisoned or sentenced to be imprisoned or detained in pursuance of this Act, and the Gaoler or other Person having the Custody of such Offender shall immediately on the Receipt of such Order remove such Offender to the Gaol, Prison, or House of Correction mentioned in the said Order, or shall deliver him over to Naval Custody for the Purpose of the Offender being removed to such Prison; and every Gaoler or Keeper of such last-mentioned Prison, Gaol, or House of Correction shall, upon being furnished with a Copy of such Order of Removal, attested by the Secretary of the Admiralty for the Time being, receive into his Custody and shall confine pursuant to such Sentence or Order every such Offender.

Expenses of Removal or Subsistence of Prisoners.

66. The Gaoler or other Person removing any Offender in pursuance of such Order shall be allowed for the Charges of such Removal a Sum not exceeding One Shilling a Mile, and when any Offender is not confined in a Naval Prison the Gaoler or other Person in whose Custody any such Offender may be shall receive such an Allowance as the Admiralty shall from Time to Time direct for every Day that such Offender is in his Custody, to be applied towards his Subsistence, and such Sum shall be paid to the said Gaoler or other Person under the Authority of the Admiralty, upon the Application in Writing made to the Secretary of the Admiralty by any Justice for the County or Place in which such Gaol, Prison, or House of Correction shall be situate, with a Copy of the Sentence or Order under which the Prisoner is confined.

Proviso for Discharge or Removal of Prisoners.

67. Whenever any Prisoner is undergoing Imprisonment in pursuance of this Act, it shall be lawful for the Admiralty, or any Commander-in-Chief on any Foreign Station, or where an Offender has been imprisoned by Order of his Commanding Officer, for such Commanding Officer, or the Admiralty or any such Commander-in-Chief, to give an Order in Writing directing that the Prisoner be discharged; and it shall also be lawful for the Admiralty or any such Commander-in-Chief, and any Officer commanding any of Her Majesty's Ships, by Order in Writing, to direct that any such Prisoner be delivered over to Naval Custody for the Purpose of being brought before a Court-martial, either as a Witness, or for Trial or otherwise, and such Prisoner shall accordingly, on the Production of any such Order, be discharged, or be delivered over to such Custody.

Proviso as to Time of Detention in Naval Custody.

68. The Time during which any Prisoner under Sentence of Imprisonment is detained in Naval Custody shall be reckoned as Imprisonment under his Sentence, for whatever Purpose such Detention takes place; and the Governor, Gaoler, Keeper, or Superintendent who shall deliver over any such Prisoner

Prisoner shall again receive him from Naval Custody, so that he may undergo the Remainder of his Punishment.

In case of Insanity Prisoners to be removed to some Lunatic Asylum.

69. If any Person imprisoned by virtue of this Act shall become insane, and a Certificate to that Effect shall be given by Two Physicians or Surgeons, the Admiralty shall, by Warrant, direct the Removal of such Person to such Lunatic Asylum or other proper Receptacle for insane Persons in the United Kingdom as they may judge proper, for the unexpired Term of his Imprisonment; and if any such Person shall in the same Manner be certified to be again of sound Mind, the Admiralty may issue a Warrant for his being removed to such Prison or Place of Confinement as may be deemed expedient, to undergo the Remainder of his Punishment, and every Gaoler or Keeper of any Prison, Gaol, or House of Correction shall receive him accordingly.

Admiralty may set apart Buildings and Ships as Naval Prisons.

70. The Admiralty may set apart any Buildings or Vessels, or any Parts thereof, as Naval Prisons, and any Buildings or Vessels, or Parts of Buildings or Vessels, so set apart, shall be deemed to be Naval Prisons within the Meaning of this Act, and all Powers and Authorities with respect to County Gaols or Houses of Correction, which now are or which may hereafter be vested in any of Her Majesty's Principal Secretaries of State, shall, with respect to all such Naval Prisons, belong to the Admiralty; and it shall be lawful for the Admiralty from Time to Time to make, alter, and repeal Regulations for the Government and Superintendence of any such Naval Prison, and of the Officers and Servants thereof, and of Offenders confined therein, and from Time to Time to appoint Inspectors and all other necessary Officers and Servants for any such Naval Prison, and, as Occasion may arise, to remove the Inspectors, Officers, or Servants of any such Naval Prison; and the senior Officer at any Port or Place or on any Station where there may be any such Naval Prison, or such senior Officer and such other Person and Persons as the Admiralty may from Time to Time appoint, shall be a Visitor or Visitors of such Prison; and every Inspector, Visitor, or Officer, having the Charge or Command of any such Naval Prison respectively, shall, subject to such Rules and Regulations as may from Time to Time be made as aforesaid, have and exercise, in respect of such Prison, and of the Officers and Servants thereof, and of the Prisoners confined therein, all the Powers and Authorities, as well in respect of administering Oaths as otherwise, which any Inspector, Visiting Justice, or Governor of a County Gaol or House of Correction may respectively exercise as such.

Penalties on aiding Escape or Attempt to escape of Prisoners, and on Breach of Prison Regulations.

71. If any Person shall convey or cause to be conveyed into any such Naval Prison any Arms, Tools, or Instruments, or any Mask or other Disguise to facilitate the Escape of any Prisoner, or by any Means whatever shall aid any Prisoner to escape or in an Attempt to escape from such Prison, whether an Escape be actually made or not, such Person shall be deemed guilty of Felony, and upon being convicted thereof shall be imprisoned, with or without Hard Labour, for any Term not exceeding Two Years, or suffer Penal Servitude for any Term not exceeding Fourteen Years; and if any Person shall bring or attempt to bring into such Prison, in contravention of the Rules, any spirituous or fermented Liquor, he shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds and not less than Ten Pounds; and if any Person shall bring into such Prison, or to or for any Prisoner, without the Knowledge of the Officer having Charge or Command thereof, any Money, Clothing, Provisions, Tobacco, Letters, Papers, or other Articles not allowed by the Rules of the Prison to be in the Possession of a Prisoner, or shall throw into the said Prison any such Articles, or by Desire of any Prisoner, without the Sanction of the said Officer, shall carry out of the Prison any of the Articles aforesaid, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds; and if any Person shall interrupt any Officer of such Prison in the Execution of his Duty, or shall aid or excite any Person to assault, resist, or interrupt any such Officer, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or if the Offender be a Prisoner he shall, upon Conviction thereof before Two Justices of the Peace, or not less than Three of the Visitors of the Prison, be liable to be sentenced for every such Offence to be imprisoned, either with or without Hard Labour, and with or without Solitary Confinement, for any Time not exceeding Six Calendar Months, in addition to so much of the Time for which he was originally sentenced as may be then unexpired, and every Penalty which may be incurred under this Section shall be recoverable in a summary Manner; and such Two Justices or Three Visitors are hereby authorized to issue Warrants of Distress and Sale of the Offender's Goods, and every such Penalty shall be applied as the Admiralty shall direct, any Law, Statute, Charter, or Custom to the contrary notwithstanding.

Penalty as regards Gaolers, &c.

72. Every Governor, Gaoler, and Keeper of any Prison, Gaol, or House of Correction, and every Officer having the Charge or Command of any Place, Ship, or Vessel for Imprisonment, who shall, without lawful Excuse, refuse or neglect to receive or confine, remove, discharge, or deliver up any Offender against the Provisions of this Act or any of them, shall incur for every such Refusal or Neglect a Penalty not exceeding One hundred Pounds, to be recovered in a summary Manner before Two Justices of the Peace; and such Two Justices are hereby authorized to issue Warrants of Distress and Sale of the Offender's Goods, and every such Penalty shall be applied as the Admiralty shall direct, any Law, Statute, Charter, or Custom to the contrary notwithstanding.

Pay to be stopped during Imprisonment, &c.

73. During the Imprisonment of any Person in pursuance of this Act all Pay and Wages of the Prisoner shall be suspended and stopped.

PART VI.

SUPPLEMENTAL PROVISIONS.

Short Title.

74. This Act may be cited for all Purposes as "The Naval Discipline Act, 1861."

Commencement of Act.

75. This Act shall be in force within the United Kingdom; and as regards the United Kingdom "The Naval Discipline Act, 1860," shall be repealed from and after One Calendar Month from the passing hereof; and as regards elsewhere, this Act shall be in force, and "The Naval Discipline Act, 1860," shall be repealed, from and after Four Calendar Months from the passing hereof.

Definition of Terms.

76. In the Construction of this Act, unless there be something in the Context or Subject Matter repugnant to or inconsistent with such Construction—

"Admiralty," or "the Lords of the Admiralty," shall mean the Lord High Admiral for the Time being of the United Kingdom of *Great Britain* and *Ireland*, and when there shall be no such Lord High Admiral in Office, any Two or more of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom:

"Officer" shall mean an Officer belonging to One of Her Majesty's Ships, and shall include a subordinate and a Warrant Officer, but shall not extend to Petty and Non-commissioned Officers:

When the Words "Superior Officer" are used in this Act they shall be held to include all Officers, including Petty and Non-commissioned Officers.

Persons subject to this Act.

77. Every Person in or belonging to Her Majesty's Navy, and borne on the Books of any One of Her Majesty's Ships in Commission, shall be subject to this Act; and all other Persons hereby made liable thereto, and all Spies, shall be triable and punishable under the Provisions of this Act.

Land Forces embarked as Passengers.

78. Her Majesty's Land Forces, when embarked on board any of Her Majesty's Ships, shall be subject to the Provisions of this Act, to such Extent and under such Regulations as Her Majesty, Her Heirs and Successors, by any Order or Orders in Council, shall at any Time or Times direct.

Other Passengers.

79. All other Persons ordered to be received or being Passengers on board any of Her Majesty's Ships shall be deemed to be Persons subject to this Act, under such Regulations as the Admiralty may from Time to Time direct.

Crews of Ships lost or destroyed.

80. When any One of Her Majesty's Ships shall be wrecked or lost or destroyed, or taken by the Enemy, such Ship shall, for the Purposes of this Act, be deemed to remain in Commission until her Crew shall be regularly removed into some other of Her Majesty's Ships of War, or until a Court-martial shall have been held, pursuant to the Custom of the Navy in such Cases, to inquire into the Cause of the Wreck, Loss, Destruction, or Capture of the said Ship.

All Officers and Crew of lost Ship may be tried by One Court,

81. When no specific Charge shall be made against any Officer or Seamen for or in respect or in consequence of such Wreck, Loss, Destruction, or Capture, it shall be lawful to try all the Officers and Crew or all the surviving Officers and Crew of any such Ship, together, before One and the same Court, and to call upon all or any of them when upon their Trial to give Evidence on Oath or Affirmation before the Court touching all or any of the Matters then under Inquiry, but no Officer or Seaman shall be obliged to give any Evidence which may tend to criminate himself.

or by separate Courts.

82. When deemed necessary by the Admiralty, or any Officer authorized to order Courts-martial, separate Courts-martial shall be held for the Trial of some One or more of such Officers and Crew for or in respect or in consequence of the Wreck, Loss, Destruction, or Capture of any such Ship.

For subsequent Offence, separate Court.

83. For any Offence or Offences committed by any Officer or Seaman, or Officers and Seamen, after the Wreck, Loss, Destruction, or Capture of any such Ship, a separate Court-martial shall be held for the Trial of such Offender or Offenders.

Pay of Crews of Ships lost or taken.

84. When any Ship of Her Majesty shall be wrecked, lost, or otherwise destroyed, or taken by the Enemy, if it shall appear by the Sentence of a Court-martial that the Crews of such Ship did, in the Case of a Ship wrecked or lost, do their utmost to save her or get her off, and in the Case of a Ship taken by the Enemy did their utmost to defend themselves, and that they have, since the Wreck, Destruction, Loss, or Capture of such Ship, behaved themselves well, and been obedient to their Officers, then all the Pay of such Crews or of such Portions of such Crews as have behaved themselves well, and been obedient to their Officers, shall be continued until the Time of their being discharged or removed into other Ships of Her Majesty, or dying.

When Ship of senior Officer is lost he may dispose of Officers and Crew of lost Ship.

85. If the Ship of any Officer ordered to command any Two or more of Her Majesty's Ships shall be wrecked, lost, or otherwise destroyed, such Officer shall continue in the Command of any Ship or Ships which at the Time of his Ship being wrecked, lost, or destroyed was or were under his Command, and it shall be lawful for such Officer to order the surviving Officers and Crew of the wrecked, lost, or destroyed Ship to join any other Ship under his Command, or to distribute them among the other Ships under his Command, if more than One, and such Officer shall, until he meets with some other Officer senior to himself, have the same Power and Authority in all respects as if his Ship had not been wrecked, lost, or destroyed.

PART VII.

SAVING CLAUSE.

Trial of Offences against repealed Acts.

86. Any Person who has committed or may commit, before this Act comes into force, any Offence against "The Naval Discipline Act, 1860," or any of the Acts or Portions of Acts thereby repealed, for which such Person has not been tried before this Act comes into force, shall be tried and punished under this

this Act as if such Crime or Offence had been committed against the same, but he shall not suffer any greater Punishment than he was liable to under "The Naval Discipline Act, 1860," or any of the Acts or Portions of Acts thereby repealed; and any Proceedings of any Court-martial, or any other Proceedings under "The Naval Discipline Act, 1860," which may be pending when this Act comes into force, shall be continued, and the Offender, if found guilty, shall be punished as if the Act against which he offended had not been repealed.

Reservation of Power of Admiralty.

87. Nothing in this Act shall prejudice or affect the Right of the Admiralty to discharge any Person subject to this Act from Her Majesty's Service.

Act not to supersede Authority of ordinary Courts.

88. Nothing in this Act contained shall be deemed or taken to supersede or affect the Authority or Power of any Court or Tribunal of ordinary Civil or Criminal Jurisdiction, or any Officer thereof, in Her Majesty's Dominions, in respect of any Offence mentioned in this Act which may be punishable or cognizable by the Common or Statute Law.

CAP. CXVI.

An Act for the Appropriation in favour of the Military Knights and the Churches of *Windsor* of Two of the Canonries suspended in the Chapel of *Windsor*, and for making certain Provisions respecting the Naval Knights of *Windsor*. [6th *August* 1861.]

'WHEREAS a College or Society consisting of a Warden, Canons, Priests, Alms Knights, and other Officers was founded by King *Edward* the Third within the Chapel of *Windsor*, and in connexion with the Order of the Garter, under the Title of the Warden and College of the Free Chapel of *Saint George* within the Castle of *Windsor*, and Provision was made for the Maintenance of all the Members of the said College out of the Goods and Possessions with which the said Chapel was endowed: And whereas by an Act passed in the Twenty-second Year of King *Edward* the Fourth, after reciting that the Possessions of the said College were insufficient to sustain the other Charges and also to bear the Charges of the same Knights, (in consideration whereof His said Majesty King *Edward* the Fourth had for the said Knights otherwise provided,) the said Knights were excluded from the said College, and the said Warden and Canons, who were thereby incorporated by the Title of the "Dean and Canons," were discharged from the Charge of maintaining the said Knights: And whereas no permanent Provision was made for the said Knights by King *Edward* the Fourth; but subsequently thereto, and in the First Year of the Reign of Queen *Elizabeth*, Trusts were created of certain Lands then vested in the said Dean and Canons by virtue of a Conveyance thereof previously made, and by the Indenture creating such Trusts, after estimating the annual Value of such Lands at Six hundred and sixty-one Pounds Six Shillings and Eightpence, and stating it to have been the Intention of the Crown to whom the said Lands belonged to make by the First Conveyance a special Foundation and Continuance of the said Knights, it was declared that Four hundred and thirty Pounds, Part of the Income of the said Lands, should be appropriated, amongst other things, to the Payment of Twelvepence *per* Day for the Maintenance of the said Knights, and to providing them with certain Liveries, to the Intent that they might make a decent Appearance before their Sovereign, while the Dean and Canons were authorized to apply to their own Use the Residue of the said Income, amounting to Two hundred and thirty-one Pounds Six Shillings and Eightpence: And whereas the annual Income of the said Land has increased from the said Sum of Six hundred and sixty-one Pounds Six Shillings and Eightpence to about Fourteen thousand Pounds, but no Increase has been made in the Sums allowed to the said Knights: And whereas in pursuance of divers Acts of Parliament Eight Canonries in the said Collegiate Chapel of *Saint George* are suspended, and One Fourteenth Part of the whole Monies of the said Chapel are paid in respect of each suspended Canonry to the Ecclesiastical Commissioners, and carried over by them to their Common Fund: And whereas it is expedient that there should be made out of the Revenues of the suspended Canonries such Augmentation of the Salaries of the said Knights as would appear to be just, having regard to the Difference that has occurred in the Value of Money and in the annual Income of the said Lands since the Trusts were created, apportioning such Income in manner herein-before mentioned: And whereas the Town of *Windsor* is very populous, and insufficient Means are provided for the Cure of Souls therein; and it is expedient that out of other Part of the Revenues of the said suspended Canonries an Addition should be made to the Endowments of the Churches in *Windsor*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Appropriation of Profits of Seventh Canonry to Military Knights.

1. The Dean and Canons of *Windsor* shall henceforth retain all such Share of divisible Revenues as would if this Act had not passed have been payable to the Ecclesiastical Commissioners in respect of the Canonry seventhly suspended under the Acts herein-before in that Behalf mentioned, and shall apply the same for the Benefit of the Military Knights on the Upper or Royal Foundation of the Castle at *Windsor*, in such Manner as Her Majesty may by Warrant under Her Sign Manual direct.

Appropriation of Profits of Eighth Canonry to Incumbent of Churches.

2. The said Dean and Canons shall likewise retain all such Share of divisible Revenues as would if this Act had not passed have been payable to the Ecclesiastical Commissioners in respect of the Canonry eighthly suspended under the Act herein-before in that Behalf mentioned, and shall apply the same as follows; that is to say, shall pay Three Fifths thereof to the Vicar for the Time being of the Royal Borough

Borough of *Windsor*, and the remaining Two Fifths to the Perpetual Curate of the District Church of the *Holy Trinity* in *Windsor*, in augmentation of their respective Benefices.

Mode of ascertaining Amount of Payments to be retained.

3. The Amount of the Share of divisible Revenues to be retained by the said Dean and Canons for the Purposes of this Act in respect of each of the said Canonries seventhly and eighthly suspended shall equal the Amount paid by them to the Ecclesiastical Commissioners in respect of each of the Six other suspended Canonries, and the Acceptance of such last-mentioned Amount by the Ecclesiastical Commissioners shall be conclusively binding on the Parties beneficially interested under this Act in the Proceeds of the said seventhly and eighthly suspended Canonries.

Lieutenants succeeding to Rank of Retired Commander shall continue Poor Knights.

4. 'Whereas it is now necessary that the Poor Knights of *Windsor*, of the Foundation of *Samuel* ' *Travers*, Esquire, should be superannuated or disabled Lieutenants of *English* Men-of-War: And ' whereas it is expedient that Lieutenants being or who may be such Knights, and who may succeed to ' the Rank of Retired Commander, shall nevertheless remain and continue such Knights:' It is therefore hereby enacted, That Lieutenants being or who may at any Time or Times hereafter become such Knights, and who may succeed to the Rank of Retired Commander, shall notwithstanding be continued and remain such Poor Knights as if they had not succeeded to such Rank; and upon any such Lieutenants being nominated such Knights, and complying with the Regulations otherwise in force, they shall be such Knights for all Intents and Purposes whatsoever, and the said Poor Knights shall henceforth be styled Naval Knights.

CAP. CXVII.

An Act to place the Employment of Women, young Persons, Youths, and Children in Lace Factories under the Regulations of the Factories Acts. [6th *August* 1861.]

' WHEREAS it is expedient to regulate the Employment of Females, young Persons, Youths, and ' Children in Lace Factories, and to provide for the Education of such Children: And whereas ' an Act was passed in the Fourth Year of His late Majesty, intituled *An Act to regulate the Labour* 3 & 4 W. 4. c. 103. ' *of Children and young Persons in Mills and Factories in the United Kingdom:* And whereas an ' Act was passed in the Seventh Year of the Reign of Her present Majesty, intituled *An Act to amend* 7 & 8 Vict. c. 15. ' *the Laws relating to Labour in Factories:* And whereas an Act was passed in the Tenth Year of ' the Reign of Her present Majesty, intituled *An Act to limit the Hours of Labour of young Persons* 10 & 11 Vict. ' *and Females in Factories:* And whereas an Act was passed in the Fourteenth Year of the Reign of c. 29. ' Her present Majesty, intituled *An Act to amend the Acts relating to Labour in Factories:* And 13 & 14 Vict. ' whereas an Act was passed in the Seventeenth Year of the Reign of Her present Majesty, intituled c. 54. ' *An Act further to regulate the Employment of Children in Factories:* And whereas an Act was 16 & 17 Vict. ' passed in the Twentieth Year of the Reign of Her present Majesty, intituled *An Act for the further* c. 104. ' *Amendment of the Laws relating to Labour in Factories:*' Be it therefore enacted by the Queen's 19 & 20 Vict. most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, c. 83. and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Recited Acts to apply to Lace Factories, and to Employment of Females, &c.

1. That from and after the First Day of *August* One thousand eight hundred and sixty-two the Powers and Provisions of the herein-before recited Acts shall apply and be held to apply to Lace Factories, and to the Employment of Females, young Persons, Youths, and Children in Lace Factories, to all Intents and Purposes as completely and effectually as if such Lace Factories had been mentioned and included in the Provisions of the herein-before recited Acts or any of them, except as is herein-after mentioned.

Youths between the Age of Sixteen and Eighteen may be employed between 4 a.m. and 10 p.m., but not more than Nine Hours between those Hours.

2. Nothing in the said recited Acts contained, or in this Act, shall be held to prevent the Employment in any Lace Factory of any Youth of the Age of Sixteen and under Eighteen, between the Hours of Four of the Clock in the Morning and Ten of the Clock at Night; provided nevertheless, that if any such Youth shall be employed earlier than Six of the Clock in the Morning or later than Six of the Clock in the Evening of any Day, in every such Case it shall not be lawful to employ such Youth for a longer Period than Nine Hours on such Day; and provided also, that it shall not be lawful to employ any Youth both earlier than Six of the Clock in the Morning and later than Six of the Clock in the Evening of the same Day, nor to employ any Youth both later than Six of the Clock in the Evening of any Day and earlier than Six of the Clock in the Morning of the next succeeding Day; and in every such Case the Owner of the Lace Machine, or if such Machine is let out for Hire the Person hiring such Machine, in or about or in immediate Connexion with which such Youth shall have been so employed, shall, every Day except *Sundays*, before Twelve of the Clock at Noon, register or cause to be registered in a Book, first approved of by an Inspector, in the Form given in Schedule A. to this Act annexed, the Hours within which every such Youth shall severally have been employed during the Working Day last passed.

Agents or Workmen may be summoned for acting contrary to the Act without

3. If any Offence shall be committed against this Act, for which the Owner or the Hirer of any Lace Machine is hereby made responsible, and it shall be made to appear to the Satisfaction of any Justices that the Offence has been committed by or under the Authority of some Agent, Servant, or Workman of the Owner or Hirer of such Machine, without the personal Consent, Concurrence, or Knowledge of such Owner or Hirer, it shall be lawful for such Justices to summon such Agent,

Knowledge of Owner, &c.

Servant, or Workman before them to answer for such Offence; and such Agent or Servant or Workman, if convicted, shall be liable to the Penalties and Punishment for such Offence specified in the said recited Acts, and such Justices may convict such Agent or Servant or Workman in lieu of such Owner or Hirer.

Interpretation of Terms.

4. In the Construction of this Act, the Word "Lace Factories" shall be understood to mean Factories in which Machines for the Manufacture of Lace are moved by Steam or Water Power; and the Word "Lace Machine" shall be taken to mean a Lace Machine moved by Steam or Water Power; and the Words "Agent," "Servant," and "Workman," shall be taken to mean any Person receiving a Salary, Wages, Payment, or Remuneration for any Description of Service or Work performed in or about or in immediate Connexion with any such Machine; and no Agent, Servant, Workman, or other Person employed upon the dressing or finishing of Lace, or upon any other Process subsequent to the making of Lace upon the Lace Machine, shall be deemed to be included within the Provisions of this Act; and the Words "young Person" shall be taken to mean a Female of Thirteen and under Eighteen Years of Age, and a Male of Thirteen and under Sixteen Years of Age; and the Word "Youth" shall be taken to mean a Male of Sixteen and under Eighteen Years of Age.

Certain Parts of recited Acts not to extend to Lace Factories; nor those relating to fencing Machinery.

5. The Provisions of the said recited Acts, so far as they relate to the Recovery of lost Time, shall not extend to Lace Factories.

6. The Provisions of the said recited Acts in regard to requiring Machinery to be fenced off shall not extend to Lace Factories.

SCHEDULE (A.)

REGISTER of the TIME during which every YOUTH, employed on any Day before 6 a.m. or after 6 p.m., has been employed during the Week ending [Sept. 10, 1862] by [John Armstrong & Co.] at the [ ] Lace Factory, situate in [Street], [Nottingham], or [in the Parish or Township of], in the County of [ ].

Progressive Number on Certificate Book.	Surname.	Christian Name.	Sept. 5. Monday.	Sept. 6. Tuesday.	Sept. 7. Wednesday.	Sept. 8. Thursday.	Sept. 9. Friday.	Sept. 10. Saturday.
			A.M. Hrs. Min. 4 to 6·30 2 30 10 „ 12 2 0 P.M. 2 to 6·30 4 30 Total 9 0	Between 6 a.m. and 6 p.m.	Between 6 a.m. and 6 p.m.	A.M. Hrs. Min. 6 to 10 - 4 0 P.M. 2 to 4·30 - 2 30 7·30 to 10 2 30 Total 9 0	A.M. Hrs. Min. 8 to 11 - 3 0 P.M. 2 to 6 - 4 0 Total 7 0	A.M. Hrs. Min. 6 to 8 - 2 0 P.M. 12 to 3 3 0 6 „ 10 4 0 Total 9 0
			A.M. Hrs. Min. 4 to 8 - 4 0 P.M. 1 to 6 - 5 0 Total 9 0	Same as Monday.	Same as Monday.	Same as Monday.	Same as Monday.	Same as Monday.
			A.M. Hrs. Min. 8 to 1 p.m. 5 0 P.M. 6 to 10 - 4 0 Total 9 0	Same as Monday.	Same as Monday.	Same as Monday.	Same as Monday.	Same as Monday.

[The Hours of actual Work are to be registered after the Manner described in the above Schedule, as the Case may be.]

CAP. CXVIII.

An Act to enable the Secretary of State in Council of *India* to raise Money in the United Kingdom for the Service of the Government of *India*. [6th *August* 1861.]

'WHEREAS the Exigencies of the Public Service in *India* require that the Secretary of State in 'Council of *India* should be enabled to raise Money in the United Kingdom on the Credit of 'the Revenues of *India*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. It

East India Loan (No. 2.).

Power to the Secretary of State in Council of India to raise any Sum not exceeding Five Millions.

1. It shall be lawful for the Secretary of State in Council of *India*, at any Time or Times before the Thirtieth Day of *April* One thousand eight hundred and sixty-two, or, if Parliament be then sitting, before the End of the then Session of Parliament, to raise in the United Kingdom, for the Service of the Government of *India*, any Sum or Sums of Money not exceeding in the whole Five Millions, and such Sum or Sums may be raised by the Creation and Issue of Bonds or Debentures, or Capital Stock bearing Interest, or Annuities, or partly by one of such Modes and partly by another or others.

Bonds may be issued under Hands of Two Members of Council, countersigned, &c.

2. All Bonds issued under the Authority of this Act may be issued under the Hands of Two Members of the Council of *India*, and countersigned by the Secretary of State for *India*, or One of his Under Secretaries, or his Assistant Under Secretary, and shall be for such respective Amounts, payable after such Notice, and at such Rate or Rates of Interest as the said Secretary of State in Council may think fit.

Debentures may be issued.

3. All Debentures issued under the Authority of this Act may be issued under the Hands of Two Members of the Council, and countersigned as aforesaid, for such respective Amounts, and at such Rate or Rates of Interest, as the Secretary of State in Council may think fit, and shall be issued at or for such Prices and on such Terms as may be determined by the Secretary of State in Council.

As to Payment of Principal and Interest on Debentures.

4. All Debentures issued under the Authority of this Act shall be paid off at Par at a Time or Times to be mentioned in such Debentures respectively; and the Interest on all such Debentures shall be paid half-yearly on such Days as shall be mentioned therein; and the Principal Monies and Interest secured by such Debentures shall be payable either at the Treasury of the Secretary of State in Council in *London* or at the Bank of *England*.

As to Transfer of Debentures and Coupons.

5. All or any Number of the Debentures issued under the Authority of this Act, and all Right to and in respect of the Principal and Interest Monies secured thereby, shall be transferable either by the Delivery of such Debentures respectively, or, at the Discretion of the Secretary of State in Council, by Deed; provided that the Coupons for Interest annexed to any Debenture issued under the Authority of this Act shall pass by Delivery.

Capital Stock and Annuities may be created and issued.

6. Any Capital Stock created under the Authority of this Act shall bear such a Rate of Interest, and any Annuities to be created under the Authority of this Act shall be at such Rate *per Centum per Annum*, as the Secretary of State in Council may think fit; and such Capital Stock and such Annuities may be issued on such Terms as may be determined by the Secretary of State in Council; and any such Capital Stock may bear Interest during such Period, and be paid off at Par at such Time, as the Secretary of State in Council may prescribe previously to the Issue of such Capital Stock; and such Annuities may be terminable at such Period as the Secretary of State in Council may prescribe previously to the Issue of such Annuities.

Transfer Books of such Capital Stock and Annuities to be kept.

7. In case of the Creation and Issue of any such Capital Stock or of any such Annuities, there shall be kept, either at the Office of the Secretary of State in Council in *London* or at the Bank of *England*, Books wherein Entries shall be made of the said Capital Stock and Annuities respectively, and wherein all Assignments or Transfers of the same respectively, or any Part thereof respectively, shall be entered and registered, and shall be signed by the Parties making such Assignments or Transfers, or, if such Parties be absent, by his, her, or their Attorney or Attornies thereunto lawfully authorized by Writing under his, her, or their Hands and Seals, to be attested by Two or more credible Witnesses; and the Person or Persons to whom such Transfer or Transfers shall be made may respectively underwrite his, her, or their Acceptance thereof; and no other Mode of assigning or transferring the said Capital Stock or the said Annuities, or any Part thereof respectively, or any Interest therein respectively, shall be good and available in Law, and no Stamp Duties whatsoever shall be charged on the said Transfers or any of them.

Annuities Personal Estate.

8. All Annuities created and issued under the Authority of this Act shall be deemed and taken to be Personal and not Real Estate, and shall go to the Executors or Administrators of the Person or Persons dying possessed thereof, interested therein, or entitled thereto, and not to the Heir-at-Law, nor be liable to any Foreign Attachment by the Custom of *London*, or otherwise.

Amount charged on Revenue of India not to exceed Five Millions.

9. The whole Amount of the Principal Monies to be charged on the Revenues of *India* under this Act shall not exceed Five Millions; and no Money shall be raised or secured under the Authority of this Act after the said Thirtieth Day of *April* One thousand eight hundred and sixty-two, or, if Parliament be then sitting, after the End of the then Session of Parliament, save for or upon the Repayment of Principal Monies previously secured under this Act as herein-after provided.

Power to raise Money for Payment of Principal Money.

10. Upon or for the Repayment of any Principal Money secured under the Authority of this Act, the Secretary of State in Council may at any Time borrow or raise, by all or any of the Modes aforesaid, all or any Part of the Amount of Principal Money repaid or to be repaid, and so from Time to Time as all or any Part of any Principal Money under this Act may require to be repaid, but the Amount to be charged upon the Revenues of *India* shall not in any Case exceed the Principal Money required to be repaid.

Securities, &c. to be charged on Revenues of India.

11. All Bonds and Debentures to be issued under this Act, and the Principal Monies and Interest thereby secured, and all Capital Stock to be issued under this Act, and the Interest thereon, and all Annuities to be issued under this Act, shall be charged on and payable out of the Revenues of *India*, in like Manner as other Liabilities incurred on account of the Government of the said Territories.

12. The

Provisions as to Composition for Stamp Duties on India Bonds extended to Bonds, &c. under Act.

12. The Provisions contained in Section Four of the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Sixty-four, with respect to the Composition and Agreement for the Payment by the *East India* Company of an annual Sum in lieu of Stamp Duties on their Bonds, and the Exemption of their Bonds from Stamp Duties, shall be applicable with respect to the Bonds and Debentures to be issued under the Authority of this Act, as if such Provisions were here repeated and re-enacted with reference thereto.

Forgery of Debentures to be punishable as Forgery of E. I. Bonds.

13. All Provisions now in force in anywise relating to the Offence of forging or altering, or offering, uttering, disposing of, or putting off, knowing the same to be forged or altered, any *East India* Bond, with Intent to defraud, shall extend and be applicable to and in respect of any Debenture issued under the Authority of this Act, as well as to and in respect of any Bond issued under the same Authority.

Returns to be annually prepared of Monies raised on Loan, &c. and presented to Parliament.

14. Provided always, That on or before the First Day of *February* in each Year the said Secretary of State in Council shall prepare or cause to be prepared a Return of all Monies raised on Loan under the Provisions of this Act; also a Return of all Stocks, Loans, Debts, and Liabilities then chargeable on the Revenues of *India*, at home and abroad, up to the latest Period of Time to which such Return can be made out: That all such Returns shall be presented to both Houses of Parliament on or before the First Day of *February* in each Year, if Parliament is then sitting, and if Parliament is not sitting, then such Returns shall be presented within Ten Days of the First Meeting of Parliament after the First Day of *February* in each Year.

Saving Powers of the Secretary of State in Council.

15. This Act shall not prejudice or affect any Power of raising or borrowing Money vested in the said Secretary of State in Council at the Time of passing thereof.

CAP. CXIX.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland*: to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia; and to authorize the Employment of the Non-commissioned Officers. [6th *August* 1861.]

[*This Act is to continue in force until September* 1, 1862.]

CAP. CXX.

An Act to suspend the making of Lists and the Ballots for the Militia of the United Kingdom. [6th *August* 1861.]

[*All Proceedings relating to Ballot for Militia suspended until October* 1, 1862.]

CAP. CXXI.

An Act to amend the Law in relation to the Wills and Domicile of *British* Subjects dying whilst resident abroad, and of Foreign Subjects dying whilst resident within Her Majesty's Dominions. [6th *August* 1861.]

'WHEREAS by reason of the present Law of Domicile the Wills of *British* Subjects dying whilst resident abroad are often defeated, and their Personal Property administered in a Manner contrary to their Expectations and Belief; and it is desirable to amend such Law, but the same cannot be effectually done without the Consent and Concurrence of Foreign States:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, as follows:

No British Subject dying in a Foreign Country, with which a Convention has been made, to be deemed to have acquired a Domicile unless resident there for One Year immediately preceding his or her Death, &c., and for all Purposes of Testate or Intestate Succession shall retain Native Domicile.

1. Whenever Her Majesty shall by Convention with any Foreign State agree that Provisions to the Effect of the Enactments herein contained shall be applicable to the Subjects of Her Majesty and of such Foreign State respectively, it shall be lawful for Her Majesty by any Order in Council to direct, and it is hereby enacted, That from and after the Publication of such Order in the *London Gazette* no *British* Subject resident at the Time of his or her Death in the Foreign Country named in such Order shall be deemed under any Circumstances to have acquired a Domicile in such Country unless such *British* Subject shall have been resident in such Country for One Year immediately preceding his or her Decease, and shall also have made and deposited in a Public Office of such Foreign Country (such Office to be named in the Order in Council) a Declaration in Writing of his or her Intention to become domiciled in such Foreign Country; and every *British* Subject dying resident in such Foreign Country, but without having so resided and made such Declaration as aforesaid, shall be deemed for all Purposes of Testate or Intestate Succession as to Moveables to retain the Domicile he or she possessed at the Time of his or her going to reside in such Foreign Country as aforesaid.

No Foreign Subject dying in Great Bri-

2. After any such Convention as aforesaid shall have been entered into by Her Majesty with any Foreign State it shall be lawful for Her Majesty by Order in Council to direct, and from and after the Publication

Publication of such Order in the *London Gazette* it shall be and is hereby enacted, that no Subject of any such Foreign Country who at the Time of his or her Death shall be resident in any Part of *Great Britain* or *Ireland* shall be deemed under any Circumstances to have acquired a Domicile therein, unless such Foreign Subject shall have been resident within *Great Britain* or *Ireland* for One Year immediately preceding his or her Decease, and shall also have signed, and deposited with Her Majesty's Secretary of State for the Home Department, a Declaration in Writing of his or her Desire to become and be domiciled in *England, Scotland,* or *Ireland,* and that the Law of the Place of such Domicile shall regulate his or her Moveable Succession.

tain or Ireland to be deemed to have acquired a Domicile unless resident therein for One Year, &c.

3. This Act shall not apply to any Foreigners who may have obtained Letters of Naturalization in any Part of Her Majesty's Dominions.

Act not to apply to naturalized Foreigners.

4. Whenever a Convention shall be made between Her Majesty and any Foreign State, whereby Her Majesty's Consuls or Vice-Consuls in such Foreign State shall receive the same or the like Powers and Authorities as are herein-after expressed, it shall be lawful for Her Majesty by Order in Council to direct, and from and after the Publication of such Order in the *London Gazette* it shall be and is hereby enacted, that whenever any Subject of such Foreign State shall die within the Dominions of Her Majesty, and there shall be no Person present at the Time of such Death who shall be rightfully entitled to administer to the Estate of such deceased Person, it shall be lawful for the Consul, Vice-Consul, or Consular Agent of such Foreign State within that Part of Her Majesty's Dominions where such Foreign Subject shall die, to take possession and have the Custody of the Personal Property of the Deceased, and to apply the same in Payment of his or her Debts and Funeral Expenses, and to retain the Surplus for the Benefit of the Persons entitled thereto; but such Consul, Vice-Consul, or Consular Agent shall immediately apply for and shall be entitled to obtain from the proper Court Letters of Administration of the Effects of such deceased Person, limited in such Manner and for such Time as to such Court shall seem fit.

When Subjects of Foreign States shall die in Her Majesty's Dominions, and there shall be no Persons to administer to their Estates, the Consuls of such Foreign States may administer.

CAP. CXXII.

An Act to continue the Corrupt Practices Prevention Act (1854). [6th *August* 1861.]

[*Continues* 17 & 18 *Vict. c.* 102., *as amended by* 21 & 22 *Vict. c.* 87., *until September* 1, 1862, *and until the End of the next Session of Parliament.*]

CAP. CXXIII.

An Act to reduce and alter the Rate of Duty payable on Proceedings under the Statute of the Twenty-first and Twenty-second Years of *Victoria,* Chapter Seventy-two, Section Eighty-eight; and for other Purposes. [6th *August* 1861.]

'WHEREAS by an Act passed in the Twenty-first and Twenty-second Years of Her Majesty, Chapter Seventy-two, Section Eighty-eight, certain Provisions are made with respect to the 'Rate of Duty payable on Proceedings in the "Landed Estates Court (*Ireland*)," and it is expedient 'to reduce and alter such Rate of Duty and to amend the said Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

21 & 22 Vict. c. 72.

1. Subject as herein-after mentioned, from and after such Date as the Judges of the said Court may, with the Sanction of the Commissioners of the Treasury, by General Order appoint, a Duty shall be levied upon every Estate which shall be sold or conveyed under the said recited Act, or of which a Partition, Exchange, or Division shall be made by the Court, where no Sale is to be effected by the Court, or of which the Title shall be verified by Declaration under the said Act as aforesaid; and such Duty shall be payable in the Proportion herein-after mentioned, according to the Value of such Estate; and such Value shall, when the Estate shall be sold or conveyed, be estimated by the *bonâ fide* Purchase Money, and where the Court shall make a Partition, Exchange, or Division of Land, or shall verify the Title thereof by Declaration as aforesaid, the Value of such Estate shall be ascertained by such Means as shall be settled by a General Order of the Court; and such Duty shall be the First Charge upon the Purchase Money, and where there shall be no Sales the Duty shall be a First Charge upon the Estate conveyed, or the Estate being the Subject of such Declaration of Title as aforesaid, or the Estates which shall be the Subject of such Exchange, Partition, or Division as aforesaid; and Payment of such Duty shall be enforced by such Method as shall be determined by any General Order of the Court for that Purpose; and such Duty shall be paid so as to become and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland,* in such Manner as shall be determined by General Order of the Court to be approved by the Commissioners of Her Majesty's Treasury; and from and after the Time at which this Act shall come into operation, as herein-before mentioned, the Rate of such Duty shall be Ten Shillings upon every Hundred Pounds of the gross Value of every Estate which shall be sold or conveyed under the said recited Act; and the Rate of such Duty upon every Estate of which an Exchange, Partition, or Division shall be made by the Court under the said Act, when

Duty payable on Proceedings in Landed Estate Court (I.)

when no Sale is effected by the Court, shall be Five Shillings upon every Hundred Pounds of the gross Value of such Estate, and the Rate of such Duty upon the Estate or Estates of which the Title shall be verified by Declaration under the said Act shall be Ten Shillings upon every Hundred Pounds of the gross Value thereof: Provided always, that no such Duty shall be payable in respect of any Property which shall be sold in pursuance of an Order of the Incumbered Estates Court made before the Commencement of the said recited Act; and that nothing herein contained shall alter or affect any Duty which shall have become due and payable under the said recited Act before the passing of this Act.

If Duties, &c. insufficient to pay Half Expense of Court, Rates may be raised.

2. Provided always, That in case the Duty authorized to be levied by this Act, together with the Sums paid to the Consolidated Fund pursuant to the Provisions of the Eighty-ninth Section of the said recited Act, shall in any Year be insufficient to pay One Half of the Expense of maintaining the said Court, it shall be lawful for the Commissioners of the Treasury to raise the Rate of any of the said Duties from Time to Time and for such Periods as they shall direct; provided that such increased Rate shall in no Instance exceed the maximum Rate of Duty authorized by the said recited Act.

Indemnity to Lieutenant Colonel John Henry Keogh.

3. 'Whereas Lieutenant Colonel *John Henry Keogh* has sustained a Loss of One thousand eight 'hundred and seventy-nine Pounds Six Shillings and Sevenpence by the Neglect of an Officer of the 'Incumbered Estates Court: And whereas it is expedient that he should be indemnified for the said 'Loss:' Be it therefore enacted, That the Judges of the Landed Estates Court may, with the Sanction of the Commissioners of Her Majesty's Treasury, direct the Payment to the said Lieutenant Colonel *John Henry Keogh*, from Time to Time, out of the Duties levied or to be levied under the Provisions of the said recited Act, of an Amount not exceeding the said Sum of One thousand eight hundred and seventy-nine Pounds Six Shillings and Sevenpence; and except with the Sanction of the said Commissioners, no General Order reducing the said Duties shall be issued until there shall have been received after the passing of this Act, from the Proceeds of the Difference between the existing Duties and the reduced Duties to be levied under this Act, a Sum amounting to One thousand eight hundred and seventy-nine Pounds Six Shillings and Sevenpence.

Recited Act and this Act to be construed as One Act.

4. The said recited Act, except so far as altered by this Act, shall be construed with this Act; and Words interpreted in the said recited Act shall, when used in this Act, have the same Meanings as are assigned to them respectively by the said recited Act.

CAP. CXXIV.

An Act for amending the Law relating to the Receiver for the Metropolitan Police District; and for other Purposes. [6th *August* 1861.]

10 G. 4. c. 44.

'WHEREAS by an Act passed in the Tenth Year of the Reign of His late Majesty King *George* 'the Fourth, Chapter Forty-four, intituled *An Act for improving the Police in and near the* '*Metropolis*, after providing for the Establishment of a Police Force within the District to be called '"the Metropolitan Police District," and including the Metropolis and its Neighbourhood, it is provided 'amongst other Things that it should be lawful for His Majesty to appoint a proper Person to receive 'all Sums of Money applicable to the Purposes of the said Act, who should be called "the Receiver for 'the Metropolitan Police District;" and it was provided that such Receiver for the Time being should 'receive all Sums of Money applicable to the Purposes of the said Act, and should pay the same into 'the Hands of the Governor and Company of the Bank of *England* to an Account intituled "The 'Account of the Public Monies of the Receiver for the Metropolitan Police District," inserting the 'Name of the Receiver for the Time being, and shall draw on such Account in manner therein men-'tioned for all such Sums of Money as might be necessary for the Payment of the Expenses of carrying 'the said Act into execution; and there were in the said Act contained Powers for the Receiver to 'purchase and hold Lands, Buildings, and other Real and Personal Property for the Purposes of the 'Act, and it was thereby declared that it should be lawful for him, in obedience to Directions to be 'given by any One of His Majesty's Principal Secretaries of State, to sell, assign, or dispose of the 'whole or any Part of such Property as aforesaid, and to execute all such lawful Matters for carrying 'the said Act into execution as such Principal Secretary of State should from Time to Time direct: 'And whereas Provisions were made by the said Act for defraying the Expense of the said Police 'Force by means of Contributions from the several Parishes and Places within the Metropolitan Police 'District, and for the Purpose of enforcing such Contributions it was declared that it should be lawful 'for the Justices appointed under the said Act forthwith and so from Time to Time, subject to the 'Approbation of One of His Majesty's Principal Secretaries of State, to issue a Warrant under their 'Hands to the Overseers of the Poor of every such Parish or Place, commanding the Overseers to pay 'the Amount mentioned in the Warrant for the Purposes of the Police under the said Act, or to levy 'the same in manner therein mentioned; and it was further provided that the Overseers to whom any 'such Warrant as aforesaid should be issued should pay the Amount mentioned in the Warrant out of 'such Monies as therein mentioned to the Receiver within the Time specified for that Purpose, and at 'the Time of making any Payment to the Receiver should deliver to him a Note in Writing signed by 'them specifying the Amount so paid, which Note should be kept by the Receiver as a Voucher for his

Receipt

'Receipt of that particular Amount, and the Receipt of the Receiver specifying the Amount paid to 'him by the Overseers should be a sufficient Discharge to the Overseers for such Amount, and should 'be allowed as such in passing their Accounts with their respective Parishes, Townships, Precincts, or 'Places: And whereas the Commissioners of Her Majesty's Treasury have from Time to Time granted 'Pensions and compassionate Allowances for the Benefit of the Widows or Children of Police Constables 'who have been killed or who have died from the Effects of Injuries received in the Execution of their 'Duty: And whereas it is expedient that further Provision should be made with respect to the 'Property vested in the Receivers for the Metropolitan Police District for the Purposes of their Office, 'and that Provision should be made for charging on the Monies received by the Receiver such Pensions 'and compassionate Allowances as may hereafter be awarded to the Widows and Children of such 'Police Constables as aforesaid:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Receiver constituted a Corporation Sole.

1. The Person for the Time being holding the Office of Receiver for the Metropolitan Police District shall be a Corporation Sole, by the Name of "the Receiver for the Metropolitan Police District," and by that Name shall have perpetual Succession, with a Capacity by his Official Name to acquire and hold Lands, to hold Stock in the Public Funds, Shares in any public Company, Securities for Monies, and Personal Property of every Description, to sue and be sued, to execute Deeds, using an Official Seal, to make Leases, to enter into Engagements binding on himself and his Successors in Office, and to do all other Acts necessary or expedient to be done in the Execution of the Duties of his Office.

Transfer of Property vested in previous Receivers.

2. All such Property, Real and Personal, including all Interests and Rights in, to, and out of Property, Real and Personal, and including Things in Action, as may be vested in *John Wray*, the late Receiver for the Metropolitan Police District, for the Purposes of his Office, and all such Property, Real and Personal, including all such Interests, Rights, and Things in Action as aforesaid, as may be vested in *Maurice Drummond*, the present Receiver for the Metropolitan Police District, for the Purpose of his Office, shall pass to and vest in the present Receiver for the Metropolitan Police District and his Successors, by his Official Name, for all the Estate and Interest of the said *John Wray* and *Maurice Drummond* respectively therein, to be held by the said Receiver and his Successors for the Purposes for which the same were held by the said *John Wray* and *Maurice Drummond* respectively.

Exoneration of Receiver of Metropolitan Police District.

3. The Receiver for the Time being for the Metropolitan Police District, herein-after referred to as the Receiver, shall not be personally liable for any Debt incurred or Engagement entered into by him by his Official Name in his Official Capacity, but all such Debts and Engagements shall be satisfied out of the Monies for the Time being received by him in his Official Capacity.

Alteration of Name of Account.

4. The Name of the Receiver for the Time being shall not after the passing of this Act be inserted in the Official Account kept by him with the Governor and Company of the Bank of *England*.

Power of Receiver to purchase, &c.

5. The Receiver may, by the Direction of One of Her Majesty's Principal Secretaries of State, transfer, demise, enfranchise, mortgage, or otherwise dispose of Property of any Tenure vested in him in his Official Capacity, and may purchase, take, or lease Property of any Tenure required for the Purposes of the Metropolitan Police Force or other the Purposes of his Office.

Power to grant Pensions, &c. to Widows and Children of Constables killed in the Execution of their Duty.

6. One of Her Majesty's Principal Secretaries of State may from Time to Time grant such Pensions as he thinks just to the Widows of Metropolitan Police Constables who have been killed or have died from the Effect of Injuries received in the Execution of their Duty, and may likewise make Grants by way of compassionate Allowances to the Children of any such Constables, and any Grant so made shall be payable out of any Monies for the Time being in the Hands of the Receiver; but any Grants made in pursuance of this Section of Pensions or compassionate Allowances shall not exceed the Amount which the Lords of the Admiralty are for the Time being empowered to pay to the Widows and Children of Coast Guard Officers who may have been killed or have died from the Effect of Injuries received in the Execution of their Duty.

Repeal of Part of Sect. 25 of 10 G. 4. c. 44. and enactment of new Provisions in lieu thereof.

7. There shall be repealed so much of the Twenty-fifth Section of the said Act of the Tenth Year of King *George* the Fourth, Chapter Forty-four, as provides "that the Overseers shall pay to the Receiver "the Amount mentioned in the Warrant within the Time specified for that Purpose, and at the Time of "making any Payment to the Receiver shall deliver to him a Note in Writing signed by them speci- "fying the Amount so paid, which Note shall be kept by the Receiver as a Voucher for his Receipt of "that particular Amount, and the Receipt of the Receiver specifying the Amount paid to him by the "Overseers shall be a sufficient Discharge to the Overseers for such Amount, and shall be allowed as "such in passing their Accounts with their respective Parishes, Townships, Precincts, or Places;" and in lieu thereof be it enacted, That the Overseers shall pay into the Bank of *England*, to the Account of the Receiver of the Metropolitan Police, the Amount mentioned in the Warrant within the Time specified for that Purpose, and that the Certificate of the Bank, signed by One of their Cashiers, specifying the Amount paid into the Bank, shall be a sufficient Discharge to the Overseers for such Amount, and shall be allowed as such in passing their Accounts with their respective Parishes, Townships, Precincts, or Places.

Payment of Monies into the Bank.

8. In addition to the Sums hereby directed to be paid by the Overseers all other Sums from Time to Time accruing payable to the Receiver shall be paid into the Bank of *England* to the Account of the Receiver

Receiver of the Metropolitan Police, and the Certificate of the Bank, signed by One of their Cashiers, specifying the Amount paid into the Bank, shall be a sufficient Discharge to the Persons paying the same.

Construction of Act.

9. This Act, so far as is not inconsistent with the Purposes thereof, shall be construed as one with the said Act of the Tenth Year of King *George* the Fourth, Chapter Forty-four, and the other Acts relating to the Metropolitan Police Force.

Short Title.

10. This Act may be cited for all Purposes as "The Metropolitan Police Receiver's Act, 1861."

CAP. CXXV.

An Act to enable Overseers in populous Parishes to provide Offices for the proper Discharge of Parochial Business. [6th *August* 1861.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Overseers and Vestries, with Consent of Poor Law Board, to purchase Offices for Use of Parish.

1. The Overseers of any Parish in *England* the Population whereof shall exceed Four thousand Persons according to the Census for the Time being, with the Consent of the Vestry, called after due Notice, and with the Consent of the Poor Law Board, signified by an Order under their Seal, may hire any Room, or purchase or take upon Lease or Exchange any Land or Building, or sell Land belonging to such Parish, and invest the Proceeds of such Sale in the Purchase of other Land and Building, or erect a suitable Building on any Land acquired as aforesaid, for the Purpose of an Office for the Transaction of the Business of the Parish.

And the Lands Clauses Consolidation Act, 1845, (except the Parts and Enactments of that Act with respect to the Purchase and taking of Lands otherwise than by Agreement, and with respect to the Recovery of Forfeitures, Penalties, and Costs,) shall, in so far as the same is consistent with this Act, be incorporated with this Act.

And for the Purposes of this Act the Expressions "the Promoters of the Undertaking," or "the Secretary," whenever used in that Act, shall respectively mean the Overseers as aforesaid; and the Expression "Tolls or Rates," whenever used in the said first-mentioned Act, shall mean Monies to be raised for the Relief of the Poor; and all Lands and Premises which shall be so purchased or taken on Lease or Exchange by the Overseers of any Parish shall be conveyed, demised, and assured to such Overseers and their Successors, in trust for the Purposes aforesaid; and the yearly Rent reserved by any Lease shall be chargeable upon and paid out of the Monies to be raised for the Relief of the Poor of any such Parish, and shall be paid by the Overseers as aforesaid of such Parish as such Rent becomes payable; and if at any Time any such Rent be not paid within Thirty Days after it so becomes payable, and after Demand thereof in Writing, the Person to whom any such Rent shall be payable may either recover the same from the Overseers as aforesaid, with Costs of Suit, by Action of Debt in any Court of appropriate Jurisdiction, or may levy the same by Distress of the Goods and Chattels of any of the Overseers as aforesaid; and such Overseers may provide the requisite Furniture and Fittings of such Room or such Building, and appoint and pay out of the Poor Rate such Persons to take care thereof, or of any Vestry Room provided under the Authority of the Fifty-seventh Chapter of the Statute of the Thirteenth and Fourteenth Years of the Reign of Her Majesty, and to aid in the ordinary Business of the Parish, as the Vestry shall authorize and the Poor Law Board shall approve; and every such Building and Vestry Room shall be warmed and lighted and with its Furniture shall be kept in good Condition and Repair at the Cost of the Poor Rate.

Overseers may provide Depositories.

2. The Overseers of any Parish may, with the Consent of the Vestry, provide proper Depositories of all the Documents, Books, and Papers belonging to such Parish for which no Provision is otherwise made by Law, and charge the Cost thereof upon the Poor Rate.

Interpretation of Terms.

3. The Words used in this Act shall be construed in the like Manner as in the Act of the Fourth and Fifth Years of King *William* the Fourth, Chapter Seventy-six.

CAP. CXXVI.

An Act to exempt the Volunteer Forces of *Great Britain* from the Payment of Tolls. [6th *August* 1861.]

3 G. 4. c. 126. 4 G. 4 c. 49.

'WHEREAS Doubts have arisen how far the Exemption from Tolls granted to Officers and Soldiers by the Acts severally passed in the Third and Fourth Years of the late King *George* the Fourth, for the general Regulation of Turnpike Roads in *England* and *Scotland* respectively, and by the several Acts heretofore passed for punishing Mutiny and Desertion, and for better Payment of the Army and their Quarters, may be extended to Officers and Soldiers serving in Volunteer Corps: And whereas it is expedient that such Doubts should be removed, and the Exemption of Volunteers from Tolls should be more fully defined:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. No

Horses and Carriages, &c. of Volunteers exempted.

1. No Dues, Duties, Pontage, or Toll from which Officers and Soldiers on their March or Duty, or the Horses of any Officer or Soldier on March or on Duty, are exempted by the Provisions of the recited or any other Acts, shall be demanded or taken at any Pier, Wharf, Quay, or Landing Place, or at any Turnpike or other Gate, Bar, or Bridge, for any Volunteer Officer or Soldier, or for any Horse or other Beast used or ridden by any Volunteer Officer or Soldier on his March or on Duty, or going to or returning from any Place appointed for and on the Days for Exercise, Inspection, or Review, or on other Public Duty, such Volunteer Officer or Soldier being in the Uniform of his Corps, or for any Cart, Waggon, or Carriage whatsoever, whether public or private, or for any Horse or other Beast drawing the same, employed only in carrying or conveying, or returning empty from carrying or conveying, having been employed only in carrying or conveying, any such Volunteer Officer or Soldier on his March or on Duty, or going to or returning from any Place appointed for and on the Days for Exercise, Inspection, or Review, or other Public Duty, and being in the Uniform of his Corps, or the Arms or Baggage of any such Volunteer Officer or Soldier, or any Ordnance or Barrack or Commissariat Stores belonging to or for the Use of Her Majesty's Volunteer Forces; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses or other Beasts, Carts, Waggons, Carriages, Arms, Baggage, or Stores along any Canal from Payment of Tolls in like Manner as other Boats, Barges, or Vessels are liable thereto, or prevent Toll being taken for conveying the said Persons, Horses or other Beasts, Carts, Waggons, or Carriages, Arms, Baggage, or Stores, upon any Railway.

Penalty for demanding Tolls from Volunteers, &c.

2. Any Toll Collector or other Person who shall take, demand, or receive any Dues, Duties, Pontage, or Toll for or in respect of any Volunteer Officer or Soldier, Horse or other Beast, Carriage, Waggon, or Cart, entitled to Exemption under this Act, shall forfeit and pay for every Offence a Sum not exceeding Five Pounds.

Penalty for personating Volunteers, &c.

3. Any Person who shall falsely and fraudulently personate or represent himself to be a Volunteer Officer or Soldier with the Intent to evade Payment of any Dues, Duties, Pontage, or Toll to which he would otherwise be liable, shall forfeit and pay for every Offence a Sum not exceeding Five Pounds.

Recovery and Application of Penalties.

4. All Penalties, Forfeitures, and Fines by this Act inflicted or authorized to be imposed shall be levied and recovered and applied in *England* and *Scotland* respectively in manner severally directed by the said recited Acts, or any Act or Acts respectively amending the same for the Time being in force.

Extent of Act.

5. This Act shall not extend to *Ireland*.

CAP. CXXVII.

An Act for limiting and regulating the Treasury Chest Fund. [6th *August* 1861.]

'WHEREAS various Sums were granted by Parliament from Time to Time, up to the Year One thousand eight hundred and thirty-two, for defraying certain Services denominated "The "Extraordinaries of the Army:" And whereas a Fund now called "The Treasury Chest Fund," the available Balance of which amounted on the Thirty-first Day of *March* One thousand eight hundred and sixty to the Sum of One million three hundred and thirty thousand seven hundred and one Pounds Three Shillings and Threepence, has arisen out of the said Grants, and from the Receipt of other Monies on the Public Account, and the said Fund has been employed, under the Direction of the Commissioners of Her Majesty's Treasury, as a Banking Fund for facilitating Remittances, and for temporary Advances for Public and Colonial Services, to be repaid out of the Monies appropriated by Parliament or otherwise applicable to those Services: And whereas it is expedient to maintain in the Treasury Chest Fund a sufficient available Balance for supplying the several Treasury Chests with Monies for carrying on the Public Service, to limit the Amount of such Balance, and to make other Provisions in respect of the said Fund:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Available Balance of Treasury Chest Fund to be limited as herein mentioned, &c.

1. From and after the passing of this Act, the available Balance of the Treasury Chest Fund shall be limited not to exceed the Sum of One million three hundred thousand Pounds; and in case upon the taking of the first annual Account herein-after directed, or upon the taking of any subsequent annual Account, such available Balance be found to exceed the said Sum of One million three hundred thousand Pounds, the Commissioners of Her Majesty's Treasury shall direct the Surplus of such Balance above the said Sum of One million three hundred thousand Pounds to be paid to and form Part of the Consolidated Fund.

How Commissioners of Treasury are to employ the said Fund.

2. It shall be lawful for the said Commissioners to employ from Time to Time the said Treasury Chest Fund, or the Balances in the Hands of Persons acting as Paymasters for the same Fund, in the Purchase of Specie, and Payment of Bills drawn on the said Commissioners for the Supply of the several Treasury Chests, in making temporary Advances for Public and Colonial Services, to be repaid to the Treasury Chest Fund out of the Money appropriated by Parliament to such Services, or out of such other Monies as may be applicable thereto, and in the Repayment of Monies deposited in any of

the Treasury Chests abroad on account of the Public Service: Provided always, that no Expenditure whatsoever shall be finally defrayed out of or permanently charged upon the said Fund.

Annual Abstract Account of said Fund to be made by Commissioners of Audit, and laid before Parliament, with Returns of Special Warrants and Account of Claims outstanding.

3. The Commissioners for auditing the Public Accounts shall prepare an annual Abstract Account, made up to and including the Thirty-first Day of *March* in every Year, showing the Sums received into and paid out of the several Treasury Chests in the Financial Year ending such Thirty-first Day of *March*, and the Balances remaining on that Day in the Hands of each of the Persons acting as Paymasters for the Treasury Chest Fund; and such Account shall also show the Liabilities and Assets of the said Fund, and the available Balance thereof, on the said Thirty-first Day of *March*; and there shall be prepared by the Commissioners for auditing the Public Accounts Two Returns, showing the Special Warrants, if any, which may have been issued by Officers commanding Her Majesty's Troops at Foreign Stations for Advances or Payments from Treasury Chests not contemplated in the Regulations for the ordinary Service at the Stations; the one such Return being for the Period embraced in the said Account, and the other for the Period between the Termination of the Account and the Thirty-first Day of *December* following. There shall also be prepared by the said Commissioners an Account showing all the Debts due on the closing of the annual Abstract Account to the Treasury Chest Fund, and all Claims upon that Fund then outstanding, which were so due and outstanding on the Thirty-first Day of *March* of the Financial Year preceding the Year embraced in the Account; and the Commissioners for auditing the Public Accounts shall transmit the said annual Abstract Account, and the said Returns of Special Warrants and Account of outstanding Claims, to the Commissioners of Her Majesty's Treasury, who shall annex to the said Returns and Account of Claims such Explanations or Observations as they may think fit, and shall lay the whole of the Documents so prepared before the House of Commons on or before the Thirty-first Day of *March* in the Year following the Termination of such Abstract Account, if Parliament be sitting, or if Parliament be not sitting, then within One Week after the next Meeting of Parliament.

CAP. CXXVIII.

An Act to confirm certain Provisional Orders under the Local Government Act (1858), relating to the Districts of *Plymouth*, *Weston-super-Mare*, *Llanelly*, and *Llandilo*; and for other Purposes in relation thereto. [6th *August* 1861.]

'WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made certain Provisional Orders which are contained in the Schedule to this Act annexed; and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been so confirmed by Parliament; and it is expedient that the said Orders should be so confirmed, and further Provision made in relation thereto:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Confirming Provisional Orders in Schedule, except Part of Order relating to Weston-super-Mare.

1. The Provisional Orders contained in the Schedule hereunto annexed, except so much of the Provisional Order relating to the District of *Weston-super-Mare*, and bearing Date the Fifteenth Day of *July* One thousand eight hundred and sixty-one, as repeals the Fourteenth, Forty-second, Forty-third, and Forty-fourth Sections of "The *Weston-super-Mare* Improvement and Market Act, 1851," recited in the said last herein-before recited Provisional Order, shall from and after the passing of this Act be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

Limitation of Rates to 3*s.* 6*d.* in the Pound, except with Consent of Majority of Ratepayers.

2. The *Weston-super-Mare* Improvement Commissioners, acting as the Local Board within the District of *Weston-super-Mare*, shall have Power and Authority to levy Rates or Assessments within the District of such Local Board to an Amount not exceeding in the whole in any One Year the Sum of Three Shillings and Sixpence in the Pound on the annual Value of Houses, Buildings, and Property other than Land within the said District: Provided always, that if it shall at any Time appear that the said Sum of Three Shillings and Sixpence in the Pound is not sufficient it shall be lawful for the Commissioners aforesaid acting as such Local Board, with the Consent of the Majority of Ratepayers present at the annual Meeting for the Settlement of Accounts to be expressed in the same Manner as Consent to the Adoption of the Local Government Act, to increase the Rates beyond the Sum aforesaid: Provided also, that Notice of the Intention of the said Commissioners, acting as such Local Board to make any such Increase shall be given by them One Month previous to such annual Meeting, by Advertisement in some Newspaper printed or circulated within the District of the said Local Board.

Existing Mortgages to have Priority of future Mortgages.

3. All Assignments or Mortgages already granted by the Improvement Commissioners of *Weston-super-Mare* in pursuance of the Local Acts recited in the Provisional Order in the Schedule to this Act annexed relating to the District of *Weston-super-Mare*, and bearing Date the Fifteenth Day of *July* One thousand eight hundred and sixty-one, shall, during the Continuance thereof, have Priority over all Mortgages created by virtue of "The Local Government Act, 1858."

Act incorporated with 21 & 22 Vict. c. 98.

4. This Act shall be deemed to be incorporated with "The Local Government Act, 1858," and shall be as if this Act and the said Local Government Act were One Act.

5. In

Short Title.

5. In citing this Act in any other Act, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1861, (No. 2.)"

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. PLYMOUTH.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands for Street Improvements otherwise than by Agreement.
2. WESTON-SUPER-MARE.—Repealing and altering Parts of Local Acts within the District; consolidating certain Debts incurred under such Acts; and altering the Powers of rating within the said District.
3. WESTON-SUPER-MARE.—Altering the Boundaries of the District of Weston-super-Mare, as constituted for the Purposes of the Local Government Act, 1858.
4. LLANELLY.—Extending the Borrowing Powers of the Llanelly Local Board of Health.
5. LLANDILO.—Extending the Borrowing Powers of the Llandilo Local Board.

PLYMOUTH.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Plymouth Local Board of Health, for the Purchase of Lands by the said Board for Street Improvements.—Local Government Act, 1858.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Plymouth, in the County of Devon, by the Council of the said Borough, being the Local Board of Health in and for the District of the said Borough, to which the Public Health Act, 1848, was duly applied by a Provisional Order of the General Board of Health, confirmed by the Public Health Supplemental Act, 1854, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase certain pieces of land and certain buildings for the purpose of widening, opening, enlarging, and improving certain streets and highways in the said Borough, such land and buildings being all situate within the District of the said Local Board of Health.

And whereas the said Petition duly set forth in the Schedule annexed thereto the several pieces of land and the several buildings intended to be taken by such Board for such purpose, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such lands and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition, Her Majesty's Principal Secretary of State for the Home Department directed Henry Austin, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That, from and after the passing of any Act of Parliament confirming this Order,—

1.—The Mayor, Aldermen, and Burgesses of the Borough of Plymouth, by the Council of the said Borough, being the Local Board of Health for the District of that Borough, shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my Hand this Fifteenth day of July 1861.

(Signed) G. C. LEWIS.

SCHEDULE referred to in the preceding Order.

The Pieces of Land and the Buildings proposed to be taken as described in the foregoing Order are the following:—

Description of Lands, Messuages, Buildings, and Premises.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
1. "The White Lion" Public House, Courtlage, Stable, Skittle Alley, and Outbuildings, No. 26 in Tavistock Street, containing by Admeasurement 2,620 Feet superficial Measure.	Grace Blatchford -	James Rew - -	Richard Rowe.

Local Government Supplemental (No. 2.)

Description of Lands, Messuages, Buildings, and Premises.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
2. Dwelling House, Shop, Courtlage, and Outbuildings, No. 27 in Tavistock Street, containing by Admeasurement 1,184 Feet superficial Measure.	Grace Blatchford -	- - -	Josiah George Nike.
3. Dwelling House, Shop, Courtlage, and Outbuildings, No. 28 in Tavistock Street, containing by Admeasurement 1,000 Feet superficial Measure.	John Millman and Alfred Millman.	- - -	Samuel Brooking Knight.
4. Dwelling House, Shop, and Courtlage, No. 29 in Tavistock Street, containing by Admeasurement 703 Feet superficial Measure.	John Bickley -	- - -	John Bickley
5. Dwelling House, Three Shops, Cart House, Stable, Stores, and Courtlage, No. 4 in Tavistock Street, containing by Admeasurement 4,608 Feet superficial Measure.	William Harris -	- - -	John Langman. Thomas Cann.
6. "Bedford Wine and Spirit Cellars" Public House, Courtlage, and Brewhouse, No. 3 in Tavistock Street, containing by Admeasurement 2,160 Feet superficial Measure.	John Sloggett -	George Venecombe	George Venecombe.
7. "The Turk's Head" Public House, Courtlage, and Outbuildings, No. 1 in St. Andrew Street, containing by Admeasurement 1,552 Feet superficial Measure.	Robert Scott -	- - -	Nicholas Hesem.
8. Dwelling House, Shop, and Courtlage, No. 28 in Notte Street, containing by Admeasurement 777 Feet superficial Measure.	John Randle -	- - -	William Whitfill. John Knapman. Samuel Masters. Elizabeth Cuddeford.
9. Dwelling House, Two Shops, Courtlage, and Outbuildings, No. 29 in Notte Street, containing by Admeasurement 1,950 Feet superficial Measure.	Francis Gloyne -	- - -	Samuel Southcott. Francis Gloyne. John Pike. William Ellis.
10. Dwelling House, Two Shops, Courtlage, and Outbuildings, No. 31 in Notte Street, containing by Admeasurement 1,878 Feet superficial Measure.	George Hearn -	- - -	Francis Nicholas. William Frederick Bolt. Robert Tichband. John Burrows. Thomas Higman. Elizabeth Horswill. Robert Drake. Thomas Creak. Mary Davis. Stephen Crocker.
11. Dwelling House, Shop, Courtlage, and Outbuildings, No. 32 in Notte Street, containing by Admeasurement 863 Feet superficial Measure.	Mary Ann Henry	- - -	Richard Hammet. Ellen Hayes. John Magrath. William Jessoff. Charles Howell. Jane Macarthy. Mary Vennor.

Local Government Supplemental (No. 2.)

Description of Lands, Messuages, Buildings, and Premises.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
12. Dwelling House and Courtlage, No. 33 in Notte Street, containing by Admeasurement 378 Feet superficial Measure.	Elias Watts -	- - -	Mary Ann Millman.
13. Ale and Porter Stores and Offices, Nos. 35 and 36 in Notte Street, containing by Admeasurement 4,146 Feet superficial Measure.	George King -	Messrs. Allen & Co.	Messrs. Allen & Co.
14. Dwelling House, Three Shops, Passage, Courtlage, and Outbuildings, No. 1 in Russell Street, containing by Admeasurement 1,080 Feet superficial Measure.	George Greenham John Hicks -	- - - - - -	Joseph Hundrey. William Brooks. Ann Wotton.
15. Dwelling House, Two Shops, and Courtlage, No. 46 in Frankfort Street, containing by Admeasurement 304 Feet superficial Measure.	George Greenham John Hicks -	- - - - - -	John Wolland. John Beer. James Gale. Sarah Jane Hundrey. ElizabethPetherick.
16. "Queen's Head" Public House, Courtlage, and Outbuildings, No. 45 in Frankfort Street, containing by Admeasurement 921 Feet superficial Measure.	George Ryall -	- - -	Thomas Charlick.
17. Dwelling House, Shop, Courtlage, and Outbuildings, No. 43 in Frankfort Street, containing by Admeasurement 1,860 Feet superficial Measure.	Samuel Foster -	Messrs. Cook & Sons	Messrs. Cook & Sons.
18. Dwelling House, Shop, Courtlage, and Outbuildings, No. 42 in Frankfort Street, containing by Admeasurement 1,548 Feet superficial Measure.	William Brooks Bartlett. Rev. I. H. Parlby	William Brooks Bartlett.	William Brooks Bartlett.
19. "Coal Exchange Inn" Public House and Outbuildings, No. 19, Parade, adjoining Sausage Lane, containing by Admeasurement 1,000 Feet superficial Measure.	Mary Gregory -	George Hearn -	George Hearn.
20. Dwelling House and Cart House, No. 16 in Southside Street, adjoining Sausage Lane, containing by Admeasurement 644 Feet superficial Measure.	Mary Sole, Trustee for James Joll and Matthew Stranger Joll, or other the parties interested.	- - -	Joseph Baker. Ann Symons. Amy Worn. Peter Wilton.
21. Dwelling House, Shop, and Courtlage, No. 15 in Southside Street, containing by Admeasurement 528 Feet superficial Measure.	John Pardew -	- - -	John Welsford.
22. Coal and Hemp Stores, No. 14 in Southside Street, containing by Admeasurement 3,158 Feet superficial Measure.	Sarah Stanbury -	- - -	Thomas Pollard. George Rowe.
23. Stable and Stores, No. 13 in Southside Street, containing by Admeasurement 372 Feet superficial Measure.	Sarah Stanbury -	- - -	Henry Callard.

Local Government Supplemental (No. 2.)

Description of Lands, Messuages, Buildings, and Premises.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
24. Dwelling House, Shop, and Courtlage, No. 12 in Southside Street, containing by Admeasurement 1,372 Feet superficial Measure.	James Thorn -	- - -	John Spicer. Elizabeth Skinner. James Maddock. William Fry. Ann Roads. Jane Dann. Jane Jenkins. Samuel Blagdon.
25. Dwelling House, Shop, and Courtlage, No. 27 in Southside Street, containing by Admeasurement 578 Feet superficial Measure.	William Rowland -	- - -	Solomon Zeffert. Thomas Heydon.
26. Dwelling House, Shop, and Courtlage, No. 28 in Southside Street, containing by Admeasurement 1,080 Feet superficial Measure.	Henry Shapcott -	- - -	Robert Ellis.
27. Dwelling House, Shop, Courtlage, and Outbuildings, No. 10 in Drake Street, containing by Admeasurement 1,770 Feet superficial Measure.	Charles Taylor -	Alfred Cotton Penrose.	Alfred Cotton Penrose.
28. Dwelling House, Shop, Courtlage, and Outbuildings, No. 9 in Drake Street, containing by Admeasurement 1,725 Feet superficial Measure.	Charles Taylor -	Messrs. Tuckett and Sons.	Messrs. Tuckett and Sons.
29. Shop, No. 42 in Cobourg Street, adjoining Gloucester Lane, containing by Admeasurement 220 Feet superficial Measure.	Thomas Shortridge	- - -	Thomas Shortridge. Richard Shortridge.
30. Garden and Passage Way in front of Dwelling House, No. 14, Oxford Place, containing by Admeasurement 240 Feet superficial Measure.	Mary Emma Vosper	- - -	Herbert Adams.
31. Garden in front of the "Valletort Inn" Public House, No. 15, Oxford Place, and Passage Way adjoining, containing by Admeasurement 516 Feet superficial Measure.	William Barons -	Samuel Ball -	Samuel Ball.
32. Garden and Passage Way in front of Dwelling House, No. 1, Claremont Street, containing by Admeasurement 252 Feet superficial Measure.	John May - -	- - -	John May.
33. Garden and Passage Way in front of Dwelling House, No. 2, Claremont Street, containing by Admeasurement 228 Feet superficial Measure.	Philip Trant -	- - -	Patrick Mulhall.
34. Stable and Store at the South End of Hoe Street adjoining the Citadel Road, and belonging to the Premises known as "Hoe Gate House," containing by Admeasurement 670 Feet superficial Measure.	Fanny Grant Wise	- - -	Fanny Grant Wise.

Local Government Supplemental (No. 2.)

WESTON-SUPER-MARE.

Provisional Order repealing and altering Local Acts in force within the District of Weston-super-Mare, consolidating certain Debts incurred under such Acts, and altering the Powers of Rating within the said District.—Local Government Act, 1858.

Whereas the Weston-super-Mare Improvement Commissioners, appointed under and by virtue of the Weston-super-Mare Improvement and Market Act, 1842, and the Weston-super-Mare Improvement and Market Act, 1851, and acting as the Local Board within the District of Weston-super-Mare aforesaid, as comprised within the operation of the said Local Acts, have, under the provisions of the Local Government Act, 1858, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the repeal of certain sections of the herein-before recited Local Acts, as set forth and specified in such Petition, and that such alterations may be made in the herein-before recited Local Acts, and such powers and authorities vested in the Commissioners acting as such Local Board as aforesaid, as may be necessary to enable them to carry out the objects sought by such Petition.

And whereas, in pursuance of the said Local Government Act, inquiry has been directed and held in the said District in respect of the several matters mentioned in the said Petition, and report has been made to me thereon by Henry Austin, Esquire, the Inspector appointed for the purpose.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct—

That, from and after the passing of any Act of Parliament confirming this Order—

1. The parts of the Weston-super-Mare Improvement and Market Act, 1842 (5 Vict. sess. 2. cap. 20.), and of the Weston-super-Mare Improvement and Market Act, 1851 (14 & 15 Vict. cap. 65.), specified in the Schedule hereunto annexed, shall be repealed.
2. The unrepealed parts of the aforesaid Local Acts, so far as they are not repugnant to or inconsistent with the said Local Government Act or this Order, or any byelaw which shall be lawfully made under the said herein-before last-mentioned Act, shall be incorporated with the said Local Government Act, as adopted by the aforesaid District of Weston-super-Mare, and the unrepealed parts of the said Local Acts shall be in force within the whole of the said District under the Local Government Act, 1858, and all matters arising under the said Local Acts shall be dealt with as matters arising under the said Local Government Act, 1858.

Given under my hand this Fifteenth day of July 1861.

(Signed) G. C. Lewis.

SCHEDULE to which this Order refers.

The parts of the Weston-super-Mare Improvement and Market Act, 1842 (5 Vict. sess. 2. c. 20.), herein-before referred to in this Order, to be repealed, are the following; that is to say,

The sections numbered in the copies of the said Act as printed by Her Majesty's Printers :—20 to 72, 74 to 141, 144 to 201 all inclusive; 221 and 222, 224 to 228 both inclusive; 232, 234 to 345, both inclusive.

Also the sections numbered in the copies of the Weston-super-Mare Improvement and Market Act, 1851, as printed by Her Majesty's Printers :—5 to 7, 12 to 16, 18 to 39, 42 to 44, all inclusive, and 46.

WESTON-SUPER-MARE.

Provisional Order for altering the Boundaries of the District of Weston-super-Mare, in the County of Somerset, as constituted under the Local Government Act, 1858.—*Local Government Act*, 1858.

Whereas the Weston-super-Mare Improvement Commissioners appointed under and by virtue of the Weston-super-Mare Improvement and Market Act, 1842, and Weston-super-Mare Improvement and Market Act, 1851, and acting as the Local Board within the District of Weston-super-Mare aforesaid, as comprised within the operation of the said Local Acts, under and for the purposes of the Local Government Act, 1858, have duly presented to me, as one of Her Majesty's Principal Secretaries of State, a Petition under the Provisions of the 77th Section of the Local Government Act, 1858, praying for an alteration of the boundaries of the said District of Weston-super-Mare, by the addition to and incorporation with the aforesaid District of that portion of the Parish of Weston-super-Mare, in the County of Somerset, which is known as the White Cross Estate.

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the matters mentioned in the said Petition, and report has been made to me thereon by Henry Austin, Esquire, the Inspector appointed for the purpose.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now

Now therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct,—

That, from and after the passing of any Act of Parliament confirming this Order—

1.—The District of the aforesaid Local Board of Weston-super-Mare, in the County of Somerset aforesaid, be altered by the addition to the present existing District of all that portion which is coloured yellow upon the plan of the Parish of Weston-super-Mare, in the County of Somerset, forwarded to me, as one of Her Majesty's Principal Secretaries of State as aforesaid, by the herein-before named Commissioners on the Third day of November 1860, and which comprises all the land included within a line commencing at a point which forms the extreme south-east corner of the present boundary of the district of the Local Board, 780 links from the east side of the Uphill Road; and extending thence along the southern boundary of the Parish of Weston-super-Mare for a distance of 3,254 links to the east side of a road called the "Uphill Drove," and from thence along the eastern side of the Uphill Drove for a distance of 1,673 links to the fence separating the property of Mrs. Synge from that of the Weston-super-Mare Commissioners; and from thence along the said fence for a distance of 524 links in an easterly direction; and from thence for a distance of 151 links along the east boundary of the property of the Weston-super-Mare Commissioners, in a northerly direction; thence in an easterly direction for a distance of 47 links; and thence in a northerly direction for a distance of 683 links, to a point on the north side of a road, called "The Rector's Way," 358 links from its junction with the Uphill Drove; and from thence along the north side of the said road, in a south-easterly direction, for a distance of 776 links; and from thence, extending in a northerly direction for a distance of 1,282 links, along the fence to the point where it meets the southern side of the Weston-super-Mare Branch Railway; and from thence extending in a north-westerly direction along the southern side of the said railway for a distance of 528 links; and from thence extending across the railway in a northerly direction for a distance of 1,755 links to the north side of a Highway, called the Locking Road, to a point where it again unites with the present boundary of the district of the said Local Board, 390 links eastward of the junction of the Locking Road with the Ashcombe Road.

2.—The District altered as aforesaid be styled the District of Weston-super-Mare, and at every election of members of the Local Board aforesaid which shall take place after the passing of the Act of Parliament confirming this Order, the members to be elected shall be elected for the whole of the District as altered by this Order, and by the votes of owners of, and ratepayers in respect of, property situate within the District so constituted.

Given under my Hand this Fourth day of May 1861.

(Signed) G. C. Lewis.

LLANELLY.

Provisional Order for extending the Borrowing Powers of the Llanelly Local Board of Health.—Local Government Act, 1858.

Whereas the Public Health Act, 1848, has been duly applied to the District of the Borough of Llanelly in the County of Carmarthen.

And whereas the Local Board of Health for the said District of Llanelly have duly borrowed, under the Provisions of that Act and of the Local Government Act, 1858, sums, amounting in the whole to Fifteen thousand five hundred Pounds, to defray the expense of works for the supply of water to the said District, being works of a permanent nature under the aforesaid Acts; and whereas a further sum will be required to carry out and complete the said works and to carry out other works of a permanent nature, but such further sum, with the herein-before mentioned 15,500*l.*, will exceed the assessable value for one year of the premises assessable under the said Acts within such District.

And whereas the said Board have now, under the authority of the 78th Section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to borrow for such works, on mortgage of the rates leviable by the aforesaid Local Board of Health under the powers of the Public Health Act, 1848, and the Local Government Act, 1858, a sum or sums which, with the amount already borrowed, shall not exceed in the whole two years assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed.

And whereas after due inquiry and report by William Ranger, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order, under my hand, direct as follows:—

That,

That, from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board of Health for the District of Llanelly in the County of Carmarthen shall have power and authority to borrow or reborrow, for the execution and completion of the aforesaid works of a permanent nature within such District, and on mortgage of the rates leviable by them under the aforesaid Acts, a sum or sums which, together with the sums already sanctioned to be borrowed by the Local Board aforesaid, shall not exceed in the whole two years assessable value of the premises assessable under such Acts within the aforesaid District; the several aforesaid sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my Hand this Fifteenth day of July 1861.

(Signed) G. C. Lewis.

LLANDILO.

Provisional Order for extending the Borrowing Powers of the Llandilo Local Board. —Local Government Act, 1858.

Whereas the Local Government Act, 1858, has been duly adopted by the District of the Town and Villa of Llandilo in the Parish of Llandilofawr in the County of Carmarthen.

And whereas the Local Board for the said District of Llandilo propose to borrow, under the Provisions of the Local Government Act, 1858, the sum of Two thousand three hundred Pounds, to defray the expense of works for the Supply of Water to and Sewerage of the said District, being works of a permanent nature under the aforesaid Act; but as such sum will exceed the assessable value for one year of the premises assessable under the said Act within such District, the said Board have, under the authority of the 78th Section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to borrow for such works, on mortgage of rates leviable by the aforesaid Local Board under the powers of the Local Government Act, 1858, a sum or sums which shall not exceed in the whole two years assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed.

And whereas after due inquiry and report by William Ranger, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order, under my Hand, direct as follows:—

That, from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board for the District of Llandilo in the County of Carmarthen shall have power and authority to borrow, for the execution and completion of the aforesaid works of a permanent nature within such District, and on mortgage of the rates leviable by them under the aforesaid Act, a sum which shall not exceed in the whole two years assessable value of the premises assessable under such Act within the aforesaid District; the aforesaid sum to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my Hand this Fifteenth day of July 1861.

(Signed) G. C. Lewis.

CAP. CXXIX.

An Act to enable Her Majesty to accept the Services of Officers of the Merchant Service as Officers of Reserve to the Royal Navy. [6th *August* 1861.]

'WHEREAS it is expedient to enable Her Majesty to avail Herself of the Services of certain 'Officers of the Merchant Service of the United Kingdom, and of the Colonies and Dependencies 'of *Great Britain*, as Officers of Reserve to the Royal Navy:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Her Majesty may accept Services of Masters, &c., of Merchant Service.

1. It shall be lawful for Her Majesty to accept the Offers of any Persons who have been, are, or shall be Masters or Mates in the Merchant Service aforesaid to serve as Officers of Reserve to the Royal Navy, upon such Terms and Conditions as to Her Majesty may from Time to Time seem fit and proper.

Power to Admiralty to enrol Officers of Reserve to the Royal Navy.

2. It shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to enrol as Officers of Reserve to the Royal Navy so many of such Persons as aforesaid as the said Lord High Admiral or the said Commissioners may deem expedient, under and subject to such Rules, Orders, and Regulations as the said Lord High Admiral or the said Commissioners may, with the Consent of Her Majesty in Council, from Time to Time establish; and such Persons so enrolled shall bear such Rank in respect to the Officers of the Royal Navy as the said Lord High Admiral or the said Commissioners shall at any Time or Times direct, and shall, when called out for Training or Exercise, or on actual Service, be subject to all the Laws, Regulations, and Customs for the Time being in force for the Government and Discipline of the Royal Navy.

Officers of Reserve or their Widows entitled to same Pay and Pensions as Officers and Widows of Officers of Royal Navy.

3. Such Persons so enrolled as Officers of Reserve shall be entitled to receive such Pay and Allowances as the said Lord High Admiral or the said Commissioners, with the Consent of Her Majesty in Council, may from Time to Time appoint, and if such Persons shall be disabled, or shall receive Hurts or Wounds in actual Service, they shall be entitled to the same Allowances or Pensions for the same, and the Widows of such of them as may be killed in Action, or die from Wounds or Accidents resulting from the Performance of their Duty, shall receive the same Pensions as the Widows of Officers of the Royal Navy of corresponding Rank would be entitled to receive under similar Circumstances.

CAP. CXXX.

An Act for amending an Act passed in the last Session of Parliament to amend the Law concerning the making, keeping, and Carriage of Gunpowder and Compositions of an explosive Nature, and concerning the Manufacture, Sale, and Use of Fireworks. [6th *August* 1861.]

'WHEREAS by an Act passed in the Session holden in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and thirty-nine, intituled *An Act to amend the Law concerning the making, keeping, and Carriage of Gunpowder and Compositions of an explosive Nature, and concerning the Manufacture, Sale, and Use of Fireworks*, there are vested in the Justices of the Peace in General Quarter Sessions assembled certain Powers of licensing Places for making and keeping Gunpowder, Percussion Caps, Ammunition, and other explosive Substances, and for granting Licences to Persons to sell Fireworks: And whereas it is expedient that all Powers of licensing by the said Act given to the Justices in Quarter Sessions should be transferred to the Justices in Petty Sessions assembled:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

23 & 24 Vict. c. 139.

Transfer of licensing Powers.

1. All Powers of granting Licences by the said Act given to Justices of the Peace at their General Quarter Sessions shall be transferred to and vested in the Justices in Petty Sessions assembled, and the Justices shall hold Special Petty Sessions of the Peace in their several Divisions for granting such Licences at such Times as they think expedient; and all Powers thereby transferred shall be exercised by the Justices in Petty Sessions assembled within their respective Divisions in the same Manner in which the same are by the said Act required to be exercised by the Justices at their General Quarter Sessions, or as near thereto as Circumstances will admit.

Table of Fees.

2. The Justices in each Petty Sessional Division may, with the Sanction of One of Her Majesty's Principal Secretaries of State, regulate the Mode in which Applications for Licences under this Act are to be made, and make a Scale of Fees to be charged in respect of such Licences.

Construction of Act.

3. This Act, so far as is consistent with the Tenor thereof, shall be construed as One with the said Act of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and thirty-nine.

Section 18. of recited Act to apply to Manufacturers of Safety Fuzes.

4. 'And whereas it is necessary for the Manufacturers of Safety Fuzes to have and keep for the Purpose of such Manufacture large Quantities of Gunpowder:' Be it enacted, That such Manufacturers shall be within and subject to all the Provisions of the Eighteenth Section of the said recited Act, in like Manner as the Manufacturers of Cartridges, Fireworks, and Rockets; and further, that it shall be lawful for such Manufacturers of Safety Fuzes to keep exclusively for the Use of such Manufacture the respective Quantities of Gunpowder mentioned in the Nineteenth Section of the said Act, in like Manner as the same may be kept for the Use of any Mine, Quarry, or Colliery, but subject to all the Restrictions and Conditions mentioned and provided in the said Section.

CAP. CXXXI.

An Act to continue the Act concerning the Management of Episcopal and Capitular Estates in *England*, and further to amend certain Acts relating to the Ecclesiastical Commissioners for *England*. [6th *August* 1861.]

14 & 15 Vict. c. 104.

17 & 18 Vict. c. 116.

22 & 23 Vict. c. 46.

23 & 24 Vict. c. 124.

'WHEREAS an Act was passed in the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter One hundred and four, "to facilitate the Management and Improvement of Episcopal and Capitular Estates in *England*," which Act was limited in Duration to Three Years from the End of the then Session of Parliament; and by the Act of the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter One hundred and sixteen, the said Act of the Fourteenth and Fifteenth Years of Her Majesty was amended, and, as so amended, has, by the last-mentioned and other Acts, and ultimately by an Act of the Session holden in the Twenty-second and Twenty-third Years of Her Majesty, Chapter Forty-six, been further amended and continued until the First Day of *January* One thousand eight hundred and sixty-one, and until the End of the then next Session of Parliament, and the said first-mentioned Act was also further amended by the Act of the Twenty-third and Twenty-fourth Years of Her Majesty, Chapter One hundred and twenty-four: And whereas it is expedient that said Act of the Fourteenth and Fifteenth Years of Her Majesty, as

'amended

'amended as aforesaid, should be further continued, and that certain Acts relating to the Ecclesiastical 'Commissioners for *England* should be amended:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Estates of the Archdeaconry of Rochester vested in the Commissioners.

1. 'Whereas under the Provisions of an Order of Her Majesty in Council, bearing Date the Eighth 'Day of *August* One thousand eight hundred and forty-five, and published in the *London Gazette* on 'the Twentieth Day of the same Month, made in pursuance of an Act passed in the Sixth and Seventh 'Years of His late Majesty King *William* the Fourth, Chapter Seventy-seven, the Archdeaconry of '*Rochester* became on the last Avoidance thereof (which took place on the Decease, on or about the 'Thirteenth Day of *March* One thousand eight hundred and fifty-nine, of the Venerable *Walker* '*King*, the Holder of the said Archdeaconry,) and now is suppressed, but the said Act does not 'contain any Provision for dealing with the Estates and Endowments formerly belonging to the same 'Archdeaconry (in addition to the Canonry in the Cathedral Church of *Rochester* which was annexed 'to and held therewith), and the Ownership of such Estates is now in abeyance:' All the Lands, Tenements, Hereditaments, and Endowments heretofore belonging to or enjoyed with the said Archdeaconry, and all Estate, Right, Title, and Interest therein and thereto, shall become and be transferred to and absolutely vested in the said Commissioners for the Purposes of their Common Fund, and be subject to the Provisions applicable to other Hereditaments vested in them, and that they shall be entitled to the Rents, Profits, and Proceeds thereof as from the Day of the Date of the Avoidance of the said Archdeaconry as aforesaid.

14 & 15 Vict. c. 104., continued until Jan. 1, 1863.

2. The said Act of the Fourteenth and Fifteenth Years of Her Majesty, so amended as aforesaid, shall continue in force until the First Day of *January* One thousand eight hundred and sixty-three, and until the End of the then next Session of Parliament.

CAP. CXXXII.

An Act for consolidating and amending the Law relating to Industrial Schools in *Scotland*.

[6th *August* 1861.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Short Title.

1. This Act may be cited for all Purposes as "The Industrial Schools (*Scotland*) Act, 1861."

Limits of Act.

2. This Act shall extend to *Scotland* only.

Interpretation of Terms.

3. The following Words and Expressions shall have the Meanings hereby assigned to them respectively, unless there be something in the Subject or Context repugnant to such Construction:

"Managers" shall include the Directors, Managers, or other Persons who shall have the Management or Control of any such Industrial School as is herein-after mentioned:

"Parent" shall include any Person legally liable to maintain a Child:

"Magistrate" shall include any Sheriff, Sheriff Substitute, or Justice of the Peace of a County, or Judge in a Police Court, and any Provost or Baillie of a City or Burgh.

Certified Industrial Schools.

Mode of certifying Industrial Schools.

4. Her Majesty's Secretary of State for the Home Department, herein-after referred to as the Secretary of State, may upon the Application of the Managers of any School in which industrial Training is provided, and Children are fed as well as taught, and in which Provision for clothing and lodging Children shall have been made to an Extent deemed requisite by the Person appointed as after mentioned, appoint such Person as he may think fit to examine into the Condition of the School, and to report to him thereon; and if satisfied with such Report, he may by Writing under his Hand certify that such School is fitted for the Reception of such Children as may be sent there, in pursuance of this Act, and shall cause a Copy of the Certificate to be sent to the Sheriff Clerk and to the Clerk of the Peace of the County or Ward thereof, and to the Town Clerk of every Burgh within such County in which the School is situate; but no School shall be certified under this Act and also under the Act of the Session of the Seventeenth and Eighteenth Years of Her Majesty, Chapter Eighty-six, intituled *An Act for the better Care and Reformation of youthful Offenders in* Great Britain.

Withdrawal of Certificate by Secretary of State.

5. Every Industrial School that has been certified under this Act, herein-after referred to as "a certified Industrial School," shall from Time to Time, and at least once in each Year, be inspected by a Person to be appointed by the Secretary of State; and it shall be lawful for the Secretary of State, if dissatisfied with the Condition of such School as reported to him, by Notice under his Hand, addressed to the Managers of such School, to declare that the Certificate is withdrawn, from and after a Day to be specified in such Notice, not less than Two Months after the Date thereof.

Notice of Withdrawal.

6. Any such Notice as aforesaid may be served on the Managers of such School by delivering the same personally to any One of them, or by sending it, by Post or otherwise, in a Letter addressed to them

them or any of them at the said School, or at the usual or last known Place of Abode of any Manager, or of the authorized Secretary, and a Copy of the Notice shall be sent to the Clerk of the Peace of the County or Ward thereof in which the School is situate, and to the Town Clerk of every Burgh within such County; and any School on the Managers of which such Notice has been served shall from and after the Day therein specified cease to be a certified Industrial School within the Meaning of this Act.

Local Reformatories may receive youthful Offenders and Vagrant Children.

7. Where in any City, Town, or Place there has been erected, under Local Act of Parliament or otherwise, any House of Refuge for youthful Offenders, or any Reformatory or Industrial School or other similar Institution, it shall be lawful for the Commissioners, Directors, or Managers thereof to receive and maintain therein, if willing so to do, all such young Persons as may be sent thereto under the Act of the Seventeenth and Eighteenth Years of Queen *Victoria*, Chapter Eighty-six, "for the better Care and Reformation of youthful Offenders in *Great Britain*," or the Act of the Eighteenth and Nineteenth Years of Queen *Victoria*, Chapter Eighty-seven, to amend the said recited Act, or under any of them, and to apply such Portion of the Fund under their Control as they may think proper for their Training, Maintenance, and Disposal, such House of Refuge, School, or Institution having always been previously sanctioned under the said recited Acts or either of them, as the Case may be.

Resignation of Certificate by Managers.

8. The Managers of any certified Industrial School may, upon giving Six Months previous Notice of their Intention so to do, in Writing under the Hand of One or more of them, or of the authorized Secretary, require the Secretary of State to withdraw the Certificate given to such School, and accordingly, at the Expiration of Six Months from the Date of the Notice, such Certificate shall be deemed to be withdrawn, and from thenceforth it shall not be lawful to send or receive there any more Children under this Act; but the Managers of a certified Industrial School shall not, except in manner provided by this Section, have Power, without the Consent of the Secretary of State, expressed in Writing, to withdraw from the Obligation of educating, clothing, lodging, and feeding any Children that at the Time of the giving such Notice may be in the School under any Order granted in pursuance of the Provisions of this Act, until the Certificate be withdrawn, or until such Children be removed to some other Industrial School by an Order of the Secretary of State; and if such Managers make default in so doing, they, or such of them as fail therein, shall each of them incur a Penalty not exceeding Five Pounds for each Default, to be recovered in a summary Manner before any Magistrate having Jurisdiction in the Place where such School is situate.

Admission of Children to and their Status at School.

Description of Children liable to be sent to School.

9. Children of the Descriptions herein-after mentioned may be sent to certified Industrial Schools in pursuance of the Provisions of this Act; that is to say,

1. Any Child apparently under the Age of Fourteen Years found begging or receiving Alms, or being in any Street or public Place for the Purpose of begging or receiving Alms:
2. Any Child apparently under the Age of Fourteen Years that is found wandering, and not having any Home or settled Place of Abode or proper Guardianship, or any visible Means of Subsistence, or that frequents the Company of reputed Thieves:
3. Any Child apparently under the Age of Twelve Years who, having committed an Offence punishable by Imprisonment or some less Punishment, ought nevertheless, in the Opinion of the Magistrate, regard being had to his Age and to the Circumstances of the Case, to be sent to an Industrial School:
4. Any Child under the Age of Fourteen Years whose Parent represents that he is unable to control him, and that he desires such Child to be sent to an Industrial School, in pursuance of this Act, and who at the same Time gives such Undertaking or other Security as may be approved by the Magistrate before whom he is brought, in pursuance of this Act, to pay all Expenses incurred for the Maintenance of such Child at School: Provided that no Child who, on being brought before the Magistrate, is proved to have been previously sentenced to Imprisonment for any Period of more than Thirty Days, shall be deemed to be within the Provisions of this Act.

Power to Magistrates to send Children to School.

10. Any Person, whether a Constable or not, may bring before a Magistrate any Child that is herein-before declared to be liable to be sent to an Industrial School; and the Magistrate shall make full Inquiry into all the Facts of the Case, and if satisfied on such Inquiry that this Act applies to such Child, and that it is expedient to deal with him under its Provisions, may, by Writing under his Hand, order the Child to be sent, for such Period as he may think necessary, for his Education and Training, to any certified Industrial School, whether situate within his Jurisdiction or not, the Managers of which are willing to receive such Child; subject to this Qualification, that it shall be the Duty of the Magistrate to select, if possible, an Industrial School conducted in accordance with the Religious Persuasion to which the Parent of the Child appears to him to belong: Provided also, that the Magistrate shall have Power, while Inquiry is being made respecting such Child, or respecting a School to which he may be sent, to order him to be taken to the Poorshouse belonging to the Parish or Combination in which such Child has been found, or where there is no such Poorshouse, or where it is at an inconvenient Distance, to such other Place, not being a Prison, as he may appoint, and to be detained therein, at the Cost of such Parish or Combination, for any Time not exceeding Seven Days, or until an Order

shall

shall be made previous to the Expiration thereof, for the Discharge of such Child, or for his being sent to a certified Industrial School, as herein-before provided, and such Child shall be so detained accordingly by the Keeper of such Poorshouse, or by such other Person as such Order shall be addressed to.

Lodging, &c. Child at School.

11. The Managers of every such certified Industrial School may, at their Discretion, permit any Child sent there in pursuance of this Act to sleep or lodge at the Dwelling of his Parent, or of any trustworthy and respectable Person, so that they educate, feed, and clothe the Child in all respects as if he were lodging in the School itself, and that they report to the Secretary of State in such Manner as he shall require every Instance in which they exercise a Discretion under this Section.

Children not to be sent to Schools to which Parents, &c. object.

12. If the Parent or Guardian or nearest surviving Relative of any Child who may have been sent to or whom it may be intended to send to an Industrial School, under the Provisions of this Act, shall certify to the Magistrate by whom the Order may have been or may be about to be made, within Fourteen Days from the Day of the making of such Order, that they object to such Child being sent to or detained in the School named or about to be named, and shall name another School or Institution in *Great Britain*, duly certified as aforesaid, and shall signify their Desire that such Child may be sent thereto, and shall prove that the Managers thereof are willing to receive such Child, and shall pay or find sufficient Security to pay any additional Expense which his or her Removal may occasion, over and above that of sending him or her to the certified School on which the Order shall be about to be made or shall have been made, and in case the Removal shall take place from one such School to another, then to pay the whole Expense, such Magistrate shall direct such Child to be sent to such last-mentioned School or Institution accordingly: Provided always, that if any such Child who shall have become chargeable to any Parish, and shall, under the Provisions of this Act, be sent from *Scotland* to any School out of *Scotland*, might have been removed from *Scotland* under the Provision of the Eighth and Ninth of Queen *Victoria*, Chapter Eighty-three, at the Instance of the Inspector of the Poor of the Parish to which such Child has become chargeable, had he or she not been sent out of *Scotland* under the Provisions of this Act, the Chargeability on such Parish for such Child shall, on his or her being so sent out of *Scotland*, cease and determine.

As to Settlement and Chargeability of Children sent from Scotland to Schools out of Scotland.

Child chargeable to Parish to be sent to Parochial Industrial School, if any.

13. In the Case of any Child chargeable at the Time to any Parish, or who has been so chargeable within Three Months preceding, if there shall be in such Parish an Industrial certified School maintained by the Parochial Board thereof, and if the Inspector of the Poor of such Parish shall certify to the Magistrate who may be about to make an Order for sending such Child to a certified Industrial School, or, where such Order has been made, within Fourteen Days of the Day of making the same, that he requires such Child to be sent to the certified Industrial School in such Parish maintained by the Parochial Board thereof, such Magistrate shall direct such Child to be sent to such last-mentioned School accordingly, the Inspector of the Poor defraying the Expense of conveying such Child thither.

Limitation of Stay at School.

14. No Child shall in pursuance of this Act be detained against his Consent in any certified Industrial School after he has attained the Age of Fifteen Years.

Discharge of Child from School.

15. The Secretary of State may from Time to Time, by Writing under his Hand, remove any Child sent to an Industrial School in pursuance of this Act from one certified Industrial School to another, so that the whole Period of the Detention of such Child at Industrial Schools be not thereby increased: He may also, in like Manner, discharge any Child from an Industrial School, either absolutely or upon Condition of the Parent of such Child or any other Relation undertaking to educate, clothe, and feed him, or entering into such other Undertaking as the Secretary of State may require.

Power to discharge from School before Expiry of Period of Attendance.

16. It shall be lawful for any Magistrate, on the Application of the Parents or of the Directors or Managers of any certified Industrial School to which any such Child may have been transmitted, under the Provisions of this Act, or of the Inspector of the Poor of the Parish in the first instance or ultimately liable for his or her Support, if satisfied that a suitable Employment has been provided for the Child, or in the Case of any Child falling under the Class specified in Paragraph Four of the Ninth Clause hereof, on default of the Parent to make Payment of the Expenses of the Cost of such Child's Maintenance at School, or if he shall otherwise see Cause, to discharge such Child from such School before the Expiry of the Period for which he may have been sent there.

Power to make Rules, &c.

17. It shall be lawful for the Directors and Managers of such Schools and Institutions as aforesaid to make all necessary Rules, Orders, and Byelaws for the Regulation and Management of the Schools and Institutions as aforesaid under their Charge, not repugnant to the Provisions of this Act; but no such Rules, Orders, or Byelaws shall be enforced until they have been submitted to and approved by the Secretary of State.

Maintenance of Children at School.

Maintenance of Child at School.

18. The Commissioners of Her Majesty's Treasury, upon the Representation of the Secretary of State, may defray, out of Monies provided by Parliament for the Purpose, the whole Cost of the Maintenance of any Children sent to School, in pursuance of this Act, except such Children as are sent to School in pursuance of this Act at the Desire of their Parents, and on their Representation that they are unable to control them, at such Rate *per* Head as may be determined by him, or such Portion of the Cost as may not be recovered from the Parent of the Child in manner herein provided, or such other Portion as the Secretary of State may recommend.

19. The

Order for Payment of Maintenance.

19. The Magistrate by whom any Child is sent to School in pursuance of this Act, or any Magistrate having Jurisdiction within the District where the School is situate to which any Child is sent in pursuance of this Act, or in which the Parent of such Child shall reside, upon an Application made by any Person appointed by the Secretary of State for that Purpose, or by any Agent of such Person, shall have Authority to make an Order on the Parent of such Child either at the Time of the Child being first sent to School, or at any Time during his Continuance at School, for the Payment of the Expenses of his Maintenance at School to an Amount not exceeding Five Shillings for every Week during which the Child remains at such School, and such Order shall be held to be and shall have all the Effect of a Decree in each Week for Payment of the Sum decerned to be paid for such Week; and under the Warrant for Arrestment therein contained, and which such Magistrate is hereby authorized to grant when he sees fit, it shall be lawful to arrest weekly, for Payment of such weekly Sum as aforesaid, the Wages of the Defender due and current, and such Arrestment shall attach not only the Wages due and payable to the Defender at the Date thereof, but also the Wages current for the Week or other Term or Period in the course of which such Arrestment is executed, any Law or Statute to the contrary notwithstanding; and the Provisions of the Act of the Eighth and Ninth Years of the Reign of Her Majesty, Chapter Eighty-three, for the Punishment of Parents deserting their Children, or refusing or neglecting to maintain them, shall be held and deemed and are hereby directed to be applicable to the Case of Parents refusing or neglecting to pay the Amount so charged upon such Parents as aforesaid.

Variation of Order.

20. The Order made by the Magistrate may specify the Time during which the Parent is to pay the Sums thereby directed to be paid, or it may be indefinite, and until further Order; and any Magistrate having Jurisdiction to make such Order may from Time to Time vary the same whenever Circumstances require it, on the Application either of the Parent or of any Person appointed by the Secretary of State to receive the Money, or by the Agent of such Person, on Fourteen Days Notice being first given of such Application to such Person or his Agent, or to such Parent respectively.

Case of Child chargeable to Parish.

21. Where any Child sent to an Industrial School in pursuance of this Act then is, or within Three Months of the Time of his being so sent has been chargeable to any Parish, the Parochial Board and Inspector of the Poor of the Parish shall, as long as he continues so chargeable, be liable to repay to the Commissioners of Her Majesty's Treasury all Expenses incurred in maintaining such Child at School in pursuance of this Act, to an Amount not exceeding Five Shillings *per* Week, and in default of Payment such Expenses may be recovered by any Person appointed by the Secretary of State, or by his Agent, in a summary Manner, before any Magistrate having Jurisdiction in the Place in which the Parish is situated: Provided always, that nothing in this Act contained shall be construed to prevent any Parochial Board on whose Funds the Cost of Support of any such Child as aforesaid shall have become a Charge from adopting such Steps for his or her Removal as may be competent to them under the Provisions of the Eighth and Ninth *Victoria*, Chapter Eighty-three.

Absconding from School.

Penalty on Child absconding.

22. If any Child, whether lodging in the School or elsewhere, before attaining the Age of Fifteen Years, or before being duly discharged, wilfully absconds from the School to which he is sent in pursuance of this Act, or neglects to attend thereat, or wilfully refuses to conform to the Regulations thereof, any Magistrate having Jurisdiction in the Place in which the School is situate or in which the Child is retaken may, by Writing under his Hand, order him to be sent back to the School, and to be detained there until he attains the Age of Fifteen Years, or for such shorter Period as the Magistrate thinks fit; or, instead of sending him back to such last-mentioned School, the Magistrate may commit him, under the Provisions of the Act of the Session of the Seventeenth and Eighteenth Years of *Victoria*, Chapter Eighty-six, to any Reformatory School certified under the said Act.

Penalty on inducing Child to abscond.

23. Any Person who directly or indirectly withdraws a Child from the certified Industrial School to which he has been sent previously to his attaining the Age of Fifteen Years, or before being duly discharged, or who induces or aids him to abscond, or who knowingly conceals or harbours him, or in any way prevents his Return, shall for every such Offence incur a Penalty not exceeding Five Pounds, or shall be liable, at the Discretion of the Magistrate, to be imprisoned for any Period not exceeding Twenty Days.

Recovery of Penalties.

Mode of recovering Penalties.

24. Penalties may be recovered under this Act by summary Complaint, at the Instance of the Person or Persons entitled to sue therefor, before any Magistrate having Jurisdiction in the Place where the Party complained on resides, or in which the Act for which the Penalty has been incurred was committed, according to the Form of Procedure provided by the Eighty-first Section of the Act of the Session of the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter Eighty-three, for the Recovery of the Penalties thereby imposed, and such Magistrate shall have and may exercise all and the like Powers as are conferred on the Sheriff for that Purpose by the said Act.

Evidence.

Evidence of School being certified.

25. Whenever the Secretary of State grants a Certificate to or withdraws it from any Industrial School, in pursuance of this Act, he shall cause a Notice of such Grant or Withdrawal to be published in

in the *Edinburgh Gazette* within One Calendar Month, and such Publication shall be sufficient Evidence of the Fact in all Proceedings before Justices and other Courts.

Evidence of Order of Justices.

26. The Order made by the Magistrate sending any Child to a certified Industrial School shall be forwarded to the Managers thereof, and shall be a sufficient Warrant for the Detention of the Child.

Evidence of Certificate of School, Identity of Child, and making of Orders.

27. Whenever it is necessary to prove that any Industrial School is duly certified under this Act, the Production of an attested Copy of the Certificate or of the Notice published in the *Edinburgh Gazette* shall be sufficient Evidence thereof; and the Production of the Order under which any Child has been sent to or is detained in any certified Industrial School under this Act, or a Copy of such Order, with a Memorandum signed by One of the Managers or their authorized Secretary, or by the Superintendent or Master or Matron of any such School, that the Child named in such Order was duly received into and is at the signing thereof detained in such School, or has been otherwise disposed of according to Law, and the Production of any Order made under this Act, or a Copy thereof, certified by the Clerk to the Magistrate to be a correct Copy, shall in all Proceedings whatsoever be sufficient Evidence of the due making and signing of all or any of such Orders, Memorandum, and Certificate respectively, and of the sending, Detention, and Identity of the Child or Parent named in such Orders respectively, without Proof of the Signatures of the Magistrates or other Persons appearing to have signed the same respectively.

Forms.

Use of Form in Schedule.

28. No Summons, Notice, or Order made for the Purpose of carrying into effect the Provisions of this Act shall be invalidated for Want of Form only; and the Form in the Schedule to this Act annexed, or any Form to the like Effect, may be used in the Case to which it refers, and when used shall be deemed sufficient.

Repeal of Acts.

Acts herein named repealed.

29. There shall be repealed the Acts herein-after mentioned; that is to say,

1. An Act passed in the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter Seventy-four, intituled *An Act to render Reformatory and Industrial Schools in* Scotland *more available for the Benefit of vagrant Children:*
2. An Act passed in the Session holden in the Nineteenth and Twentieth Years of Her Majesty, Chapter Twenty-eight, intituled *An Act to make further Provision for rendering Reformatory and Industrial Schools in* Scotland *more available for the Benefit of vagrant Children:*

Provided that such Repeal shall not affect—

1. Any Certificate given or anything duly done under any Act hereby repealed:
2. Any Order made under any Act hereby repealed:
3. Any Penalty, Forfeiture, or other Punishment incurred under any Act hereby repealed, or any Remedy for recovering or enforcing the same.

Application of Act to existing certified Schools.

30. This Act shall apply to all Schools certified under the Acts hereby repealed or either of them, and to all Children sent to any Industrial School under the Acts hereby repealed or either of them, in the same Manner in all respects as if such Certificate had been given or Children been sent under the Provisions of this Act, with this Qualification, that no Child shall be detained at any Industrial School in pursuance of any Order made under the repealed Acts for a longer Period than he would have been detained if this Act had not passed.

Continuance of Act.

31. This Act shall continue in force until the First Day of *January* One thousand eight hundred and sixty-four, and no longer.

SCHEDULE.

FORM (A.)

Order sending Child to Industrial School.

to wit. } To the Constable of and to the Managers of the certified Industrial School at :

WHEREAS a certain Child named *A.B.* was this Day brought before me, One of Her Majesty's Justices of the Peace for the County of [*or as the Case may be*] under the Provisions of the Industrial Schools Scotland Act, 1861: Now therefore I, the said , being satisfied that the said Act applies to such Child, and that it is expedient to deal with him [*or* her] under its Provisions, order you the said Constable in pursuance of the said Act to take the said Child, and him [*or* her] safely convey to the certified Industrial School at aforesaid, and there to deliver him [*or* her], together with this Order; and I do hereby command you the said Managers to receive the said Child into your Charge in the said School, and there to detain, educate, clothe, and feed him [*or* her] for the Period of from the Date hereof.

Given under my Hand, this Day of at in the County aforesaid.

[*Signature of Magistrate.*]

FORM

FORM (B.)

Order on Parent for Payment towards the Maintenance of the Child.

The Sheriff [*or as the Case may be*] having considered the Complaint of *E.F.*, duly authorized by One of Her Majesty's Principal Secretaries of State, made under the "Industrial Schools (Scotland) Act, 1861," and having heard Parties thereon [*or as the Case may be*, in Absence of *C.D.*, *designing him*, duly cited, but not appearing], pursuant to Section 16. of the said Act, decerns the *C.D.*, complained on, weekly and every Week from the Day of to pay to the said *E.F.*, or to such Person as the said *E.F.* may from Time to Time authorize to receive the same, the Sum of Shillings for the Maintenance, Clothing, Education, Care, and Training of *A.B.*, Son [*or as the Case may be*] of the said *C.D.*, now detained in the certified Industrial School of under an Order by of Date until the said Child shall attain the Age of Fifteen Years, or shall be lawfully discharged from the said School, and grants Warrant of Arrestment to be executed by any Constable or Messenger at Arms.

Given under my Hand, this Day of at in the County aforesaid.

[*Magistrate's Signature.*]

CAP. CXXXIII.

An Act to amend the Law relating to the Drainage of Land for Agricultural Purposes.

[6th *August* 1861.]

'WHEREAS it is expedient to amend the Law relating to the Drainage of Land for Agricultural Purposes:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Short Title.

1. This Act may be cited for all Purposes as "The Land Drainage Act, 1861."

Act to apply to England only.

2. This Act, in so far as the same relates to Commissions of Sewers shall include any Commission of Sewers granted by Her Majesty, and for the Time being in force, whether such Commission is or is not granted in pursuance of this Act, or has or has not been granted previously to this Act, and in so far as the same relates to Commissioners of Sewers shall include Commissioners acting under any such Commission as aforesaid, but it shall not extend to *Scotland* or *Ireland*, or to any Part of the Metropolis as defined by the Act passed in the Session holden in the Eighteenth and Nineteenth Years of the Reign of Her present Majesty, Chapter One hundred and twenty, intituled *An Act for the better Local Management of the Metropolis.*

Definition of Terms.

3. "Watercourse" shall include all Rivers, Streams, Drains, Sewers, and Passages through which Water flows:

"Person" shall include any Body of Persons, corporate or unincorporate, unless there is something in the Context inconsistent therewith:

"Owner," as used throughout this Act, except where it is otherwise defined in the Provisions relating to Rating, shall have the same Meaning as it has in "The Lands Clauses Consolidation Act, 1845."

PART I.

COMMISSIONS OF SEWERS.

Assignment of New Limits.

Commissions of Sewers may be issued for new Areas on Recommendation of Inclosure Commissioners.

4. It shall be lawful for Her Majesty, upon the Recommendation of the Inclosure Commissioners, to be obtained on such Application and subject to such Conditions as are herein-after mentioned, to direct Commissions of Sewers into all Parts of *England*, inland as well as maritime, and to assign as the Limits for the Jurisdiction of such Commissions any Areas that may be thought most expedient, having regard to the Levels and other Facilities for Drainage within such Areas, with Power for Her Majesty to include within the Limits of any Commission of Sewers any Area to which a Commission of Sewers may not hitherto have been assigned, or any Area either wholly or partially within the Limits of an existing Commission of Sewers; subject to this Proviso, that no Alteration shall be made affecting the Jurisdiction of any Commissioners of Sewers without the Consent of a Special Meeting of such Commissioners.

Recommendation of Inclosure Commissioners to be obtained on Petition of Proprietors,

5. The following Proceedings shall be taken for the Purpose of obtaining the Recommendation of the Inclosure Commissioners to the Grant of a Commission of Sewers:

(1.) A Petition shall be presented to the Inclosure Commissioners, stating the proposed Boundaries of the Area to be comprised within the Limits of the Commission, by Reference to a Map, or in such other Manner as the Commissioners think expedient, and signed by the Proprietors of One Tenth Part of the Land within such Boundaries:

(2.) The

(2.) The Petition shall be supported by such Evidence as the Inclosure Commissioners require; but the Matter thereof shall not be entertained until the Petitioners have given such Security as the Inclosure Commissioners may require for the Payment of Costs in the event of the Petition being unsuccessful: after Investigation by an Inspector.

(3.) Upon the Receipt of such Petition the Inclosure Commissioners may, if they think fit, send an Inspector to the Place, for the Purpose of making Inquiries as to the Genuineness of the Petition, and as to the Propriety of the proposed Boundaries, and as to the Number of Proprietors assenting to or dissenting from the Prayer of the Petition:

(4.) Before commencing such Inquiry the Inspector shall give such Notice as the Inclosure Commissioners direct of his Intention to make the same, and of a Time and Place at which he will be prepared to hear all Proprietors desirous of being heard before him on the Subject of such Inquiry, and of a further Time, being not less than Fourteen Days, within which all Proprietors, intending to dissent from the Prayer of the Petition, must express such Dissent:

(5.) The Inclosure Commissioners shall dismiss the Petition if the Proprietors of One Third Part of the Land within the proposed Boundaries express their Dissent from the Prayer thereof, in Writing addressed to the Inclosure Commissioners, and sent to their Office in *London* within such Time as aforesaid; but if no such Dissent be expressed, and if the Commissioners, after hearing the Report of their Inspector, approve of the proposed Boundaries, either with or without Modification, One of Her Majesty's Principal Secretaries of State shall convey an Intimation of such Approval to Her Majesty; and a Commission of Sewers for the Area as proposed by the Petitioners, or as modified by the Inclosure Commissioners, shall thereupon be issued.

6. The following Persons shall be deemed to be Proprietors for the Purposes of this Act; that is to say, Definition of Proprietors.

(1.) Any Person entitled for his own Benefit, at Law or in Equity, for an Estate in Fee, to the Possession or Receipt of the Rents and Profits of any Freehold or Copyhold Land, whether such Land is or not subject to Incumbrances:

(2.) Any Person absolutely entitled in possession, at Law or in Equity, for his own Benefit, to a beneficial Lease of Land of which not less than Twenty-five Years are unexpired, whether such Land is or not subject to Incumbrances; but no Lease shall be deemed to be a beneficial Lease, within the Meaning of this Act, if the Rent reserved thereon exceeds One Third Part of the full annual Value of the Land demised by such Lease:

(3.) Any Person entitled under any existing or future Settlement, at Law or in Equity, for his own Benefit, and for the Term of his own Life, or the Life of any other Person, to the Possession or Receipt of the Rents and Profits of Land of any Tenure, whether subject or not to Incumbrances, in which the Estate for the Time being subject to the Trusts of the Settlement is an Estate for Lives or Years renewable for ever, or is an Estate renewable for a Term of not less than Sixty Years, or is an Estate for a Term of Years of which not less than Sixty are unexpired, or is a greater Estate than any of the foregoing Estates:

(4.) The Word "Settlement," as herein used, shall include any Act of Parliament, Will, Deed, or other Assurance whereby particular Estates or particular Interests in Land are created, with Remainders or Interests expectant thereon:

(5.) Any Body Corporate, any Corporation Sole, any Trustees for Charities, and any Commissioners or Trustees for Ecclesiastical, Collegiate, or other public Purposes, entitled at Law or in Equity, in the Case of Freehold Estates or Copyhold Estates in Fee, and in the Case of Leasehold Estates to a Lease for an unexpired Term of not less than Sixty Years.

7. Where any Proprietor as herein-before defined is a Minor, or of unsound Mind, or a married Woman, the Guardian, Committee, or Husband, as the Case may be, of such Proprietor, shall be the Proprietor within the Meaning of this Act; subject to this Proviso, that a married Woman entitled for her separate Use, and not restrained from Anticipation, shall, for the Purposes of this Act, be treated as if she were not married. Trustees to be deemed Proprietors in certain Cases.

8. Where a Corporation Aggregate, a Joint Stock or other Company, or any Body of Proprietors or Undertakers, is Proprietor of any Land, such Corporation, Company, Body of Proprietors or Undertakers respectively, shall be deemed to be One Proprietor for the Purpose of giving an Assent or Dissent under this Act, and may express their Assent or Dissent in Writing under their Common Seal in the Case of a Corporation, and in any other Case under the Hands of Three Directors or other Persons in the Direction or Management of the Company or Concern; but no Member of such Corporation, nor Proprietor or Person interested in such Company or Concern, shall be entitled to dissent individually as a Proprietor in respect of such Land. Provision as to Proprietorship by Corporations and Companies.

9. Where several Persons are Proprietors of Land as Joint Tenants, Coparceners, or Tenants in Common in undivided Moieties, they shall in respect of such Land be accounted as One Proprietor, but the Concurrence of the Proprietors of Two Third Parts of such Land shall be deemed to be the Concurrence of the whole. Provision as to Joint Proprietors.

Provision in case of no Proprietor.

10. When any Portion of Land comprised within the Boundaries referred to in any such Petition as is herein-before mentioned appears to have no Proprietor within the Meaning of this Act, or the Proprietor cannot be found, the Land so circumstanced shall be altogether excluded in any Computation that may be made of the Proportion borne by the dissenting Proprietors of any Area of Land as herein-before provided to the aggregate Number of the Proprietors of such Land.

Powers of Inspector.

11. Any Inspector sent by the Inclosure Commissioners in pursuance of this Act may, by Summons under his Hand, require to appear before him any Persons whomsoever, and examine them upon Oath or otherwise touching any Matter relating to the Purposes of the Inquiry, and he may by any such Summons require any Parochial Officer, or any Officer of or acting under any Corporation, Guardians, or Directors of the Poor, and any Commissioner, Trustee, Officer, or Person acting under any Local Act of Parliament in force within the District to which any such Inquiry may relate, to produce before him any Surveys, Plans, Sections, Rate Books, or other like Documents which may by reason of their Office be in their Custody or Control, touching any Matter relating to the Purposes of such Inquiry; and such Inspector may examine, inspect, or take Copies of any such Books, Surveys, Plans, Sections, and Documents, or any of them, or Part thereof; and whosoever wilfully disobeys any such Summons, or prevents any such Inspector from examining, inspecting, or taking Copies as last aforesaid, or refuses to answer any Question put to him by such Inspector, for the Purposes of the said Inquiry, shall be liable to a Penalty not exceeding Five Pounds, to be recovered in a summary Manner; but no Person shall be required to attend in obedience to any Summons unless the reasonable Charges of his Attendance have been paid or tendered to him.

Expenses of Issue of a Commission of Sewers under this Act.

12. All Costs, Charges, and Expenses incurred by the Petitioners or the Inclosure Commissioners in obtaining the Issue of a Commission of Sewers in pursuance of this Act shall be a Charge on the Rates leviable by the Commissioners of Sewers acting under such Commission, but if no Commission is issued all such Costs, Charges, and Expenses as aforesaid shall be defrayed by the Petitioners.

Evidence of Issue of Commission.

13. The Issue of a Commission of Sewers for any Area shall be conclusive Evidence that all the Requirements of this Act in respect of the Issue of such Commission have been complied with.

Duration of Commission.

Duration of Commissions of Sewers.

14. A Commission of Sewers once issued shall be deemed to continue until such Time as it may be superseded by Her Majesty; and Her Majesty may from Time to Time, by Writing under Her Sign Manual, fill up any Vacancies that may arise in the Body of Commissioners assigned by any Commission of Sewers.

Quorum.

Quorum of Commissioners.

15. Three Commissioners shall constitute a Quorum at any Meeting or Court of Commissioners of Sewers, except in Cases where Improvements in existing Works, or the Construction of new Works, as herein-after defined, are in question, in which Case the Quorum now required by Law shall be necessary.

General Powers of Commissioners.

Declaration of Powers of Commissioners.

16. The Powers of Commissioners of Sewers acting within their Jurisdiction shall extend to the following Acts:

(1.) To cleansing, repairing, or otherwise maintaining in a due State of Efficiency any existing Watercourse or Outfall for Water, or any existing Wall or other Defence against Water, herein-after referred to under the Expression "Maintenance of existing Works:"

(2.) To deepening, widening, straightening, or otherwise improving any existing Watercourse or Outfall for Water, or removing Mill Dams, Weirs, or other Obstructions to Watercourses or Outfalls for Water, or raising, widening, or otherwise altering any existing Wall or other Defence against Water, herein-after referred to under the Expression "Improvement of existing Works:"

(3.) To making any new Watercourse or new Outfall for Water, or erecting any new Defence against Water, to erecting any Machinery or doing any other Act not herein-before referred to, required for the Drainage, necessary Supply of Water for Cattle, Warping or Irrigation of the Area comprised within the Limits of their Jurisdiction, herein-after referred to under the Expression "the Construction of new Works:"

Provided,

(1.) That no Person shall by virtue of this Act be compelled to execute at his own Expense any Works which he would not have been compelled to execute if this Act had not passed:

(2.) That no Work shall be deemed to be a new Work that is in substitution for an old one, in Cases where such old Work is so much out of repair or so inefficient as to make it expedient to construct a new Work in place thereof:

(3.) That full Compensation shall be made for all Injury sustained by any Person by reason of the Exercise by the Commissioners of the above Powers:

(4.) That the Exercise of the foregoing Powers shall be subject to the Restrictions herein-after mentioned.

17. The

Restrictions as to Obstructions.

17. The Commissioners shall not be entitled to remove or otherwise interfere with any Mill Dam, Weir, or other like Obstruction, whereby the Level of the Water is raised for any milling or other Purpose of Profit, so as to injuriously affect the Supply of Water, otherwise than with the Consent of the Owner of such Mill Dam, Weir, or other like Obstruction, until the following Things have been done; that is to say,

(1.) Their Right to do so has been determined in manner herein-after mentioned:

(2.) Compensation has been made to all Parties entitled for the Injury which may be caused by such Removal or Interference.

Questions as to Right to remove any Obstructions.

18. For the Purpose of determining the Right of the Commissioners to remove or otherwise interfere with any such Dam, Weir, or other like Obstruction, there shall be decided, if the Owner consent, by Two or more Justices assembled in Petty Sessions, but if he do not consent, by Arbitration, the Questions following; that is to say,

(1.) Whether the proposed Removal or Interference is necessary for the effectual Drainage of Land within the Jurisdiction of the Commissioners:

(2.) Whether the proposed Removal or Interference will cause any Injury to the Owner:

(3.) Whether any Injury that may be caused by the Removal or Interference is or is not of a Nature to admit of being fully compensated for by Money.

Consequences of Determination of Question.

19. The Consequence of any such Decision shall be as follows; that is to say,

(1.) If the Decision is that such Removal or Interference is not necessary for the effectual Drainage of the Lands by the Commissioners, the Commissioners shall not be entitled to make the same:

(2.) If the Decision is that such Removal or Interference is necessary for the Purpose aforesaid, but that the Injury to be caused thereby is not of a Nature to be fully compensated for by Money, the Commissioners shall not be entitled to make the same:

(3.) If the Decision is that such Removal or Interference is necessary, and that any Injury that may be caused can be fully compensated by Money, the Commissioners shall be at liberty to make the same, upon making Compensation as herein-after mentioned.

Amount of Compensation how ascertained.

20. Where the Decision is that the Commissioners are entitled to remove or interfere with any such Mill Dam, Weir, or other Obstruction, the Commissioners shall take the same Steps with respect to compensating the Parties interested as are required to be taken by the said Lands Clauses Consolidation Act by Purchasers in Cases where they are authorized to purchase or take Lands by Special Act.

Restrictions as to Purchase of Land.

21. The Commissioners shall not by virtue of this Act purchase any Land for new Works, otherwise than by Agreement with the Owner thereof, until they have obtained the Sanction of Parliament in manner herein-after mentioned.

Publication of Notices.

22. The Commissioners, before applying for the Sanction of Parliament, shall do as follows; that is to say,

(1.) Publish once at the least in the *London Gazette* and once at least in each of Three consecutive Weeks in some Newspaper circulating within the Limits of their Commission an Advertisement describing shortly the Nature of the Undertaking in respect of which the Land is proposed to be taken, naming a Place where a Plan of the proposed Undertaking may be seen at all reasonable Hours, and stating the Quantity of Land that they require:

(2.) Serve a Notice in manner herein-after mentioned on every Owner or reputed Owner, Lessee or reputed Lessee, and Occupier of such Lands, defining in each Case the particular Lands intended to be taken, and requiring an Answer stating whether the Person so served assents, dissents, or is neuter in respect of taking such Lands; such Notice to be served

By Delivery of the same personally on the Party required to be served, or if such Party is absent abroad to his Agent; or

By leaving the same at the usual or last known Place of Abode of such Party as aforesaid; or

By forwarding the same by Post in a prepaid Letter addressed to the usual or last known Place of Abode of such Party.

Petition to Inclosure Commissioners.

23. Upon Compliance with the Provisions herein-before contained with respect to Advertisements and Notices, the Commissioners may present a Petition to the Inclosure Commissioners. The Petition shall state the Land intended to be taken, and the Purposes for which it is required. It shall pray that the Commissioners may, with reference to such Land, be allowed to put in force the Powers of the said Lands Clauses Consolidation Act in relation to the compulsory taking of Land, and such Prayer shall be supported by such Evidence as the Inclosure Commissioners require.

Inquiries by Inclosure Commissioners.

24. Upon the Receipt of such Petition, and upon Proof to their Satisfaction of the proper Advertisements having been published and Notices served, the Inclosure Commissioners shall take such Petition into their Consideration, and they may either dismiss the same, or they may, if they think fit, send an Inspector to the District in which the Land is situate, for the Purpose of making Inquiry as to the Propriety of assenting to the Prayer of such Petition.

Notice of Inquiries.

25. Before commencing his Inquiry the Inspector shall give such Notice as the Inclosure Commissioners direct of his Intention to make the same, and of a Time and Place at which he will be prepared to hear all Persons desirous of being heard before him on the Subject Matter of such Inquiry.

26. Upon

Provisional Order by Inclosure Commissioners to be confirmed by Parliament.

26. Upon the Completion of such Inquiry the Inclosure Commissioners may, by Provisional Order, empower the Commissioners to put in force with reference to the Land mentioned or referred to in such Order the Powers of the said Lands Clauses Consolidation Act in relation to the compulsory taking of Land; and it shall be the Duty of the Inclosure Commissioners as soon as conveniently may be to take all proper Steps for the Confirmation of such Provisional Order by Act of Parliament, and when so confirmed it shall be deemed to be a Public General Act of Parliament, and to take effect accordingly; but previous to such Confirmation it shall not be of any Validity whatever.

Expenses of obtaining Provisional Order.

27. All Costs, Charges, and Expenses incurred by the Inclosure Commissioners in relation to the obtaining any such Act as aforesaid shall be paid by the Commissioners out of the Rates leviable by them in pursuance of this Act, and applicable to the Works with a view to which the Provisional Order was obtained.

Provisions of 8 & 9 Vict. c. 18. and 23 & 24 Vict. c. 106. incorporated with this Act.

28. Subject to the Restrictions herein contained, the Commissioners may purchase such Lands or Easements relating to Lands as they may require for the Purposes of this Act; and "The Lands Clauses Consolidation Act, 1845," and the Act amending the same, passed in the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and six, shall be incorporated with this Part of this Act, with the Exceptions and subject to the Conditions herein-after contained; that is to say,

(1.) There shall not be incorporated with this Part of this Act the Sections and Provisions of "The Lands Clauses Consolidation Act, 1845," herein-after mentioned; that is to say, Section Sixteen, whereby it is provided that the Capital is to be subscribed before the compulsory Powers are to be put in force; Section Seventeen, whereby it is provided that the Certificate of the Justices should be Evidence that the Capital has been subscribed; the Provisions relating to the Entry upon Lands by the Promoters of the Undertaking, contained in Sections Eighty-four to Ninety-one, both inclusive; Section One hundred and twenty-three, whereby a Limit of Time for the compulsory Purchase of Land is imposed; the Provisions relating to the Manner of serving Notices; and the Provisions relating to Access to the Special Act:

(2.) In the Construction of this Part of this Act and the said incorporated Acts this Part of this Act shall be deemed to be the Special Act, and the Commissioners shall be deemed to be the Promoters of the Undertaking, and the Word "Land" or "Lands" shall include any Easement in or out of Lands.

Notice to be given of certain Works.

29. Previously to commencing any Improvements in existing Works, or any new Works where such Improvements or new Works involve an Expenditure of more than One thousand Pounds, the Commissioners shall cause Plans of the proposed Work and an Estimate of the Expense thereof, and of the Area within which a Rate will be required to be levied to meet such Expense, to be made, together with a List of the Names and Addresses of the Persons reputed to be Proprietors of the Land within such last-mentioned Area, with the Addition of the Number of Acres of which each Person is reputed to be the Proprietor, and shall publish their Intention to execute such Works Two Months before commencing the same, in manner following; that is to say,

By inserting in some Newspaper circulating within the Limits of their Commission, once in every Week during such Period of Two Months, a Notice explaining briefly the Nature of the Work, the Amount of Expense to be incurred, and the Area of Land within which a Rate is proposed to be levied for meeting such Expense, describing such Area by Reference to a deposited Plan, or by Boundaries, or in such other Manner as the Commissioners may think best calculated to give Information of their Intention, and stating a Place within the Limits of their Commission at which the Plan and Estimate of the Works and the List of reputed Proprietors may be inspected at all reasonable Hours:

By placing a Copy of such Notice for Three successive *Sundays* on the Church Door of the principal Church or some One of the Churches of the Parish or Parishes in which such Works are to be done, or, in the Case of any Extra-parochial Place, of some Parish immediately adjoining thereto.

Correction of List of Proprietors.

30. Any Person interested may, at any Time before the Expiration of such Two Months as aforesaid, apply to the Commissioners to correct the List of reputed Proprietors by inserting or expunging the Name of any Person or by altering the Number of Acres appropriated by such List to any Proprietor, and the Commissioners shall hear any Application so made, and shall amend the List accordingly, and the Decision of the Commissioners in respect of such List shall be final; and at the Expiration of the Period of Two Months, or of such further Period as the Commissioners may fix for the Purpose of hearing any Application made within such Period of Two Months, the List as settled by the Commissioners shall be conclusive Evidence of Proprietorship for the Purpose of ascertaining the Proportion of dissenting Proprietors as herein-after mentioned.

Dissent of Proprietors of One Half of Area conclusive against new Works.

31. If within such Period of Two Months the Proprietors of One Half of the Area of Land within which a Rate is according to the Notice proposed to be levied declare in Writing to the Commissioners, by Notice left at their Office, that they are unwilling that such Work should be executed, the Commissioners shall take no further Steps therein; but if no such Declaration of Dissent is made, the Commissioners may at the Expiration of such Period of Two Months commence the proposed Work, and repay out

out of the Rates to be levied by them within the Area all Expenses incurred, not exceeding the Estimate published in the Notice.

Provision in case of no Proprietor.

32. If the Commissioners are unable to discover the Proprietor of any Lands they shall give Notice to that Effect in the List of reputed Proprietors made by them, and such Land shall, in the event of no Proprietor proving his Title to have his Name inserted in the List before the Period herein-before named for the Completion of the List, be altogether excluded in any Computation that may be made of the Proportion borne by the dissenting Proprietors of any Area of Land as herein-before provided to the aggregate Number of the Proprietors of such Land.

Jury may be dispensed with under certain Conditions.

33. Commissioners of Sewers, acting within their Jurisdiction, may, without the Presentment of a Jury, make any Order in respect of the Execution of any Work, the levying of any Rate, or doing any Act which they might but for this Section have made with such Presentment; subject to this Proviso, that any Person aggrieved by any such Order made by the Commissioners without the Presentment of a Jury may appeal therefrom in manner herein-after mentioned.

Liabilities by reason of Tenure.

Power to commute Liabilities to repair by reason of Tenure.

34. The Commissioners may, with the Consent of the Inclosure Commissioners, testified in Writing under their Common Seal, commute, for such Sums of Money as they think expedient, the Obligation imposed on any Person, by reason of Tenure, Custom, Prescription, or otherwise, to repair any Walls, maintain any Sewer, or do any other Work within their Jurisdiction.

Nature of Commutation.

35. Any Commutation so made may be by way of gross or annual Charge on the Lands of the Person in respect of which the original Obligation arose; and any Charge so created shall be recoverable by the Commissioners in the same Manner in which Tithe Rentcharge is recoverable, and shall have Priority over all Incumbrances created or to be created by any Proprietor of the Lands on which the same is charged.

Deposit of Record of Commutation.

36. The Record of any such Charge as aforesaid shall be deposited in the Office of the Clerk of the Peace of the County in which the District or the greater Part of the District within the Jurisdiction of the Commissioners is situate; and such Record, or any certified Copy thereof, shall be receivable in Evidence in all legal Proceedings.

Saving of existing Liabilities to repair.

37. Subject to the Provisions herein-before contained as to Commutation of Liability, the Liability of any Person whomsoever to defray or contribute towards the Expense of making, completing, altering, amending, or maintaining any Sewer or Drain, or any Walls or Works for protecting the Land against the Force or Encroachments of the Sea or of any River, or doing any other Work within the Jurisdiction of the Commissioners, shall continue, and the same may be enforced as if this Act had not passed, and the Rates to be levied under this Act shall be made only for Purposes to which such Liability does not extend.

Rating Powers.

Regulations as to Rating.

38. The following Regulations shall be observed with respect to Rates leviable by Commissioners of Sewers; that is to say,

First—As to the Purposes of the Rate:

Rates may be levied by Commissioners of Sewers for defraying all Costs, Charges, and Expenses incurred or to be incurred by them under the Authority of any Act of Parliament, Law, or Custom:

Second—As to the Incidence of the Rates:

(1.) A Rate levied by the Commissioners for the Purposes of defraying the Expense of any Improvements in existing Works or any new Works, where such Improvements or new Works involve an Expenditure of more than One thousand Pounds, shall be deemed to be a Special Rate, and shall be deemed to be a Tax on the Owners of Property, but, except such Special Rate, Rates leviable by the Commissioners shall be payable by the same Persons, in respect of the same Property, and in the same Manner as they are now by Law payable:

(2.) Where the Owner of any Land makes default in paying the Amount of any Rate due from him, such Amount may be levied upon and Payment thereof enforced against the Occupier of such Land, and his Goods and Chattels, in like Manner as if the same were a Rate due from such Occupier, with this Limitation, that no Occupier shall be liable to pay on account of any Owner any Sum exceeding the Rent due or that may accrue due to such Owner during the Period of his Occupancy; and subject to this Proviso, that any Occupier may, in the Absence of any Agreement to the contrary, deduct the Sum so paid by him from any Rent due or to accrue due to such Owner; and the Receipt of the Commissioners for any Rate paid by the Occupier under the Circumstances mentioned in this Section shall, to the Extent of the Monies therein expressed to be paid, be a Discharge as against such Owner of an equivalent Amount of Rent:

(3.) "Owner of Land" for the Purposes of this Section shall mean the Person for the Time being entitled to receive the Rackrent of the Land in respect of which the Rate is made on his own Account, or who would be entitled to receive the same if such Land were let at a Rackrent, including under the Term "Rackrent" any Rent which is not less than Two Thirds of the net annual Value of the Land out of which the Rent issues:

Third—

Third—As to the Assessment of the Rate:

(4.) Whenever the Name of any Owner or Occupier liable to be rated to the Sewers Rate is not known to the Commissioners, it shall be sufficient to assess and designate him in the Rate as "the Owner or Occupier," as the Case may be, of the Land in respect of which the Assessment is made, without further Description:

Subject as aforesaid, and without the Presentment of a Jury, but with such Right of Appeal as hereinafter mentioned, Sewers Rates may be assessed, levied, and enforced in the same Manner in which they have heretofore been assessed, levied, and enforced; but nothing in this Section contained shall affect any Agreement between Landlord and Tenant.

Overseers to allow Inspection of Poor Rates.

39. For the Purpose of assessing the Sewers Rate, any Person appointed by the Commissioners may inspect, take Copies of, or make Extracts from any Rate for the Relief of the Poor within the District; and if any Officer having the Custody of such last-mentioned Rate refuses to permit any such Inspection, or the taking of any such Copies or Extracts, he shall for each Offence incur a Penalty not exceeding Five Pounds, to be recovered in a summary Manner.

Mortgage of Rates.

Mortgage of Rates.

40. The Commissioners may, for the Purposes of defraying any Costs, Charges, and Expenses incurred or to be incurred by them under the Authority of any Act of Parliament, Law, or Custom, borrow and take up at Interest on the Credit of the Rates authorized to be levied by them any Sums of Money necessary for defraying such Costs, Charges, and Expenses; and for the Purpose of securing the Repayment of any Sums of Money so borrowed, together with such Interest as aforesaid, the Commissioners may mortgage and assign over to the Persons by or on behalf of whom such Sums are advanced the Rates or any of them; but the Exercise of the above Power shall be subject to the following Regulations:

(1.) The borrowing such Money shall be sanctioned by an Order of the Inclosure Commissioners:

(2.) Any Money so borrowed may, by Agreement with the Mortgagee, be paid off by equal annual Instalments of Principal and Interest, and such borrowing may be for such Time, not exceeding Thirty Years, as the Commissioners, with the Sanction of the Inclosure Commissioners, determine in each Case:

And in Cases where the Commissioners borrow any Money for the Purpose of defraying Expenses in respect of which they have determined a Part only of the District within their Jurisdiction to be liable, it shall be the Duty of the Commissioners, as between the Ratepayers of the District, to repay the Money so borrowed, with Interest thereon, out of Rates to be levied on such Part of the District only.

Certain Clauses of 10 & 11 Vict. c. 16. incorporated.

41. The Clauses of the Commissioners Clauses Act, 1847, with respect to Mortgages to be created by the Commissioners, shall form Part of and be incorporated with this Part of this Act, and any Mortgagee or Assignee may enforce Payment of his Principal and Interest by Appointment of a Receiver.

Legal Proceedings.

Notices by Commissioners how to be signed.

42. Where any Notice is required to be given by the Commissioners such Notice shall in all Cases be sufficiently executed if signed by the Clerk to the Commissioners; and every Notice purporting to be signed by such Clerk shall be receivable in Evidence before all legal Tribunals, and in all legal Proceedings, without any other Proof.

Notices to be binding on Assigns.

43. All Notices served by the Commissioners on any Proprietor or Owner shall, if due Service thereof has been made, be binding on all Persons claiming by, from, or under such Proprietor or Owner, to the same Extent as if such Notice had been served on such last-mentioned Persons respectively.

Notices on Owners to be served personally, or left at their Places of Abode.

44. Except where a special Mode of Service is provided by this Act, all Notices required to be served by the Commissioners upon any Proprietor or Owner of Lands shall either be served personally on such Parties, or be left at their last usual Place of Abode, if any such can after diligent Inquiry be found, but in case any such Parties are absent from the United Kingdom, and their last usual Place of Abode cannot be found after diligent Inquiry, such Notices shall be left with the Occupier of such Lands, or if there be no such Occupier, shall be affixed upon some conspicuous Part of such Lands.

Notices to Corporations to be left at their principal Office.

45. If any Proprietor or Owner on whom Notice is to be served is a Corporation Aggregate, or Joint Stock or other Company or Body of Proprietors or Undertakers, such Notice shall be left at the principal Office of such Corporation, Company, or Body, or if no such Office can after diligent Inquiry be found, shall be served on some Agent, if any, of such Corporation, Company, or Body, but if no such Officer or Agent can be found it shall be left with the Occupier of the Lands, or if there be no such Occupier shall be affixed on some conspicuous Part of such Lands.

Service of Notices on Occupiers.

46. Except where a special Mode of Service is provided by this Act, all Notices required to be served by the Commissioners upon the Occupier of any Land shall either be served personally on him or be left at his last usual Place of Abode, if any such can after diligent Inquiry be found, and in case he is absent from the United Kingdom, and his last usual Place of Abode cannot be found after diligent Inquiry, it shall be affixed on some conspicuous Part of such Premises.

Appeal to Quarter Sessions.

47. Where any Order, Requisition, or Rate has been made by the Commissioners, or any Act done by them, without the Presentment of a Jury in pursuance of the Powers of this Act, any Person aggrieved

aggrieved by such Order, Requisition, or Rate may appeal to the Court of Quarter Sessions against any such Order, Requisition, Rate, or Act, and the Court may confirm, annul, or modify the same accordingly; but no such Appeal shall be entertained unless it is made within Four Months next after the making of such Order or Requisition, or the making such Rate, or the doing of such Act, nor unless Ten Days Notice in Writing of such Appeal, previously to the Quarter Sessions, stating the Nature and Grounds thereof, is served on the Commissioners, nor unless the Appellant, within Four Days after the Service of such Notice, enter into Recognizances with Two sufficient Sureties, before a Justice of the Peace, conditioned duly to prosecute such Appeal, and to abide the Order of the Court thereon.

Power to refer Case to Arbitration.

48. If at any Time after such Notice of Appeal has been given and such Recognizance has been entered into as aforesaid it appears to the Court of Quarter Sessions, on the Application of either Party, that the Matter in question in such Appeal consists wholly or in part of Matters of mere Account, or of Engineering or other Scientific Questions, which cannot be satisfactorily tried by the Court, it shall be lawful for such Court to order that such Matters, either wholly or in part, be referred to the Arbitration of One or more Persons, to be appointed by the Parties, or, in case of Disagreement, by the Court; and the Award made on such Arbitration shall be enforceable by the same Process as the Order of the Court of Quarter Sessions.

17 & 18 Vict. c. 125. incorporated.

49. The Provisions of "The Common Law Procedure Act, 1854," relating to compulsory References, shall be deemed to extend to Arbitrations directed by the Court of Quarter Sessions; and the Word "Court" in the said Act shall be deemed to include the Court of Quarter Sessions.

Decision of Questions by Justices or Arbitration.

50. Where any Questions are declared by this Part of this Act to be determinable, at the Option of the Owner, by Justices or by Arbitration, the Owner shall be deemed to have declared his Assent to the Determination thereof by Justices, unless he require the Commissioners to refer the same to Arbitration, by Notice under his Hand, served on the Commissioners within Ten Days after he has received Notice from them of their Intention to have such Questions determined; and where the Justices have Cognizance of the Case, the same Proceedings shall be had as are required under "The Lands Clauses Consolidation Act, 1854," in case of a Question of disputed Compensation authorized to be settled by Two Justices; and where such Questions are referred to Arbitration, the same Proceedings shall be had as required by the said Act where any Question of disputed Compensation authorized to be settled by Arbitration has arisen; subject to this Proviso, that the Costs of such Arbitration shall be in the Discretion of the Arbitrators.

Recovery of Penalties.

51. All Penalties and Sums of Money directed to be recovered in a summary Manner shall be recovered before Two Justices in manner directed by the Act passed in the Session holden in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Forty-three, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales, *with respect to Summary Convictions and Orders*, and of any Act amending the same.

Costs of legal Proceedings on Part of Commissioners.

52. All Costs, Charges, and Expenses incurred by the Commissioners in instituting or defending any legal Proceedings instituted or defended by them in their Character of Commissioners may be defrayed out of the Rates leviable by them, and no Commissioner shall be personally liable in respect of any such Costs, Charges, or Expenses.

Tender of Amends.

Tender of Amends.

53. If any Party has committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this Act or any Act relating to Commissioners of Sewers, or by virtue of any Power or Authority thereby given, and if before Action brought in respect thereof such Party makes Tender of sufficient Amends to the Party injured, such last-mentioned Party shall not recover in any such Action; and if no such Tender has been made it shall be lawful for the Defendant, by Leave of the Court where such Action is pending, at any Time before Issue joined, to pay into Court such Sum of Money as he thinks fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court.

Saving Clauses and Miscellaneous.

Saving Rights of Canal Owners and Wharfingers.

54. Nothing in this Act shall authorize the Commissioners or any Drainage Board or Owner—

(1.) To interfere with any Sewers or other Works already or hereafter made and used for the Purpose of draining, preserving, irrigating, or improving Land under any Local or Private Act of Parliament, so as to injuriously affect the same;

(2.) To interfere with any River, Canal, Dock, Harbour, Lock, Reservoir, or Basin, or the Supply of Water to any River, Canal, Dock, Harbour, Lock, Reservoir, or Basin, so as to injuriously affect the Navigation on such River, Canal, Dock, Harbour, Lock, Reservoir, or Basin, or the Use or Maintenance thereof, or to interfere with any Towing-path so as to interrupt the Traffic thereof, in Cases where any Corporation, Company, Undertakers, Commissioners, Conservators, Trustees, or Individuals are by virtue of any Act of Parliament entitled to navigate on or use such River, Canal, Dock, Harbour, Lock, Reservoir, or Basin, or in respect of the Navigation on or Use of which River, Canal, Dock, Harbour, Lock, Reservoir, or Basin any Corporation, Company, Undertakers, Commissioners, Conservators, and Trustees, or Individuals are entitled by virtue of any Act of Parliament to the Receipt of any Tolls or other Dues;

(3.) To

(3.) To interfere with the Works or Supply of Water of any Body or Persons, corporate or unincorporate, supplying Water to any Town or Place, so as to injuriously affect the same;

(4.) To execute any Works in, through, or under any Wharves, Quays, Docks, Harbours, or Basins, belonging to the Proprietor or Proprietors of any Inland Navigation constituted by Act of Parliament, or for the Use of which they are entitled by virtue of any Act of Parliament to demand any Tolls or Dues;

Without the Consent of such Corporation, Company, Undertakers, Commissioners, Conservators, Trustees, or Individuals as are herein-before in that Behalf respectively mentioned, such Consent to be expressed in Writing, in the Case of Individuals under their Hands, in the Case of a Corporation under their Common Seal, and in the Case of a Company, Undertakers, Commissioners, Conservators, or Trustees, under the Hand of their Clerk or other duly authorized Officer or Agent.

Commissioners not to divert Rivers, &c.

55. Nothing in this Act shall authorize the Commissioners to divert any River in such Manner as to injure or to diminish the Supply of Water to any Harbour without the Consent of the Conservators or other Authority having the Management of such Harbour.

Power for Canal Commissioners to alter Sewers.

56. Any Corporation, Company, Undertakers, Commissioners, Conservators, Trustees, or Individuals authorized by virtue of any Act of Parliament to navigate on or use any River, Canal, Dock, Harbour, or Basin, or to demand any Tolls or Dues in respect of the Navigation on such River or Canal, or the Use of such Dock, Harbour, or Basin, may, at their own Expense, and on substituting other Sewers, Drains, Culverts, and Pipes equally effectual and certified as such by the Surveyor of the Commissioners or Drainage Board, take up, divert, or alter the Level of Sewers, Drains, Culverts, or Pipes constructed by the Commissioners or Drainage Board and passing under or interfering with or with the Improvement or Alteration of such River, Canal, Dock, Harbour, or Basin, or the Towing-path of such River, Canal, Dock, Harbour, or Basin, and do all such Matters and Things as may be necessary for carrying into effect such taking up, Diversion, or Alteration.

Exemptions under Local Acts preserved.

57. Nothing in this Act shall be construed to make liable to the Control of the Commissioners any River, Canal, or Inland Navigation, or the Cuts, Reservoirs, Feeders, or other Works belonging thereto, in Cases where such River, Canal, or Inland Navigation is now under the Provisions of any Local or Private Act of Parliament exempt from such Control.

Penalty for draining into Sewers without Consent of Commissioners.

58. No Person shall, without the Consent of the Commissioners, cause any filthy or unwholesome Water or Washings of Manufactories or Mines, or other foul or poisonous Liquid, to flow into any Watercourse within the Jurisdiction of the Commissioners of Sewers; and any Person offending against this Enactment shall incur a Penalty not exceeding Five Pounds, and a further Penalty of Forty Shillings for every Day during which the Offence is continued; but this Section shall not apply to any Person having a legal Right to cause such Water, Washing, or Liquid as aforesaid to flow into any existing Watercourse.

Powers of Commissioners of Sewers and Drainage Boards to enter into Arrangement.

59. Commissioners of Sewers having Jurisdiction within any Area may, with the Consent of the Commissioners of Sewers having Jurisdiction within any adjoining Area, do and execute in such adjoining Area any Works that such first-mentioned Commissioners might do and execute within their own Area, upon such Terms as to Payment or otherwise as may be agreed upon between the said Bodies of Commissioners; and any Sums agreed to be paid by any Body of Commissioners, in pursuance of this Section, shall be payable out of the Rates leviable by such Commissioners, in the same Manner as if the Expenses had been incurred within their own Area; and the Powers hereby given to one Body of Commissioners in relation to another Body of Commissioners may be exercised by them in relation to any Drainage Board constituted under this Act, or by any such Drainage Board in relation to any other Drainage Board.

Powers of Act cumulative.

60. All Powers given by this Part of this Act shall be deemed to be in addition to and not in derogation of any other Powers conferred on Commissioners of Sewers by Act of Parliament, Law, or Custom; and Commissioners of Sewers may exercise such other Powers in the same Manner as if this Act had not passed; and notwithstanding anything in this Act contained, Commissions of Sewers may be issued by Her Majesty in manner in which the same have been issued previously to the passing of this Act.

Not to affect certain Contracts.

61. Nothing in this Act shall alter, interfere with, or affect any Lease, Contract, or Agreement that may have been entered into between Landlord and Tenant before the passing of this Act.

Provision in case of Alteration of Local Boundaries.

62. Where in exercise of any Powers given by this Act any Watercourse forming a Boundary Line between Two or more Counties, Hundreds, Parishes, or other Areas defined by Law, is straightened, widened, or otherwise altered so as to affect its Character as a Boundary Line, the Commissioners, Board, Persons, or Person under whose Authority such Alteration is made shall forthwith report the same to the Inclosure Commissioners, and the Inclosure Commissioners, if satisfied that a new Boundary Line may be adopted with Convenience, shall, by Notice to be published in the *London Gazette* and in such other Manner as they may direct, declare that the Watercourse, as altered, shall either wholly or partially be substituted for the former Boundary Line, and the Limits of the Areas of which the Watercourse, when unaltered, was the Boundary shall be deemed to be varied accordingly; but if the Inclosure Commissioners are of opinion that a new Boundary cannot wholly or partially be adopted with Convenience, they shall require the Commissioners, Board, Persons, or Person under whose Authority the Alteration

Alteration in the Watercourse was made to set out a Boundary upon the Line of the Watercourse as it existed before its Alteration, or in a new Course in lieu thereof, in such Manner as the Inclosure Commissioners approve; and a Copy of the *London Gazette* containing the Advertisement in respect of any Alteration of Boundary made in pursuance of this Section shall be admitted as Evidence in all Courts of Justice of the Fact of such Alteration having been made.

PART II.

Elective Drainage Districts.

Constitution of Elective Drainage Districts.

63. Any Persons or Body of Persons, corporate or unincorporate, being Proprietors of not less than One Tenth Part in Acreage of any Bog, Moor, or other Area of Land that requires a combined System of Drainage, Warping, or Irrigation, may, with the Consent of the Inclosure Commissioners, and subject to the Confirmation of Parliament as herein-after mentioned, constitute such Bog, Moor, or other Area a separate Drainage District; subject to this Proviso, that no Place within the Limits of any Commission of Sewers, or of any Borough, or of any District under the Management of a Local Board of Health, or of Improvement Commissioners, shall form a separate Drainage District or any Part thereof, without the Consent of the Commissioners of Sewers, Council, Local Board of Health, or Improvement Commissioners having Jurisdiction in such Place.

Mode of constituting Elective Drainage District.

64. The following Proceedings shall be taken for the Purpose of obtaining the Sanction of the Inclosure Commissioners:

(1.) A Petition shall be presented to them, stating the proposed Boundaries of the District, by Reference to a Map, or in such other Manner as the Inclosure Commissioners think expedient: It shall be signed by such Proprietors as aforesaid, and be supported by such Evidence as the Inclosure Commissioners require:

(2.) Upon the Receipt of such Petition, the Inclosure Commissioners shall send an Inspector to the District, for the Purpose of making Inquiries as to the Propriety of constituting the proposed District, and as to the Assent of the Proprietors thereto:

(3.) The Inspector shall proceed to the District, and shall ascertain the Opinion of the Proprietors in respect to the Constitution of the District:

(4.) The Inspector shall report the Result of his Inquiries to the Inclosure Commissioners, and they may, if satisfied with the Propriety of constituting the District, and that the Proprietors of Two Third Parts of such Bog, Moor, or other Area are in favour thereof, make a Provisional Order declaring the Area in such Order mentioned to be a Drainage District:

(5.) Notice of the Provisional Order shall be published in the *London Gazette* and in some other Newspaper circulating in the District to which it relates, and Copies thereof shall be served in such Manner and upon such Persons as the Inclosure Commissioners may require:

(6.) Upon the Receipt of the Report of the Inspector the Inclosure Commissioners may, by Provisional Order under their Seal, constitute the Area mentioned in the Petition, with such Alterations of Boundaries, if any, as they think fit, a separate Drainage District; and it shall be the Duty of the Inclosure Commissioners, as soon as conveniently may be, to take all proper Steps for the Confirmation of such Provisional Order by Act of Parliament, and when so confirmed it shall be deemed to be a Public General Act of Parliament, and take effect accordingly; but previous to such Confirmation it shall not be of any Validity whatever:

(7.) No Petition for constituting an Elective Drainage District under this Act shall be entertained until the Petitioners have given such Security for Costs as the Inclosure Commissioners require; and in the event of a Drainage District not being constituted in pursuance of a Petition, the Petitioners shall pay all Costs, Charges, and Expenses, including the Expense incurred by the Inclosure Commissioners and their Inspector; but in the event of the Drainage District being constituted, such Costs, Charges, and Expenses shall be a First Charge on the Rates leviable in the District in pursuance of this Act.

Evidence of Constitution of District.

65. The making of a Provisional Order shall be conclusive Evidence that all the Requirements of this Act in respect of Proceedings required to be taken previously to the making of such Provisional Order have been complied with.

Drainage Boards.

Constitution of Drainage Boards.

66. The Superintendence of Matters relating to Drainage within a Drainage District shall be vested in a Board herein-after called a Drainage Board, and such Board shall be a Body Corporate, with perpetual Succession and a Common Seal, having a Capacity to hold Lands for all the Purposes of their Constitution.

Powers of Drainage Board.

67. All Powers by this Act or by any other Act of Parliament, Law, or Custom vested in or exerciseable by Commissioners of Sewers within the Limits of their Jurisdiction may, upon the Constitution of a Drainage District, be exercised by the Drainage Board of such District within its Limits; and all Powers hitherto exerciseable by Commissioners of Sewers within such District shall cease; subject to this Proviso, that any Person aggrieved by any Order, Requisition, or Rate made by the

Drainage Board, or any Act done by them, may appeal therefrom in the same Manner in which he is by this Act authorized to appeal against any Order, Requisition, or Rate made by the Commissioners or any Act done by them.

Regulations as to Drainage Boards.

68. Subject to any Provisions to the contrary that may be made by the Provisional Order constituting the District, the following Regulations shall be made with respect to Drainage Boards:

(1.) The Members of the First Drainage Board shall be named in the Provisional Order, and such Order shall fix the Number of which the Board is to consist, the Mode of summoning the First Meeting of the Board, the Qualification of subsequent Members of the Board, and the Time at which the First Members of the Board are to vacate their Offices, such Time not being later than the End of the Month of *September* in the Year following that in which the Provisional Order is confirmed by Parliament:

(2.) The Members of every Board succeeding the First Board shall vacate their Offices on the First *Thursday* in *September* in each succeeding Year, or on such other Day in *September* as may be prescribed by the Board:

(3.) The Offices of vacating Members shall be filled up by an equal Number of qualified Persons to be elected as herein-after mentioned:

(4.) Every Member of a Drainage Board going out of Office shall be re-eligible, and if at any Time when an Election of Members ought to take place the Places of any retiring Members are not filled up the retiring Members whose Places are not filled up shall continue in Office until the succeeding Year:

(5.) Any casual Vacancy occurring in the Board may be filled up by the Board; but any Person so chosen shall retain his Office so long only as the vacating Member would have retained the same if no Vacancy had occurred:

(6.) During any Vacancy in the Board the continuing Members shall act as if such Vacancy had not occurred:

(7.) If a Member of a Drainage Board is adjudged bankrupt, or applies to take the Benefit of any Act for the Relief or Protection of Insolvent Debtors, or compounds with his Creditors, such Person shall cease to be a Member of the Board, and his Office shall thereupon be vacant:

(8.) Any Person who acts as Member of a Drainage Board without being duly qualified, or after he has become disqualified, shall incur a Penalty not exceeding Fifty Pounds; and in any Proceeding for the Recovery of such Penalty the Burden of proving Qualification shall be upon the Person against whom such Proceeding is taken:

(9.) All Acts done by any Meeting of a Drainage Board or of any Committee of a Drainage Board, or by any Person acting as a Member of a Drainage Board, shall, notwithstanding it may be afterwards discovered that there was some Defect in the Appointment of any such Board or Persons acting as aforesaid, or that they or any of them were or was disqualified, be as valid as if every such Person had been duly appointed and was qualified to be a Member.

Rules to be observed with respect to Electors of Drainage Board.

69. Subject to any Provisions to the contrary that may be made by the Provisional Order constituting the District, the following Rules shall be observed with respect to the Electors of Drainage Boards:

(1.) The Electors for Members of a Drainage Board for any District shall be the Persons who have during the Year immediately preceding such Election been rated to the Sewers Rate of the District, and have paid all Sewers Rates due from them at the Time of their Election:

(2.) Each Elector shall vote according to the following Scale; that is to say,

If the Property in respect of which he is entitled to vote be rated upon a rateable Value of less than Fifty Pounds he shall have One Vote;

If such rateable Value amount to Fifty Pounds and be less than One hundred Pounds he shall have Two Votes;

If it amount to One hundred Pounds and be less than One hundred and fifty Pounds he shall have three Votes;

If it amount to One hundred and fifty Pounds and be less than Two hundred Pounds he shall have Four Votes;

If it amount to Two hundred Pounds and be less than Two hundred and fifty Pounds he shall have Five Votes;

If it amount to Two hundred and fifty Pounds he shall have Six Votes;

If it amount to Five hundred Pounds and be less than One thousand Pounds he shall have Eight Votes;

If it amount to or exceed One thousand Pounds he shall have Ten Votes.

Mode of Election of Drainage Boards, &c.

70. Subject to any Provisions to the contrary that may be made by the Provisional Order constituting the District, the mode of electing Members of Drainage Boards, and the Proceedings of Drainage Boards, shall be conducted in manner directed by the Schedule annexed hereto.

Certain Provisions of 10 & 11 Vict. c. 16. incorporated.

71. The Provisions of the Commissioners Clauses Act, 1847, with respect to—

(1.) The Contracts to be entered into and Deeds to be executed by the Commissioners;

(2.) The Liabilities of the Commissioners, and to legal Proceedings by or against the Commissioners;

(3.) The Appointment and Accountability of Officers of the Commissioners;

(4.) The

(4.) The Accounts to be kept by the Commissioners;
(5.) The giving Notices and Orders,
shall be incorporated with this Part of this Act; and in the Construction of this Part of this Act and the said incorporated Provisions, Part Two of this Act, and the Act of Parliament confirming the Provisional Order, shall together constitute "the Special Act."

PART III.

Power of Private Owners to procure Outfalls.

Application for Outfall to adjoining Owner.

72. Any Person interested in Land, who is desirous to drain the same, and in order thereto deems it necessary that new Drains should be opened through Lands belonging to another Owner, or that existing Drains in Lands belonging to another Owner should be cleansed, widened, straightened, or otherwise improved, may apply to such Owner, who is herein-after referred to as the adjoining Owner, for Leave to make such Drains or Improvements in Drains through or on the Lands of such Owner.

Mode of making Application.

73. Any such Application as aforesaid shall be by Notice in Writing, under the Hand of the Applicant, and shall be served on the Owner, and also on the Occupier, if the Owner be not the Occupier, in manner in which Notices are required to be served on Owners and Occupiers under the First Part of this Act. The Notice shall state the Nature of such Drains or Improvements in Drains, be accompanied by a Map, on which the Length, Width, and Depth of the proposed Drains or Improvements in Drains shall be delineated, and shall further state the Compensation, if any, which the Applicant proposes to pay.

Assent of adjoining Owner.

74. The adjoining Owner may, by Deed under his Hand and Seal, assent to such Application, upon such Terms and on Payment of such Compensation as he may require, and any Assent so given shall be binding on all Parties having any Estate or Interest in the Land, subject to the following Provisions:

1stly. That any Arrangement entered into by any adjoining Owner under any Disability or Incapacity, or not having Power to assent to such Application, except under the Provisions of this Act, shall not be valid unless the same is approved by Two Surveyors, one of whom is to be nominated by the Applicant, and the other by the adjoining Owner; and each of such Surveyors, if they approve of the Arrangement, shall annex to the Document containing the same a Declaration to that Effect, subscribed by them:

2ndly. That any Compensation to be paid by the Applicant to the adjoining Owner in Cases where such Owner is under any Disability or Incapacity, or has not Power to assent to such Application, except under the Provisions of this Act, shall be applied in manner in which the Compensation coming to Parties having limited Interests, or prevented from treating, and not making Title, is applicable, under "The Lands Clauses Consolidation Act, 1845:"

3rdly. That any Occupier or Person other than the Owner interested in the Lands shall be entitled to Compensation for any Injury he may sustain by the making of the proposed Drains or Improvements in Drains, so that the Claim therefor be made within Twelve Months after Completion of such Drains or Improvements in Drains, the Amount of such Compensation to be determined, in case of Dispute, in the Manner in which disputed Compensation for Land is required to be determined by the said "Lands Clauses Consolidation Act, 1845."

Record of Assent of adjoining Owner.

75. The Applicant shall forward to the Clerk of the Peace of the County, Riding, or Division of the County wherein the Land is situate the Deed containing the Assent of the adjoining Owner to the proposed Drains or Improvements in Drains, who shall keep the same in his Office as a Record of the Proceedings between the Parties.

Dissent of adjoining Owner.

76. The adjoining Owner shall be deemed to have dissented from the Application made to him if he fail to express his Assent thereto within One Month after the Service of the Notice of Application on him; and in the event of such Dissent there shall be decided, by Two or more Justices in Petty Sessions assembled, unless the adjoining Owner require the same within such Period of One Month to be decided by Arbitration, the Questions following; that is to say,

(1.) Whether the proposed Drains or Improvements in Drains will cause any Injury to the adjoining Owner, or to the Occupier or other Person interested in the Lands:

(2.) Whether any Injury that may be caused is or is not of a Nature to admit of being fully compensated for by Money:

And the Provisions of the First Part of this Act relating to the Decision of the Questions therein mentioned shall apply to the Decision of the Questions mentioned in this Section.

Result of Decision.

The Result of any such Decision shall be as follows; that is to say,

(1.) If the Decision is that no Injury will be caused to the adjoining Owner, to the Occupier, or other Parties interested in the Lands, the Applicant may proceed forthwith to make the proposed Drains or Improvements in Drains:

(2.) If the Decision is that Injury will be caused to the adjoining Owner, Occupier, or other Parties interested in the Lands, but that such Injury is of a Nature to admit of being fully compensated by Money, the Justices or Arbitrators shall proceed to assess such Compensation, and to apportion the same amongst the Parties in their Judgment entitled thereto; and on Payment of the Sum so assessed the Applicant may proceed to make the proposed Drains or Improvements in Drains:

(3.) If the Decision is that Injury will be caused to the adjoining Owner, Occupier, or other Parties interested in the Lands, and that such Injury is not of a Nature to admit of being fully compensated by Money, the Applicant shall not be entitled to make the proposed Drains or Improvements in Drains.

Application of Compensation in case of Owners under Disability.

77. Where the Compensation assessed by the Justices or Arbitrators under the last preceding Section is payable to any Owner or other Person who is under any Disability or Incapacity, or is not entitled to receive the same for his own Benefit, such Compensation shall be applied in the Manner in which the Compensation coming to Parties having limited Interests or prevented from treating and not making Title is applicable under "The Lands Clauses Consolidation Act, 1845."

Duty of Arbitrators.

78. The Justices or Arbitrators, as the Case may be, in the event of their approving of a Scheme of Drainage as proposed by the Applicant or as modified by themselves, shall cause a Map thereof to be prepared, and shall certify under their Hands the Correctness of such Map; and it shall be the Duty of the Applicant to forward the same to the Clerk of the Peace of the County, Riding, or Division of the County wherein the Land is situate, who shall keep the same in his Office as a Record of the Proceedings between the Parties.

Power of Applicant to clear Drains.

79. After Drains have been opened or Improvements in Drains made, in pursuance of Part Three of this Act, it shall be lawful for the Applicant, his Heirs and Assigns, for ever thereafter, from Time to Time as it becomes necessary, to enter upon the Lands through which such Drains have been opened or Improvements made, for the Purpose of clearing out, scouring, and otherwise maintaining the same in a due State of Efficiency, and if such Drains or Improvements in Drains are not kept so cleared out, scoured, and maintained in a due State of Efficiency, the Owner or Occupier for the Time being of the Lands through or on which such Drains or Improvements in Drains are made may clear out, scour, and otherwise maintain the same in a due State of Efficiency, and recover the Expenses incurred in such clearing out, scouring, or Maintenance, in a summary Manner, from the Applicant, his Heirs or Assigns.

Power of adjoining Owner to divert Drains.

80. The Owner for the Time being of the Land through or in which any Drain may be opened, or Improvements in Drains made, in pursuance of Part Three of this Act, may fill up, divert, or otherwise deal with such Drains or Improvements in Drains, on Condition of first making and laying down in lieu thereof Drains equally efficient; and any Dispute as to the Efficiency of Drains so laid down shall be decided by Two or more Justices assembled in Petty Sessions.

Penalty for obstructing or injuring Drains.

81. Any Person who wilfully obstructs any Person making any Drains or Improvements in Drains in pursuance of Part Three of this Act, and any Person who wilfully dams up, obstructs, or in any way injures any Drains or Improvements in Drains so opened or made, shall for each Offence incur a Penalty not exceeding Ten Pounds, to be recovered in a summary Manner.

Costs of Application.

82. All Costs, Charges, and Expenses reasonably incurred by the adjoining Owner in respect of any Application made in pursuance of this Part of this Act shall be defrayed by the Applicant.

Provision in case of Change of natural Outfall.

83. Where any Person is desirous, in pursuance of this Part of this Act, of constructing any Drain by means whereof any Brook, River, or other natural Watercourse will be diverted from its ordinary Channel into any other Brook, River, or natural Watercourse, he shall cause a Copy of the Notice hereby required to be served on the adjoining Owner to be published by Advertisement once at least in each of Three successive Weeks in some local Newspaper circulating in the District in which the Drain proposed to be constructed is situate, and to be served in manner in which Notices are required to be served under the First Part of this Act (where no special Mode of Service is prescribed) on all Owners of Land abutting upon the Brook, River, or other natural Watercourse into which the Diversion is made, and situate within Four Miles of the Point of Junction, and shall deposit a Copy of the Map hereby required to accompany the Notice served on the adjoining Owner with the Clerk of the Peace of the County, Riding, or Division of a County wherein the proposed Drain is situate; and it shall be lawful for any Person being the Owner of Land capable of being injured by the proposed Drain, within Eight Weeks after the First Notice of the proposed Drain appears in the Newspaper, to serve Notice that he apprehends Injury from such Drain on the Person proposing to make the same, and thereupon such Owner shall be deemed to have dissented, and shall be entitled to the same Rights and Privileges under this Part of this Act as if he were the adjoining Owner.

SCHEDULE referred to in the foregoing Act.

PART I.

Rules as to Election of Members of Drainage Boards.

The Chairman of the Board of the previous Year, or some Person appointed by him, shall be the Returning Officer.

If at any Time, from any Default of such Chairman as aforesaid, or from any Reason, there is no Returning Officer, or such Returning Officer is unwilling or unable to act, the Inclosure Commissioners may, on the Application of any Member of the Board, appoint a Returning Officer.

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The Election of new Members shall take place on the First Thursday, or on such other Day as may be appointed by the Board, in September in every Year, excepting the Year in which the Provisional Order is confirmed by Parliament.

On every Occasion of the Election of new Members of the Board the Returning Officer shall convene a Meeting of the Electors for the Purpose of such Election, and shall give Notice of such Meeting, and of the Time and Place at which it is to be held—

By Advertisement in some One or more of the Newspapers circulating in the District;

By causing a Copy of such Notice to be affixed to the outer Door of the principal Office of the Board.

The Returning Officer shall preside and regulate the Proceedings at such Meeting.

At any such Meeting as aforesaid any Person or Persons may, if he or they consent thereto, be nominated by any Elector, and seconded by any other Elector, as a Member or Members of the Board.

If more Candidates are proposed than the Number to be elected, a Poll may be demanded, and shall be taken in manner herein-after mentioned, but if not, or if no Poll is demanded, a Declaration by the Returning Officer that the Candidates are elected Members of the Board shall be Evidence of the Fact.

When a Poll is demanded the Returning Officer shall direct the same be taken at such Place or Places within the District on such Day not exceeding One clear Day from the Day appointed for the Election as he may determine.

Votes may be given either personally or by Proxy; a Proxy shall be appointed under the Hand of the Appointor, but he shall not be entitled to vote unless the Instrument appointing him was deposited at the Office of the Board Seven Days before the Day of Election at which such Proxy proposes to vote; but no Person shall be appointed a Proxy unless he is a qualified Elector:

The Poll shall be opened at Nine o'Clock of the Forenoon of the appointed Day, and shall close at Four o'Clock in the Afternoon of the same Day, except in the Case of Disturbance when the closing of the same may be fixed to take place at such Time as the Returning Officer directs.

The Poll at any Place of Voting may be closed at any Time before Four of the Clock if One Hour has elapsed during which no Vote has been tendered at such Place of Voting.

The Returning Officer shall cause to be entered in the Polling Books the Name and Address of every Voter and the Manner in which he votes.

At the Close of the Poll the Returning Officer shall sum up the Votes, and as soon as possible publish the Names of the Candidates elected as herein mentioned—

(1.) By Advertisement in some One or more Newspaper or Newspapers circulating in the District;

(2.) By affixing a List of such Candidates to the outer Door of the principal Office of the Board.

Whenever any Day hereby appointed for any Purpose happens to be a Sunday, the Business so appointed to be done shall take place on the Monday following.

PART II.

Rules as to Proceedings of Drainage Boards.

1. A Drainage Board shall meet together for the Despatch of Business, and shall from Time to Time make such Regulations with respect to the Summoning, Notice, Place, Management, and Adjournment of such Meetings, and generally with respect to the Transaction and Management of Business, as they think fit, subject to the following Condition:—That

(*a.*) No Business shall be transacted at any Meeting unless at least Three Members are present at the Commencement and Close of such Business.

(*b.*) No Order involving an Expenditure of more than One hundred Pounds shall be made by the Board unless at the least One Month's previous Notice, specifying the Work to be undertaken or the other Matter to which such Order relates, and naming a Day on which a Meeting of the Board is to be held for considering the Matter to be ordered, has been sent by Circular to each Member of the Board:

(*c.*) All Questions shall be decided by a Majority of Votes of the Members present:

(*d.*) The Names of the Members present, as well as of those voting upon each Question, shall be recorded.

2. The Board shall, at their First Meeting, and afterwards from Time to Time at their First Meeting after each Annual Election, appoint One of their Number to be Chairman for the Year following such Choice.

3. If any casual Vacancy occurs in the Office of Chairman, the Board shall, as soon as they conveniently can after the Occurrence of such Vacancy, choose some Member of their Number to fill such Vacancy; and every such Chairman so elected as last aforesaid shall continue in Office so long only as the Person in whose Place he may be so elected would have been entitled to continue if such Vacancy had not happened.

4. If at any Meeting the Chairman is not present at the Time appointed for holding the same, the Members present shall choose some One of their Number to be Chairman of such Meeting:

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5. In case of an Equality of Votes at any Meeting, the Chairman for the Time being of such Meeting shall have a Second or Casting Vote.

6. The Board may delegate any of their Powers to Committees, consisting of such Member or Members of their Body as they think fit. Any Committee so formed shall, in the Exercise of the Powers delegated, conform to any Regulations that may be imposed on them by the Board.

7. A Committee may elect a Chairman of their Meetings. If no such Chairman is elected, or if he is not present at the Time appointed for holding the same, the Members present shall choose One of their Number to be Chairman of such Meeting.

8. A Committee may meet and adjourn as they think proper. Questions at any Meeting shall be determined by a Majority of Votes of the Members present; and in case of an equal Division of Votes, the Chairman shall have a Second or Casting Vote:

9. The Board shall cause Minutes to be made, in Books provided for that Purpose,—

(1.) Of all the Appointments of Officers made by the Board;

(2.) Of the Names of the Members present at each Meeting of the Board, and Committees of the Board;

(3.) Of all Orders made by the Board, and Committees of the Board; and,

(4.) Of all Resolutions and Proceedings of Meetings of the Board, and of Committees of the Board.

And any such Minutes as aforesaid, if signed by any Person purporting to be the Chairman of any Meeting of the Board, or Committee of the Board, shall be receivable in Evidence, without any further Proof.

CAP. CXXXIV.

An Act to amend the Law relating to Bankruptcy and Insolvency in *England*.

[6th *August* 1861.]

'WHEREAS it is expedient to amend the Laws relating to Bankruptcy and Insolvency in *England*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

As to the Court of Bankruptcy and the Commissioners thereof, their Powers and Jurisdiction:

As to Powers, &c. of Court of Bankruptcy.

1. The Court of Bankruptcy shall have and exercise, for the Purposes of this Act, all the Powers and Authorities of the Superior Courts of Law and Equity, and all the Jurisdiction, Powers, and Authorities now possessed by the Court for the Relief of Insolvent Debtors in *England*.

Present and future Commissioners of the Court in London.

2. The present Commissioners of the Court of Bankruptcy shall continue to be Commissioners of the Court. Upon any Vacancy in the Office of Commissioner of the Court of Bankruptcy in *London*, such Vacancy shall not be filled up until the Number of Commissioners of the Court of Bankruptcy in *London* shall, by reason of such Vacancy, be reduced to less than Three, whereupon it shall be lawful for Her Majesty, by Commission under the Great Seal of the United Kingdom, to appoint a Person, being a Serjeant-at-Law, or Barrister-at-Law, of not less than Twelve Years standing at the Bar in *England*, to fill such Vacancy.

Jurisdiction of County Courts under this Act.

3. The Judge of every County Court (except of the Metropolitan County Courts) shall have and exercise within his respective District the like Jurisdiction, Powers, and Authorities, and perform the same Duties for and in respect of all Matters and Things coming before such County Court by virtue of this Act, as are vested in the Commissioners of the District Courts of Bankruptcy.

Power to transfer Jurisdiction, &c. of Commissioners to County Courts in case of Vacancies.

4. If upon any Vacancy in the Office of Commissioner of any Country District Court there shall no longer be a Commissioner for such District, Her Majesty shall have Power, by Order in Council, to transfer all the Jurisdiction, Powers, and Authorities held by the Commissioner to the Judges of the County Courts, or any of them, exercising Jurisdiction within such District or any Part thereof, and the Lord Chancellor shall have Power and Authority, by Order, from Time to Time to provide in all respects for the Exercise of Jurisdiction in Bankruptcy by such County Court Judges or Judge, and for the Continuance of the Exercise of their respective Duties in the whole or any Part of the District by the Official Assignees, Registrar, and other Officers attached to the Court of the Commissioner making such Vacancy.

Power to create additional County Courts, and to invest the Judges thereof with Jurisdiction in Bankruptcy, &c.

5. In case it shall on any Occasion appear to Her Majesty in Council to be expedient to establish an additional County Court or Courts within any One or more of the Country Districts, and to invest the Judge or Judges thereof with the Jurisdiction, Powers, and Authorities of a Commissioner in Bankruptcy within the District or Districts that may be assigned to such Court or Courts, it shall be lawful for Her Majesty, by Order in Council, so to do, and also to make a new Arrangement of the Districts of the Bankruptcy and County Courts respectively, so as to assign a convenient District or Districts to such new Court or Courts, and to give from Time to Time all necessary Directions for the Establishment thereof, and such Order shall be laid before Parliament, and shall not come into Operation until Three Months afterwards.

Appointment, Qualifications, &c. of Judges.

6. The Judge of any such new Court shall be appointed by the Lord Chancellor, and shall be either a Serjeant-at-Law or a Barrister-at-Law, who shall be of Seven Years standing at the Bar in *England*, or who

who shall have practised as a Barrister and Special Pleader for at least Seven Years; and every such Judge, in addition to the Jurisdiction of a County Court Judge, shall have and exercise within the District assigned to him all the Jurisdiction, Powers, and Authorities of the Commissioners of the Country District Courts of Bankruptcy.

Oath to be taken by Judges before acting in Bankruptcy.

7. Every Judge of a County Court shall, before acting in Bankruptcy, take at any Quarter Sessions the following Oath:

'I *A. B.* do solemnly and sincerely promise and swear, That I will duly and faithfully, and to the best of my Skill and Power, execute the Office of County Court Judge acting in Bankruptcy. So help me GOD.'

And such Oath shall be recorded in the Court of the Judge taking the same.

As to the Officers of the Court:

Chief Registrar, &c. to hold Office during good Behaviour, &c.

8. The Persons now discharging the Duties of Chief Registrar, Registrars, Taxing Master, and Official Assignees of the Court of Bankruptcy in *London*, and in the several District Courts of Bankruptcy, shall retain and hold Office during good Behaviour, subject to Dismissal by the Lord Chancellor, by Order, for some sufficient Reason to be set forth in such Order. Upon any Vacancy in the Office of Registrar, such Vacancy shall be filled up by the Lord Chancellor.

Power to appoint additional Registrars.

9. If the Lord Chancellor shall at any Time, by Order, declare that, having regard to the State of the Business of the Court of Bankruptcy and the Duties of the Registrars, he is of opinion that additional Registrars ought to be appointed, either in *London* or in any Country District, it shall be lawful for the Lord Chancellor to appoint such additional Registrars.

As to Duties of County Court Registrars.

10. The Registrars of the several County Courts exercising Jurisdiction under this Act shall discharge the Duties of Registrar and Official Assignee in all Matters under this Act within their several Districts in such Manner, and shall give such Security in respect of such Office of Official Assignee, and shall receive such Remuneration in respect of such Services, as General Orders shall direct; and all the Enactments herein contained with respect to Official Assignees shall apply to the Registrars of the County Courts as to all Matters under this Act prosecuted therein.

As to Duties of High Bailiffs of County Courts.

11. The High Bailiffs of the several County Courts exercising Jurisdiction under this Act shall discharge the Duties of Messenger in all Matters of Bankruptcy within their several Districts in such Manner, and shall give such Security in respect of such Duties, and shall receive such Remuneration in respect of such Services, as General Orders shall direct.

Abolition of Office of Accountant in Bankruptcy when Vacant.

12. Upon the First Vacancy in the Office of Accountant in Bankruptcy the Office shall be abolished, and the Duties thereof shall thereafter be discharged by the Chief Registrar, and the several Funds standing in the Books of the Bank of *England* to the Credit of such Accountant shall be transferred to such Account or Accounts in the Name of the Chief Registrar, and in such Manner, as General Orders shall direct.

Taxing Master.

13. All Bills of Costs, Charges, Fees, and Disbursements of Solicitors and Attorneys in Matters under this Act before the Court of Appeal in Chancery sitting in Bankruptcy and the Court in *London*, and such taxable Bills as may be specially referred to the Master by any District Court or any County Court, shall be taxed by the Master, subject to the Review of the Court in *London*.

Registrar in Country Districts to be Taxing Officers.

14. In every Country District Court, and in every County Court exercising Jurisdiction under this Act, all Bills of Costs, Charges, Fees, and Disbursements aforesaid shall (unless where such Court shall otherwise direct) be taxed and settled by the Registrar of such Court, subject to Appeal to the Court of which he is Registrar. It shall be lawful for the Commissioner of any District Court, or Judge of any County Court, to refer any such Bills, or any Question thereon, to the Taxing Master in *London*.

As to Settlement of Charges of Auctioneers, Appraisers, Valuers, and Accountants.

15. All Charges, Fees, and Disbursements of any Auctioneer, Appraiser, Broker, Valuer, or Accountant, or any other Person, not being an Attorney or Solicitor, in any Matter under this Act or any other Act in force relating to Bankrupts, shall be settled by the Master, except such Charges, Fees, or Disbursements as shall be incurred in any District Court or County Court, and in such Cases shall be settled by the Registrars of the Court in which they arise, in such Manner as General Orders shall direct, and subject to the Review of the Court; and the Amount of the Bills so settled, and no more, shall be recoverable.

Reduction in the Number of Official Assignees.

16. Upon any Vacancy in the Office of Official Assignee of the Court in *London* the same shall not be filled up unless the Number of Official Assignees in the *London* District shall by reason of such Vacancy be reduced to less than Five. Any Vacancy in the Office of Official Assignee in a Country District shall not be filled up if there be another Official Assignee within such District.

Messengers.

17. The Persons now discharging the Duty of Messenger in the Court of Bankruptcy in *London*, and in the several District Courts of Bankruptcy in the Country, shall continue to act as such Messengers, in such Manner, and subject to such Regulations, and shall give such Security, as General Orders shall direct, and shall be subject to Dismissal by the Lord Chancellor by Order, for some sufficient Reason to be set forth in such Order. Upon any Vacancy in the said Office, such Office shall not be filled up until the Number of Messengers in the Court in *London* shall have been reduced to Two, and in any District Court of Bankruptcy in the Country to One. Any Vacancy thereafter occurring may, if necessary, be filled up by the Lord Chancellor by the Appointment of some fit Person.

As to filling up Vacancies:

Vacancies need not be filled up.

18. Upon any future Vacancy in the Office of Commissioner or Registrar (other than of Chief Registrar), or in any other Office in the Court of Bankruptcy, the Lord Chancellor may, if, having regard to the then State of the Business of the Court, he shall so think fit, by Order declare that such Vacancy shall not be filled up until further Order, and thereupon the same shall not be filled up, unless and until the Lord Chancellor shall by Order declare that, having regard to the then State of Business of the Court, he is of opinion that such Vacancy ought to be then filled up, and thereupon the same may be filled up as if such first-mentioned Order had not been made.

As to the Court for the Relief of Insolvent Debtors in *England*:

Commissioners of Insolvent Debtors Court released.

19. The Jurisdiction, Authorities, and Functions of the Chief Commissioner and Commissioner of the Court for Relief of Insolvent Debtors in *England* shall cease and be discontinued, and the said Chief Commissioner and Commissioner shall be released from their Duties as such, subject nevertheless to the Obligation of performing such Duties and Services as are herein-after provided.

Insolvent Jurisdiction of County Courts discontinued.

20. The Jurisdiction of the County Courts in the Relief of Insolvent Debtors shall cease: provided that all Matters of Insolvency pending at the Commencement of this Act in any of the said Courts shall proceed and be completed therein as if this Act had not been passed.

As to Provisional Assignees.

21. The Person now exercising the Office of Provisional Assignee of the Court for the Relief of Insolvent Debtors in *England* shall be an Official Assignee of the Court of Bankruptcy, and shall act as such Official Assignee in the Court in *London*, and shall hold Office during good Behaviour, subject to Dismissal by the Lord Chancellor by Order, for some sufficient Reason to be set forth in such Order, and he shall perform the same Duties, and receive the same Salary, Remuneration, and Allowances, as the other Official Assignees.

As to Duties of other Officers of Insolvent Debtors Court.

Nothing to deprive Officers of Superannuation Allowances.

22. The Persons now discharging the Duties of Chief Clerk, Clerks, and Taxing Officer of the Court for the Relief of Insolvent Debtors in *England* shall be transferred to, and shall act in such Manner as General Orders shall direct, in the *London* Court. They shall hold Office during good Behaviour, subject to Dismissal by the Lord Chancellor by Order, for some sufficient Reason to be set forth in such Order. No Vacancy in such Offices shall be filled up. Provided that nothing herein contained shall be deemed to deprive any Person now holding Office in the Insolvent Debtors Court of any Benefit to which he may now be or may hereafter become entitled by virtue of the Acts passed in the Fourth and Fifth Years of King *William* the Fourth, Chapter Twenty-four, and the Fifth and Sixth Years of King *William* the Fourth, Chapter Forty-two, relative to Superannuation Allowances; and Service by any such Persons in the Court of Bankruptcy shall for the Purpose of the said Acts be deemed to be equivalent to Service in the Insolvent Debtors Court.

Chief Clerk to make Returns of pending Business to Lord Chancellor.

23. The Chief Clerk of the Court for the Relief of Insolvent Debtors in *England* shall, on such Day before the Time appointed for the Commencement of this Act as the Lord Chancellor shall direct, make a Return to the Lord Chancellor of all Business then pending or remaining incomplete in such Court; and the Lord Chancellor may, if he shall think fit, direct such unfinished Matters to be proceeded with and completed before and by the Commissioners of such Court, who for such Purposes shall retain and exercise all the Jurisdiction, Powers, and Authorities now possessed by them respectively.

Power of Courts to proceed summarily in winding up Matters depending.

24. For the Purpose of winding up as expeditiously and conveniently as may be all Petitions, Matters, and Things which shall have been presented to or be depending in the said Court for the Relief of Insolvent Debtors, or any of the County Courts, by virtue of any Act for the Relief of Insolvent Debtors, it shall be lawful for the Commissioners or Judges of such Courts respectively, at any Time after the passing of this Act, to summon, as they shall deem fit, all or any of the Parties to such Petitions, Matters, or Things, or their Solicitors, and thereupon to give such Directions and make such Orders as may be necessary for the Purpose of settling and winding up the same, and to proceed for the Purposes aforesaid in the Absence of the Parties or Solicitors neglecting or refusing to attend such Summons.

Recognizances of Sureties entered into for enforcing Attendance of Insolvents, extended.

25. Every Recognizance which may at the Time of the passing of this Act have been entered into by any Person as Surety to the Provisional Assignee of the Court for the Relief of Insolvent Debtors, with Condition that the Insolvent therein mentioned shall duly appear at the Time and Place therein mentioned, shall extend to bind the Person who may have entered into the same, in case the Insolvent Debtor therein mentioned shall not at the Time appointed in such Recognizance duly appear before the Court by which the Petition or Matter of such Insolvent is heard in pursuance of this Act, and on every adjourned Hearing, or shall not abide by the final Judgment of such Court.

Insolvency Fund.

26. All Monies and Government Securities which shall at the Commencement of this Act stand in the Bank of *England* to the Credit of the Account of the Commissioners of the Court for the Relief of Insolvent Debtors in *England*, shall be carried by the Bank of *England*, in such Manner as General Orders shall direct, to the Account of the Accountant in Bankruptcy; and, subject to the Orders of the Court for the Payment thereout of any Dividend, or for the Distribution of any Part thereof, in the Matter to which the same originally belonged, shall be applicable in like Manner as at present, or in such Manner as the Lord Chancellor shall by Order direct, towards defraying the Salaries of the Clerks and other Persons hereby transferred from the Insolvent Debtors Court to the Court of Bankruptcy, and towards defraying the Expenses of and incidental to the Discharge of Pauper Prisoners herein-after provided,

provided, and also for indemnifying the Provisional Assignee of the Insolvent Debtors Court against all Costs and Expenses incurred or to be incurred by him in any Suit, Action, or other Proceeding.

Records of Court of Insolvency.

27. The Records and Proceedings of every Kind in the Insolvent Debtors Court shall be Records and Proceedings of the Court of Bankruptcy, and shall be kept in such Manner as they now are, subject to Alteration by any General Orders.

As to Salaries:

Chief Commissioner's Salary continued.

28. The Chief Commissioner of the Court for the Relief of Insolvent Debtors shall continue entitled, subject as herein provided, to receive during his Life the full Amount of his Salary as such Chief Commissioner, payable out of the same Fund, on the same Days, and in the same Manner in all respects as if this present Act had not passed.

Salaries of Officers of the Court of Bankruptcy.

29. There shall be paid to the Registrars and other Officers of the Court the several Salaries set opposite to their respective Titles in Schedule (A.) to this Act annexed, and such Salaries shall be payable out of the Chief Registrar's Account, and shall be paid quarterly, free and clear from all Taxes and Deductions whatsoever, except the Tax on Income, on the Eleventh Day of *January*, the Eleventh Day of *April*, the Eleventh Day of *July*, and the Eleventh Day of *October* in every Year, by equal Portions; and when any Person for the Time being holding any of the said Offices shall die, resign, or be removed from the same, the Executor or Administrator of the Person so dying, or the Person so resigning or being removed, shall be entitled to receive such proportionate Part of his Salary as shall have accrued during the Time that such Person shall have executed his Office since the last Payment.

Salaries to present Officers of Insolvent Debtors Court.

30. The Chief Clerk, Clerks, Taxing Officer, and other Officers of the Court for the Relief of the Insolvent Debtors in *England* shall, upon being in manner herein provided transferred to the Court of Bankruptcy, severally continue to receive the full Amount of the Salary, Remuneration, Allowances and Compensations, which they now respectively receive, as nearly as may be out of the same Funds and payable in the same Manner in all respects as if this Act had not been passed; and for such Purpose the annual Sums now payable out of Monies voted by Parliament for the Use and Purposes of the Court for Relief of Insolvent Debtors and the Officers thereof shall be paid in future into the Bank of *England*, to the Credit of the Chief Registrar's Account in Bankruptcy.

Fees to be taken by Official Assignees.

Salaries of Official Assignees.

31. The Fees to be taken by Official Assignees in respect of the Duties performed by them shall be defined by General Orders. Each Official Assignee shall make a Return half-yearly to the Chief Registrar, in such Manner as General Orders shall direct, of the Amount of Fees received by him during the Six Months preceding the Date of such Return. Each of the present Official Assignees in the *London* District shall receive an annual Salary of Twelve hundred Pounds. Each of the present Official Assignees in the Country Districts shall receive an annual Salary of One thousand Pounds. Every future Official Assignee in the *London* District shall receive an annual Salary of One thousand Pounds. And every future Official Assignee in the Country Districts shall receive an annual Salary of Eight hundred Pounds. All such Salaries shall be paid quarterly out of the Monies standing to the Chief Registrar's Account, and shall be exclusive of such proper Remuneration actually paid to necessary Clerks, and of such reasonable Office Expenses as shall respectively be allowed by the Court. The Official Assignees shall not be entitled to any further Remuneration in respect of any Duties performed by them.

Remuneration of Messengers.

Surplus Fees to be paid over.

32. The Messengers shall receive such Remuneration by way of Fees as General Orders shall direct and allow; provided that the total net annual Remuneration to be received by any Messenger in the *London* District shall amount to but not exceed the Sum of Five hundred Pounds, and of any Messenger in the Country Districts the Sum of Four hundred Pounds. Any Surplus of such Fees upon the Aggregate of the Receipts of each Year, after deducting the aforesaid Salaries, and reasonable Payments by the Messengers for Assistance, to be allowed by the Court, shall be paid over by the several Messengers in such Manner and at such Times as General Orders shall direct, to the Credit of the Chief Registrar's Account.

As to Retiring Annuities, Compensations, and incidental Expenses:

Retiring Pensions to Officers.

33. The Lord Chancellor may, on a Petition presented to him for that Purpose, order that an Annuity be paid to any Commissioner or Registrar, or to the Accountant in Bankruptcy, or Taxing Master, or other Officer of the Court of Bankruptcy, not exceeding Two Thirds of his Salary, to be paid out of the Chief Registrar's Account, when such Person shall have served in such Office for the full Period of Twenty Years, and shall be above Sixty-five Years of Age, or shall have been appointed to such Office in or previous to the Year One thousand eight hundred and thirty-two, and shall be desirous of retiring, or if such Person shall, before the Period of Twenty Years Service is completed, be afflicted with any permanent Infirmity disabling him from the due Execution of his Office. The Time during which such Person shall have held Office in the Court for Relief of Insolvent Debtors shall be reckoned as Part of such Service of Twenty Years.

Provision as to Annuitants accepting other Public Offices.

34. If any Person to whom an Annuity shall be granted under this Act shall be appointed to and accept any Public Office of an annual Value less than the Amount of such Annuity, such Person, during the Time he may continue in such Office, shall be entitled to receive only so much of his Annuity as shall, together with the Salary of such new Office, be equal to such Annuity. If the

Salary attached to such Public Office shall equal or exceed in Amount such Annuity, then during the Time of his Continuance in such Office such Annuity shall altogether cease.

Compensations.

35. The Compensations now payable to the following Holders of abolished Offices,—

Patentee of Bankrupts,

The former Commissioners of Bankrupt,

The Clerk of the Hanaper and other Officers of the Lord Chancellor and the Court of Chancery,

and the retiring Annuities now respectively payable out of the Funds standing to the Credit of the Chief Registrar's Account, shall continue to be paid out of the same Funds; but the annual Amount of the said Compensations and retiring Annuities shall be paid into the Bank of *England* to the Credit of the Chief Registrar's Account, by the Commissioners of the Treasury, out of Monies to be from Year to Year voted for that Purpose by Parliament.

Incidental Expenses.

36. The Funds standing to the Account intituled The Chief Registrar's Account shall be subject to all such Orders as have been heretofore duly made, or as shall from Time to Time be made by the Lord Chancellor for Payments thereout in respect of the Salaries of Clerks and other Persons employed in the various Offices of the several Courts of Bankruptcy, and for Stationery, Coals, and Candles for the Use of the same, and for Rent and Repairs of the Buildings, and in respect of all Expenses incidental to carrying this Act into effect; and all Accounts for such Expenses shall be audited and allowed by the Commissioner of the Court in which they have been incurred before any Order for Payment shall be made.

As to Fees and Stamps:

Court Fee abolished.

37. The Court Fee heretofore payable in respect of public and private Sittings in Bankruptcy is abolished.

Per-centage upon Estates abolished.

38. The Per-centage heretofore payable by the Fifty-fourth Section of "The Bankrupt Law Consolidation Act, 1849," to the Chief Registrar's Account, on the gross Produce of Estates in the Court of Bankruptcy, is abolished.

General Orders as to Fees. Fees to be received in Stamps.

39. General Orders may from Time to Time direct what Fees, other than those herein directed, shall be paid in respect of any Matters of Bankruptcy or Proceedings under this Act: Provided that all Fees shall be received and taken by means of Stamps having the Word "Bankruptcy" impressed or affixed thereon, in manner herein-after provided.

Fees may be altered by General Order.

40. The Fees by this Act made payable, or any of them, may from Time to Time be varied or abolished by General Orders; and other Fees, but not of an Amount higher than that by this Act prescribed, may be fixed and imposed by such Orders; and the Provisions of this Act respecting Stamps are hereby extended and applied to such Stamps as may be required by General Orders.

Certain Documents to be on stamped Vellum, &c. in lieu of Fees.

41. Every Document enumerated in the Schedule (B.) to this Act annexed shall, in lieu of all Fees thereupon, be printed or written upon Vellum, Parchment, or Paper bearing the Stamp Duty set opposite to such Documents respectively in such Schedule, and having the Word "Bankruptcy" impressed on every such Stamp: Provided that the Commissioners of Inland Revenue, besides such impressed Documents denoting Fees, shall provide like Stamps on adhesive Paper; and all Stamp Duties and Fees directed to be paid under this Act may be paid by means of such Stamps on adhesive Paper affixed to Documents requiring a Stamp Duty: Where any such Document shall consist of more than One Sheet, only the First Sheet thereof shall have such Stamp impressed or affixed thereon.

Documents not to be received without a Stamp. Proviso where so received through Mistake.

42. No Document which by this Act or by any General Order is or shall be required to have a Stamp impressed thereon shall be received or filed or be used in relation to any Proceeding in the Courts, or be of any Validity for any Purpose whatever, unless or until the same shall have the proper Stamp impressed or affixed thereon: Provided always, that if at any Time it shall appear that any Document which ought to have had such Stamp has, through Mistake or Inadvertence, been received or filed or used without having such Stamp, the Courts may order that such Stamp shall be impressed or affixed thereon; and when a Stamp shall have been so impressed or affixed on such Document, such Document, and every Proceeding in reference thereto, shall be as valid and effectual as if such Stamp had been impressed or affixed thereon in the first instance: Provided also, that nothing herein contained shall affect the Provisions contained in the Twenty-seventh Section of the Act of the Session of Parliament of the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, Chapter Eighty-three, or the Provisions of "The Common Law Procedure Act, 1854," and that every Stamp on adhesive Paper affixed to a Document shall be deemed a Stamp impressed thereon.

Officers, &c. taking Fees improperly.

43. If any Judge, Commissioner, Registrar, Accountant, Master, Official Assignee, Clerk, or any other Officer of the Courts of Bankruptcy, or of any County Court acting in Matters under this Act, shall, for anything done or pretended to be done under this Act, or under colour of doing anything thereunder, fraudulently and wilfully demand or take, or appoint or allow any Person whatsoever to take, for him or on his Account, or for or on account of any Person by him named, or in trust for him or for any other Person by him named, any Fee, Emolument, Gratuity, Sum of Money, or any Thing of Value whatsoever, other than is allowed by this Act, such Person, when convicted thereof, shall forfeit and pay the Sum of Five hundred Pounds, and be rendered incapable and is hereby rendered incapable of holding any Office or Place under Her Majesty.

44. If

Officers of the Court may be dismissed for Fraud or wilful Neglect in relation to Stamps.

44. If any such Judge, Commissioner, Officer, or Person shall fraudulently do, commit, or connive at any fraudulent Act or Practice in relation to any Stamp used or required to be used in any Matter under this Act, or to any Fee or Sum of Money collected or which ought to be collected by means of any such Stamp or otherwise, or shall be guilty of any fraudulent Act, Neglect, or Omission, whereby any Fee which ought to be collected by means of such Stamp or otherwise shall be lost or the Payment thereof evaded, such Judge, Commissioner, Officer, or Person so offending shall be liable to be dismissed from his Office or Employment.

As to General Orders:

Purposes for which General Orders are to be framed.

45. The Lord Chancellor shall, with the Assistance of Two Commissioners, and subject to the Provisions of this Act, frame General Orders for the following Purposes:

For regulating the Practice and Procedure of the Courts of Bankruptcy, and the several Forms of Petitions, Orders, and other Proceedings to be used in the said Courts, in all Matters under this Act;

For regulating the Duties of the various Officers of such Courts;

For regulating the Fees payable and the Charges and Costs to be allowed with respect to all Proceedings before such Courts, and before the County Courts acting in Bankruptcy;

For regulating the Practice and Procedure upon Appeals;

For regulating the Filing, Custody, and Inspection of Records;

And, generally, for carrying the Provisions of this Act into effect.

General Orders in County Courts.

46. For regulating the Practice and Procedure of the County Courts and the Place and Times of sitting thereof in Matters under this Act, General Orders shall be framed in conformity with the Provisions of this Act, and subject to the Sanction of the Lord Chancellor, by such Judges of the said Courts as the Lord Chancellor shall from Time to Time nominate for that Purpose.

Alteration of General Orders. General Orders to be laid before Parliament.

47. After such General Orders shall have been so framed they or any of them may be rescinded or varied, and other General Orders may be framed in manner aforesaid; and all General Orders so framed from Time to Time shall be laid before both Houses of Parliament within One Month after the Approval thereof by the Lord Chancellor, if Parliament be then sitting, or if Parliament be not then sitting, within One Month from the Commencement of the then next Session of Parliament.

As to the Sittings of the Court:

Sittings of the Court.

48. The *London* and District Courts of Bankruptcy shall sit for the Despatch of Business daily throughout the Year, *Sunday*, *Christmas Day*, *Good Friday*, *Monday* and *Tuesday* in *Easter* Week, and Days appointed for Public Fast or Thanksgiving, excepted.

Lord Chancellor to regulate Sittings in Vacation.

49. During the Time appointed by Order for Vacations in the High Court of Chancery the Lord Chancellor shall have full Power and Authority to regulate the Sittings of the Court, and appoint the Attendance of such Commissioner or Commissioners as shall appear necessary for the due Administration of Justice in the said Court.

As to the Practice and Procedure of the Court:

Evidence, how to be taken.

50. The several Courts exercising Jurisdiction under this Act may, in all Matters within their respective Jurisdictions, take the whole or any Part of the Evidence either *vivâ voce* on Oath, or by Interrogatories in Writing, or upon Affidavit, or by Commission abroad.

Judges may sit at Chambers.

51. The Commissioners may sit at Chambers for the Despatch of such Part of the Business of their Courts as can, without Detriment to the Public Advantage arising from the Discussion of Questions in open Court, be heard in Chambers; and when sitting at Chambers they shall have in all respects like Power and Jurisdiction as when sitting in Court.

Registrars, their Powers and Jurisdiction. Registrars to sit in Chambers. County Court Registrars.

52. The Registrars of the Court of Bankruptcy shall have Power to make Adjudication of Bankruptcy, to receive the Surrender of any Bankrupt, to grant Protection, to pass the last Examination of any Bankrupt in Cases wherein the Assignees and Creditors do not oppose, to hold and preside at Meetings of Creditors, to audit and pass Accounts of Assignees, and to sit in Chambers, and despatch there such Part of the administrative Business of the Court, and such uncontested Matters as shall be defined in General Orders, or as the Commissioner in any particular Matter shall direct; but nothing herein contained shall empower a Registrar to commit, or to hear a disputed Adjudication, or any Question of the Allowance or Suspension of an Order of Discharge. The Registrar may adjourn any Matter coming before him for the Consideration of the Commissioner. The Lord Chancellor may, by Order, from Time to Time authorize the Registrar of any County Court to exercise any of the Powers hereby given to the Registrars of the Court of Bankruptcy.

Parties may take Opinion of the Commissioner. Certificates to be binding.

53. Any Party shall, during the Proceedings before a Registrar, be at liberty to take the Opinion of the Commissioner upon any Point or Matter arising in the Course of such Proceedings, or upon the Result of such Proceedings, which shall be stated by the Registrar in the Shape of a short Certificate to the Commissioner, who shall sign the same, if he approve thereof; and such Certificate, so signed, shall be binding on all the Parties to the Proceeding; but every such Certificate may be discharged or varied by the Commissioner, at Chambers or in open Court.

Penalties upon Parties and Witnesses not attending.

54. Parties and Witnesses summoned before a Registrar shall be bound to attend in pursuance of such Summons, and shall be liable to Process of Contempt in like Manner as Parties and Witnesses are now liable thereto in case of Default in Attendance under any Writ of Subpœna; and all Persons wilfully

&c. before Registrar.

wilfully and corruptly swearing or affirming falsely before a Registrar shall be liable to all the Penalties, Punishments, and Consequences of Perjury.

Persons refusing to answer may be ordered to pay Costs.

55. If any Person examined before a Registrar shall refuse or decline to answer or to swear to or sign his Examination when taken, the Registrar shall refer the Matter to the Commissioner, who shall have Power to order the Person so acting to pay the Costs thereby occasioned, if such Person be compellable by Law to answer such Question, or to sign such Examination.

Special Case.

56. In any Bankruptcy or any other Proceeding within the Jurisdiction of the Court the Parties concerned or submitting to such Jurisdiction may, at any Stage of the Proceedings, by Consent, state any Question or Questions in a Special Case for the Opinion of the Court, and the Judgment of the Court shall be final, unless it be agreed and stated in such Special Case that either Party may appeal.

Payment of Money by Party on Judgment being given.

57. The Parties may, if they think fit, agree that, upon the Question or Questions raised by such Special Case being finally decided, a Sum of Money, fixed by the Parties, or to be ascertained by the Court, or in such Manner as the Court may direct, or any Property, or the Amount of any disputed Debt or Claim, shall be paid, delivered, or transferred by one of such Parties to the other of them, either with or without Costs.

Courts may direct Registrar to hold Meetings, &c.

Expenses of such Registrar, &c.

Powers of Registrar so acting.

58. The Courts of Bankruptcy may direct a Registrar to attend at any Place within the District of the Court to which he is attached, for the Purpose of holding any Meeting of Creditors, of receiving Proof of Debts, and generally for the Prosecution of any Bankruptcy or other Proceeding under this Act; and the travelling and incidental Expenses of such Registrar, and of any Clerk or other Officer attending him, incurred in so acting, shall be settled by such Court, and paid out of the Assets of the Estate in respect of which such Registrar has so acted, or if there be no such Assets, or if the Assets be insufficient, then out of the Chief Registrar's Account; and such Registrar so acting shall have and exercise all Powers, except the Power of Commitment, vested in such Court for the summoning and Examination of Persons or Witnesses, and for requiring the Production of Books, Papers, and Documents: Provided always, that all Depositions and Examinations of Persons and Witnesses taken before such Registrar, and all Acts done by him, shall be reduced to Writing, and be signed by such Registrar, and shall be annexed to and form Part of the Proceedings.

Questions of Fact may be tried by a Jury.

59. It shall be lawful for the Judges of the Court of Appeal in Chancery to direct any Question of Fact to be tried and determined before themselves by the Verdict of a Special or Common Jury. The Judges of the said Court of Appeal in Chancery may make all such Rules and Orders upon the Sheriff or any other Person for procuring the Attendance of a Special or Common Jury for the Trial of such Question as may now be made by any of the Superior Courts of Common Law at *Westminster*, and also may make any other Orders which may be requisite for the Purpose of such Trial; and every such Jury shall consist of Persons possessing the like Qualifications, and shall be struck, summoned, and balloted for and called, in like Manner as if such Jury were a Jury for the Trial of any Cause in any of the said Superior Courts; and every Juryman so summoned shall be entitled to the same Rights, and be subject to the same Duties and Liabilities, as if he had been duly summoned for the Trial of a Civil Action in any of the said Superior Courts; and every Party to any such Proceeding shall be entitled to the same Rights, as to Challenge and otherwise, as if he were a Party to a Cause in any of the said Superior Courts; and at the Trial the Jury shall be sworn to try the said Question of Fact, and a true Verdict to give thereon, according to the Evidence; and upon every such Trial such Court shall have the same Powers, Jurisdiction, and Authority as any Judge of the Superior Courts of Common Law sitting at Nisi Prius.

Issues may be directed.

60. It shall be lawful for the Judges of the Court of Appeal in Chancery respectively to direct One or more Issue or Issues to be tried in any Court of Common Law, and either before a Judge of Assize in any County, or if required by Circumstances, at the Sittings for the Trial of Causes in *London* or *Middlesex*, and either by a Special or Common Jury, in like Manner as is now done by the Court of Chancery.

Appointment of Shorthand Writers.

61. In order to facilitate the Business of the Courts of Bankruptcy in taking Examinations, or the Evidence of Parties examined *viva voce*, the Court may, in any Matter of Bankruptcy or other Proceeding within the Jurisdiction of Courts, direct the Employment of a Shorthand Writer; and General Orders shall direct under what Regulations such Shorthand Writer shall be employed, and the Amount of the Remuneration to be allowed him, and the Parties by whom such Remuneration shall be paid.

Declaration to be made by Shorthand Writer.

62. Every Shorthand Writer so employed by the Court shall in every Case make in Court the following Declaration:

'I *A.B.* do solemnly and sincerely declare, That I will faithfully and truly take down the Questions and Answers put to and given by Persons to be examined in this Matter, and will deliver true and faithful Transcripts thereof, as the Court shall direct.'

Sealing and Signature of Warrants.

63. Every Warrant issued by any Court under this Act shall be under the Seal of the Court, and the Hand of the Commissioner; and every Summons shall be under the Hand of the Registrar, and under the Seal of the Court.

Records and Proceedings to be sealed.

64. The Courts shall cause to be sealed with the Seal of the Courts all such Records, Proceedings, Documents, and Copies of the same as are by this Act or shall be by General Orders required to be so sealed,

sealed, and such other Records, Proceedings, Documents, and Copies of the same as the Courts shall at any Time direct.

Want of Form, where not to invalidate Proceedings.

65. No Rule, Order, Warrant, or other Proceeding or Document required by this Act to be in a Form given in the Schedules to this Act, or to be given by any General Order, shall be invalidated by reason of any Want of Form or Omission therein, if such Want of Form or Omission shall not in the Opinion of the Court before which the same shall be brought be calculated to mislead or prejudicially affect any Party.

Appeal from County Courts.

66. Every Decision or Order of the Judge of any County Court acting in Bankruptcy under this Act shall be subject to Appeal to the Court of Appeal in Chancery, in like Manner and under the same Rules and Regulations as are now directed with respect to Appeals from the *London* and District Courts of Bankruptcy to the said Court of Appeal, or as may hereafter be directed by General Orders.

Returns to Parliament.

67. The Registrars, Accountant in Bankruptcy, Master, Official Assignees, and Messengers of the Court in *London* and of the District Courts of Bankruptcy, and the Registrars of the County Courts acting in Bankruptcy, shall make to the Chief Registrar, in such Manner and Form as General Orders shall direct, annual Returns of the Business of their respective Offices, and from such Returns the Chief Registrar shall frame a general Return, judicial and financial, as to all Matters within this Act, and such general Return shall be laid before Parliament by the Lord Chancellor as early as may be after the Completion thereof; and the Returns to the Chief Registrar shall be kept by him of Record, and shall be open to the Inspection of Persons desirous of inspecting the same, on Payment of the Fee for Inspection of Proceedings set forth in Schedule (B.) to this Act.

As to the Buildings occupied for the Purposes of the Courts:

Buildings.

68. The Building in *Basinghall Street* in the City of *London* called the Court of Bankruptcy, and the Building in *Portugal Street, Lincoln's Inn Fields*, called the Court for the Relief of Insolvent Debtors in *England*, together with the Pieces or Parcels of Ground on which the same are severally erected, shall vest in the Commissioners of Her Majesty's Works and Public Buildings, and shall be appropriated to such Purposes as the Lord Chancellor shall direct.

As to the Persons subject to this Act:

Abolition of Distinction between Trader and Non-trader.

69. All Debtors, whether Traders or not, shall be subject to the Provisions of this Act; but no Debtor who is not a Trader shall be adjudged bankrupt except in respect of some one of the Acts of Bankruptcy herein-after described as applicable to a Non-trader.

As to Acts of Bankruptcy:

Non-trader going or remaining abroad, &c. with Intent to defeat or delay his Creditors.

70. If any Person, not being a Trader, shall, with Intent to defeat or delay his Creditors, depart this Realm, or being out of this Realm shall with such Intent remain abroad, or shall with such Intent make any fraudulent Conveyance, Gift, Delivery, or Transfer of his Real or Personal Estate, or any Part thereof respectively, such Person shall be deemed to have thereby committed an Act of Bankruptcy: Provided always, that before any Adjudication in Bankruptcy shall be made against the Debtor under this Section the following Rules shall be observed:

Rules to be observed before Adjudication under this Section.

1. A Copy of the Petition for Adjudication shall be served personally on the Debtor, either within the Jurisdiction, or in such Place or Country, or within such Limits abroad, as the Court shall, upon Application for that Purpose, direct:
2. Such Copy Petition shall have endorsed thereon a Memorandum, in a Form to be settled by a General Order, specifying the Time within which the Debtor is to appear on such Petition; and such Time shall, when the Service is to be made abroad, be the Time which the Court shall think reasonable, having regard to the Place or Country where the Service is to be made:
3. In no Case shall the Time for Appearance be less than Thirty Days after Service:
4. If such personal Service has not been effected, the Court must be satisfied that every reasonable Effort was made to effect the same, and that the Attempts to serve such Petition came to the Knowledge of the Debtor and were defeated by his Conduct:
5. If at the Expiration of the Time limited for Appearance the Court shall on the Hearing of such Petition be satisfied that an Act of Bankruptcy has been committed within the Meaning of this Section, it may adjudge such Debtor to be a Bankrupt:

Proviso.

Provided always, that no Non-trader, who shall be abroad at the Time of the passing of this Act, shall be deemed to remain abroad with Intent to defeat or delay his Creditors until the Expiration of Six Months after the passing of this Act.

Trader or Non-trader lying in Prison, or escaping out of Prison.

71. If any Debtor, whether a Trader or not, having been arrested or committed to Prison for Debt, or on any Attachment for Nonpayment of Money, shall, upon such or any other Arrest or Commitment for Debt or Nonpayment of Money, or upon any Detention for Debt, lie in Prison, being a Trader, for Fourteen Days, or, not being a Trader, for Two Calendar Months, or, having been arrested for any Cause, shall lie in Prison as aforesaid, after any Detainer for Debt lodged against him, and not discharged, every such Debtor shall thereby be deemed to have committed an Act of Bankruptcy; or if any such Debtor, having been arrested, committed, or detained for Debt, shall escape out of Prison or Custody, every such Debtor shall be deemed to have thereby committed an Act of Bankruptcy from the Time of such Arrest, Commitment, or Detention: But no Debtor shall be adjudged bankrupt on the Ground

Ground of having lain in Prison as aforesaid, unless having been summoned he shall not offer such Security for the Debt or Debts in respect of which he is imprisoned or detained, as the Commissioner or Registrar whose Duty it would otherwise be to adjudicate, shall deem reasonably sufficient.

Trader or Non-trader filing a Declaration that he is unable to meet his Engagements.

72. If any Debtor, whether a Trader or not, shall file in the Office of the Chief Registrar, or with the Registrar of a District Court of Bankruptcy, or of a County Court having Jurisdiction in Bankruptcy, a Declaration in Writing, in such Form as General Orders shall direct, signed by such Debtor, and attested by a Registrar of the Court, or by an Attorney or Solicitor, that he is unable to meet his Engagements, every such Debtor shall be deemed thereby to have committed an Act of Bankruptcy at the Time of filing such Declaration, provided a Petition for Adjudication of Bankruptcy shall be filed by or against him within Two Months from the filing of such Declaration.

Trader Debtor suffering Execution to be levied.

73. If any Execution shall be levied by Seizure and Sale of any of the Goods and Chattels of any Trader Debtor, upon any Judgment recovered in any Action Personal for the Recovery of any Debt or Money Demand exceeding Fifty Pounds, every such Debtor shall be deemed to have committed an Act of Bankruptcy from the Date of the Seizure of such Goods and Chattels: Provided always, that, unless in the meantime a Petition for Adjudication of Bankruptcy against the Debtor be presented, the Sheriff or other Officer making the Levy shall proceed with the Execution, and shall at the End of Seven Days after the Sale pay over the Proceeds, or so much as ought to be paid, to the Execution Creditor, who shall be entitled thereto notwithstanding such Act of Bankruptcy, unless the Debtor be adjudged a Bankrupt within Fourteen Days from the Day of the Sale, in which Case the Money so received by the Creditor shall be paid by him to the Assignee under the Bankruptcy, but the Sheriff or other Officer shall not incur any Liability by reason of anything done by him as aforesaid: Provided also, that, in case of Bankruptcy, the Costs and Expenses of such Action and Execution shall be retained and paid out of the Proceeds of the Sale, and the Balance only, after such Payment, be paid to the Assignees.

Goods, &c. taken in Execution to be sold by Auction.

74. Wherever the Goods and Chattels of a Debtor are sold under an Execution upon any Judgment recovered in any Action or Suit brought for the Recovery of a Debt, Money Demand, or Damages against any Debtor, exceeding Fifty Pounds, such Goods and Chattels shall in all Cases, unless the Court shall otherwise direct, be sold by the Sheriff by Public Auction, and not by Bill of Sale or Private Contract, and such Sale shall be publicly advertised by the Sheriff on and during Three Days next preceding the Day of Sale.

As to Petition by or against Trader or Non-trader, followed by Adjudication, in the Foreign Dominions of the Crown.

75. The filing of a Petition by or against a Debtor, whether a Trader or not, in any Court having Jurisdiction for the Relief of Insolvent Debtors in Insolvency or Bankruptcy in any of Her Majesty's Dominions, Colonies, or Dependencies, and the Adjudication of an Act of Insolvency or Bankruptcy on such Petition, shall, for the Purposes of this Act, be accounted and adjudged conclusive Evidence of an Act of Bankruptcy committed by such Debtor at the Time of filing such Petition, or of the filing the Petition on which the Adjudication of an Act of Insolvency or of Bankruptcy shall have been made; and any Creditor or Creditors of such Debtor whose Debt or Debts shall be of sufficient Amount to enable him or them to petition for Adjudication of Bankruptcy under this Act may, at any Time within Two Months after Notice of such Adjudication shall have been given in the *London Gazette*, petition for Adjudication of Bankruptcy under this Act against such Debtor, and under such Petition all such Proceedings may be had and taken as are authorized and directed by this Act.

As to an Act of Bankruptcy by Nonpayment after Judgment Debtor Summons, and the Proceedings thereupon:

Judgment Debtor Summons against Traders and Non-traders; who may sue out, and when.

76. Every Judgment Creditor who is or shall be entitled to sue out against a Debtor a Writ of Capias ad satisfaciendum, or to charge the Debtor in Execution, in respect of any Debt amounting to Fifty Pounds, exclusive of Costs, shall be entitled, at the End of One Week from the signing of Judgment, to sue out against the Debtor if a Trader, or not being a Trader at the End of One Calendar Month, and whether he be in Custody or not, a Summons, to be called a Judgment Debtor Summons, requiring him to appear and be examined respecting his Ability to satisfy the Debt.

The like, in Cases of Disobedience to Decree in Equity, or Order in Bankruptcy, Insolvency, or Lunacy.

77. Where, after the Commencement of this Act, a Decree or Order of a Court of Equity, or an Order in Bankruptcy or Insolvency or Lunacy, directing the Payment of Money, is disobeyed by the Debtor, the same having been duly served on him, and the Person entitled to receive the Money or interested in enforcing Payment of it has obtained a peremptory Order of the competent Jurisdiction, fixing a Day for Payment, and the Debtor does not, being a Trader, within Seven Days, or, not being a Trader, within Two Calendar Months, after Service on him of the peremptory Order, or, such Order having been duly served, within Seven Days after the Day fixed by the peremptory Order for Payment, (which shall last happen,) pay the Money, or secure, or tender or compound for it, to the Satisfaction of the Creditor, the Creditor shall be entitled at the End of those Seven Days to sue out against the Debtor a Judgment Debtor Summons.

Court out of which such Summons shall issue.

78. The Judgment Debtor Summons shall, unless the Court shall in any Case otherwise direct, issue according to the following Rules:

Where the Debtor is in *England*, then out of the Court of Bankruptcy for the District in which the Debtor usually lives, or at the Time of the issuing of the Summons happens to be:

Where the Debtor is not in *England*, then out of the Court of Bankruptcy for the District in which is the Debtor's usual or last known Place of Abode in *England*.

79. Where

Service of Summons.

79. Where the Debtor is in *England* the Summons shall be served personally, unless the Court issuing the same shall in any Case direct that Service in some other Manner shall be good Service: Where the Debtor is not in *England*, the Court, upon such Evidence as shall satisfy it that the Service will be effectual to give Notice to the Debtor, may order Service to be made in such Manner and Form as it shall deem fit, and shall appoint a Time by such Order for the Appearance of the Debtor.

Duplicate of Summons.

80. Where the Debtor is in Custody a Duplicate of the Summons shall be delivered to the Sheriff or other Person in whose Custody he is, who shall bring him up according to the Summons, at the Costs of the summoning Creditor.

Where Service cannot be effected, &c., Court may order Notice, &c.

81. If Service of the Summons be not effected, and the Court is satisfied that the Debtor is keeping out of the Way to avoid Service, it may order that One or more Notices be inserted in the *London Gazette* and in One or more Newspapers published in the District in which is the Debtor's usual or last known Place of Abode, requiring him to appear on a Day named, being not less than Fourteen Days after the Publication of the first Notice.

Procedure upon Appearance of Debtor.

82. Upon the Appearance of the Debtor he may be examined on Oath, by or on behalf of the Creditor and by the Court, respecting his Ability to satisfy the Debt, and for the Discovery of Property applicable in that Behalf, and shall be bound to produce, on Oath or otherwise, such Books, Papers, and Documents in his Possession or Power relating to Property applicable or alleged to be applicable to the Satisfaction of the Debt, as the Court shall think fit, and to sign his Examination when reduced into Writing; and any Debtor refusing to be sworn, or who shall upon Examination refuse or wilfully fail to discover fully and truly, to the best of his Knowledge and Belief, all his Property, Real and Personal, inclusive of his Rights and Credits, and to produce all Books, Papers, and Documents in his Possession or Power relating thereto, shall be liable to be committed by the Court as in the Case of a Bankrupt.

Adjudication upon Summons, and Nonpayment for Failure to secure, &c.

83. If, after Service of such Summons, or due Notice thereof, as aforesaid, the Debtor shall not pay the Debt and Costs, or secure or compound for the same to the Satisfaction of the Creditor, the Court may, on the Appearance of the Debtor, or if he shall not appear, having no lawful Impediment allowed by the Court, adjudge him bankrupt, without the Presentation of a Petition for Adjudication or other Proceeding; and where the Debtor has not appeared, Notice of such Adjudication shall be served upon him in like Manner as herein provided with respect to Service of the Summons.

Adjudication, Time to show Cause against; when to become absolute.

84. The Debtor shall be allowed Seven Days from such Notice, or such further Time as the Court shall think fit, for appearing to show Cause against the Adjudication; and if he appear within the Time allowed, and show sufficient Cause, the Adjudication may be annulled; otherwise, at the End of the Time allowed, or on the Judgment of the Court against the Sufficiency of the Cause shown, the Adjudication shall become absolute, and Notice thereof shall be forthwith given in the *London Gazette;* and the Adjudication shall have relation back to the Service of the Summons, or the Insertion of the first Notice in the *London Gazette*, as the Case may be; and the Stamp Duty payable upon the Presentation of a Petition for Adjudication of Bankruptcy shall be paid in respect of Adjudication under this Section or under the last preceding Section by the Official Assignee or Creditors Assignee, as the Case may be, out of the first Monies that shall be received under the Estate of the Bankrupt.

Stamp Duty thereupon.

Debtor refusing to conform.

85. The Provisions contained in Section Two hundred and sixty of "The Bankrupt Law Consolidation Act, 1849," relating to the Committal of a Person refusing to be sworn, or doing or omitting the other Acts or Things therein mentioned, shall apply to a Debtor appearing on a Judgment Debtor Summons.

As to Petitions for Adjudication of Bankruptcy, and the Proceedings thereupon:

Debtor may petition for Adjudication.

86. Any Debtor may petition for Adjudication of Bankruptcy against himself, and the filing of such Petition shall be an Act of Bankruptcy, without any previous Declaration of Insolvency by such Debtor.

Proceedings to obtain Adjudication to be by Petition upon Oath.

87. Proceedings to obtain Adjudication of Bankruptcy shall be by Petition, on the Oath of the Petitioner. Every such Petition shall be filed of Record, and prosecuted as directed by this Act; and from and after the filing of such Petition, in the Case of a Debtor petitioning against himself, and from and after Adjudication, in the Case of a Petition filed against a Debtor who shall be adjudged bankrupt, the Bankrupt personally and all his Estate and Effects, of what Nature or Kind soever, shall be subject to the Law of Bankruptcy.

Where Petition shall be filed and prosecuted.

88. Every Petition for Adjudication of Bankruptcy, except as herein-after provided, shall be filed and prosecuted in the Court of Bankruptcy within the District of which such Debtor shall have resided or carried on Business for the Six Months next immediately preceding the Time of filing such Petition, or for the longest Period during such Six Months; but the Court in *London* may order any such Petition to be prosecuted in any District, with or without reference to the District in which the Debtor shall have so resided or carried on Business, or may consolidate the Proceedings or any Part thereof under Two or more Petitions for Adjudication of Bankruptcy, or may impound any Petition for Adjudication of Bankruptcy, or Judgment Debtor Summons, and the Proceedings thereunder, or any Part thereof, upon such Terms as the Court shall think fit, or may transfer any Petition for Adjudication of Bankruptcy, or Judgment Debtor Summons, and the Proceedings thereunder, and the Prosecution or further Prosecution thereof, from the Court in any one District to the Court in any other District, or to a County Court

Powers to consolidate, impound, and transfer Proceedings upon Petitions.

Court having Jurisdiction in Bankruptcy; and the Court to which any such Transfer shall be made may remove the Official Assignee, and appoint a new Official Assignee to any such Bankruptcy.

Amount of Petitioning Creditor's Debt.

89. The Amount of the Debt of any Creditor petitioning for Adjudication of Bankruptcy against a Debtor, whether a Trader or not, shall be as follows; that is to say,

The Debt of a single Creditor, or of Two or more Persons being Partners, shall amount to Fifty Pounds or upwards:

The Debt of Two Creditors shall amount to Seventy Pounds or upwards:

The Debt of Three or more Creditors shall amount to One hundred Pounds or upwards:

Every Person who has given Credit to any Debtor upon valuable Consideration for any Sum payable at a certain Time, which Time shall not have arrived when such Debtor committed an Act of Bankruptcy, may so petition or join in petitioning, whether he shall have any Security for such Sum or not.

Debt of Petitioning Creditor of a Non-trader, &c.

90. The Debt of the Petitioning Creditor of any Debtor not being a Trader, and not being at the Time a Prisoner against whom such Creditor would have been entitled to obtain a Vesting Order in Insolvency if this Act had not passed, must be a Debt contracted after the passing of this Act; and the Judgment Debtor Summons must be a Summons in respect of a Debt contracted or of a Liability incurred after the passing of this Act.

Petition fraudulently or maliciously filed, Court may order Satisfaction.

91. If the Debt stated by the Petitioning Creditor in his Affidavit, or in his Petition for Adjudication, to be due to him from any Debtor, shall not be really due, or if, after a Petition for Adjudication of Bankruptcy filed, it shall not have been proved that the Person against whom such Petition has been filed was liable to an Adjudication of Bankruptcy at the Time of the filing of such Petition, and it shall also appear that such Petition was filed fraudulently or maliciously, the Courts shall and may, upon Petition of any Person aggrieved by such Petition, examine into the same, and order Satisfaction to be made to him for the Damages by him sustained.

Petition by the public Officer of Copartnership.

92. A Petition for Adjudication of Bankruptcy or Judgment Debtor Summons against any Debtor indebted in the Amount aforesaid to any Copartnership duly authorized to sue and be sued in the Name of a public Officer or Agent of such Copartnership may be filed or sued out by such public Officer or Agent as the nominal Petitioner for and on behalf of such Copartnership; provided such public Officer or Agent shall, in a Declaration signed by him, in such Form as General Orders shall direct, declare that he is such public Officer or Agent, and that he is authorized to sue.

Debtor petitioning to file Statement of Debts.

93. Every Debtor petitioning against himself shall file in Court a full, true, and accurate Statement, verified by the Oath of the Petitioner, of his Debts and Liabilities of every Kind, and of the Names and Residences of his Creditors, and of the Causes of his Inability to meet his Engagements, within such Time after filing his Petition, and in such Form, as General Orders shall direct.

Debtors residing in Metropolitan District to file Petition in London Court; not residing in Metropolitan District, in County Court.

94. Where a Debtor petitions for Adjudication against himself, and knows or verily believes the Debts justly due and proveable under the Bankruptcy to amount in the whole to a Sum not exceeding Three hundred Pounds, such Fact shall be stated on Oath, and if he be resident within the Metropolitan District as herein defined, he shall file his Petition in the *London* Court of Bankruptcy, and where such Debts shall not exceed Three hundred Pounds, and the Debtor shall not be resident in the Metropolitan District, he shall file his Petition in the County Court for the District in which he shall have resided for the Six Months next before the filing of his Petition, or for the longest Period during those Six Months, unless he is in Custody, and then in the County Court for the District in which he is in Custody; but such Court, if it make Adjudication, shall transfer the Proceedings to the County Court in which the Debtor, if not in Custody, would have been required to petition.

Notice to Gaoler.

95. Every Debtor who shall present a Petition for Adjudication whilst a Prisoner in any Prison or Gaol shall by Writing give Notice to the Keeper of such Gaol or Prison of his Intention so to do, and shall in his Petition state that such Notice has been given.

Where Petitioner does not proceed, Power for Court to adjudicate.

96. If the Petitioning Creditor shall not proceed and obtain Adjudication within Three Days after his Petition shall have been filed, or within such extended Time as shall be allowed by the Court, the Court may, at any Time on the Expiration of such Three Days, or of such extended Time, as the Case may be, upon the Petition of any other Creditor to the Amount required to constitute a Petitioning Creditor, proceed to adjudicate on such last-mentioned Petition. If a Debtor petitioning against himself does not obtain Adjudication within Twenty-four Hours after filing such Petition, the Court may proceed to adjudge the Debtor a Bankrupt on the Petition of any competent Creditor.

What shall be reckoned as Debts, for the Purposes of a Petition under this Act.

97. In the Computation of Debts for the Purposes of any Petition under this Act there shall be reckoned as Debts,—

1. Sums due to Creditors holding Mortgages or other available Securities or Liens; after deducting the Value of the Property comprised in such Mortgages, Securities, or Liens:
2. Such Interest and Costs as shall be due in respect of any of the Debts:

But there shall not be reckoned,—

1. The Amount of the Debts in respect of which the Petitioner has already taken the Benefit of Insolvency, Protection, or Bankruptcy:
2. Debts barred by any Statute of Limitations.

As to Adjudication of Bankruptcy against Pauper and other Prisoners for Debt:

Power for Prisoners for Debt to petition in formâ pauperis.

98. If any Debtor, whether a Trader or not, now being or who shall be imprisoned for any Debt or Demand, shall through Poverty be unable to petition the proper Court for an Adjudication of Bankruptcy against himself, he shall be at liberty to petition *in formâ pauperis*, upon making an Affidavit that he has not the Means of paying the Fees and Expenses usually payable in respect of a Petition by a Debtor for an Adjudication of Bankruptcy. Such Affidavit may be sworn before the Gaoler of the Prison where such Debtor is confined, and such Gaoler is hereby empowered and required to take such Affidavit, and swear the Deponent thereto, without Fee or Reward.

Proceedings upon such Petition.

99. Every Person so petitioning *in formâ pauperis* as aforesaid shall, if not previously discharged by a Registrar, be brought up to the County Court of the District at its next Sitting after the Presentation of such Petition, and shall be examined by the Court touching his Estate and Effects, Debts, Dealings, and Transactions; and if the Court shall be satisfied with such Examination it shall make an Order of Adjudication of Bankruptcy against the Petitioner, and, if it think fit, grant an Order of Protection to the Petitioner.

Gaoler to make monthly Return of all Prisoners for Debt.

100. The Gaoler of every Prison in *England* or *Wales* within the Walls, Rules, or Liberties whereof any Person shall be in Custody upon any Process whatsoever, for or by reason of any Debt, Claim, or Demand whatsoever, shall on the First Day of every Month, or if such Day shall happen to be *Sunday*, then on the Day next following, make a Return under his Hand of the Name of every such Person, and the Date of his or her Imprisonment, and the Nature and Amount of the Debt or Demand, Debts or Demands, for which he or she is imprisoned or in Custody, and whether he or she is willing or refuses to petition the Court of Bankruptcy, or is unable to do so by reason of Poverty, or in such other Form and Manner and with such Particulars as any General Orders shall direct. Such Return shall also include the Names and Addresses of every Creditor at whose Suit each such Prisoner is imprisoned or detained, and shall be made by Gaolers of Prisons situate within the *London* District to the *London* Court, and by the Gaolers of Prisons within the Country Districts to the District Court of Bankruptcy, or the County Court having Jurisdiction in Bankruptcy, within the Jurisdiction of which the Gaol is situate, as the Case may be.

Registrar to attend at the Gaol, and examine every Prisoner in such Return.

101. The Commissioner or County Court Judge, as the Case may be, shall in every Case, on receiving such Return, make an Order that a Registrar of the Court of Bankruptcy or of the County Court of the District in which the Gaol is situate shall attend at the Gaol on a Day to be named, being at least Seven and not more than Twenty-one Days from the Date of such Return. Notice of such Order shall be forthwith given to the Gaoler and also to the Execution and detaining Creditors of every Prisoner included in such Return. On the Day named in the Order the Registrar shall attend at the Prison, and examine every Prisoner included in such Return who shall have been in Prison, being a Trader, for Fourteen Days, or, not being a Trader, for Two Calendar Months, touching his Estate and Effects, Debts, Dealings, and Transactions: The Registrar shall also ascertain the last Place of Abode and Business of each such Prisoner within the Six Months next prior to his Imprisonment. The Registrar shall have Power to make an Order of Adjudication in Bankruptcy against every such Prisoner, and to grant him Protection, and to make an Order for his Release from Prison, and shall also direct in what Court such Adjudication shall be prosecuted, having regard to the Amount of Debts and the Place of Trade or Residence of the Prisoner within the Six Months next preceding his Imprisonment. The Registrar shall certify the Particulars of each Case to the Court of which he is Registrar.

Power for Registrar to make Order of Adjudication.

Where such Prisoner refuses to conform, the Court may commit him.

102. If the Prisoner shall refuse to appear or to be sworn, or to answer all lawful Questions of such Registrar or of the Execution or detaining Creditor, or of any other Creditor who shall be present, respecting his Debts, Liabilities, Dealings, and Transactions, or to make a full Discovery of his Estate and Effects, and of all his Books of Account, or to produce the same, or to sign his Examination when taken, the Registrar shall report the same to the Court, and the Court may, by Warrant under the Hand and Seal of the Judge or Commissioner, commit him to the Common Gaol of the County, there to be kept, with or without Hard Labour, for any Time not exceeding One Month, and the Court may at the same Time adjudge such Prisoner bankrupt; provided that if after such Adjudication the Bankrupt shall, before the Period of such Commitment has expired, submit to be examined, and in all things conform to the Jurisdiction of the Court, he shall have in all respects the same Benefit as if he had submitted to the Court in the first instance.

Effect of Adjudication against Prisoner for Debt.

103. Every Adjudication against any Prisoner for Debt so brought up as aforesaid shall, unless the Court shall otherwise direct, have relation back to the Date of his Commitment or Detention, as the Case may be, and shall be as valid and effectual for all Purposes as if it had been made under any other of the Provisions of this Act.

Prisoners under 8 & 9 Vict. c. 127. and 9 & 10 Vict. c. 95., &c., not to be included in Return.

104. No Person who is in Custody solely under or by reason of any Warrant or Order made or issued by or by the Authority of a Judge, under the Provisions of the Act of the Eighth and Ninth Years of Her present Majesty, Chapter One hundred and twenty-seven, or of the Act of the Ninth and Tenth Years of Her present Majesty, Chapter Ninety-five, or by the Authority of any Court having the Power to commit any Person to Prison upon or by reason of any Order or Judgment wherever there shall have been recovered a Sum for Debt not exceeding Twenty Pounds exclusive of Costs, shall be included in the Return so directed to be made by Gaolers as aforesaid, or released from such Imprison-

ment by virtue of any Order to be made by the Registrar as aforesaid, or be entitled to petition *in formâ pauperis* under this Act.

Discretion of County Court Judge under above Acts.

105. Every Judge in acting under the last-mentioned Statutes, and in deciding whether the Party summoned before him has then or has had since the Judgment obtained against him sufficient Means and Ability to pay the Debt or Damages, or Costs, so recovered against him, either altogether or by any Instalment or Instalments as ordered, shall take into consideration all the Debts and Liabilities of the Party so summoned, and his Conduct in disposing of his Money or Property since the Judgment was given.

As to Lunatic Prisoners for Debt:

Adjudication in case of Lunatic Prisoners for Debt.

106. If any Person being or alleged to be of unsound Mind shall be in Prison for Debt, the Gaoler shall forthwith require a Justice of the Peace for the County or Place wherein such Prison shall be to visit such Debtor, and to inquire into his State of Mind; and such Justice shall call to his Assistance Two duly qualified Medical Practitioners, each of whom shall be a Physician, Surgeon, or Apothecary, and each of whom shall separately examine such Debtor; and if such Two Medical Practitioners shall each sign a Certificate with respect to such Debtor, according to the Form in Schedule H. to this Act annexed, and such Justice shall be satisfied from his own View that such Debtor is of unsound Mind, he shall certify the same to the proper Court, and thereupon the Court may appoint some Person to represent such Debtor, and direct such Proceedings to be taken for Adjudication in Bankruptcy against him as the Court shall think fit; and all Proceedings under such Adjudication shall be had and carried on in the same Manner and with the like Effect as if such Prisoner had been of sound Mind, and had presented a Petition to the Court for Adjudication of Bankruptcy, or as near thereto as the Difference of Circumstances will permit.

Power thereupon for Justice of the Peace to remove such Prisoners to County Asylum.

107. Any Justice of the Peace of the County or Place aforesaid may thereupon remove such Prisoner from such Gaol, and may cause him to be sent to the Asylum of the County in which such Gaol shall be situate, in order that he may be placed under Care and Treatment as a Lunatic; and such Removal shall not be considered as an Escape or final Discharge from such Gaol, and such Prisoner shall thereafter be dealt with in all respects as a Pauper Lunatic, and shall be subject to the Acts of Parliament for the Time being in force respecting Pauper Lunatics, or as near thereto as Circumstances will permit: Provided nevertheless, that in the event of his Recovery from his Lunacy, he shall, if still liable to be detained in Custody as a Debtor, be remitted to the Gaol from whence he was received.

As to Procedure after Adjudication:

Official Assignee to take possession.

108. Immediately on Adjudication it shall be the Duty of the Official Assignee to take possession of the Bankrupt's Estate, and to retain Possession thereof until the Appointment of a Creditors Assignee; but if such Official Assignee, or if the Court, upon the Representation of any Creditor, shall be of opinion that the keeping Possession of the Bankrupt's Property is not requisite for the due Protection of the Creditors, such Possession shall not be continued.

Meeting of Creditors.

Proof of Debts.

109. As soon as conveniently may be after Adjudication shall have become absolute, the Court shall appoint a Meeting of the Creditors, of which Ten Days Notice shall be given in the *London Gazette*, and which Meeting shall be held at such Time and Place as the Court shall appoint; and at such Meeting a Registrar, or such other Person as the Court shall appoint for that Purpose, shall preside, and receive the Proofs of the Debts of the Creditors. The Official Assignee shall attend and give to the Meeting the fullest Information in his Power of the Estate and Effects of the Bankrupt, and of the Debts due from his Estate; and it shall be lawful for the Majority in Number and Value of the Creditors present at such Meeting or at any Adjournment thereof to resolve and determine that the Proceedings in the Bankruptcy shall be transferred to and thenceforth prosecuted in the County Court of any District, other than the Metropolitan District, and the Court shall order the same accordingly, upon being satisfied that such Resolution was duly made. At this Meeting a Majority in Value of the Creditors present shall determine whether any or what Allowance for Support shall be made to the Bankrupt up to the Time of passing his last Examination.

Transfer to County Court.

Option to Creditors.

110. In case at such Meeting or at any other Meeting of Creditors any Proposal shall be made by or on behalf of the Bankrupt which it shall appear to the major Part in Value of the Creditors then present ought to be accepted, or if it shall appear to the Majority in Value of the Creditors present at any Meeting to be desirable on any Ground to resolve, and such Majority shall resolve, that no further Proceedings be taken in Bankruptcy, the Meeting shall be adjourned for Fourteen Days, in order that Notice of such Resolution may be given to every Creditor by the Official or Creditors Assignee, which shall be done accordingly; and if at such adjourned Meeting a Majority in Number representing Three Fourths in Value of the Creditors present shall so resolve, the Proceedings in Bankruptcy shall be suspended, and the Estate and Effects of the Bankrupt shall be wound up and administered in such Manner as such Majority shall direct, and the Bankrupt having made a full Discovery of his Estate shall be entitled to apply for an Order of Discharge.

Amendment of 12 & 13 Vict. c. 106. s. 123.

111. From and after the passing of this Act no Attestation shall be required to give effect to the Admission referred to in the One hundred and twenty-third Section of "The Bankrupt Law Consolidation Act, 1849;" but such Admission shall be signed in the Presence of some Officer of such Court, who shall attest such Signature thereto.

112. In

Form of Warrant for Commitment of Bankrupt.

112. In any Warrant of Commitment issued by any Court under this Act it shall not be necessary to set forth or specify any Question or any Part of the Examination of the Person so committed, but it shall be sufficient to refer in the Warrant to the Examination or Deposition of the Person as remaining on the File of Proceedings, and to specify in the said Warrant the precise Date of the Examination or Deposition so referred to; and such Warrant shall be in the Form contained in Schedule (C.) to this Act; provided, however, that in every Case in which any Person shall be so committed for refusing to answer or for not fully answering any Question put to him, every such Question shall be specified in the Examination or Deposition of the Person committed remaining on the File of Proceedings, and so referred to as aforesaid; and provided also, that a Copy of the said Examination or Deposition so referred to shall be delivered personally to the Person committed within Twenty-four Hours next after his actual Committal to Prison; and in default of the said Copy being delivered the Person committed shall be discharged from Custody, either by the Court or by the Judge before whom such Person may be brought by Habeas corpus, with such Costs, if any, as the said Court or Judge may deem just.

Copy of his Examination to be delivered to Person committed.

Discharge of Person committed.

113. If any Person so committed shall sue forth any Writ of Habeas corpus in order to be discharged from such Commitment, he shall not be discharged by reason of any mere Matter of Form, but if the Court or Judge before whom he shall be brought, upon Inspection and Consideration of the whole of the Examination or Deposition of such Person, shall be of opinion, that the Answer or Answers of such Person is or are satisfactory, the Court or Judge may order the Person so committed to be discharged.

As to Copyholds and Customary Lands of Bankrupt.

114. The Court shall have Power to dispose, for the Benefit of the Creditors, of any Estate or Interest at Law or in Equity which at Adjudication or afterwards, before Order of Discharge, a Bankrupt has in any Copyhold or Customary Land, and to make an Order vesting the Land or such Estate or Interest as the Bankrupt has therein in such Person and in such Manner as the Court shall think fit.

Life Estate in Remainder, &c.

115. Where, under any Settlement or Will, a Bankrupt Non-trader shall be entitled to a Life Estate, in Remainder expectant upon the Death or Deaths of any previous Tenant or Tenants for Life, with any Remainder over to the Bankrupt's Issue, or the Heirs of his Body or any of them as Purchasers, the Life Estate of such Bankrupt Non-trader shall not be sold before it falls into possession without an express Direction of the Court.

As to the Choice of a Creditors Assignee:

Creditors Assignee when and how to be chosen.

116. At the First Meeting of Creditors, or any Adjournment thereof, it shall be competent to the Majority in Value of the Creditors who have proved Debts to choose an Assignee or Assignees of the Bankrupt's Estate and Effects, and to be called the Creditors Assignee; provided that the Court shall have Power to reject any Person so chosen who shall appear to such Court unfit to be such Assignee, and upon such Rejection a new Choice of Creditors Assignee shall be made.

Bankrupt's Estate in whom vested.

117. Upon the Appointment of the Creditors Assignee, all the Estate, both Real and Personal, of the Bankrupt, shall be devested out of the Official Assignee, and vested in the Creditors Assignee.

Official Assignee to render Account.

118. The Official Assignee shall forthwith render to the Creditors Assignee a full and particular Account or Balance Sheet of the Bankrupt's Estate, and of all Receipts, Payments, and other Transactions of such Official Assignee, and also a List of all the Creditors of the Bankrupt who have proved their Debts against the Estate.

Creditors Assignee shall audit Accounts of Official Assignee.

119. The Creditors Assignee shall, in the Presence of a Registrar, audit such Account, and may call for such Information from the Official Assignee as he possesses concerning the Estate. The Account shall be audited in the Presence of the Judge of the Court, in Cases where the Registrar of such Court is also the Official Assignee. A printed Copy of such Account of the Official Assignee, when audited, shall, unless the Registrar or the Judge, as the Case may be, shall otherwise direct, be sent by Post by the Creditors Assignee to every Creditor who has proved.

Custody of Bankrupt's Books.

120. The Court shall give such Directions as it may deem expedient with respect to the Custody and Inspection of the Books, Papers, Writings, and Documents relating to the Estate, and may authorize the Official Assignee to have the Custody thereof or of any Part thereof.

Books not subject to Lien.

121. No Person shall be entitled, as against the Official or Creditors Assignee, to withhold Possession of the Books of Account of the Bankrupt, or to claim any Lien thereon.

Security by Creditors Assignee.

122. The Majority in Value of the Creditors present at the Meeting for Choice of a Creditors Assignee shall determine whether any Security shall be given by such Assignee, and if so, the Amount and Nature thereof, and such Security may, if the Creditors so determine, be by way of Bond given to any Registrar of the Court or his Successors, who are hereby authorized to sue thereon. At the same Meeting, or at any other Meeting called for the Purpose, the Majority in Value of the Creditors present may also determine whether a Manager shall be appointed to collect and wind up the Estate, under the Inspection of the Creditors Assignee, or of a Committee of Creditors, and may appoint such Person, with such Remuneration out of the Estate, and generally upon such Terms, for such Period, and with such Directions as the Majority shall think fit.

Certificate of Appointment of Assignee.

123. When the Election of an Assignee shall have been accepted by the Person elected and confirmed by the Court, the Court shall, by Certificate under the Hand of the Commissioner and the Seal of the Court (to be called the Certificate of Appointment), declare such Creditors Assignee to have been duly elected, and appoint him to the said Office accordingly. Such Appointment shall be final, and shall not be subject to Review or Appeal, except as herein-after provided.

Removal of Creditors Assignee or Manager.

124. A Majority in Number and Value of the Creditors may, at any Meeting duly called for the Purpose, remove the Creditors Assignee or Manager or accept of his Resignation; and One Fourth in Value of the Creditors who have proved may at any Time apply to the Court, by Petition, for the Removal of the Creditors Assignee or Manager, and if on the Hearing of such Petition the Court shall be of opinion that sufficient Reason has been shown, it may remove such Creditors Assignee or Manager, and appoint a Meeting of the Creditors to be held for electing a new Creditors Assignee; and if the Assignee shall die, resign, or be removed, or remain abroad for Three Months at any One Time, any Creditor may apply to the Court to appoint a Meeting for electing a new Creditors Assignee, and the Court may accordingly appoint a Meeting, whereof at least Seven Days previous Notice shall be given in the *London Gazette*, and such Meeting may elect a new Creditors Assignee accordingly.

Mode of electing new Creditors Assignee; his Powers and Duties.

125. In all Cases of the Election of a new Creditors Assignee the Proceedings shall take place in the like Manner as is herein-before provided in the Case of the First Election, and the new Creditors Assignee shall have the same Powers and perform the same Duties as the Creditors Assignee first chosen, and shall call to account such Creditors Assignee, his Heirs, Executors, Administrators, or Assigns, as the Case may require.

As to Valuation of Bankrupt's Property.

126. No Valuation of a Bankrupt's Property shall be made, unless the Court shall so direct; and any Valuation required by the Creditors shall be made in such Manner and upon such Terms as General Orders shall from Time to Time direct.

As to the Rights and Duties of the Creditors Assignee:

Duties of Creditors Assignee.

127. The Creditors Assignee shall manage, and, except as herein provided, realize and recover the Estate belonging to the Bankrupt, wherever situated, and convert the same into Money, and he shall pay all Monies not necessarily retained for current Expenses, all Exchequer Bills, *India* Bonds, and all other Public Securities, and all Bills, Notes, and negotiable Instruments belonging to the Estate, forthwith upon Receipt thereof, into the Bank of *England*, to the Account of the Accountant in Bankruptcy, unless in the Case of any Adjudication in a Country District there shall be no Branch of the Bank of *England* in the Locality, and then into such Bank as the Court shall direct, to the Credit of an Account to be opened in such Bank by such Assignee in his official Character.

The Official Assignee to collect Debts under 10*l.*

128. The Official Assignee shall collect, realize, and recover every Debt due to the Estate the Amount of which shall not exceed the Sum of Ten Pounds, and shall pay all Sums so collected, realized, and recovered forthwith into the Bank of *England*, or otherwise in manner in the next preceding Clause provided; and as to all such Sums of Money he shall be and shall be deemed sole Assignee of the Estate, notwithstanding the Appointment of a Creditors Assignee.

Creditors Assignee to render Accounts to Official Assignee every Three Months.

129. The Creditors Assignee shall, at the End of Three Months from and after his Appointment, and thenceforth at the Expiration of every succeeding Three Months, render to the Official Assignee, in the Presence of the Registrar, a Debtor and Creditor Account of all Sums received and paid on account of the Bankrupt or his Estate, verified on Oath as a full, true, and faithful Account of his Receipts and Payments as such Creditors Assignee; and the Vouchers for such Account, and all Books of Account in his Possession or Power, together with his Banker's Pass Book, shall be produced by him to the Official Assignee, who shall examine the same, and if he shall be dissatisfied with such Account, the same, or any Part thereof, or any Matter arising thereon, shall be inquired into and considered by the Registrar, in the Presence of the Official and Creditors Assignee; and if no Creditors Assignee be appointed, the Official Assignee shall in like Manner render the Account herein required to the Registrar, who shall examine the same: Provided, that in the Case of County Court Registrars their Accounts, as Official Assignees, shall be in like Manner rendered to and examined and passed by the Judges of their respective Courts.

If no Creditors Assignee, Official Assignee to render Accounts.

Accounts to be printed and circulated.

130. Forthwith after the passing of each such Account of the Creditors Assignee, a Copy thereof, or a Statement showing the Nature and Result of the Transactions and Accounts of the Assignee, shall be made out by the Official Assignee, and sent by him in a printed Form through the General Post to every Creditor who has proved under the Bankruptcy.

Assignees may elect to take Lease for limited Period.

131. In every Case of a Lease or an Agreement for a Lease it shall be lawful for the Assignees to elect to take the same and the Benefit thereof, and to keep possession of the Premises up to some Quarter or Half-yearly Day on which Rent is made payable by the same Lease or Agreement, such Day not being more than Six Months from the Adjudication of Bankruptcy, and upon such Day to decline such Lease or Agreement for a Lease.

Mortgagee may bid at Sale.

132. Any Mortgagee, with the Leave of the Court first obtained, may bid at any Sale of the mortgaged Property.

Power to mortgage or pledge Bankrupt's Property.

133. If it shall appear to any Meeting of the Creditors summoned by the Assignees, by Notice stating the Object of the Meeting, and at which Three Fourths in Value of the Creditors shall be present or represented, that the Debts of any Bankrupt can be discharged by means of Money raised by way of Mortgage or Pledge of any of his Property, and such Meeting shall pass a Resolution accordingly, it shall be lawful for the Assignees, when thereunto authorized by Order of the Court, to execute such Mortgage or Pledge, with or without Powers of Sale and other Powers, and in such Manner in all respects as shall be specified in such Order; and the Court may order the Execution of

such

such Mortgage or Pledge by any other necessary Parties, and give all necessary Directions for the Purpose of carrying into effect the Resolution of the Creditors.

Portion of Pay, Half Pay, Salary, or Pension of Bankrupt to be applicable for Creditors.

134. The Court may order such Portion of the Pay, Half Pay, Salary, Emolument, or Pension of any Bankrupt as, on Communication from the Court, the Secretary of State for War, or the Secretary of State for *India*, or the Lords Commissioners of the Admiralty, or the Commissioners of the Customs or Excise, or the Chief Officer of the Department to which such Bankrupt may belong or may have belonged, or under which such Pay, Half Pay, Salary, Emolument, or Pension may be enjoyed by such Bankrupt, may officially sanction to be paid to the Assignees, to be applied in Payment of the Debts of such Bankrupt; and such Order and Sanction being lodged in the Office of Her Majesty's Paymaster General, or of the Secretary of State for *India*, or of any other Officer or Person appointed to pay or paying any such Pay, Half Pay, Salary, Emolument, or Pension, such Portion of the said Pay, Half Pay, Salary, Emolument, or Pension as shall be specified in such Order and Sanction shall be paid to such Assignees until the Court shall make Order to the contrary.

Sequestration of Profits of Benefice of Bankrupt Clergyman may be obtained.

135. If any Bankrupt be a beneficed Clergyman the Assignees may apply for and obtain a Sequestration of the Profits of the Benefice of such Bankrupt, which Profits shall form Part of the Bankrupt's Estate, and be applied accordingly; and the Certificate of Appointment of such Assignees shall be a sufficient Authority for the granting of such Sequestration, without any Writ or other Proceeding to authorize the same, and such Sequestration shall accordingly be issued as the same might have been issued upon any Writ of Levari facias founded upon any Judgment against such Bankrupt: Provided always, that the Sequestrator shall allow out of the Benefice to the Bankrupt whilst he performs the Duties of the Parish or Place such an annual Sum, payable quarterly, as the Bishop of the Diocese in which the Benefice is situated shall direct; and it shall be lawful for the Bishop to appoint to such Bankrupt such or the like Stipend as by Law he might have appointed to a Curate duly licensed to serve such Benefice in case the Bankrupt had been non-resident.

Court may determine on all Differences between Assignees and Creditors, or between Parties claiming under Trust Deeds.

136. In case of any Claim, Dispute, or Difference between the Official Assignee, the Creditors Assignee, and the Creditors, or any of such Persons, or between any Persons claiming under a Trust Deed, Deed of Composition or Arrangement, relating to any Bankrupt's or Debtor's Estate, or to any Money or Property claimed as Part of the Estate of any Bankrupt or Debtor, either Party may apply to the Court having Jurisdiction in the Bankruptcy, and in other Cases to the Court in *London*; and it shall be lawful for the Court to determine the same, and to summon and examine upon Oath the Official or Creditors Assignee, Trustee, or any other Person whomsoever, as to any Matters and Things concerning the Bankruptcy or Trust Estate, and to direct such Inquiries, and to give such Directions, and make such Orders relative thereto, as shall to the Court seem just and expedient, and to award Costs, personally or in any other Manner, against the Official or Creditors Assignee, Trustee, or any other Person; provided that in all Cases in which a Resolution has been come to by a Majority in Number and Value of the Creditors assembled in a Meeting, regard shall be had by the Court to such Resolution, and the same shall not be varied or set aside by the Court, unless such Resolution shall, in the Opinion of the Court, be unjust or inequitable, and not fit to be binding and conclusive under this Act.

Power for Assignees to sell Bankrupt's Book Debts, Goodwill, &c.

137. At any Time after the Expiration of Twelve Months from Adjudication, or at any earlier Period with the Approbation of the Court, the Assignees may sell by Auction or Tender, or, with the Sanction of the Court, by private Contract, all or any of the Book Debts due or growing due to the Bankrupt, and the Books relating thereto, and the Goodwill of his Trade or Business, and assign the same to the Purchaser; and such Purchaser shall, by virtue of the Assignment, have Power to sue in his own Name for the Debts assigned to him, as effectually, and with the same Privileges concerning Proof of the Requisites of Bankruptcy and other Matters, as the Assignee himself.

Disposal, &c. of Bankrupt's Books, &c. after Affairs wound up.

138. When the Affairs of the Bankrupt are fully wound up, the Court may, subject to the Directions of any General Order, make from Time to Time such Orders as in each Case seem fit respecting the Disposal or Custody of any Books, Papers, or Documents relating to Property or Affairs in the Possession or under the Control of the Official Assignee, the Creditors Assignee, or any other Person.

Removal of Creditors Assignee.

139. If the Creditors Assignee shall wilfully fail to observe any of the Directions herein contained, or shall be guilty of any Neglect in the Performance of his Duty, or it shall be made to appear to the Court, on the Application of any Two or more Creditors, that it would be for the Benefit of the Estate that such Creditors Assignee should not continue to have the Management and Administration of the Bankrupt's Estate, it shall be lawful for the Court either to appoint an Official Assignee to act jointly with such Creditors Assignee, or to remove such Creditors Assignee, and direct a Choice of another Creditors Assignee, or to appoint an Official Assignee alone to wind up and administer the Estate under the Bankruptcy.

As to the last Examination:

Court to appoint Sitting for last Examination and Application for Discharge.

140. The Court shall, forthwith after the Meeting for the Choice of an Assignee by the Creditors, appoint a public Sitting on a Day not later than Sixty Days from the Date of such Meeting, and shall give Notice of such Sitting in the *London Gazette*, and in such Newspapers as the Court shall direct, for the Bankrupt to pass his last Examination, and also, unless the Court shall in any Case otherwise direct, to make Application for his Discharge; but the Court shall have Power to enlarge the Time appointed for such Sitting, or to adjourn the same.

141. The

The Bankrupt to prepare and file a Statement of Accounts.

141. The Bankrupt shall prepare such Statement of his Accounts and in such Form as General Orders or as the Court in any Case shall direct, and shall subscribe such Statement, and file the same in Court Ten Days at least before the Day appointed for the last Examination, or Adjournment thereof; and such Statement may before such last Examination be amended from Time to Time as Occasion shall require and the Court shall direct; and the Bankrupt shall make Oath of the Truth of such Statement, whenever he shall be duly required by the Court so to do; and the last Examination of the Bankrupt shall in no Case be passed unless his Statement shall have been duly filed as aforesaid.

Statement of Accounts to be open to Creditors.

142. The Statement of Accounts, when filed in Court, shall be open to the Inspection of all Creditors, who may take Copies of and Extracts from the same, subject to such Regulations as General Orders shall direct; and an Abstract thereof shall be printed, and a printed Copy of such Abstract shall be sent by Post within a Week from the filing thereof, by the Official Assignee, to each Creditor who has proved.

Official Assignee to assist in preparing Statement; and to file therewith a Report.

Power to grant Assistance to Bankrupt to make out Statement under special Circumstances.

143. In the Preparation of such Statement of his Accounts the Bankrupt shall be assisted by the Official Assignee, who shall prepare and file in Court, together with such Statement, a Report upon the State of the Affairs of the Bankrupt, setting forth such Facts and Particulars as may be required by the Court, or as it shall in the Opinion of such Assignee be important for the Court to be informed of: Provided that if it shall in any Case appear to the Court that there are special Circumstances rendering it necessary that the Bankrupt should be assisted in the Preparation of such Statement of Accounts by some Person other than such Official Assignee, the Court may nominate some such Person to assist the Bankrupt in that Behalf, and may allow to such Person, out of the Bankrupt's Estate, such Remuneration as to the Court, upon the Taxation of such Person's Bill of Costs, shall seem just; and in such Case the Statement so prepared shall have appended thereto a Certificate signed by the Person appointed to assist the Bankrupt in the Preparation thereof, expressing his Approval or Disapproval thereof, and the Particulars and Reasons of such Disapproval.

As to Proof of Debts:

When and how Debts may be proved.

Declaration for Proof of Debt.

144. Every Creditor of the Bankrupt may, after Adjudication, prove his Debt, by delivering or sending through the General Post, before the Appointment of the Creditors Assignee, to the Official Assignee, and after such Appointment to the Creditors Assignee, a Statement of such Debt, and of the Account, if any, between the Creditor and the Bankrupt, together with a Declaration, signed by the Creditor, appended thereto, that such Statement is a full, true, and complete Statement of Account between the Creditor and the Bankrupt, and that the Debt thereby appearing to be due from the Estate of the Bankrupt to the Creditor is justly due; and all Bodies Politic and Public Companies incorporated, or authorized to sue or bring Actions, may prove by an Agent, provided such Agent shall in his Declaration declare that he is such Agent, and that he is authorized to make such Proof; and such Declaration, signed by such Creditor and Agent respectively as aforesaid, shall be in such Form as General Orders shall direct.

False Declaration a Misdemeanor.

145. Any Person who shall wilfully and corruptly make any Declaration for Proof of Debt as aforesaid, knowing the same, or the Statement of Account to which the same shall be appended, to be untrue in any material Particular, shall be deemed guilty of a Misdemeanor, and shall be liable to undergo the Pains and Penalties imposed upon Persons guilty of wilful and corrupt Perjury.

Proof in Court or in Chambers, or before a Registrar, or by Affidavit.

146. Every Creditor of the Bankrupt may also after Adjudication prove his Debt, by Deposition in Court or in Chambers, or before a Registrar at any Meeting of Creditors elsewhere than in Court, or by Affidavit, upon his own Oath, or upon that of any Clerk or other Person in his Employment; provided that where such Deposition or Affidavit shall be made by any other Person than the Creditor, the Deponent shall, in his Deposition or Affidavit, set forth that he is duly authorized by his Principal to make the Deposition or Affidavit, and that it is within his own Knowledge that the Debt was incurred, and for the Consideration stated, and that to the best of his Knowledge and Belief the Debt still remains unpaid and unsatisfied.

Official Assignee to examine all Statements of Account, &c.

147. The Official or Creditors Assignee, as the Case may be, shall examine all the Statements of Account aforesaid, and compare the same with the Books, Accounts, and other Documents of the Bankrupt, and shall from Time to Time make out a List of the Creditors who have proved their Debts, stating the Amount and Nature of such Debts, which List shall be open to the Inspection of any Creditor who has proved under the Estate.

Power to examine upon Oath alleged Creditors, &c.

148. The Court may, on the Application of the Assignee, or of any Creditor, or of the Bankrupt, or without any Application, examine upon Oath or otherwise any Person tendering or who has made a Proof, and may summon any Person capable of giving Evidence concerning such Proof; and, in like Manner, where the Debt is tendered on Affidavit or Statement, as herein-before provided, may summon and examine on Oath or otherwise the Person who has made the Affidavit or Statement, and any other Person capable of giving Evidence concerning the Debt sought to be proved.

Proof for Money, &c. where Payment enforceable by Process of Contempt.

149. A Person entitled to enforce against the Bankrupt Payment of any Money, Costs, or Expenses by Process of Contempt issuing out of any Court, shall be entitled to come in as a Creditor under the Bankruptcy, and prove for the Amount payable under the Process, subject to such ascertaining of the Amount as may be properly had by Taxation or otherwise.

150. In

Proof for proportionate Part of Rent, &c. falling due at fixed Periods.

150. In all Cases in which the Bankrupt is liable to pay any Rent or other Payment falling due at fixed or stated Periods, and the Adjudication of Bankruptcy shall happen at any Time other than One of such fixed or stated Periods, it shall be lawful for the Person entitled to such Rent or other Payment to prove for a proportionate Part thereof up to the Day of the Adjudication of Bankruptcy, in such Manner as if the said Rent or Payment grew due from Day to Day, and not at such fixed or stated Periods as aforesaid.

Proof where Debt payable by Instalments.

151. If any Bankrupt shall have contracted, before the filing of a Petition for Adjudication, any Debt payable by way of Instalments, the Creditor may prove for the Amount of such Instalments remaining unpaid at the Time of such Petition.

Proof in respect of distinct Contracts.

152. If any Debtor shall, at the Time of Adjudication, be liable upon any Bill of Exchange or Promissory Note in respect of distinct Contracts as Member of Two or more Firms carrying on separate and distinct Trades, and having distinct Estates to be wound-up in Bankruptcy, or as a sole Trader and also as the Member of a Firm, the Circumstance that such Firms are in whole or in part composed of the same Individuals, or that the sole Contractor is also One of the joint Contractors, shall not prevent Proof and Receipt of Dividend in respect of such distinct Contracts against the Estates respectively liable upon such Contracts.

Proof in respect of unliquidated Damages.

153. If any Bankrupt shall at the Time of Adjudication be liable, by reason of any Contract or Promise, to a Demand in the Nature of Damages which have not been and cannot be otherwise liquidated or ascertained, it shall be lawful for the Court acting in prosecution of such Bankruptcy to direct such Damages to be assessed by a Jury, either before itself or in a Court of Law, and to give all necessary Directions for such Purpose; and the Amount of Damage, when assessed, shall be proveable as if a Debt due at the Time of the Bankruptcy: Provided that in case all necessary Parties agree, the Court shall have Power to assess such Damages without the Intervention of a Jury or a Reference to a Court of Law.

Proof for Premiums upon Policies of Insurance.

154. If any Bankrupt shall at the Time of Adjudication be liable by reason of any Contract or Promise to pay Premiums upon any Policy of Insurance, or any other Sums of Money, whether yearly or otherwise, or to repay to or indemnify any Person against any such Payments, the Person entitled to the Benefit of such Contract or Promise may, if he think fit, apply to the Court to set a Value upon his Interest under such Contract or Promise, and the Court is hereby required to ascertain the Value thereof, and to admit such Person to prove the Amount so ascertained, and to receive Dividends thereon.

How Proof may be expunged or reduced.

155. The Court may at any Time expunge or reduce a Proof of Debt, on such Application and such Evidence as it shall think sufficient, and for that Purpose may summon and examine upon Oath or otherwise the Person who has proved, and every Person capable of giving Evidence concerning the alleged Debt, and may make such Order as to the Costs of any Application as shall seem just.

One Year's Rates may be paid in full.

156. The Court, out of the Estate and Effects of the Bankrupt, shall order Payment of all such Parochial Rates as may be due from him at the Time of his being adjudicated a Bankrupt; provided such Rates have become due during the Twelve Months immediately preceding the Bankruptcy.

As to the Discharge of the Bankrupt:

Classification of Certificates abolished. Form of Discharge where suspended, &c.

157. From and after the Commencement of this Act all Classification of Certificates shall be abolished; and in every Case where the Discharge of a Bankrupt shall be suspended, such Discharge, when allowed, shall simply state the Period for which it was suspended and the Reasons for such Suspension; and if the Bankrupt shall have been sentenced to Imprisonment by any Court under the Provisions of this Act the Discharge shall also set forth the Fact of such Sentence and the Period of such Imprisonment.

Appointment of Sitting for granting Order of Discharge.

158. After the Bankrupt has passed his last Examination, unless an Order of Discharge shall have been previously made as herein-before provided, the Court shall appoint a Sitting for the Purpose of considering the Question of granting to the Bankrupt such Order. Fourteen Days Notice of such Sitting shall be given in the *London Gazette* and such Newspapers as the Court shall direct. The Assignees or any Creditor who has proved may be heard against such Discharge.

Rules as to granting Orders of Discharge.

159. In granting Orders of Discharge the following Rules shall be observed:

1. If on the Hearing of any Application for an Order of Discharge the Assignees or any Creditor shall allege, and if with or without such Allegation the Court shall be of opinion, that there is Ground for charging the Bankrupt with Acts or Conduct amounting to a Misdemeanor under this Act, the Court shall, if the Bankrupt consent thereto, direct a clear Statement in Writing of the Charge to be delivered to the Bankrupt, and shall appoint a Day for trying the Bankrupt on such Charge, and, if the Bankrupt require it, shall summon a Jury for such Purpose, and may direct the Creditors Assignee or the Official Assignee, or any of the Creditors of the Bankrupt, to act as Prosecutor on such Trial: Provided always, that in every Case of Accusation against a Bankrupt of Acts amounting to a Misdemeanor, it shall be competent to the Court to direct that the Bankrupt be indicted and prosecuted in One of the ordinary Courts of Criminal Justice; and in all other Cases the Order of Discharge shall take effect immediately from its Date, subject to the Appeal herein provided:

2. If

2. If on such Trial by a Jury or by the Commissioner alone the Bankrupt shall be convicted of any Offence by this Act made a Misdemeanor, the Commissioner shall, in addition to the Punishment awarded for the Offence, have Power to direct that the Order of Discharge be either wholly refused or suspended during such Time and upon such Conditions as he shall think fit:

3. If the Bankrupt shall not be accused of Acts amounting to Misdemeanor, or if he shall have been accused and acquitted, but in either Case there shall be made, or shall appear to the Court to exist, Objection to the granting of an immediate Discharge, the Court shall proceed to consider the Conduct of the Bankrupt before and after Adjudication, and the Manner and Circumstances in and under which his Debts have been contracted; and if the Court shall be of opinion that the Bankrupt has carried on Trade by means of fictitious Capital, or that he could not have had at the Time when any of his Debts were contracted any reasonable or probable Ground of Expectation of being able to pay the same, or that if a Trader, he has, with Intent to conceal the true State of his Affairs, wilfully omitted to keep proper Books of Account, or, whether Trader or not, that his Insolvency is attributable to rash and hazardous Speculation, or unjustifiable Extravagance in living, or that he has put any of his Creditors to unnecessary Expense by frivolous or vexatious Defence to any Action or Suit to recover any Debt or Money due from him, the Court may either refuse an Order of Discharge, or may suspend the same from taking effect for such Time as the Court may think fit, or may grant an Order of Discharge subject to any Condition or Conditions touching any Salary, Pay, Emoluments, Profits, Wages, Earnings, or Income which may afterwards become due to the Bankrupt, and touching after-acquired Property of the Bankrupt, or may sentence the Bankrupt to be imprisoned for any Period of Time not exceeding One Year from the Date of such Sentence:

Provided always, that no Person shall be liable by virtue of this Act to any Criminal Proceeding or Penalty in respect of any Matter which may have occurred before the passing of this Act to which he would not have been liable if this Act had not passed.

Application for Order of Discharge where Certificate of Conformity has been refused.

160. With respect to all Persons heretofore bankrupt, and whose Certificates of Conformity shall have been refused, it shall be lawful for the Court, at any Time after the Expiration of Three Years from the Time of and notwithstanding such Refusal, to hear and determine the Application of any such Bankrupt for an Order of Discharge, and thereupon, if the Court shall think fit, to grant an Order of Discharge, either absolute or subject to any Condition or Conditions, in the same Manner as if the Bankruptcy of such Applicant had taken place after the Commencement of this Act.

Effect of Order of Discharge.

161. The Order of Discharge shall, upon taking effect, discharge the Bankrupt from all Debts, Claims, or Demands proveable under his Bankruptcy, save as herein otherwise provided; and if thereafter he shall be arrested, or any Action shall be brought against him for any such Debt, Claim, or Demand, he shall be discharged upon entering an Appearance, and may plead in general that the Cause of Action accrued before he became bankrupt, and may give this Act and the special Matter in Evidence; and the Order of Discharge shall be sufficient Evidence of the Bankruptcy, and the Proceedings precedent to the Order of Discharge.

Release of Bankrupt when arrested after Discharge.

162. If a Bankrupt, after the Order of Discharge takes effect, be arrested or detained in Custody for a Debt, Claim, or Demand proveable under his Bankruptcy, where Judgment has been obtained before the Order of Discharge takes effect, the Court, or a Judge of a Superior Court of Law, shall, on Proof of the Order of Discharge, and unless there appear good Reason to the contrary, direct the Officer who has the Bankrupt in Custody to discharge him, which shall be done accordingly, without Fee.

Effect of Order as to Partners, &c.

163. The Order of Discharge shall not release or discharge any Person who was a Partner with the Bankrupt at the Time of the Bankruptcy, or was then jointly bound, or had made any joint Contract with him.

Contract, &c. pending Proceedings not binding.

164. After the Order of Discharge takes effect, the Bankrupt shall not be liable to pay or satisfy any Debt, Claim, or Demand proveable under the Bankruptcy, or any Part thereof, on any Contract, Promise, or Agreement, verbal or written, made after Adjudication; and if he be sued on any such Contract, Promise, or Agreement he may plead in general that the Cause of Action accrued pending Proceedings in Bankruptcy, and may give this Act and the special Matter in Evidence.

Order to operate as a Discharge from Process for Contempt.

165. The Order of Discharge shall discharge the Bankrupt from the Effects of any Process issuing out of any Court for Contempt of any Court for Nonpayment of Money or of Costs or Expenses in any Court, and from all Costs which he would be liable to pay in consequence of or on purging his Contempt; and a Bankrupt in Custody under any such Process as aforesaid shall, on obtaining an Order of Discharge, be entitled to be discharged from such Custody forthwith.

Contract or Security with Intent to induce Creditor to forbear Opposition, void.

166. Any Contract, Covenant, or Security made or given by a Bankrupt or other Person, with, to, or in trust for any Creditor, for securing the Payment of any Money as a Consideration or with Intent to persuade the Creditor to forbear opposing the Order for Discharge, or to forbear to petition for a Rehearing of or to appeal against the same, shall be void, and any Money thereby secured or agreed to be paid shall not be recoverable, and the Party sued on any such Contract or Security may plead in general that the Cause of Action accrued pending Proceedings in Bankruptcy, and may give this Act and the special Matter in Evidence: Provided always, that no such Security, if a negotiable Security,

Proviso.

shall

shall be void as against a *bonâ fide* Holder thereof for Value without Notice of the Consideration for which it was given.

Penalty for obtaining Money, &c. to forbear Opposition, &c.

167. If any Creditor of a Bankrupt shall obtain any Sum of Money, or any Goods, Chattels, or Security for Money, from any Person, as an Inducement for forbearing to oppose, or for consenting to the Allowance of the Discharge of such Bankrupt, or to forbear to petition for the Recal of the same, every such Creditor so offending shall forfeit and lose for every such Offence the treble Value or Amount of such Money, Goods, Chattels, or Security so obtained.

Rehearing of Order of Discharge.

168. The Order of Discharge, whether suspended or not, shall not be reviewed by the Court, unless the Court see good Cause to believe that the Order was obtained on false Evidence, or by reason of the Suppression of Evidence, or otherwise fraudulently; in any of which Cases the Court may, if it think fit, upon the Application of the Bankrupt or of a Creditor who has proved, and subject to such Deposit for Costs, and to such Notices, by Advertisement or otherwise, as the Court shall think fit, grant a Rehearing of the Matter, and rehear it accordingly; and upon Rehearing the Court shall make such Order as shall seem just, in like Manner as it might upon an original Hearing.

As to Suspension of Order on Rehearing.

169. If on such Rehearing the Court shall annul or suspend the Order of Discharge, all Persons having *bonâ fide* become Creditors of the Bankrupt between the Time of the Order originally taking effect and the Time of its being annulled or suspended on Rehearing shall, as against any Property acquired by the Bankrupt during the same Period, and in priority to the original Creditors, be admitted to prove and have Dividends under the Bankruptcy.

Order, when to be drawn up.

170. The Order of Discharge shall not be drawn up until after the Expiration of the Time allowed for Appeal, or, if an Appeal be brought, until after the Decision of the Court of Appeal upon such Appeal, and shall bear Date either the Day after the Expiration of the Time allowed for Appeal, or the Day of the Decision of the Court of Appeal, as the Case may require.

Appeal against Decision as to Order of Discharge.

171. At any Time within Thirty Days after any Order of Discharge shall have been allowed or refused, and subject to such Order as to Deposit of Costs as General Orders shall direct, any Creditor of the Bankrupt, or any Creditors Assignee, or the Bankrupt, may, if the Order of Discharge has been made or refused by any Commissioner or County Court Judge, apply to the Court of Appeal in Chancery that such Order of Discharge may be granted, or recalled and delivered up to be cancelled; and such Court may, on good Cause shown, order such Order of Discharge to be granted, or to be recalled and cancelled.

Form of Order.

172. The Order of Discharge shall be in such Form as General Orders shall direct, and shall be under the Hand of the Commissioner and the Seal of the Court; and Notice of the granting thereof shall be advertised in the *London Gazette* and in Two local Papers.

As to Audit:

No public Sitting for Audit.

173. No public Sittings of the Courts shall be held for the sole Purpose of auditing the Accounts of the Assignees, but such Accounts shall be audited in such Manner as is herein provided, or as General Orders shall direct.

As to Dividend:

Dividend.

174. At the Expiration of Four Months from the Date of the Adjudication of Bankruptcy, or as much earlier as the Court shall appoint, the Creditors Assignee shall submit to a Meeting of Creditors to be called for that Purpose, and to be held before the Registrar, of which Meeting Ten Days Notice shall be given in the *London Gazette* and in Two local Newspapers, a Statement of the whole Estate of the Bankrupt as then ascertained, of the Property recovered, and of the Property outstanding, specifying the Cause of its being so outstanding, and of all the Receipts, and of all Payments thereout, made or to be made; and the Official Assignee shall, and any Creditor who has proved may, attend and examine such Statement, and compare the Receipts with the Payments; and upon ascertaining what Balance is then in the Bank of *England* or other Bank to the Credit of the Estate, the Meeting shall, by Resolution, declare whether any and what Part of the net Produce of the Estate, after making a reasonable Deduction for future Contingencies, shall be divided amongst the Creditors. At the same Meeting the Majority in Value of the Creditors present shall determine whether any and what Allowance shall be made to the Bankrupt out of his Estate, if he has obtained or shall obtain a Discharge.

Assignee not to keep Money in his Hands.

175. If upon such Examination it shall appear that the Creditors Assignee has kept in his Hands at any Time during the Space of One Week more than the Sum of Fifty Pounds belonging to the Estate, the Creditors may, upon establishing such Fact to the Satisfaction of the Court, and if the Assignee shall not show Cause to the contrary, debit such Assignee with Interest for the Amount so kept, at any Rate not exceeding Twenty Pounds *per Centum* by the Year, for the Time such Monies were kept in his Hands.

Provision to be made for Creditors residing at a Distance, &c.

176. In the Calculation of a Dividend it shall be imperative to make Provision for Debts which shall appear from the Bankrupt's Balance Sheet to be due to Persons resident in Places so distant from the Court that in the ordinary Course of Communication they have not had sufficient Time to tender their Proofs, or to establish them if disputed; and also for Debts, the Subject of Claims not yet determined by the Court.

Joint and separate Dividend Sittings.

177. In every Case where joint and separate Estates have to be administered, and where the Court shall not otherwise direct, Dividends of the joint and separate Estates shall be declared at One and the same Sitting, and Notice of the Time appointed for such Dividends, when advertised, shall be given in One and the same Advertisement; and the Costs, Charges, and Expenses of and incident to the Sitting shall be apportioned by the Assignee between the joint and separate Estates as may appear to be fair and reasonable, having regard to the Work done for and the Benefit received by each Estate; and a single Fee, and no more, shall be payable to the Solicitor to the Estate in respect of the Sitting.

Dividend List to be prepared by Official Assignee.

178. Within Ten Days after such Meeting, or within such further Time as the Court may allow, the Official Assignee shall prepare Lists of Creditors entitled to Dividend, and shall calculate and set opposite to the Name of each Creditor who has proved under the Estate (subject to the Provision herein contained as to Dividends reserved) the Dividend to which he is entitled, out of the net Produce of the Estate so set apart for a Dividend, and shall forward by Post to every such Creditor a Statement of the Dividend to which he is so entitled, and such Dividends shall be paid at the Bank of *England* or otherwise in such Manner as General Orders shall direct.

Like Proceedings at successive Periods of Four Months.

179. The like Proceedings for the making up and auditing of the Accounts of the Estate, and the Declaration and Payment of a Dividend, which are herein directed to be had at the Expiration of Four Months from the Adjudication of Bankruptcy, shall be had at the successive Expirations of every Period of Four Months, or earlier, as the Case may be, until the whole of the Estate is divided amongst the Creditors, and a Dividend is declared to be final; provided that it shall be lawful for the Majority in Value of the Creditors at any such Meeting as aforesaid to postpone the Period of declaring a Dividend, or at any Time, in declaring a Second Dividend, to declare also that such Second Dividend shall be final, unless any Action at Law or Suit in Equity be depending, or any Part of the Estate be standing out not sold or disposed of, or unless some other Estate or Effects of the Bankrupt shall afterwards come to the Assignee, in which Case he shall, as soon as may be, convert such Estate and Effects into Money, and within Two Months after the same shall be so converted the same shall also be divided in manner aforesaid.

As to the Discharge of the Creditors Assignee:

Effect of Discharge.

180. The Order for Discharge shall operate to release the Creditors Assignee from all Claims and Demands of the Creditors, or of any Person who might have proved under the Bankruptcy, subject nevertheless to such Conditions, if any, as shall be expressed in such Order of Discharge.

Unclaimed Dividends, &c. to be paid into Bank.

181. Every Creditors Assignee shall, before his Discharge, transmit to the Official Assignee a List of unclaimed Dividends on the Estate, and of all Debts remaining due to the Estate, under his Hand, and shall pay all Monies and other Estate of the Bankrupt then in his Hands into the Bank of *England*, to the Account of the Accountant in Bankruptcy, to the Credit of the Estate.

Official Assignee to act after Discharge of Creditors Assignee.

182. Where the Creditors Assignee has obtained an Order of Discharge, the Official Assignee first appointed in the Matter of the Bankruptcy shall, as to any Estate and Effects of the Bankrupt not realized at the Time of such Order of Discharge, and as to all Debts then remaining uncollected, and which shall not have been sold in manner herein provided, and as to any future acquired Property of the Bankrupt, if made liable to the Creditors under the Conditions of Discharge, represent the Estate in all respects as the sole Assignee thereof, and shall have and exercise all the Rights, Duties, Powers, and Authorities conferred by this Act upon Official and Creditors Assignees.

Bank to receive any Sum mentioned in Certificate of Accountant in Bankruptcy.

183. The Accountant in Bankruptcy shall, on the Application of any Assignee, give to him a Certificate stating the Amount and Description of any Sum of Money, Notes, Bills, or other negotiable Instruments which he may be desirous of paying into the Bank of *England* under the Provisions herein contained; and on the Production of such Certificate the Governor and Company of the Bank of *England* shall receive the Sum therein mentioned, and such Bills, Notes, or other negotiable Instruments, and give a Receipt for the same, and shall forthwith carry the same to the Credit of the Accountant in Bankruptcy; and every such Certificate and Receipt shall be given without Fee or Reward.

Unclaimed Dividends.

184. All unclaimed Dividends, save Dividends declared before the passing of this Act, and all Monies unclaimed, the Produce of any Bankrupt's Estate, shall, after the Expiration of the Period of Twelve Months from the Dividend having been declared, or from the Time at which any other Monies unclaimed shall have come to the Hands of the Assignee, be transferred to the Credit of "The Unclaimed Dividend Account," subject to the Order of the Court for the Payment thereout of any Dividend due to any Creditor, or for the Distribution of any such other unclaimed Money; and the Interest and Profit arising from the said Account shall from Time to Time be paid over to the Account of the Chief Registrar.

As to Change from Bankruptcy to Arrangement:

Power for Creditors to resolve that Estate ought to be wound up, &c.

185. At the First Meeting of Creditors held after Adjudication in manner herein provided, or at any Meeting to be called for the Purpose, and of which Ten Days Notice shall have been given in the *London Gazette*, Three Fourths in Number and Value of the Creditors present or represented at such Meeting may resolve that the Estate ought to be wound up under a Deed of Arrangement, Composition,

or

or otherwise, and that an Application shall be made to the Court to stay Proceedings in the Bankruptcy for such Period as the Court shall think fit.

Resolution to be reported to Court.

186. The Registrar shall report such Resolution to the Court within Four Days from the Date of such Resolution; and the Bankrupt, or any Creditor nominated in that Behalf by the Meeting, may then apply to the Court that the Proceedings in Bankruptcy may be stayed in the Terms of such Resolution; and the Court, after hearing the Bankrupt, and such Creditors as may desire to be heard for or against the Resolution, and if it shall find that the Resolution was duly carried, and that its Terms are reasonable, and calculated to benefit the general Body of the Creditors under the Estate, shall confirm the same, and make Order accordingly, and in such Order shall give such Directions as to the interim Management of the Estate as it shall deem expedient.

Power for Court to confirm.

Power for Court to make a Declaration of complete Execution of Deed of Arrangement, &c.; and to annul Bankruptcy.

187. If the Proceedings in Bankruptcy be stayed as herein provided, the Bankrupt, or any Creditor nominated in that Behalf by the Meeting aforesaid, may, at any Time within the Period during which the Proceedings are so stayed, produce to the Court a Deed of Arrangement, signed by or on behalf of Three Fourths in Number and Value of all the Creditors of the Bankrupt; and the Court may consider the same, and may examine on Oath the Bankrupt and any of the Creditors who may desire to be heard in support of or in opposition to the Deed, and may make such other Inquiry as it may think necessary; and if the Court shall be satisfied that the Deed has been duly entered into and executed, and that its Terms are reasonable and calculated to benefit the general Body of the Creditors under the Estate, it shall by Order make a Declaration of the complete Execution of the Deed, and shall direct the same to be registered with the Chief Registrar, and shall also, if it thinks fit, annul the Bankruptcy; and such Deed shall thereafter be as binding in all respects on any Creditor who has not executed the Deed as if he had executed it, provided such Deed be registered with the Chief Registrar in manner directed by the Order.

Deed, if registered, binding on Creditors not executing.

Court may entertain Applications of Bankrupt or any Party to the Deed respecting Bankrupt's Estate and Affairs.

188. Either before or after such Order, the Court shall have Jurisdiction to entertain any Application of the Bankrupt, or of any Party to the Deed, or of any Creditor or Person claiming to be a Creditor, respecting the Disclosure, Distribution, Inspection, Conduct, Management, or winding-up of the Bankrupt's Estate and Affairs, or any Act or Thing relating thereto, or respecting the Execution of any of the Trusts or Provisions of the Deed, or the Audit or Examination of the Accounts of a Trustee or Inspector, or the Taxation or Examination of the Costs or Charges of any Attorney, Solicitor, Accountant, Auctioneer, Broker, or other Person acting or employed under the Deed, or generally for the Decision of any Dispute or Question, and shall also have Jurisdiction to entertain any Application of any such Person as aforesaid, respecting any Matter for the Submission whereof to the Court Provision is made by the Deed, or any Matter arising between any of the said Persons, and any other Person appearing and submitting to the Jurisdiction of the Court; and the Court shall determine all Questions arising under the Deed according to the Law and Practice in Bankruptcy, so far as they may be applicable, and on entertaining any such Application shall have Power to make all such Orders as shall seem just, and to enforce all such Orders as in Bankruptcy.

Questions under Deed how to be decided.

Power of the Court to summon and examine Bankrupt, &c.

189. The Court shall have Power, for the Purpose of any Application under these Provisions, or for the better Execution of any Powers given to the Court thereby, to summon, and to examine, upon Oath or otherwise, the Bankrupt, and any Party to the Deed, and any Creditor or Person claiming to be a Creditor, and any Person known or suspected to have any of the Estate in his Possession, or any Person supposed to be indebted to the Estate, or whom the Court may deem capable of giving any Information material to the full Disclosure of the Debtor's Transactions and Affairs, or to the carrying into effect the Provisions of the Deed; and the Court may exercise, as to the Examination of such Persons, and the Production by them of such Books, Papers, Deeds, or Documents as it shall deem requisite, the same Powers that are vested in the Court with relation to the Examination of Persons and Witnesses, and the Production of Books, Papers, Deeds, and Documents, in Matters of Bankruptcy.

Where Bankruptcy to proceed as if no Resolution had been passed.

190. If the Resolution aforesaid shall not be duly reported, or if the Court shall refuse the Application to stay Proceedings, or if the Deed of Arrangement shall not be duly produced, or if upon its Production the Court shall not think fit to approve thereof, the Bankruptcy shall proceed as though no such Resolution had been passed; and the Court may make all necessary Orders for resuming the Proceedings in Bankruptcy, and the Period of Time which shall have elapsed between the Date of such Resolution and the Date of the Order for resuming Proceedings shall not be reckoned in calculating Periods of Time prescribed by this Act.

Where Bankruptcy annulled.

191. If the Bankruptcy be annulled, as herein provided, the Order annulling the same shall be filed with the Proceedings, and Notice thereof shall be given in the *London Gazette*.

As to Trust Deeds for Benefit of Creditors, Composition and Inspectorship Deeds executed by a Debtor:

What Deed to be valid; and upon what Conditions.

192. Every Deed or Instrument made or entered into between a Debtor and his Creditors, or any of them, or a Trustee on their Behalf, relating to the Debts or Liabilities of the Debtor, and his Release therefrom, or the Distribution, Inspection, Management, and winding-up of his Estate, or any of such Matters, shall be as valid and effectual and binding on all the Creditors of such Debtor as if they were

Parties to and had duly executed the same, provided the following Conditions be observed; that is to say,

1. A Majority in Number representing Three Fourths in Value of the Creditors of such Debtor whose Debts shall respectively amount to Ten Pounds and upwards shall, before or after the Execution thereof by the Debtor, in Writing assent to or approve of such Deed or Instrument:
2. If a Trustee or Trustees be appointed by such Deed or Instrument, such Trustee or Trustees shall execute the same:
3. The Execution of such Deed or Instrument by the Debtor shall be attested by an Attorney or Solicitor:
4. Within Twenty-eight Days from the Day of the Execution of such Deed or Instrument by the Debtor the same shall be produced and left (having been first duly stamped) at the Office of the Chief Registrar, for the Purpose of being registered:
5. Together with such Deed or Instrument there shall be delivered to the Chief Registrar an Affidavit by the Debtor or some Person able to depose thereto, or a Certificate by the Trustee or Trustees, that a Majority in Number, representing Three Fourths in Value, of the Creditors of the Debtor whose Debts amount to Ten Pounds or upwards have in Writing assented to or approved of such Deed or Instrument, and also stating the Amount in Value of the Property and Credits of the Debtor comprised in such Deed:
6. Such Deed or Instrument shall, before Registration, bear such ordinary and *ad valorem* Stamp Duties as are herein-after provided:
7. Immediately on the Execution thereof by the Debtor, Possession of all the Property comprised therein, of which the Debtor can give or order Possession, shall be given to the Trustees.

Particulars of Deed to be entered by Chief Registrar. Copy to be published.

193. The Date, Names, and Descriptions of the Parties to every such Deed or Instrument, not including the Creditors, together with a short Statement of the Nature and Effect thereof, shall be entered by the Chief Registrar in a Book to be kept exclusively for the Purposes of such Registration. Such Entry shall be made within Forty-eight Hours after the Deed shall have been left with the Registrar as aforesaid, and a Copy of such Entry shall be published in the *London Gazette* within Four Days after the making of such Entry.

Deed to be registered in Court, and in default, not to be Evidence.

194. Every Deed, Instrument, or Agreement whatsoever, by which a Debtor, not being a Bankrupt, conveys or covenants or agrees to convey his Estate and Effects, or the principal Part thereof, for the Benefit of his Creditors, or makes any Arrangement or Agreement with his Creditors, or any Person on their Behalf, for the Distribution, Inspection, Conduct, Management, or Winding-up of his Affairs or Estate, or the Release or Discharge of such Debtor from his Debts or Liabilities, shall, within Twenty-eight Days from and after the Execution thereof by such Debtor, or within such further Time as the Court in *London* shall allow, be registered in the Court of Bankruptcy; and in default thereof shall not be received in Evidence.

Stamp Duties on Deeds. No Deed to be registered if unstamped.

195. No Deed or Instrument whatever required to be registered as aforesaid shall be registered unless in addition to the ordinary Stamp Duty it also be impressed with or have affixed to it a Stamp denoting a Duty computed at the Rate of Five Shillings upon every Hundred Pounds, or Fraction of an Hundred Pounds, of the sworn or certified Value of the Estate or Effects comprised in, or to be collected or distributed under, such Deed or Instrument: Provided, that the Maximum of *ad valorem* Duty payable in respect of any such Deed or Instrument shall be Two hundred Pounds.

Memorandum of Registration.

196. Every such Deed, on being so registered as aforesaid, shall have a Memorandum thereof written on the Face of such Deed, stating the Day and the Hour of the Day at which the same was brought into the Office of the Chief Registrar for Registration.

Jurisdiction of the Court, and Rights and Liabilities of the Parties, after Registration of Deed.

197. From and after the Registration of every such Deed or Instrument in manner aforesaid, the Debtor and Creditors, and Trustees, Parties to such Deed, or who have assented thereto or are bound thereby, shall in all Matters relating to the Estate and Effects of such Debtor be subject to the Jurisdiction of the Court of Bankruptcy, and shall respectively have the Benefit of and be liable to all the Provisions of this Act, in the same or like Manner as if the Debtor had been adjudged a Bankrupt, and the Creditors had proved, and the Trustees had been appointed Creditors Assignees under such Bankruptcy; and the existing or future Trustees of any such Deed or Instrument, and the Creditors under the same, shall as between themselves respectively, and as between themselves and the Debtor and against Third Persons, have the same Powers, Rights, and Remedies, with respect to the Debtor and his Estate and Effects, and the Collection and Recovery of the same, as are possessed or may be used or exercised by Assignees or Creditors with respect to the Bankrupt, or his Acts, Estate and Effects in Bankruptcy; and, except where the Deed shall expressly provide otherwise, the Court shall determine all Questions arising under the Deed according to the Law and Practice in Bankruptcy, so far as they may be applicable, and shall have Power to make and enforce all such Orders as it would be authorized to do if the Debtor in such Deed had been adjudged bankrupt, and his Estate were administered in Bankruptcy.

Protection to Debtor after

198. After Notice of the filing and Registration of such Deed has been given as aforesaid, no Execution, Sequestration, or other Process against the Debtor's Property in respect of any Debt, and no Process

Process against his Person in respect of any Debt, other than such Process by Writ or Warrant as may be had against a Debtor about to depart out of *England*, shall be available to any Creditor or Claimant, without Leave of the Court; and a Certificate of the filing and Registration of such Deed under the Hand of the Chief Registrar and the Seal of the Court shall be available to the Debtor for all Purposes as a Protection in Bankruptcy. Notice of filing, &c. of Deed.

199. In case any Petition shall be presented for an Adjudication in Bankruptcy against a Debtor after his Execution of such Deed or Instrument as is herein-before described, and pending the Time allowed for the Registration of such Deed or Instrument, all Proceedings under such Petition may be stayed, if the Court shall think fit; and in case such Deed or Instrument shall be duly registered as aforesaid, the Petition shall be dismissed. Stay of Proceedings in Bankruptcy after Execution of Deed.

200. If a Debtor cannot obtain the Assent of a Majority in Number representing Three Fourths in Value of his Creditors, by reason of his being unable to ascertain by whom Bills of Exchange, Promissory Notes, or other negotiable Securities accepted, drawn, made, or endorsed by him are holden, or by reason of the Absence of Creditors in a Foreign Country, or other similar Circumstances, it shall be sufficient if he obtain the Consent of a Majority in Number representing Three Fourths in Value of all his other Creditors to such Deed or Instrument as aforesaid; provided that Notice shall have been inserted by or on behalf of the Debtor in One or more Newspapers published in the County or Place at which he shall have carried on Business immediately prior to the Date of such Deed or Instrument, requiring his Creditors to signify their Assent to or Dissent from such Deed or Instrument by Notice in Writing addressed to the Trustee or Trustees thereof within Fourteen Days from the Insertion of such Notice, and that the Affidavit or Certificate of the Trustee or Trustees shall state the Circumstances of the Case, and the same shall be allowed by the Court, and provided the Deed or Instrument be in such Form as is expressed in Schedule (D.) to this Act annexed, which shall vest all the Estate and Effects of the Debtor in the Trustees of such Deed, and provided that all such other Conditions as are herein-before required be duly complied with. Provision in case Debtor cannot obtain Assent of requisite Majority of Creditors.

As to Notices and Advertisements:

201. All Notices by this Act or by General Order required to be served on any Person shall be sent by Post addressed to the last known Place of Business or Abode of such Person, subject to such Regulations as to Registration and otherwise as such General Orders shall direct; provided that this present Clause shall not apply to or affect Notices by this Act or by any General Order required to be personally served. What Notices to be sent by Post.

202. General Orders respecting the Form and Contents of Notices in the *London Gazette* and otherwise may provide for Notices concerning more Bankruptcies than One being comprised in One Advertisement, and may fix the Price to be paid to the Printer of the *London Gazette* for Advertisements, which Price the said Printer is hereby required to receive as such Payment. General Orders as to Advertisements.

As to Evidence:

203. Any Petition for Adjudication, or Arrangement, Adjudication of Bankruptcy, Assignment, Appointment of Official or Creditors Assignee, Certificate, Deposition, or other Proceeding or Order in Bankruptcy, or under any of the Provisions of this Act, appearing to be sealed with the Seal of any Court under this Act, or any Writing purporting to be a Copy of any such Document, and purporting to be so sealed, shall at all Times, and on behalf of all Persons, and whether for the Purposes of this Act or otherwise, be admitted in all Courts whatever as Evidence of such Documents respectively, and of such Proceedings and Orders having respectively taken place or been made, and be deemed respectively Records of such Court, without any further Proof thereof; and no such Copy shall be receivable in Evidence unless the same appear to be so sealed, except where otherwise in this Act specially provided. Petitions, &c. and Copies, purporting to be sealed with the Seal of the Court, admissible in Evidence.

204. All Courts, Judges, Justices, and Persons judicially acting, and other Officers, shall take judicial Notice of the Signature of any Commissioner or Registrar of the Courts, and of the Seal of the Courts, subscribed or attached to any judicial or official Proceeding or Document to be made or signed under the Provisions of this Act. Judicial Notice to be taken of Signature of Commissioner, &c.

205. If any Person shall forge the Signature of any Commissioner, Registrar, or of the Master or other Officer of the Court, or shall forge or counterfeit the Seal of the Courts, or knowingly concur in using any such forged or counterfeit Signature or Seal, for the Purpose of authenticating any Proceeding or Document, or shall tender in Evidence any such Proceeding or Document with a false or counterfeit Signature of any such Commissioner, Registrar, Master, or other Officer, or a false or counterfeit Seal of the Court, subscribed or attached thereto, knowing such Signature or Seal to be false or counterfeit, every such Person shall be guilty of Felony, and shall be liable to the same Punishment as any Offender under the Act of the Session of Parliament of the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter One hundred and thirteen. Forging Signature of Commissioner or Officer, or Seal of Court, &c., Felony.

206. A Copy of any Petition filed in the Court for the Relief of Insolvent Debtors in *England*, or in any Court having Jurisdiction for the Relief of Insolvent Debtors, or in Bankruptcy, in any of Her Majesty's Dominions, Colonies, or Dependencies, and of any Vesting Order, Schedule, Order of Adjudication, or other Proceedings, purporting to be signed by the Officer in whose Custody the same shall be or his Deputy, certifying the same to be a true Copy of such Petition, Vesting Order, Schedule, Order of Adjudication, Evidence as to Insolvency.

Adjudication, or other Order or Proceedings, and appearing to be sealed with the Seal of such Court, shall at all Times be admitted under this Act as sufficient Evidence of the same, and of such Proceedings respectively having taken place, without any other Proof whatever given of the same.

As to Affidavits, Declarations, and Affirmations:

Affidavits, Declarations, &c. before whom to be sworn.

207. Any Affidavit, Declaration, or Affirmation required to be sworn or made in relation to any Matter under this Act may be lawfully sworn—

1. In *England*, *Scotland*, and *Ireland*, before any Court acting in Matters of Bankruptcy, or before any Registrar or Taxing Master thereof, or before any Commissioner for administering Oaths in Chancery or any of the Superior Courts of Common Law at *Westminster*, or before any Officer of the High Court of Chancery, duly authorized to administer Oaths in such Court, or before a Magistrate of the County, City, Town, or Place where any such Affidavit shall be sworn:
2. In any Colony, Island, Plantation, or Place under the Dominion of Her Majesty, before any Court, Judge, or Person lawfully authorized to take and receive Affidavits, Affirmations, or Declarations:
3. In any Foreign Parts out of Her Majesty's Dominions, before a Judge or Magistrate, his Signature being authenticated by the Official Seal of the Court to which he is attached, or by a Public Notary, or before a *British* Minister, Consul or Vice Consul:

Judicial Notice of Seal or Signature thereto.

And every such Court, Judge, Officer, or other Person is hereby authorized and required to administer the Oath upon any such Affidavit, or to take such Affirmation or Declaration; and all Courts, Judges, Justices, Commissioners, and Persons acting judicially shall take judicial Notice of the Seal or Signature (as the Case may be) of any such Court, Judge, Officer, or other Person, attached, appended, or subscribed to any such Affidavit or Declaration, or to any other Document to be used for the Purposes of this Act, or of other Acts in relation hereto.

Courts of Bankruptcy to be auxiliary for taking Affidavits, &c. to be used elsewhere.

208. The Court of Bankruptcy in *London*, and the District Courts of Bankruptcy in *England*, are in like Manner authorized and required to administer Oaths, or to receive Affirmations or Declarations, upon any Affidavit or Declaration or Affirmation to be used in any Matter of Bankruptcy or Insolvency under Prosecution or hereafter to be prosecuted in any Court in *Scotland*, *Ireland*, or in any Colony, Island, Plantation, or Place under the Dominion of Her Majesty; and all such Courts shall take judicial Notice of any Affidavit, Declaration, or Affirmation so sworn or made.

As to Fees on taking Oaths, or making Declarations, in Bankruptcy.

209. No Fee shall be payable on the swearing of any Oath, or the making of any Affirmation or Declaration, taken or made in the *London* Court, or in any District Court of Bankruptcy, in any Matter of Bankruptcy, Arrangement, or Insolvency within the United Kingdom, or in any of Her Majesty's Dominions, Colonies, or Dependencies, and no Fee or Reward whatever shall be taken or received by any Court or Magistrate for or in respect of the taking of such Oath, or the making of such Affirmation or Declaration, other than such Fee or Reward as General Orders shall allow.

Affidavits by Prisoners.

210. Any Affidavit of any Prisoner in any of Her Majesty's Prisons or Gaols in *England*, to be used in any Matter under this Act, may be sworn before the Visiting or other Justices, or if within Twelve Hours none shall attend then before the Gaoler of such Prison or Gaol, and every such Justice or Gaoler is hereby required and authorized to administer the Oath upon any such Affidavit without Fee or Reward.

Bankrupts and their Wives to sign Declaration.

211. All Bankrupts shall, and the Wives of such Bankrupts shall, when so required by the Court, make and sign the Declaration contained in the Schedule (E.) to this Act annexed, but such Declaration shall not in any Case exempt such Bankrupt or Bankrupt's Wife from being examined upon Oath, if the Court or any Creditor shall so require.

As to Solicitors:

Solicitors of the Court may practise as such, and appear and plead without Counsel.

212. Every Solicitor of the High Court of Chancery, now or hereafter admitted as a Solicitor of the Court of Bankruptcy, may practise as such Solicitor in the said Court or in any District Court, and as to all Matters before the Commissioners or in Chambers may appear and plead without being required to employ Counsel; and in case any Person not being such Solicitor shall practise in the Court as a Solicitor he shall be deemed guilty of a Contempt of Court and be liable to all the Penalties incident thereto.

As to Costs:

Power to award Costs.

Remedies for recovering Costs.

Order must be registered under 23 & 24 Vict. c. 38.

213. Any Court acting under this Act may in all Matters before it award such Costs as shall seem fit and just; and all Costs so awarded shall be recoverable in the same Manner as Costs awarded by a Rule of any of the Superior Courts at *Westminster* may be recovered, and the like Remedies may be had, upon an Order of such Court, for Costs, as upon a Rule of any of the said Superior Courts for Costs; but no such Order shall affect any Lands, Tenements, or Hereditaments, as to Purchasers, Mortgagees, or Creditors, unless and until it shall be registered, and, if necessary, re-registered, pursuant to the Provisions of the Act of the Session of Parliament of the Twenty-third and Twenty-fourth Years of the Reign of Her Majesty, Chapter Thirty-eight, any Notice of any such Order to any such Purchaser, Mortgagee, or Creditor in anywise notwithstanding.

As to Orders of the Lord Chancellor and of the Court of Appeal in Chancery:

1 & 2 Vict. c. 110. to be applicable to Orders of Lord Chancellor, &c.

214. The Provisions of the Act of the Session of Parliament of the First and Second Years of the Reign of Her Majesty, Chapter One hundred and ten, so far as the same relate to Orders of the Lord Chancellor, or of the Court of Review, therein referred to, in Matters of Bankruptcy, and the Powers given by the same Act to the Lord Chancellor and the said Court of Review in Matters of Bankruptcy, shall extend to and be applicable to Orders of the Lord Chancellor and of the Court of Appeal in Chancery sitting in Bankruptcy under this Act.

As to the Attendance of Witnesses out of the Jurisdiction:

Certain Provisions of 17 & 18 Vict. c. 34. extended to Court of Bankruptcy.

215. The Provisions of an Act passed in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, Chapter Thirty-four, intituled *An Act to enable the Courts of Law in* England, Ireland, *and* Scotland *to issue Process to compel the Attendance of Witnesses out of their Jurisdiction, and to give Effect to the Service of such Process in any Part of the United Kingdom*, shall extend to and the Powers thereof shall be exercised by the Commissioners of the Court of Bankruptcy.

As to the Powers for mutual Aid of the Courts in *England* and elsewhere:

Courts in Scotland to be auxiliary to Court in England in the Examination of Witnesses, &c.

Proceedings for that Purpose.

216. The Court may direct the Examination in *Scotland* of any Person for the Time being in *Scotland*, being a Person believed to be capable of giving Information in any Matter in regard to the Acts, Estate, or Dealings of any Bankrupt or Petitioner within the Provisions of this Act, and the Order for such Examination may be directed in *Scotland* to the Sheriff of the County in which the Person to be examined is residing or happens to be for the Time; and such Sheriff may, in like Manner as in Examinations in any Matter in Bankruptcy before such Sheriff, summon such Person to appear before him, at a Time and Place to be specified in the Summons, for Examination upon Oath, as Witness or Haver, and to produce any Books, Papers, Deeds, or Documents called for which may be in his Possession or Power; and the Sheriff may take such Examination either orally or upon written Interrogatories, and shall report the same in Writing in the usual Form to the Court, and shall transmit with such Report either the original Books, Papers, Deeds, or Documents produced, or otherwise such Copies thereof or Extracts therefrom, authenticated by the Sheriff, as he shall think fit or deem necessary; and in case any Person so summoned shall fail to appear at the Time and Place specified, or appearing shall refuse to be examined or to make the Production required, the Sheriff shall proceed against such Person, as a Witness or Haver duly cited, and failing to appear or refusing to give Evidence, or make Production, may be proceeded against by the Law of *Scotland*; and the Sheriff shall be entitled to such and the like Fees, and the Witness shall be entitled to such and the like Allowances, as are allowed to Commissioners under Appointment from the Court of Session, and as Witnesses and Havers are entitled to in the like Cases according to the Law and Practice of *Scotland*. If any Objection be stated to the Sheriff by the Witness, either on the Ground of his Incompetency as a Witness, or as to the Production required to be made, or on any other Ground whatever, the Sheriff may dispose of such Objection, or, if he think fit, report such Objection to the Court, and suspend the Examination of such Witness until such Objection has been disposed of by the Court.

Courts in Ireland to be auxiliary in like Manner.

217. The Court may, in like Manner, direct any such Examination, in *Ireland*, of any Person for the Time being in *Ireland*, being a Person believed to be capable of giving such Information in any such Matter under this Act; and such Examination in *Ireland* may be directed to the Court of Bankruptcy in *Ireland*, which, for the Purpose of such Examination, and for the Production of Books, Papers, Deeds, or Documents, shall have the like Powers and Authorities in all respects as relates to Matters within this Act as are in the next preceding Section given to Sheriffs in *Scotland*, or as might be exercised by such Court in the Case of a Matter within its own Jurisdiction.

Where Debtor who has been adjudged bankrupt, &c. in India or the Colonies resides, or has Property, in England, &c., Power to obtain Adjudication in England, &c.

218. If any Person who shall have been duly adjudged or declared bankrupt or insolvent in *India*, or any of the Foreign Dominions, Plantations, or Colonies of Her Majesty, shall be resident or shall be possessed of Property in *England*, *Ireland*, or *Scotland*, or in any Colony, Plantation, or Foreign Possession of the Crown, it shall be lawful for the Assignee, Trustee, or other Representative of the Creditors of such Bankrupt or Insolvent to apply for and obtain an Adjudication of Bankruptcy, Sequestration, or Insolvency against such Person in the Court of Bankruptcy in *England*, and in the proper Court in *Scotland*, *Ireland*, and such Colony, Plantation, or Foreign Possession of the Crown respectively, and by virtue thereof the same Order and Disposition shall be had and taken with respect to the Person and Property of the Bankrupt or Insolvent, as would have been if he had been originally adjudged bankrupt or insolvent by the Court or Tribunal so applied to. Upon such Application it shall not be necessary for the Assignee, Trustee, or other Representative of the Creditors of the Person so declared bankrupt or insolvent as aforesaid to give Proof of any Act of Bankruptcy or Petitioning Creditor's Debt, or to produce any other Evidence than a duly certified Copy, under the Seal of the Court, of the Order or Adjudication by which such Person was found or adjudged bankrupt or insolvent.

Orders in England to be enforced in Scotland and Ireland; and conversely.

219. Any Order made by the Court, or by any Court in *England*, acting under this Act, in the Course of the Prosecution of any Matter under this Act, shall be enforced in *Scotland* and *Ireland* in the Courts that would respectively have had Jurisdiction in respect of such Matter if the Residence or Place of Business of the Debtor had been situate in *Scotland* or *Ireland*, and in the same Manner in all respects as if such Order had been made by the Courts that are hereby required to enforce the same; and in like Manner Orders, Interlocutors, and Decrees made by any Court in *Scotland* for or in the Course

Course of any Bankruptcy or Insolvency shall be enforced in *England* and *Ireland*; and Orders made by the Court in *Ireland* for or in the Course of any such Proceedings shall be enforced in *England* and *Scotland* by the Courts of Bankruptcy which would respectively have had Jurisdiction in any such Matter, and in the same Manner in all respects as if such Order had been made by the Court required to enforce the same in the Case of a Matter within its own Jurisdiction.

Courts in England to be auxiliary to Courts in Scotland, &c.

220. The Court and the District Court in *London*, and the District Courts in the Country, shall in like Manner be auxiliary, for all Purposes of Proof of Debt, and for the Examination of Persons and Witnesses upon Oath, or for other like Purposes, to the Courts acting in Matters of Bankruptcy or Insolvency in *Scotland* and in *Ireland*, and also to any Court acting in such Matters in any Colony, Island, Plantation, or Place under the Dominion of Her Majesty, or to any *British* Judge elsewhere so acting.

As to Misdemeanors under this Act:

Penalty on Persons guilty of Misdemeanors herein named.

221. From and after the Commencement of this Act, any Bankrupt who shall do any of the Acts or Things following, with Intent to defraud or defeat the Rights of his Creditors, shall be guilty of a Misdemeanor, and shall be liable, at the Discretion of the Court before which he shall be convicted, to Punishment by Imprisonment for not more than Three Years, or to any greater Punishment attached to the Offence by any existing Statute:

1. If he shall not upon the Day limited for his Surrender, and before Three of the Clock of such Day, or at the Hour and upon the Day allowed him for finishing his Examination, after Notice thereof in Writing, to be served upon him personally or left at his usual or last known Place of Abode or Business, and after the Notice herein directed in the *London Gazette*, surrender himself to the Court (having no lawful Impediment allowed by the Court), and sign or subscribe such Surrender, and submit to be examined before such Court from Time to Time:
2. If he shall not upon his Examination fully and truly discover, to the best of his Knowledge and Belief, all his Property, Real and Personal, inclusive of his Rights and Credits, and how and to whom, and for what Consideration, and when he disposed of, assigned, or transferred any Part thereof, except such Part as has been really and *bonâ fide* before sold or disposed of in the Way of his Trade or Business, if any, or laid out in the ordinary Expense of his Family, or shall not deliver up to the Court, or dispose as the Court directs of all such Part thereof as is in his Possession, Custody, or Power, except the necessary Wearing Apparel of himself, his Wife and Children; and deliver up to the Court all Books, Papers, and Writings in his Possession, Custody, or Power relating to his Property or Affairs:
3. If he shall, after Adjudication, or within Sixty Days prior to Adjudication, with Intent to defraud his Creditors, remove, conceal, or embezzle any Part of his Property to the Value of Ten Pounds or upwards:
4. If, in case of any Person having to his Knowledge or Belief proved a false Debt under his Bankruptcy, he shall fail to disclose the same to his Assignees within One Month after coming to the Knowledge or Belief thereof:
5. If he shall, with Intent to defraud, wilfully and fraudulently omit from his Schedule any Effects or Property whatsoever:
6. If he shall, after the filing of the Petition for Adjudication, with Intent to conceal the State of his Affairs, or to defeat the Object of the Law of Bankruptcy, conceal, prevent or withhold the Production of any Book, Deed, Paper, or Writing relating to his Property, Dealings, or Affairs:
7. If he shall, after the filing of the Petition for Adjudication, or within Three Months next before Adjudication, with Intent to conceal the State of his Affairs, or to defeat the Objects of the Law of Bankruptcy, part with, conceal, destroy, alter, mutilate, or falsify, or cause to be concealed, destroyed, altered, mutilated, or falsified, any Book, Paper, Writing, or Security, or Document relating to his Property, Trade, Dealings, or Affairs, or make or be privy to the making of any false or fraudulent Entry or Statement in or Omission from any Book, Paper, Document, or Writing relating thereto:
8. If, within the like Time, he shall, knowing that he is at the Time unable to meet his Engagements, fraudulently and with Intent to diminish the Sum to be divided amongst the general Body of his Creditors, have made away with, mortgaged, encumbered, or charged any Part of his Property, of what Kind soever, or if after Adjudication he shall conceal from the Court or his Assignee any Debt due to or from him:
9. If, being a Trader, he shall, under his Bankruptcy, or at any Meeting of his Creditors within Three Months next preceding the filing of the Petition for Adjudication, have attempted to account for any of his Property by fictitious Losses or Expenses:
10. If, being a Trader, he shall, within Three Months next before the filing of the Petition for Adjudication, under the false Colour and Pretence of carrying on Business and dealing in the ordinary Course of Trade, have obtained on Credit from any Person any Goods or Chattels with Intent to defraud:

11. If, being a Trader, he shall, with Intent to defraud his Creditors, within Three Months next before the filing of the Petition for Adjudication, pawn, pledge, or dispose of, otherwise than by *bonâ fide* Transactions in the ordinary Way of his Trade, any of his Goods or Chattels which have been obtained on Credit and remain unpaid for.

Jurisdiction and Powers of Commissioners in respect of Bankrupt guilty of any of Offences herein named.

222. If it shall at any Time appear to any Court under this Act that the Bankrupt has been guilty of any of the Offences in the next preceding Section set forth, such Court shall have and may exercise such Jurisdiction, Rights, Powers, and Privileges, for the summoning, apprehending, committing, remanding, bailing, and otherwise proceeding in respect of such Bankrupt, as are exercised by and vested in Her Majesty's Justices of the Peace in respect of Persons against whom a Charge or Complaint shall have been made before any One or more of the said Justices in respect of any Felony or indictable Misdemeanor committed within the Limits of the Jurisdiction of such Justice or Justices; and all the Provisions of the Act of the Session of Parliament of the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Forty-two, shall, with such Variations as the Nature of the Case may require, extend and apply to the Court, and to the Commissioners of the *London* and other District Courts of Bankruptcy, and to the Judges of the County Courts acting in Matters under this Act, and their Proceedings, as well as to Justices of the Peace and their Proceedings.

Provisions of 11 & 12 Vict. c. 42. extended to this Act.

Court may appoint Prosecutor.

Costs of Prosecution.

223. The Court may direct that the Creditors Assignee, or, if there be no Creditors Assignee, the Official Assignee, or any of the Creditors of the Bankrupt, shall act as the Prosecutor in respect of such Offence, and shall give to such Assignee or Creditor a Certificate of the Court having so directed, which Certificate shall be deemed sufficient Proof of such Prosecution having been directed as aforesaid; and upon the Production of such Certificate the Costs of such Prosecution shall be allowed by the Court before which any Person shall be prosecuted or tried in pursuance of such Direction, unless such last-mentioned Court shall specially otherwise direct, and when allowed by any such Court such Sum so allowed shall be ordered by the said Court to be paid and borne in all respects in the same Manner as the Expenses of Prosecutions for Felonies are now paid and borne, and the same shall be paid and borne accordingly; and any Expenses incurred by such Prosecutor, other than those so defrayed in accordance with the next following Clause, shall be paid out of the Account intituled "The Chief Registrar's Account."

Court may direct Reference to Attorney General.

224. The Court may direct the Assignees to lay the Papers before the Attorney General (or the Solicitor General during a Vacancy in the Office of Attorney General) for his Direction thereon, either while the Bankruptcy is pending before the Court or when it has been brought to a Conclusion.

Indictment.

225. In any Indictment or Information for any Misdemeanor under this Act it shall be sufficient to set forth the Substance of the Offence charged, without alleging or setting forth any Debt, Act of Bankruptcy, Petition, or Adjudication, or any Summons, Warrant, Order, Rule, or Proceeding of or in any Court acting under this Act.

Miscellaneous Clauses:

Court may commit Persons wilfully disobeying any Rule, &c. of Court.

226. If any Person shall wilfully disobey any Rule or Order of the Court, duly made for enforcing any of the Purposes and Provisions of this Act, the Court may, by Warrant in the Form contained in the Schedule (F.) to this Act annexed, commit the Person so offending to the Queen's Prison, or to the Common Gaol of any County, City, or Place where he shall be found or where he shall usually reside, there to remain, without Bail or Mainprise, until such Court, or the Court of Appeal in Chancery sitting in Bankruptcy, shall make Order to the contrary.

Money forfeited, how to be sued for.

227. All Sums of Money forfeited under this Act, or by virtue of any Conviction for Perjury committed in any Oath, Affirmation, or Declaration thereby directed or authorized, may be sued for by the Creditors Assignee or Trustee, or such other Person as the Court shall by Order direct, in any of Her Majesty's Superior Courts of Record.

Application of Sects. 114, 115, 116, and 117 of 9 & 10 Vict. c. 95.

228. The several Provisions contained in the One hundred and fourteenth, One hundred and fifteenth, One hundred and sixteenth, and One hundred and seventeenth Clauses of the Act passed in the Ninth and Tenth Years of Her Majesty, Chapter Ninety-five, shall apply to all Officers of the Court and of the County Courts sitting in Bankruptcy, who act in execution of Warrants and Orders of such Courts, as if these several Clauses had been enacted hereby.

As to the Definition and Explanation of Terms:

Definition of Terms, &c.

229. The Terms and Words herein-after enumerated or explained, wheresoever occurring in this Act, shall be understood as herein-after defined or explained, unless it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Definition or Explanation; that is to say,

"Annulling" shall mean also "superseding:" — "Annulling:"

"Assignee" shall mean the Assignee of the Estate and Effects of the Bankrupt or Petitioner, chosen by the Creditors; and until such Assignee shall be chosen, or where no such Assignee shall exist, shall mean the Official Assignee: — "Assignees:"

"Bank of *England*" shall mean also all Branches or Agents thereof: — "Bank of England:"

"Bankrupt" shall mean any Person who shall have been under any former Acts, or who shall be by any Court under the Provisions of this Act, adjudicated bankrupt: — "Bankrupt:"

"Commissioner," &c. "Commissioner," and "Commissioner of the Court of Bankruptcy," shall include the Judge of any County Court entitled to act in Bankruptcy under this Act:

"Court:" "Court," "the Court," "the Courts," shall mean the Court in *London*, or any Country District Court, or any County Court, acting under this Act, according as such several Constructions shall be consistent with the Context:

"Court of Bankruptcy:" "Court of Bankruptcy" shall mean Her Majesty's Court of Bankruptcy constituted under this Act, and the Commissioners thereof:

"Creditor:" "Creditor" shall mean also any Two or more Persons being Partners, and incorporated and Joint Stock Companies:

"Creditors present at any Meeting:" "Creditors present at any Meeting" shall include Creditors who are represented by some Person duly authorized by any such Creditor in Writing, and such Authority shall not require a Stamp:

"Gaoler:" "Gaoler" shall include the Keeper or Governor of any Gaol or Prison:

"Messenger:" "Messenger" shall mean also and include his Assistant or Assistants, duly authorized by him to act as his Deputy or Deputies, when acting under Order of the Court:

"Metropolitan District:" "Metropolitan District" shall mean and include every Parish the Distance whereof as measured by the nearest Highway from the General Post Office in *London* to the Parish Church of such Parish shall not exceed Twenty Miles:

"Oath:" "Affidavit:" "Oath," "Affidavit," shall mean and include the Declaration or Affirmation of any Person whom any Act of Parliament shall have authorized to make such Declaration or Affirmation in lieu of an Oath:

"Petition for Adjudication of Bankruptcy:" "Petition for Adjudication" or "Petition in Bankruptcy" shall mean any Petition by or against a Debtor for Adjudication of Bankruptcy; and where in any Act of Parliament, Instrument, Document, or other Proceeding granted, executed, or made before the Commencement of this Act Mention shall have been or shall be made of any Fiat in Bankruptcy or Commission in Bankruptcy, such Act, Instrument, Document, or Proceeding shall be construed as though such Fiat or Commission had been a Petition in Bankruptcy under this Act, so far as the Circumstances will admit:

"Petitioning Creditor:" "Petitioning Creditor" shall mean the Creditor who filed the Petition for Adjudication:

"Property:" "Property" shall mean and include all the Real and Personal Estate and Effects of the Petitioner or Bankrupt within this Realm and abroad (except as herein provided), and all the future Estate, Right, Title, Interest, and Trust of such Petitioner or Bankrupt in or to any Real or Personal Estate and Effects, within this Realm or abroad, which may revert, descend, be devised or bequeathed or come, and all Debts due or to be due to him, before he shall have obtained his Discharge:

"Prisoner:" "Prisoner" shall mean any Person in actual Custody within the Walls, Rules, or Liberties of any Prison in *England* for any Debt, Damages, Costs, Sum or Sums of Money, or for any Contempt by reason of Nonpayment of any Sum or Sums of Money or Costs:

"Proper County Court:" "Proper County Court" shall mean the County Court within the District of which the Debtor has resided or carried on Business during the Six Months next immediately preceding the Time of filing a Petition under this Act by or against him, or for the longest Period during such Six Months:

"Sheriff:" "Sheriff" shall include Sheriff Substitute:

"Suit:" "Suit" shall include Action at Law and Suit at Equity or other Proceeding:

"Trader:" For the Purposes of this Act, all Persons shall be deemed Traders who prior to the Commencement of this Act would have been liable to be adjudicated bankrupt under the Laws of Bankruptcy then in force:

"United Kingdom:" "United Kingdom" shall mean the United Kingdom of *Great Britain* and *Ireland*:

Computation of Time. In all Cases in which any particular Number of Days is prescribed by this Act, or shall be mentioned in any Rule or Order of Court which shall at any Time be made under this Act, for the doing of any Act, or for any other Purpose, the same shall be reckoned, in the Absence of any Expression to the contrary, exclusive of the first and inclusive of the last Day, unless the last Day shall happen to fall on a *Sunday*, *Christmas Day*, *Good Friday*, *Monday* and *Tuesday* in *Easter* Week, or a Day appointed for a Public Fast or Thanksgiving, in which Case the Time shall be reckoned exclusive of that Day also.

Concluding Clauses:

Acts and Parts of Acts in Schedule (G.) repealed. **230.** The Acts and Parts of Acts set forth in Schedule (G.) to this Act to the Extent to which they are therein expressed to be repealed, and all other Acts or Parts of Acts which are inconsistent with this Act, are repealed; but such Repeal shall not affect any Proceeding pending, or any Right that has arisen or may arise, or any Penalty incurred or that may be incurred, in respect of any Transaction, Act, Matter, or Thing done or existing prior to or at the Commencement of this Act, under or by virtue of any of the Acts or Parts of Acts repealed.

Limit of Act. **231.** This Act shall not extend to *Scotland* or *Ireland*, unless where otherwise expressly provided.

Commencement of Act. **232.** This Act shall commence and take effect from and after the passing thereof, as to the Appointment of the Officers hereby authorized to be appointed, and as to all other Matters and Things, from and after the Eleventh Day of *October* One thousand eight hundred and sixty-one, and shall be construed,

strued, together with so much of "The Bankrupt Law Consolidation Act, 1849" and "The Bankruptcy Act 1854," as remain unrepealed, as One Act, and may be cited for all Purposes as "The Bankruptcy Act, 1861." Short Title.

SCHEDULES.

SCHEDULE (A.)

To the Persons filling the under-mentioned Offies ien the Court of Bankruptcy, the following Salaries shall be payable :—

	£
The Chief Registrar	1,400
The Registrars acting in London, each	1,200
The Registrars acting in the Country, each	1,000
The Registrar in attendance upon the Chief Judge	1,200
The Taxing Master	1,400
The Accountant in Bankruptcy	1,500
The Registrar of Meetings	250

The Clerks in the several Offices of the Accountant in Bankruptcy, the Chief Registrar, the Taxing Master, the Ushers of the Court, the Clerk and Trainbearer, Ushers, and Assistant Ushers of the Lords Justices of the Court of Appeal in Bankruptcy, shall continue to receive the same Salaries, and out of the same Funds, as if this Act had not been passed.

SCHEDULE (B.)

DOCUMENT.	Stamp Duty in lieu of Fees. £	s.	d.
Every Petition presented to a Court of Bankruptcy for Adjudication of Bankruptcy, or for Arrangement between any Debtor and his Creditors	5	0	0
Every such Petition when presented to the London Court or to a County Court by Traders whose Debts do not exceed £300	1	0	0
Every Order of Discharge	1	0	0
Every Declaration of Insolvency	0	2	6
Every Registration of Trust Deeds	0	10	0
Every Summons of Judgment Debtor or Debtor	0	2	6
Every Admission of such Debtor	0	2	6
Every Deposition of good Defence	0	2	6
Every Bond with Sureties	0	5	0
Every Application for Search for Petition or other Proceeding	0	1	0
Every Application for any Meeting in any Matter under this Act	0	5	0
Every Allocatur by any Officer of the Court for any Costs, Charges, or Disbursements,—			
where such Bill of Costs shall not exceed £5	0	1	6
Exceeding £5 and not exceeding £10	0	2	6
„ 10 „ 20	0	5	0
„ 20 „ 30	0	7	6
„ 30 „ 50	0	10	0
„ 50 „ 100	0	15	0
„ 100 „ 150	1	0	0
„ 150 „ 200	1	10	0
„ 200 „ 300	2	0	0
„ 300 „ 500	3	0	0
„ 500	5	0	0

SCHEDULE (C.)

Bankruptcy Act, 1861.

(In Bankruptcy.)

Warrant of Committal of Bankrupt or other Party for unsatisfactorily answering, or for refusing to sign his Examination.

Court of Bankruptcy.

Whereas *E.F.*, the said [*or G.H.* of in the County of] was on the Day of duly sworn and examined in this Court; and the said was again on the Day of duly sworn and examined in this Court, as by the Examination

Examination and Deposition of the said now on the File of Proceedings in this Matter will appear:

And whereas the Answers of the said , as now so appearing in said Examination and Deposition, are unsatisfactory [*or* the said refused to sign and subscribe his said Examination and Deposition]:

These are therefore to authorize and require you, immediately upon the Receipt hereof, to take into your Custody the said and him safely convey to Her Majesty's Prison of and him there to deliver to the Governor of the said Prison, who is hereby authorized and required to receive the said into his Custody there, and him safely keep and detain, without Bail, until this Court, or the Court of Appeal in Chancery sitting in Bankruptcy, shall make an Order to the contrary; and for so doing this shall be your sufficient Warrant.

Given under the Seal of the Court, this Day of 18 .

J.K.,
Judge.

To

and to
Governor of the said Prison, or his Deputy there.

SCHEDULE (D.)

THIS Deed, made the Day of between *A.B.* [*the Debtor*], and *C.D.* and *E.F.* [*the Trustees*], on behalf and with the Assent of the undersigned Creditors of *A.B.*, witnesseth that *A.B.* hereby conveys all his Estate and Effects to *C.D.* and *E.F.* absolutely, to be applied and administered for the Benefit of the Creditors of *A.B.* in like Manner as if *A.B.* had been at the Date hereof duly adjudged bankrupt. In witness, *&c.*

Schedule of Creditors.

SCHEDULE (E.)

The Bankruptcy Act, 1861.

Form of Declaration to be made by the Bankrupt or the Bankrupt's Wife.

I *A.B.*, the Person declared a Bankrupt under a Petition for Adjudication of Bankruptcy filed on the Day of in the Year of our Lord [*or* I *C.D.*, the Wife of *A.B.*, declared a Bankrupt under a Petition for Adjudication of Bankruptcy filed on the Day of], do solemnly promise and declare, That I will make true Answer to all such Questions as may be proposed to me respecting all the Property of the said *A.B.*, and all Dealings and Transactions relating thereto, and will make a full and true Disclosure of all that has been done with the said Property, to the best of my Knowledge, Information, and Belief.

(Signed) *A.B.*
[*or C.D.*, the Wife of the said *A.B.*]

SCHEDULE (F.)

The Bankruptcy Act, 1861.

Warrant against any Person disobeying any Rule or Order of Court.

WHEREAS by a Rule [*or* an Order] of this Court, bearing Date the Day of made for enforcing the Purposes and Provisions of the Bankruptcy Act, 1861, [*or if of any other Act hereafter in force relating to the Subject Matters of this Act, or made or entered into by Consent for carrying into effect any of such Purposes or Provisions, alter the Recital accordingly*], it was ordered, that, [*&c. &c. as in the Rule or Order*].

And whereas it is now proved that after the making of the said Rule [*or* Order], that is to say, on this Day of , a Copy of the said Rule [*or* Order] was duly served on the said personally, and the original Rule [*or* Order] at the same Time shown to him, but the said then refused [*or* neglected] to obey the same, and hath not as yet obeyed the said Rule [*or* Order]

These are therefore to will, require, and authorize you immediately upon Receipt hereof to take into your Custody the Body of the said *A.B.*, and him safely to convey to Her Majesty's Gaol [*or* Prison] of [*or* called], and him there to deliver to the Keeper of the said Prison, together with this Precept, and the Keeper of the said Prison is hereby required and authorized to receive the said *A.B.* into his Custody, and him safely to keep and detain, without Bail or Mainprise,

Mainprise, until this Court, or the Court of Appeal in Chancery sitting in Bankruptcy, shall make Order to the contrary; and for so doing this shall be your sufficient Warrant.

Given under my Hand and the Seal of the Court at the Court of Bankruptcy, London, this Day of in the Year of our Lord One thousand eight hundred and .

A.B., (L.S.)
Judge.

To or his Assistant, and to the Keeper of Her Majesty's Prison [*or* Gaol] of [*or* called], or his Deputy there.

SCHEDULE (G.)

ACTS AND PARTS OF ACTS REPEALED.

Date of Act.	Title.	Extent of Repeal.
1 & 2 Vict. c. 110. -	An Act for abolishing Arrest on Mesne Process in Civil Actions, except in certain Cases, for extending the Remedies of Creditors against the Property of Debtors, and for amending the Laws for the Relief of Insolvent Debtors in England.	The whole, except ss. 1 to 22, both inclusive.
5 & 6 Vict. c. 116. -	An Act for the Relief of Insolvent Debtors -	The whole.
7 & 8 Vict. c. 96. -	An Act to amend the Laws of Bankruptcy, Insolvency and Execution.	Sections 1 to 44, both inclusive, and Sections 49 to 53, both inclusive.
10 & 11 Vict. c. 102.	An Act to abolish the Court of Review in Bankruptcy, and to make Alterations in the Jurisdiction of the Court of Bankruptcy and Court for Relief of Insolvent Debtors.	The whole, except s. 4.
12 & 13 Vict. c. 106.	An Act to amend and consolidate the Laws relating to Bankrupts.	Sections 7, 8, 10, 14, 15, 16, 18, 20, 25, 26, 28, 36, 37, 39, 44, 45, 46, 48, 52, 54, 58, 59, 60, 61, 62, 69, 70, 72, 73, 75, 90, 91, 92, 93, 94, 96, 160, 183, 185, 187, 188, 189, 193, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 209, 211 to 231, both inclusive, Sections 237, 239, 243, 244, 245, 246, 247, 249, 251, 252, 253, 255, 256, 257, 258, 259, 261, 266, 270, 271, 276, and 278, and such other Parts of the said Act as may be inconsistent with this present Act.
15 & 16 Vict. c. 77. -	An Act to abolish the Office of Lord Chancellor's Chief Secretary of Bankrupts, and to regulate the Office of Chief Registrar of the Court of Bankruptcy.	Section 10.
17 & 18 Vict. c. 119. -	An Act for regulating Appointments to Offices in the Court of Bankruptcy, and for amending the Laws relating to Bankrupts.	Sections 3, 11, 12, 13, 14, 15, 20, 21, 22, 25, 26, 27.

SCHE-

SCHEDULE (H.)

Medical Certificate.

I, the undersigned,
being a (a)
and being in actual Practice as a (b)
hereby certify, that I, on the Day of at
the Gaol of at in the County of
separately from any other Medical Practitioner,
personally examined
a Prisoner for Debt in the said Gaol, and that the said
is a (c) and a proper Person to be taken charge of
and detained under Care and Treatment, and that I have formed this Opinion upon the following Grounds, viz.:

1. Facts indicating Insanity observed by myself (d)

2. Other Facts (if any) indicating Insanity, communicated to me by others (e)

(Signed) *Name,*
Place of Abode.

Dated this Day of One thousand eight hundred and

(a) *Set forth the Qualification entitling the Person certifying to practise as a Physician, Surgeon, or Apothecary, ex. gra.*:—Fellow of the Royal College of Physicians in London, Licentiate of the Apothecaries' Company, *or as the Case may be.*

(b) Physician, Surgeon, *or* Apothecary, *as the Case may be.*

(c) Lunatic *or* an Idiot, *or* a Person of unsound Mind.

(d) *Here state the Facts.*

(e) *Here state the Information, and from whom.*

LOCAL ACTS.

[For the Full Titles, see Table of Titles at the Commencement of the Volume.]

Cap. i.

"The Edenfield Chapel and Little Bolton Turnpike Trust Continuance Act, 1861."

Recites Act of 3 Victoria, that their present Debt is 18,443*l.*, and that a Continuance of Term is necessary for Payment of Debt.
Repeal of Acts and Saving of Rights and Liabilities, §§ 1 to 8.
Appointment of Trustees, §§ 9 to 11.
Roads to which this Act is applicable, § 12.
Present Tolls to continue for a Time, § 13.
Toll Gates to be continued until removed by Order of the Trustees, § 14.
Power to take Tolls; Tolls, §§ 15 to 25.
Application of Monies, § 26.
Mortgagees to take Possession for Payment of Interest only, § 27.
Trustees not to borrow more Money on Mortgage, § 28.
As to Mode of discharging Debt, § 29.
Sinking Fund may be applied in Payment of Debts, &c., § 30.
Commencement and Term of Act; Provision as to the Discontinuance of Tolls, and Disposition of Property of the Trust, § 33.

Cap. ii.

"Bristol and South Wales Union Railway Act, 1861."

Recites their Act of 1857, incorporating the Company, with Power to raise 300,000*l.* by means of Shares, and 98,000*l.* by borrowing; that they had on the 1st Day of December 1860, received on the Shares issued the Sum of 112,000*l.* or thereabouts, and had expended about 96,100*l.*; that the Amount called for upon each Share of 25*l.*, was on the 1st Day of December 1860, 21*l.* 10*s.*, including the Deposit paid on such Shares; that on a considerable Number of such Shares the Calls have not been paid or have been only partially paid, and the Company may be obliged to forfeit many of such Shares, and other Shares remain in the Possession of the Company, and the probable aggregate Number of Shares, upon which all Calls will be fully paid, will be about 7,000, exclusive of 1,000 Shares which the South Wales Railway Company are authorized to subscribe; that they will require for the Purposes of the Undertaking the whole of the Money which they are authorized to raise by Shares, and also the whole of the Money which they are authorized to borrow; and that in order to enable the Company to complete the Railways, Piers, and Works, it is expedient that they be authorized to attach a Preference or Priority in Payment of Dividend over the ordinary Shares to such Portion of their Share Capital as may have been forfeited, or may be forfeited, cancelled, or surrendered, or as may remain unissued or in possession of the Company, and that further Powers should be given to the Company with reference to the cancelling, Forfeiture, and Surrender of Shares and their Re-issue, and that the Company should be authorized to issue Debenture Stock in lieu of borrowing; and proposes to extend the Time for Completion of Works.
Incorporation of Part of Companies Clauses Act, §§ 2, 3.
Extending Time for completing Railways and Piers, § 4.
Powers to cease if Railways and Piers not completed, § 5.
Section 27 of Act of 1857 to be unaltered, § 6.
Company may cancel forfeited Shares, §§ 7 to 13.
Power to create Shares in lieu of cancelled, forfeited, &c. Shares, § 14.
A Preference not exceeding 5*l.* per Cent. may be attached to new Shares, § 15.
Limit of Share Capital, § 16.
Preferential Dividends not to carry Arrears beyond One Year, § 17.
Limit of Amount and Number of Calls, § 18.
Qualification, &c. for new Shares, § 19.
Company may cancel unissued new Shares and issue others instead, § 20.
Application of Monies raised under this Act, § 21.
Company may raise the Money raised or authorized to be raised on Mortgage or Bond by the Issue of Debenture Stock, with a Preference not exceeding 5*l.* per Cent., §§ 22 to 32.

Cap. iii.

"City of Dublin Steam Packet Company's (Consolidation of Shares) Act, 1861."

Recites as is recited by their Act of 1860; that they were incorporated by that Act, and authorized to raise for the Purposes therein mentioned an additional Sum of 300,000*l.* by Shares of 50*l.* each, making their total Capital 750,000*l.*; that they had previous to their Act of 1860 issued 2,252 Shares of 100*l.* each, and 4,496 Shares of 50*l.* each, making in all 6,748 Shares of the aggregate Amount of 450,000*l.*; and had, under the Powers of their recited Act of 1860, issued a Portion of the 6,000 Shares of 50*l.* each thereby authorized to be raised.
Consolidates the Shares of the Company into Stock, § 1.

Cap. iv.

"The Wallasey Improvement Act, 1861."

Recites that by "The Wallasey Improvement Act, 1858," the Local Board of Health for the District of Wallasey were empowered to supply the District of Wallasey with Water and Gas, and to raise Money for such Purposes, and also for carrying into effect the Purposes of the said Act with respect to the Acquisition of Ferries, and otherwise in relation thereto; proposes to raise further Monies for carrying the Purposes aforesaid and the Purposes of this Act into

effect; that by the said Act the Local Board were empowered, subject to the Restrictions and Conditions therein contained, to acquire the Rights and Interests of the then Lessees William Rushton Coulborn and Edward Warburton Coulborn in the Ferry called Seacombe Ferry, and in other Ferries called Egremont Ferry and New Brighton Ferry; and that in pursuance of the said Act, and of an Award duly made thereunder dated the 30th Day of April 1860, the Local Board have contracted to purchase the Interest of the said William Rushton Coulborn and Edward Warburton Coulborn in the said Three Ferries, for the Price of 60,002*l.*; proposes to acquire the Reversion in the said Ferry called Seacombe Ferry, and in certain Lands and Property held or used in connexion therewith, and to incorporate the Local Board.

Act to be executed by Local Board, § 2.

3. In addition to the Monies which the Local Board are empowered to borrow under the Provisions of "The Wallasey Improvement Act, 1858," and "The Public Health Act, 1848," or any Act supplemental thereto or otherwise relating to the Public Health, they may from Time to Time borrow on Mortgage any Sums not exceeding the respective Amounts herein-after mentioned; (that is to say,)

On Mortgage of the Security mentioned and referred to in "The Wallasey Improvement Act, 1858," as the "Wallasey Waterworks Account," and of the Waterworks for the Time being vested in or belonging to the Local Board, any Sum not exceeding 20,000*l.*, which Sum shall be applied, first, in Payment of such Part as the Local Board think fit of the Expenses attending or incident to the obtaining and passing of this Act, and secondly, to the Purposes to which by the said Act the Monies to be borrowed under the Authority of that Act on the above-mentioned Securities are thereby directed to be secondly applied:

On Mortgage of the Security mentioned or referred to in the same Act as the "Wallasey Lighting Account," and of the Gasworks for the Time being vested in or belonging to the Local Board, any Sum not exceeding 10,000*l.*, which Sum shall be applied, first in Payment of such Part as the Local Board think fit of the Expenses attending or incident to the obtaining and passing of this Act, and secondly, to the Purposes to which by the said Act the Monies to be borrowed under the Authority of that Act on the above-mentioned Securities are thereby directed to be secondly applied:

On Mortgage of the Security mentioned or referred to in the same Act as the "Wallasey Ferries Account," and of the Ferries for the Time being belonging to or leased by the Local Board, and the Steam and other Boats, Materials, and Things connected therewith, and also (as a collateral Security) of the General District Rate authorized by "The Public Health Act, 1848," to be made and levied, any Sums not exceeding 50,000*l.*, which Sum shall be applied to the Acquisition under this Act of the Reversion in Seacombe Ferry, and the said Lands and Property held or used in connexion therewith, and to the Improvement of the said Ferry, and of any other Ferries from Time to Time belonging to or leased by the Local Board, and to the several other Purposes to which by "The Wallasey Improvement Act, 1858," Monies coming to the Hands of the Local Board from the "Wallasey Ferries Account" are thereby directed to be applied; but so that of the said Sum of 50,000*l.* the Sum of 30,000*l.* shall not be raised or applied otherwise than for acquiring the Reversion in Seacombe Ferry and the Lands and Property held and used in connexion therewith as aforesaid.

Provisions of Public Health Act, 1848, to apply to Mortgages to be granted under this Act, § 4.

Saving Priority of existing Mortgages and of future Mortgages under Public Health Act, § 5.

Further Power to Local Board for Acquisition of Seacombe Ferry, § 6.

Saving Rights of Messieurs Coulborn, § 7.

Incorporation of Local Board, and Saving of Rights and Liabilities, §§ 8 to 10.

Cap. v.

"Biddenden Turnpike Trust Act, 1861."

Recites 10 Geo. 4. c. 22.; that 2,613*l.* 5*s.* are owing on the Credit of the Tolls; repeals recited Act, and continues the Trust for 21 Years.

Cap. vi.

"The Gainsburgh Bridge to East Retford and to Gringley-on-the-Hill Turnpike Roads Act, 1861."

Repeals an Act for more effectually repairing and improving the Road from the West End of Gainsburgh Bridge to East Retford and to Gringley-on-the-Hill in the County of Nottingham, and continues the Term for 22 Years.

SCHEDULE (Mortgages amounting to 8,833*l.* 6*s.* 8*d.*)

Cap. vii.

"The Preston Corporation Markets Act, 1861."

Recites that the Mayor, Aldermen, and Burgesses of the Borough of Preston are by various Royal Charters, Grants, Prescriptions, or otherwise, entitled to hold all Markets and Fairs within the Borough of Preston for the Sale of Cattle, Grain, Fish, Fruit, Vegetables, Provisions, Hay, Straw, and all other marketable Commodities, and to demand and take Tolls, Rents, Stallages, and other Payments in respect thereof; that the existing Markets and Fairs are now held partly in Market Houses and Market Places provided by the Corporation and partly in the Streets and Public Thoroughfares of the Borough, to the great Obstruction of the Public and to the Inconvenience of the Passengers through and near the same; that it is expedient that the Corporation be authorized to erect and provide more commodious and convenient Market Houses and Market Places for the Sale of all marketable Commodities, and to hold and provide a Cattle Market, and to hold and regulate all Markets and Fairs within the Borough, and to levy and demand the several Tolls, Rents, Stallages, and other Payments by this Act authorized, and to erect and maintain a Town Hall, an Exchange, Public Offices, and all necessary Buildings in connexion therewith and Approaches thereto; and also to make the new Streets and Improvements of Streets by this Act authorized, and to purchase and acquire Lands for the Purposes of the Markets, Fairs, Town Hall, Exchange, Public Offices, and all necessary Buildings in connexion therewith and Approaches thereto, and for the new Streets and Improvements of Streets by this Act authorized; that the Borough has been formed into a District under "The Public Health Act, 1848," and the Corporation are the Local Board of Health for the Borough; and that it is expedient that the Corporation be authorized to borrow Monies for the above Purposes.

Execution of Act by Corporation, § 3.

Power to appoint Committees, § 4.

Incorporation of Lands Clauses Acts, and of Markets and Fairs Clauses Act, and of Parts of Commissioners Clauses Act, §§ 5 to 7.

Compulsory Power to take Lands for new Streets, Improvements, and Markets,—saving Land of Mr. Myers, §§ 9 to 11.
Period for compulsory Purchase of Lands, *i.e.*, Seven Years for new Streets, &c., and Five Years for other Purposes; but if Mr. Myers' Land is required Notice to be given within 12 Months, § 12.
Power to purchase other Lands by Agreement, § 13.
Lands acquired by Corporation under Act to be Part of their Estates, § 14.
Power to establish Markets, and to enlarge and improve Markets, § 15.
Power to establish and regulate Markets and Fairs, § 16.
Power to erect Town Hall, Exchange, and Offices, § 17.
Power for Corporation to make new Streets and Improvements, § 18.
Power to cross over Tramroad, § 19.
Lateral Deviations, § 20.
Vertical Deviations, § 21.
Power to stop Roads, &c. for Purposes of Act, § 22.
Communications with the Lancaster and Carlisle Railway, §§ 23 to 26.
New and improved Streets to become Highways, and vest in Local Board of Health for the Borough, § 27.
Slaughter-houses, §§ 28 to 31.
Corn Market Tolls, Schedule (A.), § 32.
Butter, Fowl, Pork, and Fish Markets, Schedule (B.), § 33.
Cattle Market and Cattle Fair Tolls, Schedule (C.), § 34.
Covered Provision and Vegetable Market and Carcase Market Tolls, Schedule (D.), § 35.
Hay and Straw Market and Weighing Tolls, Schedule (E.), § 36.
General Tolls for open Markets and for Fairs, Schedule (F.), § 37.
Pig Market, Schedule (G.), § 38.
Slaughter-house Tolls, Schedule (H.), § 39.
Tolls for weighing and measuring, Schedule (I.), § 40.
Tolls vested in Corporation, § 41.
Leases of Markets, Slaughter-houses, Tolls, &c., and Assignment of Leases, § 42.
Receipt of Tolls by Officers, § 43.
Power to borrow 48,500*l.* for Markets and Slaughter-houses; 25,000*l.* for Town Hall, Exchange, and Offices; and 26,000*l.* for Streets, § 44.
Sinking Fund, § 45.
Priority of existing Mortgages on Borough Fund, § 46.
Expenditure of Corporation under this Act, § 49.
Income of Corporation under Act to be paid to Credit of Borough Fund, § 50.
Corporation Markets Account, § 51.
London and North-western and Lancashire and Yorkshire Railway Companies to be rated in manner prescribed by the Public Health and Local Government Acts as to such Works as might have been executed under the Provisions of those Acts, &c., § 56.
Saving Rights, § 57.

Cap. viii.

"The Inverness and Aberdeen Junction Railway Act, 1861."

Recites that "The Inverness and Nairn Railway Company," herein-after called "The Nairn Company," was incorporated by an Act passed in the 17th and 18th Years of Queen Victoria; that by their Act of 1857 further Powers were conferred upon them; that "The Inverness and Aberdeen Junction Railway Company," was incorporated by an Act passed in the 19th and 20th Years of the Reign of Her present Majesty; that further Powers were conferred upon them by their Act of 1860; that the Undertaking of the Nairn Company has been for some Time worked by the Junction Company, under an Agreement between the Companies, in pursuance of Powers to that Effect conferred by the said last-recited Act; that the said Two Undertakings may be more conveniently and economically, and with more Advantage to the Public, worked together as One Undertaking than separately; and it is expedient that they should be united and placed under One Control and Management as One Undertaking, and that the said Two Companies should be amalgamated into One Company; that they have provisionally agreed upon certain Terms and Conditions for such Amalgamation, and for the Application and Apportionment of the Revenues of the united Undertaking to and between the several Classes of Shareholders in the said Undertakings respectively; and it is expedient that such Amalgamation should be sanctioned and carried into effect, subject to the Provisions and Conditions herein-after contained; that the Share Capital of the Nairn Company is 105,000*l.*, divided into 10,500 Shares of 10*l.* each, and the Company have created and issued 5,908 ordinary Shares, and 4,500 Shares, with an irredeemable Preference in the Payment of Dividend attached thereto of 5*l.* per Centum per Annum; that they have Power to raise, and have raised, 24,900*l.* upon Mortgage of their Undertaking; but they have purchased in Fee Simple Lands originally held by them in Feu to the Value of 10,000*l.*, and it is expedient that the Powers of the said Company to borrow to that Extent on Mortgage of their Undertaking should be restored and vested in the united Company; that the Share Capital of the Junction Company is 475,000*l.*, divided into 47,500 Shares of 10*l.* each, whereof 32,500 are ordinary Shares; and the Company have also, under the Powers to that Effect in their Act of 1860 contained, created 15,000 Shares, with an irredeemable Preference in the Payment of Dividend attached thereto of 4*l.* 10*s.* per Centum per Annum; that they have Power to raise 158,298*l.* upon Mortgage of their Undertaking, and have raised upon such Mortgage 133,770*l.*; that by "The Inverness and Ross-shire Railway Act, 1860," the Nairn Company were authorized to subscribe 10,000*l.*, and the Junction Company were authorized to subscribe 15,000*l.* to the Undertaking by the said Act authorized, and the said Companies have agreed to subscribe and now hold Shares in the said Undertaking to the Extent so authorized as aforesaid; that it is expedient that Provision should be made for cancelling all or any of the Shares of the said Junction Company which have been created but not issued, and for creating in lieu thereof and issuing new Shares, with such Preference or Priority in Payment of Interest or Dividend attached thereto as is herein-after provided.
Undertaking defined, § 3.
Nairn Company dissolved, and Undertaking vested in Junction Company, §§ 4, 5.
Saving of Rights and Liabilities, §§ 6 to 22.

23. The Capital of the Company in Shares shall, subject to the Powers in "The Companies Clauses Consolidation (Scotland) Act, 1845," and the recited Acts contained, with respect to the Conversion of borrowed Money into Capital, be 605,000*l.*

24. The said Capital of 605,000*l.* shall, subject to the Provisions herein-after contained, be divided into Shares of the respective Amounts following:—

1. Four thousand five hundred Shares, of 10*l.* each, to be called "Class A. Shares," which Shares shall repre-

sent and be in lieu of the existing 4,500 Preference Shares of the Nairn Company:

2. Five thousand nine hundred and eight Shares, of 10*l.* each, to be called "Class B. Shares," which Shares shall represent and be in lieu of the existing 5,908 ordinary Shares of the said Nairn Company:

3. Fifteen thousand Shares, of 10*l.* each, to be called "Class C. Shares," which Shares shall represent and be in lieu of the existing 15,000 Preference Shares of the said Junction Company:

4. Thirty-five thousand and ninety-two Shares, of 10*l.* each, being the remaining Shares of the Company, and which remaining Shares comprise 32,500 ordinary Shares of the Junction Company; 1,500 Shares which the said Company are authorized by the said recited Acts relating to that Company to create and issue, but which they have not created and issued; and 1,092 Shares which the Nairn Company are authorized by the said recited Acts relating to that Company, but which they have not created and issued; and, in addition thereto, any Shares which either of the said Companies is or may be authorized to create and issue by any Act or Acts passed or which may be passed in the present Session of Parliament: Provided always, that the Company shall be entitled to attach to any of the said Shares which have not been already created and issued, but subject always to any Rights of Preference or Priority existing in virtue of the said recited Acts, or any of them, or of this Act, such Preference or Priority in Payment of Interest or Dividends as may be authorized by any of the said recited Acts, or by this Act.

25. The united Loan Capital of the Company shall consist of the Sum of 193,330*l.*, and, in addition thereto, of any Capital which by any Act or Acts passed, or which may be passed, in the present Session of Parliament, either of the said Companies is or may be authorized to raise by borrowing, or by the Creation of Debenture Stock: Provided always, that such Loan Capital shall, in the event of either of the said Companies or of the Company purchasing or having purchased Land in consideration of an annual Feu Duty or Ground Annual, under the Powers of any of the said recited Acts, be diminished in respect of the Land so purchased by an Amount equal to Twenty Years Purchase of the said Feu Duty or Ground Annual: Provided also, that if the said Companies or the Company shall hereafter purchase, or shall have, at the Time of the passing of this Act, purchased in Fee Simple the Lands originally held by them in Feu, or any of them, then it shall be lawful for them to borrow in respect of the Lands so purchased a Sum equal to Twenty Years Purchase of the Feu Duties formerly payable for the Lands so purchased, but always so as that the Company shall not at any Time borrow to an Extent exceeding One Third of the Amount of the Share Capital bonâ fide subscribed for at the Time, and that the Sums to be borrowed by them in the whole shall not exceed the said Sum of 193,330*l.*: And provided also, that the Company shall, in respect of the said Loan Capital, possess all the Powers and be subject to all the Conditions contained in "The Inverness and Aberdeen Junction Railway Act, 1860," with regard to the Conversion of such Loan Capital into Debenture Stock.

26. All the Powers of the Nairn Company and of the Junction Company respectively, as to the raising of Capital, whether by the Creation and Issue of Shares or Stock, or by borrowing, which at the passing of this Act are subsisting and not then exercised or not fully exercised, or which may be conferred on either of the said Companies by any other Act or Acts passed or which may be passed in the present Session of Parliament, shall, to the Extent of the united Capital in Stock and Shares, and of the united Loan Capital as herein-before declared and defined, and no further, continue in force; and, except as otherwise herein expressly provided, may be exercised by the Company in like Manner and to the same Extent as they might have been exercised by the said Companies respectively.

27. Upon the passing of this Act the several Persons and Corporations who are then Proprietors of Shares, whether preferential or ordinary, of and in the Capital of the Nairn Company, shall respectively become Proprietors of Shares or Stock of and in the Capital of the Company of the like Denomination and Amounts; and as respects the Proprietors of preferential Shares or Stock, with the like Qualities, Privileges, and Incidents as were annexed or incident to such Shares or Stock in the Capital of the said Nairn Company, but with and subject to the Priorities herein-after declared; and as respects the Holders of ordinary Shares in the said Nairn Company, with such Qualities, Rights, Privileges, and Priorities respectively as are herein-after declared in relation to such ordinary Shares.

28. From and after the passing of this Act there shall be payable and paid, half-yearly and in perpetuity, out of the Profits of the Company, and after Payment of the Interest on the Mortgage Debt of the Company, or the Dividend on any Debenture Stock which may be created in lieu thereof, as the Case may be, to the several Proprietors of the "Class A. Shares," a fixed preferential Dividend at the Rate of 5*l.* per Centum per Annum; and there shall in like Manner be payable and paid, half-yearly and in perpetuity, out of the said Profits, and after Payment as aforesaid, to the several Proprietors of the "Class B. Shares," a preferential Dividend of 6*l.* per Centum per Annum, but subject to Increase in the event herein-after provided, and such preferential Dividend shall rank next after the Dividend on the "Class A. Shares," and before the Dividends on any of the other Shares of the Company; and the first of such Payments shall accrue in respect of the Half Year ending on the 31st Day of August next after the passing of this Act.

29. From and after the passing of this Act there shall be payable and paid, out of the Profits of the Company, to the several Proprietors of the "Class C. Shares," a fixed preferential Dividend, at the Rate of 4*l.* 10*s.* per Centum per Annum, and such preferential Dividend shall rank next after those herein-before declared in favour of the "Class A. Shares" and the "Class B. Shares"; and the first of such Payments shall accrue in respect of the Half Year ending on the 31st Day of August next after the passing of this Act.

30. Subject to the preferential Rights already existing or hereby declared or conferred, the Proprietors of the ordinary Stock and Shares of the Company shall be entitled to Dividends out of the available Profits of the Company as herein-after limited, pari passu, according to their respective Holdings: Provided, that if in any Half Year the Sum available for Dividend upon the said ordinary Stock or Shares shall be sufficient to pay a Dividend to the Holders of such Stock or Shares at a Rate exceeding 6*l.* per Centum per Annum, the Proprietors of the "Class B. Shares" shall, in respect of such Half Year, be entitled, in addition to the preferential Dividend at the Rate of 6 per Centum per Annum herein-before provided to them, to a proportional Share, with the Proprietors of such ordinary Stock or Shares, of such Excess, after Payment to the Proprietors of such last-mentioned Stock or Shares of a Dividend at the Rate of 6*l.* per Centum per Annum; and, in

declaring such Excess, regard shall be had to the Right of the Proprietors of the said "Class B. Shares" to participate therein accordingly.

Certificates on Stock in separate Companies to be exchanged for Certificates of Stock in united Company, § 31.
Shares to remain subject to same Trusts, § 32.
Power to cancel Shares, § 33.
As to cancelling of forfeited Shares by Consent, § 34.
New Shares may be created in lieu of Shares merged or not issued, § 35.

36. Any new Shares to be created in lieu of any Shares so cancelled as aforesaid may, subject to the Provisions hereinafter contained, be of such Amount as the Company, with the Approbation of Three Fifths at least of the Votes of the Shareholders present, in Person or by Proxy, at any Meeting of the Company, specially convened with due Notice of that Object, shall determine; and it shall be lawful for the Company to issue such Shares to such Persons, at such Times and in such Manner, and with such special Advantages with respect to Priority or Amount of Dividend payable thereon (such Dividend not exceeding the Rate of 5*l.* per Centum per Annum), and to demand such Price for the said Shares, or to dispose thereof in such Manner and on such Terms as by the Order of any such Meeting shall be fixed and determined; and all such new Shares shall be deemed Personal Estate, and shall be transmissible and transferable as such, in the Manner provided and directed by "The Companies Clauses Consolidation (Scotland) Act, 1845;" and all Persons and Corporations who shall become entitled to any such new Share or Shares, and their several and respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby declared to be Owners and Proprietors of Shares in the Undertaking, and to be interested therein and entitled to Dividends and Profits, and to vote in respect thereof, in proportion to the Amount of such new Share or Shares; and the Directors of the Company are hereby empowered (subject to any Restrictions imposed upon them by the Company, and subject also as hereinafter mentioned) to call up such Shares, by such Instalments, and payable at such Times, as they may think fit; and the several Proprietors of such new Shares shall be and are hereby united and incorporated with the Company.

37. Subject to the special Provisions herein-after contained with reference to the Class A. Shares, Class B. Shares, and Class C. Shares, the new Shares created under the Powers of any of the recited Acts or of this Act shall be entitled to the preferential Dividend, if any, which may be attached to them by the Company out of the Profits of each Year, in Priority to the ordinary Shares and Stock in the Company; but if in any Year ending the 31st Day of August there shall not be Profits available for the Payment of the full Amount of such preferential Dividend for that Year, the Deficiency shall not be made good out of the Profits of any subsequent Year, or out of any other Funds of the Company, and such Condition shall be expressed upon the Face of the Certificates of the said Shares.

Saving existing Preference Shares, § 38.
Mortgages and Bonds of separate Companies to be a Charge on united Undertaking, § 40.

41. The Provisions and Enactments contained in "The Inverness and Aberdeen Junction Railway Act, 1860," as to the Creation and Issue of Debenture Stock, shall extend and be applicable to, and may be carried into effect in respect of, all Monies owing by the Nairn Company and Junction Company respectively, or which may hereafter be owing by the Company, on Mortgage or Bond; and the said Provisions and Enactments shall extend and be applicable to all Debenture Stock which may be created by the Company; and for these Purposes such Enactments shall be read and construed as if the Name of the Inverness and Aberdeen Junction Railway Company were inserted therein as the Company to which such Enactments apply.

42. The net Revenues and Profits of the Company, after Payment of all Costs of Maintenance, Working, and Management, and of all Feu Duties, for the Half Year ending on the 31st Day of August 1861, and the like net Revenues and Profits of the Company for each successive Half Year thereafter, shall be appropriated in the following Order of Priority:—

1. In Payment, pari passu, of the Interest for the Time being on the united Loan Capital of the Company secured on Mortgage or Bond; or of the Interest or fixed Dividends, as the Case may be, upon the Debenture Stock of the Company:
2. In Payment to the several Proprietors of the Class A. Shares, Class B. Shares, and Class C. Shares, of the fixed or preferential Dividends payable thereon under the Provisions of this Act, such preferential Shares ranking and being entitled to Priority inter se, according to the Order herein-before expressed:
3. In Payment to the several Proprietors of preferential Shares or Stock, which may hereafter be created and issued by the Company under the Powers of any existing Act, or of any Act or Acts which may be passed in the present Session of Parliament, of the preferential Interest or Dividends attached to such Shares or Stock respectively, such preferential Shares or Stock ranking and being entitled to Priority inter se, according to the Order of Date of Creation:
4. In Payment to the Proprietors of the ordinary Shares and Stock of the Company of the Dividends from Time to Time declared upon the same respectively, and to the Proprietors of the Class B. Shares of the contingent further Dividend herein-before specified.

Number and Qualification of Directors, §§ 44 to 46.
Meetings, § 47.
Tolls, § 49.

Cap. ix.

"The Blackpool and Lytham Railway Act, 1861."

Incorporation of General Acts, § 2.
Company incorporated with a Capital of 45,000*l.*, and Power to borrow 15,000*l.*, §§ 3 to 10.
Meetings; Directors, §§ 11 to 18.
Power to make Railway, §§ 19, 20.
Not more than Three Fourths of an Acre of Land to be taken in the Inclosure numbered on the Plans 27, in the Parish of Bispham, § 21.
Three Years for compulsory Purchase of Lands, § 22.
Five Years for Completion of Works, §§ 23 to 25.
Tolls, §§ 26 to 33.

Cap. x.

"Brecon and Merthyr Railway (Capital) Act, 1861."

Recites Incorporation of Company by the "Brecon and Merthyr Junction Railway Act, 1859," with a Capital of 80,000*l.*, in 8,000 Shares of 10*l.* each, and with Power to borrow 26,600*l.*; that by the "Brecon and Merthyr Railway (Extensions) Act, 1860," the Company were empowered to relinquish the Construction of Part of the authorized Main Line, and to construct other Railways in Extension of the authorized Main Line, for the Purpose of completing the Communication with Brecon, and to raise 50,000*l.* by the Creation and Issue of ordinary Shares, and 16,600*l.* by borrowing on Mortgage; that they are not authorized to

grant any Preference or Priority in Payment of Interest or Dividend on any Shares or Stock; that the Railway of the Company as authorized was intended to consist of a Single Line of Way, with Works adapted for Local Traffic only; but since the passing of the said first-recited Act the Line has, by reason of the Junction therewith of the authorized Extension Line of the Mid-Wales Railway, become Part of a Through Line of Communication between North Wales and the Mineral Districts of Merthyr and Dowlais, and it has become expedient and would be of public Advantage that the Works upon the Line authorized by the firstly-recited Act, and upon a Part of the Line authorized by the secondly-recited Act, should be constructed with Works adapted for such Through Traffic as well as for Local Traffic, and that the Company should be empowered to raise additional Money for that Purpose, and also for the Purpose of acquiring Land for a double Line of Railway, and for the Construction of certain Works for the Purposes of such double Line, and also for the Purpose of providing the requisite Rolling Stock.

Power to raise 63,000*l.* by new Shares, with a Preference not exceeding 5*l.* per Cent., §§ 2 to 6.

Power to borrow 21,000*l.*, §§ 7 to 10.

Cap. xi.

"The Dublin, Wicklow, and Wexford Railway Act, 1861."

Recites the several Acts relating to the Company, and especially the Act of 1860, changing its Name; that Doubts have arisen with respect to the proper Qualification of the Directors of the Company; proposes to make a Deviation in the Line of Railway authorized by the Act of 1860; that Joseph Fishbourne, the Arbitrator to whom the Question of Compensation, payable in respect of Lands to be taken by the Company for the Formation of the Railway hereby authorized to be abandoned, was submitted under the Provisions of the Railways Acts (Ireland), 1851 and 1860, made his Draft Award with respect to, among others, certain Lands in the Townlands of Ticlash, Rockstown Lower, and Ballytrasna, and thereby awarded the Sum of 1,037*l.* 2*s.* 1*d.* for the Purchase of all Interests in the Portions of the said Lands which would, under the Provisions of "The Dublin and Wicklow Railway (Gorey Extension) Act, 1859," have been required for the Formation of the Line thereby authorized, and in respect of Injury to other Lands in the Townland of Meetings; and the said Sum of 1,037*l.* 2*s.* 1*d.*, and a further Sum of 168*l.* 8*s.* 8*d.*, amounting together to the Sum of 1,205*l.* 10*s.* 9*d.*, have, in pursuance of the Provisions of the Second Section of the Railways Act (Ireland), 1860, been deposited by the Company in the Bank of Ireland; but the Company have not had Possession of the said Lands, and do not require the same, and it is expedient that the Company should be authorized to receive back the said Sum of 1,205*l.* 10*s.* 9*d.* so deposited, or so much thereof as may be apportioned, ascertained, and determined as herein-after mentioned; that the Arbitrator made his final Award in such Behalf as aforesaid on the 10th Day of November 1860, and it is expedient that the same should be annulled so far as it relates to the said Lands in the Townlands of Ticlash, Rockstown Lower, and Ballytrasna.

Incorporation of General Acts, §§ 2, 3.

Power to abandon Part of Railway authorized by Act of 1860, and Compensation, §§ 4, 5.

6. At any Time after the passing of this Act the said Sum of 1,205*l.* 10*s.* 9*d.* so deposited as aforesaid, or so much thereof as shall, in case of Dispute, be apportioned, ascertained, and determined by the said Joseph Fishbourne, as such Arbitrator as aforesaid, in respect of the said Lands which the Company do not require as aforesaid, or the Funds in which the same respectively shall have been invested, together with any Accumulation thereof, shall, on the Application by Petition of the Company to the Court of Chancery in Ireland, be repaid or transferred to the Company; and the said Award of the said Joseph Fishbourne, made on the 10th Day of November 1860, and all Proceedings had thereunder or in relation thereto, shall be and the same are hereby annulled so far as they relate to the said Lands in the Townlands of Ticlash, Rockstown Lower, and Ballytrasna.

Power to make Deviation Line, § 7.

8. In carrying the Road numbered 31 on the Plans deposited for the Purposes of this Act, in the Townland of Tinnahinch in the Parish of Castlemacadam, over the Railway, it shall be lawful to make the Inclination of such Road when altered as steep but not steeper than One Foot in Thirteen Feet: Provided always, that if the County shall at any Time alter the present or construct a new Bridge over the River Avoca, in such Manner as to admit of a Gradient of 1 in 20, the Company shall contribute 200*l.* towards the Cost of such Alteration or Construction, and make the Gradient of the Road leading therefrom to the Bridge over the Railway not steeper than 1 in 20.

Two Years for compulsory Purchase of Land, § 10.

Four Years for Completion of Works, § 11.

15. The Qualification of a Director elected by the Shareholders shall be the Possession in his own Right of original ordinary Shares or Stock in the Capital of the Company to the nominal Amount of 2,000*l.*

Cap. xii.

"The South-eastern Railway (Capital Arrangements) Act, 1861."

Recites the several Acts relating to the Company; that their Consolidated Stock and Share Capital consists as follows; (namely,) Consolidated Stock, 7,433,700*l.*, Preference Shares, 1,284,300*l.*, Debenture Stock, 57,310*l.*; that their Mortgage or Bond Debt amounts to 2,709,797*l.*, and that they have unexercised Powers of borrowing to the Extent of 34,268*l.* only; that they require further Sums for Purposes by the South-eastern Acts authorized; that the Company were by "The Charing Cross Railway Act, 1859," authorized to subscribe the Sum of 300,000*l.* to the Undertaking of the Charing Cross Railway Company; that they have subscribed that Amount to the said Undertaking, and it is expedient that they should be authorized to increase their Subscription as herein-after mentioned.

3. The Company from Time to Time, with the Consent of an Extraordinary General Meeting, may create and issue additional Capital, not exceeding in the whole the Sum of 672,000*l.*, in Shares of such Amount as they may deem expedient; and any such new Shares may be either of One Class or of several Classes, and of such Amount as will allow the same to be conveniently apportioned or disposed of according to the Resolutions of such Extraordinary General Meeting as aforesaid: Provided always, that 350,000*l.*, Parcel of the said Sum of 672,000*l.*, shall not be raised by the Company unless they shall subscribe, under the Authority of this Act, to a further Extent to the Undertaking of the Charing Cross Railway Company; and so much only of that Sum of 350,000*l.* shall be raised by the Company as shall be required for such additional Subscription.

Power to issue Shares with or without a Preference not exceeding 5*l.* per Cent., §§ 4 to 8.

9. It shall be lawful for the Company, if they shall deem it to be more expedient so to do, to borrow from Time to Time

on Mortgage, in addition to the Sums which the Company have been already authorized to borrow, a Sum not exceeding 80,500*l.* in the whole: Provided that all Monies which may be so borrowed shall, pro tanto, be in lieu of and not in addition to the Share Capital which by this Act they are authorized to create and issue: Provided also, that until Shares to the Extent of 241,500*l.* of the Money by this Act authorized to be raised for Purposes other than the further Subscription to the Undertaking of the Charing Cross Railway Company shall, under the Authority of this Act, have been subscribed for, and One Half thereof shall have been actually paid up, and the Company shall have proved to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the said Sum of 241,500*l.* has been subscribed for bonâ fide, and is held by Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable, the Company shall not borrow any Sum under the Provisions of this Act.

Saving Priority of former Mortgages, § 10.

14. The Company from Time to Time may subscribe for or take and hold Shares in the Capital of the Charing Cross Railway Company to an Extent not exceeding 350,000*l.* in addition to the Sum of 300,000*l.* which the Company have subscribed to that Undertaking under the Authority of "The Charing Cross Railway Act, 1859," and any additional Shares in the Charing Cross Railway Company acquired by the Company under the Authority of this Act shall confer the same Rights of voting and other Rights and Privileges as if the same had been acquired under the Authority of "The Charing Cross Railway Act, 1859."

Sanction of Shareholders to additional Subscriptions, § 15.

Cap. xiii.

"The Shrewsbury and Welchpool Railway Act, 1861."

Recites their Acts of 1856, 1858, and 1860; proposes to purchase and acquire Lands adjoining their Branch Railway to Minsterley, so as to adapt the same for a double Line of Railway; and to carry their Main Line of Railway across a public Road in the Parish of Alberbury; and to raise further Sums of Money.

Incorporation of General Acts, §§ 1, 3.

Power to take Lands, §§ 4, 5.

Span of Arch for carrying Railway over Road, § 6.

Power to cross certain Roads on the Level, §§ 7 to 10.

Two Years for compulsory Purchase, § 11.

Power to raise a further Sum not exceeding 12,000*l.*, § 12.

Power to borrow 4,000*l.*, § 13.

Companies Clauses Consolidation Act to apply to such Shares and Mortgages, § 14.

Cap. xiv.

"The Clifton and Durdham Downs (Bristol) Act, 1861."

Recites that there are in the immediate Neighbourhood of the City of Bristol Two Downs or Commons contiguous to one another and undivided, one of which Downs is entirely within the City and County of Bristol, and contains about 230 Acres, and is called Clifton Down; and the other of the said Downs is partly within the same City and County and partly in the County of Gloucester, and contains about 212 Acres, and is called Durdham Down; and both the same Downs have from Time immemorial been open and largely resorted to as Places of Recreation for the Inhabitants of Bristol and its Neighbourhood, and it is expedient that they should be so maintained; that the Master, Wardens, and Commonalty of the Society of Merchant Venturers of the City of Bristol (who are herein called the Society) are, or claim to be, Lords of the Manor of Clifton in the said City and County of Bristol, and to be entitled to the Fee Simple and Inheritance of the Common and Waste Lands within the said Manor, subject only to such commonable and other Rights, Roads, Ways, and Easements as belong to the Freeholders of the said Manor of Clifton and others, in, over, and upon the said Common and Waste Lands; that the Society have agreed with the Mayor, Aldermen, and Burgesses of the City of Bristol, herein-after called the Corporation, that when the Corporation shall have acquired Durdham Down in pursuance of the Provisions of this Act, such Parts of the Common and Waste Lands of the said Manor of Clifton as are coloured Pink in the Plan hereafter referred to shall be regulated and governed by the Rules and Byelaws herein-after provided for, and shall for ever thereafter be kept open and uninclosed as a Place of Public Resort for the Citizens and Inhabitants of Bristol, subject however to the commonable and other Rights (if any) of the Freeholders of the said Manor and others, in, over, and upon the same Lands, and to the Provisions herein-after contained; and the Society have further agreed that the Workings of the present and all future Quarries on the Parts of Clifton Down coloured Yellow on the said Plan shall be subject to the Rules and Byelaws herein-after provided for; that Sir John Henry Greville Smyth of Ashton Court in the County of Somerset, Baronet (as to Three undivided Fourth Parts), and Marianne Colston of Roundway Park in the County of Wilts, Widow, and the Reverend Richard Symes, Clerk, and Charles Edward Murray, Esquire, her Trustees (as to the remaining Fourth Part), are or claim to be Lords of the Manor and Hundred of Henbury, partly in the County of Gloucester and partly in the said City and County of Bristol, and to be entitled to dispose of the Fee Simple and Inheritance of the Common and Waste Lands (whereof Durdham Down forms Part) within the said Manor and Hundred of Henbury, subject to such commonable and other Rights, Roads, Ways, and Easements therein as belong to the Freeholders of the said Manor and Hundred and others; and by a Contract dated the 2d Day of August 1860, and made between the said Sir John Henry Greville Smyth of the First Part, the said Richard Symes and Charles Edward Murray of the Second Part, the said Marianne Colston of the Third Part, and the said Mayor, Aldermen, and Burgesses of the Fourth Part, the said Sir John Henry Greville Smyth as to Three equal undivided Fourth Parts, and the said Richard Symes and Charles Edward Murray, with the Consent of the said Marianne Colston (testified by her being a Party to and executing the Contract now in recital) as to the remaining equal undivided Fourth Part, agreed to sell, and the said Mayor, Aldermen, and Burgesses agreed to purchase, for the Sum of 15,000*l.*, the Fee Simple of all that Part situate partly in the City and County of Bristol, and partly in the County of Gloucester, which was delineated in the Plan annexed to the Contract now in recital, and was therein coloured Green, of the Waste or Common of the Manor and Hundred of Henbury in the County of Gloucester, called Durdham Down, and of the Quarries and Roads and Ways shown on the same Plan as situate or lying within the Limits of the said Part so coloured Green on the said Plan of the said Common; and all the Estate and Interest (if any) of them the said Sir John Henry Greville Smyth, Richard Symes, and Charles Edward Murray, of and in so much of the said Waste or Common as was coloured Blue in the said Plan, subject to all Rights of Common of every Kind over the said Common of the Freeholders of the said Manor and Hundred, and to all public and private Rights of Way over

the said Roads and Ways respectively, and to all Rights and Interests (if any) of any Person or Persons claiming under or through the said Vendors in or to the said Quarries respectively, and to all other Rights of Common, Way, and Water, and other Easements (if any), whatever the same might be, subsisting upon, in, or over the said Part thereby agreed to be sold and purchased as aforesaid of the said Common; but the Title of the Vendors to the Black Rock Quarry, or some Part thereof, or the adjacent Land being disputed by a Person claiming by adverse Possession the Limit or Boundary on the Side of the said Black Rock Quarry, of the said Land thereby agreed to be sold and purchased, was to be determined by and at the Risk and Expense of the said Mayor, Aldermen, and Burgesses, and no Abatement of Purchase Money or Compensation was to be made either in respect thereof or of any Inaccuracy or Mistake in the said Plan in any other Part or Particular; and by the Contract now in recital it was (amongst other Things) further provided that the Purchasers should, at their own Expense, before the 24th Day of December 1861, obtain or use their best Endeavour to obtain an Act of Parliament in Terms to be approved of by the Vendors, to enable them to purchase and hold the said Land thereby agreed to be sold and purchased, and to render it imperative on them for ever to keep the whole of the said purchased Land uninclosed and as a Place of Public Resort and Recreation, subject only to such Rules, Orders, Byelaws, Conditions, and Restrictions as might from Time to Time be deemed expedient, and might be made by the said Mayor, Aldermen, and Burgesses for the Improvement and Preservation of the said Land and for best ensuring the Public Use and Enjoyment thereof; that Plans of the said Downs have been deposited with the Clerks of the Peace for Gloucestershire and for the City and County of Bristol respectively, on which Plans Clifton Down is coloured Pink and Yellow, and so much of Durdham Down as forms the Subject of the said Contract is coloured Green and Blue; and Books of Reference containing the Names of the Lords of the said Manors, and of the Commoners thereof, (so far as they can be ascertained,) and of the Owners, Lessees, and Occupiers of Property in the said Downs as so coloured have been deposited with the said Plans; that such Part of Durdham Down as is coloured Blue in the said Plan is also claimed by the Society as being Part of the Manor of Clifton; that it is expedient that the aforesaid Agreement with the Society as respects Clifton Down should be carried into effect, and that the Corporation should be authorized to fulfil their Contract for the Purchase of Durdham Down, and should be enabled, with the Consent of the Commoners or others interested therein, to purchase or to regulate the Exercise of all commonable Rights or other Rights which may interfere with the Enjoyment of either of the said Downs by the Public; and that the Corporation and Society should participate in the Management of both the said Downs; and that such Part of Durdham Down as is now situated within the County of Gloucester should be henceforth deemed, for the Purposes of Police, to be within the City and County of Bristol, and should be subject to the Jurisdiction of the Justices of the Peace for the same City and County.

As to Clifton Down, § 1.
Corporation may buy Durdham Down, § 2.
As to quarrying, § 3.
As to Purchase and Regulation of commonable Rights, &c., § 4.
Council to make Byelaws, § 5.
Authenticated Byelaws to be Evidence, § 6.
Transient Offenders, § 7.
Recovery of Penalties, § 8.
Appointment of a Committee, § 10.
Functions of Downs Committee; Roads; Nuisances; Improvement; Quarries; Road Trustees, &c.; closing and opening Surface Quarries; Officers, &c.; Funds; Minute Books; Report of Proceedings, § 11.
Saving Rights of the Society, § 12.
Durdham Down to be considered within City of Bristol, § 13.
As to Deposit of Plans, § 14.
Expense of Act, § 15.
Power to borrow Money, § 16.
Provision for Payment of the Interest on Mortgages, and of a Portion of the Principal in each Year, § 17.
Provision made for paying Money borrowed within 30 Years, § 18.
Power to raise Money to pay off Sums borrowed, § 20.
Schedule.—(Form of Mortgage.)

Cap. xv.

"The Exeter and Exmouth Railway Act, 1861."

Recites their Act of 1855, incorporating the Company, with Power to raise 70,000*l.* by Shares, and 23,000*l.* by borrowing on Mortgage or Bond; that by their Act of 1858 the Provisions of the last-recited Act were repealed, and the Railways thereby authorized were altered, and the Share Capital reduced to 50,000*l.*, and the Borrowing Powers to 16,600*l.*, and Provision was made for the Working and User by the London and South-western Railway Company of the Railways thereby authorized; that those Works are in course of Construction; that the Capital authorized to be raised by that Act is insufficient for the Completion of the Railways and Works authorized thereby, and it is expedient that the Company should be authorized to raise further Capital by the Issue of ordinary or preferential Shares.

Forfeited Shares which cannot be sold may be cancelled, §§ 2 to 5.
Company may create new Shares in lieu of Shares cancelled, § 6.
Application of existing Capital, § 7.
Power to create new Shares to the Amount of 30,000*l.* with a preferential Dividend not exceeding 5*l.* per Cent., §§ 8 to 16.
Incorporating certain Provisions of Companies Clauses Consolidation Act, § 17.

Cap. xvi.

"The Strathspey Railway Act, 1861."

Recites that by "The Keith and Dufftown Railway Act, 1857," and "The Keith and Dufftown Railway (Deviation) Act, 1860," a Railway is authorized to be made from the Great North of Scotland Railway at Keith to Dufftown, and that the making of Railways, by means whereof the said Keith and Dufftown Railway would be extended to or near to Grantown and to Abernethy, and to the proposed Inverness and Perth Junction Railway, would be attended with great local and public Advantage.

Incorporation of General Acts, §§ 1, 2.
Company incorporated, with a Capital of 270,000*l.* in 10*l.* Shares, and Power to borrow 90,000*l.*, §§ 3 to 6.
Power for the Keith and Dufftown Railway Company to subscribe 25,000*l.*, and the Great North of Scotland Railway Company to subscribe 100,000*l.* by ordinary Shares, and to vote, §§ 7 to 11.

12. The Great North of Scotland Railway Company, with the Sanction of Three Fifths of the Votes of their Shareholders present, personally or by Proxy, at any Meeting convened with Notice of this Object, may from Time to Time exercise the following Powers; that is to say,

They may guarantee and secure to any Persons lending to the Company the Money or any Portion of the Money which that Company is hereby authorized to borrow on Mortgage; the Repayment of any Money so lent, or any Part thereof, with or without the Interest thereon, or any Part thereof; or the Payment of such Interest alone, or any Part thereof; or the Payment for any specified Period of such Interest, or any Part thereof:

They may from Time to Time, out of their Income applicable to Dividend on their ordinary Shares and Stock (but not out of any other Fund), discharge any Monies which they may be called upon to pay upon or in respect of any such Guarantee, and to the Extent of the Sum so paid they shall be Creditors of the Company instead of the Persons to whom such Sums shall be so paid, and shall be entitled to the Benefit of and may enforce the Mortgages for securing the same held by such Persons as fully and effectually as such Persons themselves or their Representatives might do if not paid off:

Provided always, that every such Guarantee shall be subject and without Prejudice to any Mortgages or Bonds then charged or attaching upon the Undertaking of the Great North of Scotland Railway Company, and to any Preference or Priority in Payment of Interest or Dividend on any Shares or Stock theretofore granted by that Company by, or in pursuance of, or confirmed by, any Act of Parliament, or then otherwise lawfully subsisting.

Meetings; Directors, §§ 13 to 19.

Power to make Railways, §§ 20 to 22.

Communication with Keith and Dufftown Railway, §§ 23 to 26.

Lands to be bought by Compulsion in Three Years, § 28.

Five Years for Completion of Works, §§ 29, 30.

Tolls, §§ 31 to 39.

Equality of Charge between and of Facilities to Traffic of the Morayshire, and Keith and Dufftown, and Great North of Scotland Railway Companies, § 40.

Power to enter into Traffic Arrangements with Keith and Dufftown and Great North of Scotland Railway Companies, §§ 41 to 49.

Power to agree as to Use of Station on Inverness and Perth Junction Railway, § 50.

Cap. xvii.

"Oswestry and Newtown Railway (Llanfyllin and Kerry Branches) Act, 1861."

Recites Incorporation of Company in 1855; proposes to revive and extend for further Periods some of the Powers by their Act given and limited for the compulsory Purchase of Land, and to construct Railways in extension of their Railway to Llanymynech Lime Rocks in the County of Salop, and to the Town of Llanfyllin and Village of Kerry in the County of Montgomery.

& 9 Vict. cc. 18. & 20. incorporated, § 2, 3.

Twelve Months Extension of Time for completing Purchase of Lands, and Two Years for purchasing Lands required for Purposes of this Act, §§ 4, 5.

Railways and Works authorized, § 6.

Three Years for Completion of Railways, § 10.

Certain Road to be crossed on the Level, §§ 11 to 13.

For Protection of the Shropshire Union Canal, §§ 14 to 18.

As to the crossing of certain Tramways to the Canal, § 19.

Certain Provisions of "The Companies Clauses Consolidation Act, 1845," extended to this Act, § 20.

Power to raise 90,000*l.*, with or without a Preference not exceeding 5*l.* per Cent., §§ 21 to 27.

Power to borrow 30,000*l.*, § 28, 29.

Schedule.—(Lands for which the Powers of compulsory Purchase are extended.)

Cap. xviii.

"The Inverness and Aberdeen Junction Railway (Branch) Act, 1861."

Proposes to construct a Branch Railway from their Alves Station to the Town and Harbour of Burghead, and to provide additional Station Accommodation at Inverness.

Incorporation of General Acts, § 2, 3.

Power to make Branch Railway and to acquire Lands, § 4.

Centre Line of Railway on the Shore near the Town of Burghead not to be deviated without the Consent of the Admiralty, §§ 5 to 9.

Three Years for compulsory Purchase, § 10.

Four Years for Completion of Works, § 11, 12.

Provision as to Tolls, &c., § 13.

Power to raise Capital of 20,000*l.* by new Shares, with a Preference not exceeding 5*l.* per Cent., §§ 14 to 18.

Power to borrow 6,650*l.*, §§ 19 to 21.

Power to acquire Land for additional Station Accommodation at Inverness, § 22.

Power to apply Corporate Funds to Purposes of this Act, § 23.

Any Land reclaimed by the Works not to be taken without the Consent of the Commissioners of Woods, &c., § 26.

Provision as to the Rights of the Crown, § 27.

Cap. xix.

"The Tiverton Roads Act, 1861."

Recites 11 Geo. 4. c. 97., that the Trustees have maintained the then existing Turnpike Roads, and have made a certain Portion of the Roads so authorized to be made, and have maintained as Turnpike Roads a certain Portion of the then existing Highways so authorized to be maintained as Turnpike Roads; that there are now due and owing upon the Credit of the Tolls authorized to be taken on the said "Old Roads," Principal Sums of Money amounting to the Sum of 37,550*l.*, or thereabouts, and upon the Credit of the Tolls authorized to be taken upon the "New Roads," Principal Sums of Money amounting to the Sum of 6,472*l.*, or thereabouts, together with Arrears of Interest on those Sums respectively; that it is expedient that the Mortgages now due and owing upon the Credit of the Tolls arising upon the "Old Roads" and "New Roads" respectively should hereafter be charged upon the Tolls arising upon the whole of the Roads comprised in the Trust, and that the Revenues arising upon the "Old Roads" and the "New Roads" respectively, and the Application of the same, should be amalgamated; that the said recited Act should be repealed; the Trust continued for 21 Years from 1st November 1861, and Mortgages charged upon the Tolls of the whole Roads.

Cap. xx.

"The Elton and Blackburn Roads Act, 1861."

Repeals an Act passed in the Tenth Year of the Reign of King George the Fourth, intituled "An Act for repairing, "improving, and maintaining in Repair the Road from "Brandlesome Moss Gate in the Township of Elton, to "the Duke of York Public House in the Township of "Blackburn, and a Branch Road therefrom, all in the "County Palatine of Lancaster," and extends the Term of the Trust for 21 Years from 1st November 1861.

Cap. xxi.

"The Borough of Portsmouth Waterworks Act, 1861."

Recites that in 1857 the Borough of Portsmouth Waterworks Company were incorporated, with a Share Capital of 80,000*l.*, divided into 8,000 Shares of 10*l.* each, and were authorized to purchase the Undertaking of the Company of Proprietors of the Portsmouth and Farlington Waterworks (Limited), for the Sum of 42,000*l.*, and to construct new Waterworks, and were empowered to borrow any Sums not exceeding 10,000*l.* when and so soon as the Company should have paid or satisfied to the said Farlington Company the said Sum of 42,000*l.*, and any further Sums not exceeding in the whole, together with the Sums previously borrowed by them, the Sum of 20,000*l.*, when and so soon as the whole of the said 80,000*l.* Share Capital should have been subscribed for, and the Company should have paid or satisfied to the Farlington Company the said Sum of 42,000*l.*; that they accordingly purchased the Undertaking of the Farlington Company for the Sum of 42,000*l.*, and have paid that Sum to the Farlington Company, and have constructed other Waterworks; that the whole of the Capital of 80,000*l.* has been subscribed for, and 79,000*l.* and upwards has been paid up thereon, and the Company have borrowed 20,000*l.*; that no Preference or Priority of Interest or Dividend has been granted by the Company; proposes to raise further Monies.

Incorporating Part of Companies Clauses Consolidation Act, § 2.

Power to create new Shares to the Amount of 40,000*l.*, with or without a Preference not exceeding 5*l.* per Cent., §§ 3 to 13.

Power to borrow progressively not exceeding 9,000*l.*, §§ 14, 15, 18.

Application of Shares in satisfaction of Debt, § 17.

Company may purchase additional Lands by Agreement, § 20.

Company not to erect Reservoirs, &c. thereon, &c., § 21.

Cap. xxii.

"The Witney Railway Act, 1861."

Recites their Act of 1859, and proposes to enable the Witney Railway Company to make a Road to their Station at Witney, and to attach a Preference not exceeding 5*l.* per Cent. to certain Shares.

Cap. xxiii.

"The South Shields Improvement Amendment Act, 1861."

Recites that by "The Tyne Improvement Act, 1850," it was enacted, amongst other Things, that when the South Shields Improvement Commissioners, or the Mayor, Aldermen, and Burgesses of the Borough of South Shields (if South Shields were constituted a Municipal Corporation), should have opened within their Borough a Quay of not less than 100 Yards in Length, for the Use of the Public, subject to the Payment of Quay Dues thereat to the Parties erecting such Quay, the Goods, Wares, and Merchandise landed thereat should thenceforth be exempted from the Payment of One Half of the Dues described in the said Act as Import Dues; that the Inhabitants of the Parliamentary Borough of South Shields have been constituted a Body Corporate under the Title of the Mayor, Aldermen, and Burgesses of the Borough of South Shields, and all the Provisions of the Act passed in the 6th Year of the Reign of His late Majesty King William the 4th and all the Powers of the said South Shields Improvement Commissioners have been transferred to the said Mayor, Aldermen, and Burgesses; that a Quay of more than 100 Yards in Length has been constructed on the Banks of the Tyne, and is now the Property of the North-eastern Railway Company; that the said Company are willing to sell, and the said Mayor, Aldermen, and Burgesses of South Shields are willing to buy such Quay, and to open the same for the Use of the Public, on Payment of such Dues as are herein-after mentioned; and the said Corporation are also desirous of using for Quay Purposes certain Lands adjoining to the said Quay and now vested in them, and of enlarging the said Quay on the Landward Side, with a view of making the same more commodious for the Public, and for that Purpose to take compulsory Powers for the Purchase of Lands and divers Buildings adjoining the said Quay; and it is expedient that all necessary Powers should be conferred on the said Corporation for making such Purchases as aforesaid and for raising the necessary Funds therefor; that in pursuance of the Powers conferred by "The South Shields Improvement Act, 1853," the Corporation have purchased the Building called the Town Hall, with its Appurtenances, standing in the Centre of the Market Place in the said Borough of South Shields, and the Right of holding Markets and Fairs in the Borough, and of taking Tolls for such Markets and Fairs; that it was provided by the said South Shields Improvement Act that it should be lawful for the Corporation to maintain and improve or alter as they should think fit the existing Market or Markets, and also to establish, erect, and maintain Stalls, Standing Sheds, Booths, Shambles, and proper Conveniences within the said Market Place for the Sale of Cattle and Animals, and of Provisions, Goods, Wares, and Merchandises, and other marketable Commodities, and to alter or enlarge the said Town Hall, and to inclose and incorporate therewith the open Space of Ground Floor beneath it, or otherwise to improve it, or pull it down and erect a Building for a Town Hall in lieu thereof more suitable and convenient for municipal and public Purposes, and to furnish and fit up the Town Hall, and any Offices, Committee or other Rooms and Apartments therein with all necessary Furniture and Fittings, and to repair and reinstate the same from Time to Time as they should see fit, and Powers of raising Money for the above Purposes, herein-after called "Town Purposes," to an Extent not exceeding 6,000*l.* were vested in the Corporation; that no Improvements have been made in the said Town Hall in pursuance of the said Acts, and it is for the Advantage of the Public that the whole thereof should be taken down and a new One erected on another Site in the Market Place, but Doubts have arisen whether such Change of Site is allowed by the said Act; that by the 41st Section of the South Shields Improvement Act it is provided that the Surplus of the Stallages, Rents, and Tolls to be levied under the Provisions of that Act in respect of the said Markets and Fairs, after providing

for the Payment of the Interest of the Monies borrowed and for the Expenses therein mentioned, should be allowed to accumulate as a Sinking Fund, to be applied by the Corporation in paying off the Principal Monies to be borrowed as therein mentioned, and subject thereto that it should be lawful for the Corporation either to lower the Stallages, Rents, and Tolls, to such an Extent as would reduce the Stallages, Rents, and Tolls to be levied and raised in respect of the said Markets and Fairs to the annual Amount (as near as might be) of the Expenses of the Maintenance, Repair, Working, and Management respectively of the said Town Hall and Market Buildings, Markets and Fairs, or to appropriate and apply the same wholly or in part in and towards the Extension and Improvement of the said Markets and Fairs, and in and towards providing suitable Works and Conveniences connected therewith; and it is expedient that Power should be given to the Corporation to apply the said Surplus in aid of the General District Rate levied by the Corporation; and proposes to remove Doubts which have arisen as to the Operation of certain Sections of "The Local Government Act, 1858," on the Provisions relating to the borrowing of Money contained in the said South Shields Improvement Act.

Council of Borough to carry Act into execution, § 2.
Incorporation of General Acts, § 3.
Power to purchase Quay and Works, § 4.
Saving Rights of the Crown, § 5.
Description of authorized Quay and Works, § 6.
Enlargement of Quay on River Side to be Part of Quay, § 7.
Before commencing Works Corporation to deposit Plans with Admiralty, and Works to be constructed under their Approval, §§ 8 to 10.
Power of Corporation to pull down Buildings, §§ 11 to 13.
Incorporation of Clauses of Harbours, Docks, and Piers Clauses Act, 1847, § 14.
Recovery of Penalties and Damages, § 15.
Three Years for compulsory Purchase of Lands, § 16.
Corporation to appoint Meters, Weighers, and other Officers, § 17.
Powers for the Corporation to dredge Bed of River Tyne, § 18.
Penalty for obstructing River in front of Quay, § 19.
Powers of Quay Masters not to interfere with Jurisdiction of Harbour Master, § 20.
Legal Quay to be approved by the Treasury, &c., § 21.
Goods landed at Quay to be exempt from One Half of Import Dues, § 22.
Corporation to allow Tyne Improvement Commissioners to inspect Books and Accounts, § 23.
Powers to demise Lands, &c., and make Regulations with respect to Buildings, § 24.
Rates to be taken for Vessels using the Quay; Rates on Goods shipped or unshipped at the Quay, § 25.
Exemption of Vessels in Her Majesty's Service, &c. from Rates, § 26.
Additional Rate for Vessels using Quay beyond Eight Days, § 27.
Rates for Weighing Machines, Cranes, &c., § 28.
Corporation to keep separate Accounts, § 29.
Power to borrow on Rates and Dues 20,000*l.* for Quay Purposes, § 30.
Incorporation of certain Sections of Commissioners Clauses Act, § 31.
Power to borrow 4,000*l.* more for Town Purposes, § 32.
Existing Mortgages to have Priority, § 33.
Power for Mortgagees to appoint Receivers, § 34.
Power to mortgage Quay and Rates, § 35.
Sinking Fund, § 36.
Application of Rates, § 37.
Power of Corporation to build new Town Hall, § 38.
Power to purchase Lands by Agreement, § 39.
Power of Corporation to make Shops, § 40.
Provisions of this Act cumulative, § 41.
Corporation may appoint Committees, § 42.
Regulating the Proceedings of Committees, § 43.

44. The Forty-first Section of "The South Shields Improvement Act, 1853," shall be repealed, and in lieu thereof it shall be enacted as follows:—The Stallages, Rents, and Tolls to be levied under the Provisions of this Act in respect of the said Markets and Fairs shall be applied by the Corporation in manner herein-after mentioned; (that is to say,) In the first place in the Payment of the annual Interest of Monies borrowed for the Purchase of or for Purposes connected with the Town Hall and Market Buildings, and Markets and Fairs in the Borough, and due and owing under the Authority of this Act; and in the second place in Payment of the Expenditure incident to the Maintenance, Repair, and Management of the Town Hall and Market Buildings, Markets and Fairs, in the Borough, and the Repair of the Market Place Pavement, and the Surplus, if any, shall be allowed to accumulate as a Sinking Fund, which shall be applied by the Corporation in and towards paying off the Principal Monies so to be borrowed as aforesaid; and when and so soon as the whole of the Money so to be borrowed as aforesaid shall have been paid off and discharged, it shall be lawful for the Corporation either to lower the said Stallages, Rents, and Tolls, to such an Extent as will reduce the Stallages, Rents, and Tolls to be levied and raised in respect of the said Markets and Fairs to the annual Amount (as near as may be) of the Expenses of the Maintenance, Repair, Working, and Management respectively of the said Town Hall and Market Buildings, Markets and Fairs, or to appropriate and apply the same wholly or in part in and towards the Extension and Improvement of the said Markets and Fairs, and in and towards providing suitable Works and Conveniences connected therewith, or in aid of the General District Rate.

45. For the Purpose of removing the Doubts that have arisen as to the Construction and Operation of "The Local Government Act, 1858," with reference to certain Provisions of "The South Shields Improvement Act, 1853," be it enacted, That all the borrowing and mortgaging Powers contained and enacted by reference to "The Public Health Act, 1848," or otherwise in and by the said "South Shields Improvement Act, 1853," as amended by this Act, shall not be deemed to have been in any way repealed or affected by "The Local Government Act, 1858," or any Provisions therein contained, except that in all Cases in which the Sanction, Consent, Direction, or Approval of the General Board of Health is rendered requisite in and by the said "South Shields Improvement Act, 1853," to the due Exercise of any of the Powers vested thereby in the South Shields Corporation as the Local Board of Health, such Powers or any of them shall and may henceforth be exercised with and under the Sanction, Consent, Direction, or Approval of One of Her Majesty's Principal Secretaries of State, in lieu of the Sanction, Consent, Direction, or Approval of the General Board of Health mentioned in the said "Public Health Act, 1848."

Saving the Rights of the Dean and Chapter of Durham; of Tyne Improvement Commissioners; of Corporation of Newcastle; of Corporation of Trinity House of Newcastle-upon-Tyne, §§ 46 to 49.
Schedule (Rates and Dues).

Cap. xxiv.

"Clitheroe Gas Act, 1861."

Recites the Formation of the Company in 1836 as a Joint Stock Company; that their Capital is 3,750*l.*, consisting of 2,500*l.* in 250 Shares of 10*l.* each, and 625*l.* in 250 A Quarter Shares of 2*l.* 10*s.* each, and 625*l.* in 250 B Quarter Shares of 2*l.* 10*s.* each, which are all fully paid up, and the whole of which has been expended for the Purposes of their Undertaking; that out of their Profits which they might have divided they have expended on durable Additions to their Gas Works more than 2,247*l.* 4*s.* 8*d.*, being more than One Half of the Amount of their paid-up Capital; and that they have no Mortgage or Bond Debt; proposes to extend their Works, and to incorporate the Company.

Incorporation of General Acts, §§ 2, 3.

Limits of Act, § 4.

Company incorporated, and Rights and Liabilities saved, §§ 6 to 17.

18. The Capital of the Company shall be 25,000*l.*, consisting of the following Particulars; (that is to say,)

	£
Two hundred and fifty Class A Shares of 6*l.* each, which shall be deemed fully paid up	1,500
Five hundred Class B Shares of 1*l.* each, which shall be deemed fully paid up	500
Two hundred and fifty Class C Shares of 10*l.* each, which shall be deemed fully paid up	2,500
Five hundred Class D Shares of 2*l.* 10*s.* each, which shall be deemed fully paid up	1,250
One thousand nine hundred and twenty-five ordinary Shares of 10*l.* each	19,250
Total	£25,000

19. The Class A Shares, the Class B Shares, the Class C Shares, and the Class D Shares respectively are by this Act appropriated to and vested in the several Persons who immediately before the passing of this Act were the registered Holders of the Shares of the Joint Stock Company, and are so appropriated to and vested in them respectively as follows, (that is to say,)

One Class A Share to the Holder of every 10*l.* Share of the Joint Stock Company's Capital in respect of each such Share;

One Class B Share to the Holder of every Quarter Share of that Capital in respect of each such Quarter Share.

One Class C Share to the Holder of every 10*l.* Share of that Capital in respect of each such Share;

One Class D Share to the Holder of every Quarter Share of that Capital in respect of each such Quarter Share.

20. With reference to the Clauses of the "Gas Works Clauses Act, 1847," "with respect to the Amount of the Profits "to be received by the Undertakers where the Gas Works are "carried on for their Benefit," the prescribed Rates of Profits to be divided among the Shareholders shall be, as regards the Class A Shares and the Class B Shares respectively, 5*l.* per Centum per Annum; and as regards the Class C Shares and the Class D Shares respectively, 10*l.* per Centum per Annum; and as regards the ordinary Shares, 7*l.* 10*s.* per Centum per Annum, on the Amount from Time to Time actually paid up on the Shares respectively: Provided, that the Holders of the Class A Shares and the Class B Shares respectively shall be entitled pari passu in Proportion to the respective Amounts of those Shares to a fixed preferential Dividend of 5*l.* per Centum per Annum, which shall from Time to Time be paid in full before any Dividend is paid on any other Share.

Shares vested upon same Trusts, § 21.

Power to borrow forthwith 1,000*l.*, and further borrowing Powers to 6,000*l.* more, §§ 27 to 30.

Meetings; Directors, §§ 31 to 41.

Power to take Lands, §§ 42 to 44.

Five Years for compulsory Purchase of Lands and Easements, § 45.

Power to maintain Gas Works, lay down Gas Mains, and to make and supply Gas, §§ 46 to 48.

Limit of Price of Gas to 5*s.* per 1,000 Cubic Feet, § 49.

Illuminating Power of Gas, § 50.

Company to provide Testing Meter, §§ 51 to 54.

Use of Gas Meters, Distress, and Penalties, §§ 55 to 64.

Cap. xxv.

"The Oldham and Ripponden Roads Act, 1861."

Recites that 14,444*l.* is owing upon the Security of the Tolls, and also some Interest; repeals "An Act for more effectually "amending the Road from Oldham in the County of Lan- "caster to Ripponden in the County of York, and other "Roads in the same Counties; and for making and main- "taining a new Branch to communicate therewith," and makes other Provisions in lieu thereof, so far as regards the said Road from Oldham to Ripponden, and the other Roads already made in connexion therewith; and continues the Trust for 21 Years from the 1st September 1861.

Cap. xxvi.

"The Kendal Fell Act, 1861."

Recites that an Act was passed in the Seventh Year of the Reign of His late Majesty King George the Third, intituled, "An Act for inclosing a Piece of Waste Land in the Borough "and Township of Kirkby-in-Kendal, for the Benefit of the "Poor, and for cleansing and enlightening the Streets of the "said Town, and for confirming a Rule or Order of Assize and "Order of the High Court of Chancery, relating to Rates "and Assessments to be raised for the Relief of the Poor, by "the Inhabitants of the said Township, and the Owners of "Lands called the 'Park and Castle Lands,'" under or by virtue of which Act a Common or Tract of Waste Ground called "Kendal Fell," lying within the Burgh and Township of Kirkby-in-Kendal, and containing by Estimation 158 Acres or thereabouts, and whereon the respective Owners and Proprietors of several Freehold Lands or Tenements, and of several Burgage Houses, Lands, or Tenements, situate within the said Burgh or Township were (as stated in the said Act) entitled to a Right of Common of Pasture in respect of, or as appendant or appurtenant or belonging to their said several Houses, Lands or Tenements, and had also in respect as aforesaid a Common or Right and Liberty of digging for, taking, and carrying away of Stone, Gravel, Sand, and Clay, and to get Limestones, and to burn the same into Lime, in and upon the said Waste or Common, was vested in certain Trustees for the several Purposes therein provided; that the said Common hath been inclosed under the Powers of the said Act; that the said inclosed Lands immediately adjoin to and bound for some Distance the said Town of Kendal, and some Parts thereof are very eligible for Sites for Houses and Buildings, but by reason of the said Act not containing any Powers authorizing the Sale of any Part of the said inclosed Lands for Building Purposes, or the leasing thereof for sufficiently long Terms to induce Persons to build thereon, the Increase of the said Town on the Sides thereof bounded by the said inclosed Lands is stopped, and the Value of the said Lands greatly

diminished ; that it would tend to increase the Value of the said Lands, and also tend to the Increase and Improvement of the said Town, and in other respects be beneficial to the Inhabitants thereof if the Trustees were authorized to let or sell Parts of the said inclosed Lands for the Sites of Houses and Buildings, and of Gardens and other Conveniences, and to lease and work the Quarries and Stone under any Part of the said inclosed Lands.

Repeal of Act and Saving of Rights and Liabilities, §§ 3 to 11.
Incorporation of Commissioners Clauses Act and the Lands Clauses Consolidation Acts, § 12.
Interpretation of the Word "Rate" in Commissioners Clauses Act, § 13.
Service of Notices on the Trustees, § 14.
Number and Qualification of Trustees, § 15.
Qualification of Electors, § 16.
Period of Continuance in Office of Clerk and other Officers, § 17.
Time and Place for Election of Trustees, § 18.
Power to borrow 2,000*l.*, § 19.
Trustees may purchase up Fee-farm Rents, &c., or may charge same on certain Lands, § 20.
Trustees may set out Roads and make Approaches, &c., § 21.
Roads and Sewers when made to be maintained as any other public Roads or Sewers in the Borough, § 22.
Power to grant Building Leases, § 23.
Power to enter into Contracts for Leases and to apportion Rent on Leases being granted, § 24.
Contracts to contain certain Clauses, § 25.
Power to alter, release, or renew Contracts, § 26.
Contracts to form no Part of Title after Leases granted, § 27.
Leases valid though varying from Contracts, § 28.
Trustees may grant Leases of Lands for working Stone, § 29.
Power to enter into Contracts for Leases for working Stone, § 30.
Power of Leasing at Rackrent, § 31.
Power to surrender Leases, and to re-demise the Premises so surrendered, and also Premises the Leases of which may have been avoided by Re-entry, § 32.
Leases void or voidable for Informality may be confirmed, § 33.
Power to sell Lands for a Sum in gross, § 34.
Power to sell for a Fee-farm Rent, § 35.
Deeds and Contracts to be entered into by Four Trustees in the Name of the whole, upon a Resolution passed at a Meeting of Trustees, § 36.
Trustees may require Purchasers to erect Buildings of given Class and according to Plan, &c., § 37.
Trustees may take Security from Lessees and Purchasers for the Performance of their Contract, § 38.
Trustees may for certain Purposes purchase or exchange Lands, § 39.
Trustees may receive or pay Sums for Equality of Exchange, § 40.
Application of Money arising from Sales, § 41.
Trustees may erect Limekilns at the public Quarries, § 42.
Power to Trustees to get and dispose of Limestone and Lime, § 43.
Certain Lands set apart for Recreation, Sites of Public Buildings, &c., § 44.
Serpentine Walks to be preserved for Public Recreation, § 45.
Income of Trustees may be applied to Repair of Buildings, &c., § 46.
Power to remove Limekilns, &c., § 47.
Public Rights to be provided for, § 48.
Power to make Byelaws, § 49.
Penalties for Breach of Byelaws, § 50.
Application of Income, § 51.
Township Lands exempted from 5 & 6 Will. 4. c. 69, and subjected to 4 & 5 Will. 4. c. 76., § 52.

The SCHEDULES to which the foregoing Act refers.

THE FIRST SCHEDULE (Lands).
THE SECOND SCHEDULE.—Rents to the Lords.
The Common vested in the Trustees in Common Socage.
Rights reserved to the Lords of the Manors.
Reservation of other Rights in general.
For confirming the Order of Assize and Rule of the Court of Chancery.
For proportioning the Assessments to be paid by the Inhabitants of the Township and Castle Park Lands.
That the Owners of Castle Park Lands shall pay Arrears for a certain Time.
For preventing Doubts and Litigations in the raising of Assessments by virtue of this Act.
THE THIRD SCHEDULE (Form of Deed of Exchange).

Cap. xxvii.

"The Kingston and Leatherhead Turnpike Road Act, 1861."

Recites that 10,301*l.* 5*s.* is due upon Mortgage of the Tolls ; repeals the Act relating to the Kingston-upon-Thames and Leatherhead Turnpike Road, in the County of Surrey, and continues the Trust for 21 Years from 1st October 1861.

Cap. xxviii.

"The Bradford, Wakefield, and Leeds Railway Act, 1861."

Recites their Acts of 1854, 1859, and 1860, and proposes to construct a Railway from Ossett to join the London and North-western Railway at or near Batley, all in the West Riding of the County of York, and to raise further Monies.
Incorporation of General Acts, §§ 2, 3.
Two Years for compulsory Purchase, § 5.
Power to construct Railways, § 7.
Regulating Inclinations of certain Roads, § 8.
Power to alter Engineering Works, § 9.
Communication with the London and North-western Railway, §§ 10 to 14.
Four Years for Completion of Works, §§ 15, 16.
Tolls, § 17.
Power to apply Corporate Funds for Purposes of Act, § 18.
Power to raise additional Capital of 40,000*l.* by new Shares, with or without a Preference not exceeding 5*l.* per Cent., and to borrow 13,300*l.*, §§ 19 to 31.

32. So much of the 59th Section of "The Bradford, Wakefield, and Leeds Railway Act, 1854," as requires the Leeds, Bradford, and Halifax Junction Railway Company to allow the Company to use and run over with their Engines and Carriages of every Description all or any Part of any Railways which may hereafter belong to the Leeds, Bradford, and Halifax Junction Railway Company, and also to use the Stations, Watering Places, Water Sidings, Platforms, Booking and other Offices, Warehouses, Buildings, Conveniences, and Accommodations upon or connected with any such Railways, shall be, and the same is hereby repealed : Provided always, that nothing herein contained shall prejudice or affect the Rights of the Company under the Provisions of that Section to use and run over with their Engines and Carriages of every Description all or any Part of the Railways of the Leeds, Bradford, and Halifax Junction Railway Company, constructed

under any Act passed prior to the present Session of Parliament, and to use the Stations, Watering Places, Water Sidings, Platforms, Booking and other Offices, Warehouses, Buildings, Conveniences, and Accommodations in connexion therewith now belonging to the said last-mentioned Company, or which may hereafter be constructed or provided upon, or in connexion with, such last-mentioned Railways, or any Part thereof.

Cap. xxix.

"The Kilrush and Kilkee Railway, and Poulnasherry Reclamation Amendment Act, 1861."

Recites Incorporation in 1860 for making a Railway from Kilrush to Kilkee, and for embanking and reclaiming the Estuary of Poulnasherry in the County of Clare; that they are authorized to raise Capital in Shares to the Amount of 45,000*l.*, whereof the Sum of 37,800*l.* is applicable to the Railway, and 7,200*l.* to the Embankment and Reclamation; and to borrow a Sum not exceeding 15,000*l.*, whereof 12,000*l.* is applicable to the Railway, and 2,400*l.* to the Embankment and Reclamation; that Part of the said Capital has been raised, but no Money has yet been borrowed; proposes to divert a Portion of the Railway in the Townland of Leadmore West and Parish of Kilrush, and also of the Line of Railway and Embankment across the Slob Lands of Poulnasherry Bay, and to relinquish such Portion as will by the said Deviation be rendered unnecessary; also proposes to deepen and improve the Channel of the Creek and Harbour of Kilrush, and to construct a Quay or Landing Place and other necessary Works for the Accommodation of the Trade of the said Harbour, and to levy Tolls, Rates, and Dues in connexion therewith.

Incorporation of Companies and Lands and Railways Clauses Acts, § 3.

4. The following Sections of "The Harbour, Docks and Piers Clauses Act, 1847," are, as far as relates to the Rates for the Use of the Landing Place, hereby incorporated with this Act; (that is to say,)

With respect to the Rates to be taken by the Undertakers or Company;

With respect to the Collection and Recovery of Rates.

5. Whereas the additional Capital required by the Company for the Purposes of this Act amounts to the Sum of 15,000*l.*, making, with the Sum of 45,000*l.* which the Company are by their recited Act authorized to raise, the Sum of 60,000*l.*: Therefore, the said Sum of 60,000*l.* shall be the total Capital of the Company, of which the Sum of 37,800*l.* shall be applicable to the Railway and Landing Place, and the Sum of 22,200*l.* to the Embankment and Reclamation, instead of the several Sums herein-before mentioned as respectively applicable to such Purposes.

6. In the event of the whole of the said Sum of 22,200*l.* not being required for the Embankment and Reclamation, it shall be lawful for the Company to apply the Surplus that may remain (if any) after providing for these Purposes, to the making and maintaining of the Railway or other Works or Purposes of the Company.

Division of additional Capital into Shares; and Incidents of Shares, §§ 7 to 16.

Power to borrow 5,000*l.*, §§ 17, 19.

18. Of the said total Sum of 20,000*l.* under this or the said recited Act authorized so to be borrowed, the Sum of 12,600*l.* shall be applicable to the Railway and Landing Place, and the Sum of 7,400*l.* to the Embankment and Reclamation.

Description of Works by this Act authorized, § 21.

Relinquishment of Portion of Railway and Compensation, §§ 22 to 24.

Railway and Works to be made according to deposited Plans and Sections, § 25.

Plans as to Reclamation to remain with Clerk of Peace, § 27.

Defining the Waste Lands, § 29.

Three Years for compulsory Purchase of Lands, § 30.

Four Years for Completion of Railway, § 31.

Works to be approved by the Admiralty, §§ 32 to 34.

Tolls of Railway to be same as on original Line, § 35.

Rates and Tolls, §§ 36 to 40.

Saving Rights of Crown and of Lords of Manors, §§ 43, 44.

Cap. xxx.

"The Morayshire Railway Act, 1861."

Recites that under their Act of 1846 they have constructed a Railway from the Harbour of Lossiemouth to the City and Royal Burgh of Elgin; and under their Act of 1856 they have constructed a Railway from Orton to Craigellachie; that both those Railways have been for some Time open for public Traffic; that by their Act of 1860 the said Company were authorized to make a Railway from Elgin to Rothes to connect the Railways theretofore constructed by them as aforesaid; that it is expedient that the Morayshire Railway Company should be authorized to extend their Railway from Craigellachie to the Strathspey Railway, and to raise Capital for that Purpose; that by means of the Keith and Dufftown Railway and the Strathspey Railway, continuous Railway Communication will be afforded between the Great North of Scotland Railway and Grantown and Abernethy, and by means of the Strathspey Railway and the Morayshire Railway, as extended by this Act, continuous Railway Communication will also be afforded between Dufftown, Grantown, and Abernethy, and Elgin and the Harbour of Lossiemouth, and the Morayshire Railway might therefore be advantageously worked in connexion with the other Railways before-mentioned; and for effecting that Object and providing Facilities for the Interchange of Traffic, it is expedient that the Provisions herein-after contained with respect to Working and other Arrangements should be authorized, and that the Agreement set forth in the Schedule to this Act should be confirmed; and that it is expedient that the Great North of Scotland Railway Company should be enabled, in Terms of the scheduled Agreement, to contribute towards the Expense of the Railway by this Act authorized; and whereas the Objects aforesaid cannot be effected without the Authority of Parliament.

Incorporation of General Acts, §§ 2, 3.

Power to make Railway, §§ 4, 5.

Junction with the Strathspey Railway, §§ 6 to 8.

Two Years for compulsory Purchase of Lands, § 9.

Four Years for Completion of Works, §§ 10, 11.

Provision as to Tolls, § 12.

Power to raise Capital of 20,000*l.* by new Shares, with or without a Preference not exceeding 5*l.* per Cent., §§ 13 to 15.

Power for the Great North of Scotland Railway Company to subscribe 20,000*l.*, and to apply any existing Funds towards their Subscription, §§ 16 to 23.

Power to borrow 6,600*l.*, §§ 24 to 26.

Power for the Company to enter into Agreements with the Three Companies with respect to the Working or Use of the Railways, § 27.

Confirmation of Agreement in Schedule, §§ 28 to 35.

Schedule (Agreement).

Cap. xxxi.

"The Stratford-upon-Avon Railway Act, 1861."

Recites their Act of 1857; that their Railway is completed and opened for Traffic; proposes to raise further Sums.
Incorporation of Parts of Companies Clauses Consolidation Act, §§ 2, 3.
Level Crossing under recited Act, §§ 4 to 7.
Power to raise further Capital of 17,500*l.* with or without a preferential Dividend not exceeding 5*l.* per Cent., §§ 8 to 21.
Power for Company to borrow 5,700*l.* more, §§ 22 to 25.

Cap. xxxii.

"The Wrexham and Minera Railway Act, 1861."

Proposes to make a Railway from a Point near the Wrexham Station of the Shrewsbury and Chester Section of the Great Western Railway to a Point on the Minera Branch of the same Railway, near the Brymbo Tunnel on the said Branch, all in the County of Denbigh; to authorize the Company to run over and use, with their own Engines, Carriages, and Wagons, so much of the said Shrewsbury and Chester Section of the Great Western Railway as lies between the intended Junction of the Railway therewith and the Wrexham Station of that Railway, and also to use the said Station; and to enable the Company herein-after incorporated and the Great Western Railway Company to make and enter into such Agreements and Arrangements as are herein-after authorized with respect to the Working and Use of the Lines of Railway belonging to the said Companies respectively, and the Regulation and Management of the Traffic thereon, and the Division and Apportionment of the Profits arising therefrom.
Incorporation of General Acts, § 1.
Subscribers incorporated with a Capital of 36,000*l.*, in Shares of 10*l.* each, and with Power to borrow 12,000*l.*, §§ 3 to 8.
Meetings; Directors, §§ 11 to 18.
Line of Railway, § 19.
Power to make Railway, § 20.
Communications with the Great Western Railway, §§ 21 to 25.
Three Years for the compulsory Purchase of Lands, § 27.
Five Years for Completion of Works, §§ 28, 49.
Tolls, §§ 29 to 38.
Power to Company to use Portion of Great Western Railway, § 39.
Power to make Traffic Arrangements with the Great Western Railway Company, §§ 40 to 48.
Saving Rights of the Crown, § 50.

Cap. xxxiii.

"The Dewsbury, Batley, and Heckmondwike Waterworks Amendment Act, 1861."

Recites that by "The Dewsbury, Batley, and Heckmondwike Waterworks Act, 1856," the respective Local Boards of Health for the Districts of Dewsbury, Batley, and Heckmondwike were authorized to make, complete, and maintain, together with other Waterworks, a compensating Reservoir on the River Dun, at or near Dunford Bridge, for the Protection of Millowners, a Conduit from at or near Dunford Bridge to a certain Field adjoining Potter's Gate Road, and the Broad Stone Dyke in the Township of Foolstone in the Parish of Kirkburton; and another Conduit from a certain Field called the Broad Stone, in the said Township of Foolstone, to a Field called Purl Hill, at Staincliffe in the Parish of Batley, all in the West Riding of the County of York; and it is expedient that another Gauge or Weir should be substituted for the existing Gauge or Weir in connexion with the said Reservoir, and a Conduit in lieu of Part of the said Conduit from Dunford Bridge, and a Reservoir with a Bye-wash in connexion with the said Conduit to Purl Hill should be constructed by and as Part of the Undertaking of the said Local Boards, and that certain of the Provisions of the said Act should be amended, due regard being had to the Protection of the Millowners, and that each of the said Local Boards should be authorized to raise by Mortgage a further Sum of Money:
Local Boards united for Purposes of this Act, § 3.
Powers of united Boards under this Act to be exercised by Committee, § 4.
Incorporation of General Acts, § 5.
Power to make Waterworks, §§ 6, 7.
Power to purchase Easements, §§ 8 to 11.
Authorized Works to form Part of the Undertaking, § 12.
Period for Completion of Works, Three Years and Ten Years respectively, § 13.
Part of Conduit to be abandoned, § 14.
Construction of Aqueduct or Conduit, § 15.
Provisions of recited Act for Protection of Millowners to apply to new Works, § 16.
Millowners Expenses to be made good, § 17.
Reservoir Provisions, §§ 18 to 27.
Mode of levying Water Rate, § 28.
Power for the Dewsbury Board to borrow 15,000*l.*; for the Batley Board to borrow 10,000*l.*; and for the Heckmondwike Board to borrow 5,000*l.*, §§ 29 to 31.
Sinking and Depreciation Fund, § 32.
Application of Receipts of Dewsbury Board, of Batley Board, and of Heckmondwike Board, §§ 33 to 35.
Saving Rights of Millowners, § 38.

Cap. xxxiv.

"The Lancashire and Yorkshire Railway (Bootle Branch, &c.) Act, 1861."

Proposes to make a Railway from the Lancashire and Yorkshire Railway in the Township of Aintree and Parish of Sefton to Bootle, with Two short Branches, the one to the Aintree Station and the other to the Seaforth Station of the Lancashire and Yorkshire Railway; to construct over Ordsall Lane in the Township of Salford in the Parish of Manchester, a Bridge to connect the Stations, Lines of Railway, and Works of the Company lying on each Side of Ordsall Lane aforesaid; recites that certain Lands in the Township of Pendleton in the Parish of Eccles, and in the said Township of Salford, were heretofore purchased by the Company of Proprietors of the Manchester, Bolton, and Bury Canal Navigation, for the Purposes of their Canal, for a Term of Three Lives then in being, but the said Company of Proprietors neglected to purchase the Reversion in the said Lands after the Determination of the said Term; and the said Lands, which now form Part of the Site of the said Canal, or are immediately contiguous thereto, are now occupied by the Lancashire and Yorkshire Railway Company, who are the Owners of the Undertaking of the said Company of Proprietors; and proposes to purchase the Fee Simple and Inheritance of the same Lands, and of other Lands adjacent thereto; and to raise additional Capital for the Purposes of this Act and for the general Purposes of their Undertaking; and to amend the existing Acts of the Company.
Incorporation of General Acts, § 1.
Power to make Railways and Works according to deposited Plans, § 2.

3. The new Lines of Railway and Works to be made under the Authority of this Act shall be the following :—

1. A Railway to commence by a Junction with the Lancashire and Yorkshire Railway in the Township of Aintree in the Parish of Sefton, near to Sherwood Lane, to pass through or into the Townships of Aintree, Sefton, Orrell, and Ford, and Litherland, in the Parish of Sefton, and the Townships of Fazakerley, Walton-on-the-Hill, and Bootle-cum-Linacre, in the Parish of Walton-on-the-Hill, and to terminate in the said last-mentioned Township and Parish, near to Richmond Lodge, at the West End of the Strand Promenade, Bootle :
2. Two short Lines of Railway to connect the said last-mentioned intended Railway with other Parts of the Lancashire and Yorkshire Railway, the First Line to be wholly situate in the said Parish of Sefton, and to commence near and to the South-east of Park Gate House in the Township of Sefton, and passing through or into that Township, and the Township of Orrell and Ford, and the Township of Netherton, and to terminate in the last-named Township at the South End of the Aintree Station; and the other Line to commence in the Township of Litherland in the said Parish of Sefton, a little to the South of Seaforth Parsonage, passing through or into that Township, and the Township of Bootle-cum-Linacre in the said Parish of Walton-on-the-Hill, and to terminate in the said Township of Litherland by a Junction with the Lancashire and Yorkshire Railway near and to the South of the Seaforth Station :

A Bridge over Ordsall Lane, in the Township of Salford and Parish of Manchester.

4. It shall be lawful for the Company to purchase compulsorily the Land shown on the said deposited Plans, and therein described as "Lands at Pendleton and Salford," which Lands are coloured Pink upon the said deposited Plans; and it shall be lawful for the Trustees of Trinity Chapel, Salford, to sell and convey such of the said Lands as now belong to them unto the Company, in consideration of an annual Rentcharge payable by the Company to such Trustees for the Time being, and charged upon the Undertaking of the Company, and recoverable in such Manner as is by "The Lands Clauses Consolidation Act, 1845," provided and declared with respect to Chief Rents payable to Vendors absolutely entitled to the Lands sold.

Limiting Powers for compulsory Purchase of Land in Bootle, § 5.
Continuation of Regent Road, § 6.
Crossing Regent Road, § 7.
Bridges over Railway at Bootle, § 8.
Provision for future Bridges, § 9.
Saving of the Rights of the Earl of Derby, § 10.
As to Railway along Shore of Mersey, § 11.
Certain Provisions of the Railways Clauses Act to apply to Mains, Pipes, &c., of the Corporation of Liverpool, § 12.
For Protection of Leeds and Liverpool Canal, §§ 13 to 16.
Construction of Railway across Ordsall Lane in Salford, § 17.
Company to keep the Bridge in good Repair, § 18.
Company not to interrupt the free Passage of the Street, § 19.
Provision as to Alteration of Company's Bridge over the Canal at Ordsall Lane, § 20.
Sufficient Hoards to be erected for the Protection of the Public during the Execution of certain Works, § 21.
Plans, &c., of Bridges to be deposited with the Corporation, § 22.
Interpretation of certain Terms in Railways Clauses Consolidation Act, § 23.
Corporation may enter upon certain Plots of Land belonging to the Company and lay same to Ordsall Lane, § 24.
Saving Rights of Corporation of Salford and of the Earl of Sefton, § 25, 26.
Five Years for Completion of Railways, §§ 28, 39.
Tolls, § 29.
Power to raise 210,000*l.* by Shares, with a Preference not exceeding 5*l.* per Cent, §§ 30 to 34.
Preferences granted by Company under Acts of present Session to rank equally, § 35.
Power to borrow 70,000*l.*, §§ 36 to 38.
Saving Rights of the Crown and the Duchy of Lancaster, § 43.

Cap. xxxv.

"The Garston and Liverpool Railway Act, 1861."

Recites that it is expedient that a Railway should be made between the Saint Helens Railway at Garston, which is now vested by Lease in the London and North-western Railway Company, and the Neighbourhood of the Brunswick Dock, at Liverpool; and that the Manchester, Sheffield, and Lincolnshire Railway Company, and the Great Northern Railway Company, should jointly construct the same; and that the said Two Companies are willing to take upon themselves jointly the Duty of constructing and managing the said Railway upon the Conditions hereinafter contained; that it is also expedient that the Provisions herein-after contained should be made, in order to effectuate an Agreement between the several Companies interested, with respect to the reciprocal Use by the Manchester, Sheffield, and Lincolnshire, and the London and North-western Railway Companies, of Parts of their respective Undertakings; and that the Sheffield Railway Company and the Great Northern Railway Company should be authorized to acquire Land for the Construction of a Station, and should be authorized to construct a Station in the Parish of Childwall in Lancashire :

2. Within One Month after the passing of this Act, the Directors of the Sheffield Railway Company shall nominate and appoint in Writing, under the Hand of their Chairman or Secretary, Three Persons, and the Directors of the Great Northern Railway Company shall within the same Period in like Manner nominate and appoint Three Persons, and such Six Persons shall form a Committee, to be called "The Garston and Liverpool Railway Committee;" and the said Members shall remain in Office One Year, and their Places shall be filled, or they may be re-appointed by the same Means by which the original Appointments were made; and all the Powers vested in them by this Act may be exercised by them in the Name of the Committee; and the Expression, "the Promoters of the Undertaking" in "The Lands Clauses Consolidation Act, 1845," and the Expression "the Company" in "The Railways Clauses Consolidation Act, 1845," shall mean and apply to the Committee.

3. The said Companies may from Time to Time, in like Manner, at their Pleasure remove the Members of the Committee so nominated by them respectively, and may in like Manner respectively fill up the Vacancies occurring among such Members, by Removal, Death, or Resignation; and no Act done by the Committee shall be invalidated because of any alleged or real Want of Authority on the Part of the said Chairman or Secretary to sign such Appointment.

4. The Committee shall hold its Meetings at such Place as it may from Time to Time determine upon, but if no Place be determined upon, then at the Station of the Sheffield Railway Company at Manchester, and Four shall be a Quorum thereof; and the Chairman of each Meeting shall be elected alternately from the Members representing each of the said Companies, if any such Member be present at the Commencement of such Meeting, and unless otherwise unanimously agreed on at any such Meeting; and (subject to the next following Enactment) the Proceedings of the Committee shall be determined by a Majority of the Persons present, the Chairman having only his original Vote, and not a Casting Vote.

5. The Committee shall, at their First Meeting in every Year, appoint some Person as Arbitrator for the ensuing Year; and if any Difference shall at any Time arise in the Committee between the Members thereof representing the Companies respectively, such Differences shall be from Time to Time referred to the said Arbitrator, or in default of the Appointment of such Arbitrator by the Committee, then to an Arbitrator to be nominated by the Board of Trade on the Application of either of the Companies; and the Arbitrator may, on Application made to him by either of the said Companies, attend at any Meeting of the Committee and summarily decide any such Matter of Difference; and every Award or Decision of such Arbitrator shall be final, with respect to the Matters submitted to him, and the said Committee or the Board of Trade, as the Case may be, may fix the Remuneration to be paid to such Arbitrator: Provided always, that if any Matter which may have been referred to the Arbitrator shall be left undecided by him at the Expiration of his Year of Office, the same Matter shall be decided by the said Arbitrator, and his Decision shall be binding although he may no longer fill the said Office.

6. The Committee shall have the Direction of the Undertaking, and they may appoint, remunerate, and at their Pleasure remove, such Officers, Clerks, and Servants as they may deem needful for the Purposes thereof; and they shall cause proper Books of Account to be kept, containing accurate Statements of the Receipts and Expenditure touching the Railway, and connected with the Traffic thereon, as well as Books in which shall be entered the Minutes of all Proceedings at every Meeting of such Committee.

7. The Committee shall receive all the Tolls, Rents, Rates, and Charges, and all other the Revenue arising out of the Railway and Stations, or connected therewith, and shall devote the same in the first instance to paying the Salaries, Charges, and Expenses incident to the Working, Control, Management, Maintenance, and Repair thereof, and the Balance of net Revenue remaining in the Hands of the Committee at the End of every Half Year, after making such Payments as aforesaid, shall be handed by them to the said Two Companies in equal Proportions: Provided that such Committee may account to the said Companies, either monthly or quarterly, for all Balances of net Profits; and provided also, that for the Purposes of such Account and Division the Proportion of all Through Traffic Receipts shall be calculated upon the maximum Charges allowed to be taken by this Act, or such other Sum as both Companies agree upon.

8. If the Revenue so coming to the Hands of the Committee and so calculated shall be insufficient for the Purpose of defraying the Expenses attending the general Management, Regulation, and Control of the said Railway, each of the said Two Companies shall from Time to Time, upon Demand thereof by the Committee, pay to the Committee the Amount declared by them due from the same Company, whether in anticipation of future Payments or in Liquidation of Payments already made, and the Proportion so due may be recovered from either of the said Companies, if unpaid for 14 Days after Demand thereof, in Writing, either by Action of Debt, or by Distress of any Chattels on the said Railway belonging to such Company; and for the Purpose of recovering any such Sum, the Secretary for the Time being of the Committee may sue in his own Name on behalf of the Committee, and it shall be sufficient to aver that the Sum claimed has been declared by the Committee or the Arbitrator to be due from the Company sued, and the Production of the Minute Books of the Committee containing such Declaration shall be sufficient Evidence of the Averment.

9. And in order to provide Funds for carrying on the Business of the Committee until adequate Revenue shall be derived from the Undertaking hereby authorized, and also Funds for the Purchase of Lands, and for the Construction of the Railway and Station, be it enacted as follows:—

The Committee shall from Time to Time, in a Minute of the Committee, estimate the Amount of Monies required by them for the above Purposes, and shall fix the Times at which such Monies are to be paid to their Bankers or Treasurer; and Copies of every such Minute, signed by the Chairman of the Meeting at which such Minute was made, and by the Clerk of the Committee, or by the Arbitrator and Clerk, shall be sent with all convenient Despatch to the Secretaries of the Sheffield Railway Company and of the Great Northern Railway Company, addressed to the principal Offices of the same Companies:

The said Companies shall, at the Time so fixed in the Minute, pay in equal Moieties to the Bankers or Treasurer of the Committee, the Amount specified in the Minute, and such Moieties shall be deemed Debts due from the Companies respectively to the Committee from the Day fixed for the Payment thereof, until the same shall be discharged:

If either of the Companies shall make default in such Payment the same Company shall be charged by the Committee, and shall pay to the Committee Interest at the rate of 10*l.* per Centum per Annum upon the Amount due from the same Company, to be calculated from the Day fixed for the Payment until the Day when the same is paid:

The Committee may recover from the Company in default the Monies so due by Action of Debt in any Court of competent Jurisdiction; and it shall be sufficient in any such Action for the Committee to produce its Minute Book containing the Estimate on which the Claim is founded, and to prove that a Copy of the said Minute, duly authenticated, was sent to the Secretary, addressed at the principal Office of the Company in default, and that the Sum mentioned in the said Minute has not been paid.

10. All Actions, Suits, Indictments, and other Proceedings at Law or in Equity, which might have been brought and prosecuted by or against either of the Companies, if that Company had been solely authorized to execute this Act, may, as regards any Act or Default of the Committee in relation to the Railway and Works by this Act authorized, or any Part thereof, or the Execution of this Act, be brought and prosecuted by or against the Committee; and any Summons, Demand, Writ, Notice, or other Proceeding at Law or in Equity, or otherwise relating in any Manner to the Railway and Works, or to any Act or Default of the Committee, shall, if served on the Secretary or any Member of the Committee, or if left at, or transmitted by Post to, the principal Office of the Committee, or of either of the Two Companies, be valid and effectual.

11. The following Sections of "The Companies Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act; and the Expression, "The Directors," in the said Sections mentioned, shall in this Act mean the said Committee; and the Expression, "The Company," in the 100th Section, shall mean the Two Companies, or either of them:

Section 97, with respect to the making of Contracts;
Section 98, with respect to the Entry of Proceedings;
Section 99, with respect to Informalities in Appointment of Directors; and
Section 100, with respect to the personal Liablility of Directors.
Sections 109 to 114, with respect to the Accountability of Officers of the Company;
Sections 142 to 160, with respect to the Recovery of Damages not specially provided for, and Penalties; and
Sections 161 and 162, with respect to Access to the Special Act:

Provided always, that any Contract which, according to the said 97th Section, ought to be made under Seal, shall be valid and effectual if made in the Name of the Committee, under the Hands and Seals of the Chairman of the Meeting of the Committee when such Contract was signed, and Two other Members of the Committee present at such Meeting.

12. The Capital to be raised for the Purposes of this Act shall be 450,000*l.*, and the said Capital shall be contributed by the Two Companies in equal Proportions.

13. It shall be lawful for the Sheffield Railway Company and the Great Northern Railway Company, or either of those Companies, to apply towards the Purposes of this Act any of the Monies which they are already respectively authorized to raise, and which are not and will not be required by them for any of the Purposes of their existing Acts.

14. Each of the Two Companies may from Time to Time raise for the Purposes of this Act (in addition to the Sums of Money which they are already respectively authorized to raise) any further Sums not exceeding in the whole 225,000*l.*, by the Creation of new Shares or Stock in their respective Undertakings, of such Amounts as will allow the same to be conveniently apportioned or disposed of according to the Resolution of any Ordinary or Extraordinary Meeting of that Company, and may from Time to Time, but subject to the Provisions of this Act, fix the Amounts and Times of Payment of the Calls on Shares or Stock created under the Powers of this Act, and dispose of such Shares or Stock on such Terms and Conditions as may be so resolved upon.

Privileges may be attached to new Shares, §§ 15 to 19.
Power to borrow 75,000*l.* each, §§ 20 to 23.
Power to make Railway according to deposited Plans, § 24.
Describing Railway, § 25.
Limit of Deviation not to extend into Sefton Street, or to include Premises numbered 1, 3, 4, 8, 9, and 10, on Plan, § 26.
As to Station Land at Childwall, § 27.
Lands for additional Stations, § 28.
Four Years for Completion of Works, §§ 29, 31.
Regulating Inclinations of certain Roads, § 30.
For authorizing Purchase from the Harrington Dock Company of their remaining Estate, § 32.
As to Disposal of Purchase Money, § 33.
Communication with Saint Helens Railway to be made under the Direction of the Engineer of London and North-western Railway, §§ 34 to 37.
Main Outlet Sewer at the Dingle not to be interfered with until a new and sufficient Outlet has been substituted, § 38.
Corporation to be repaid additional Cost, § 39.
Bridges to be constructed across the Railway, § 40.
New Station to be so constructed as that Carts, &c., may wait without unnecessarily obstructing the Streets, § 41.
Streets and Roads in the Borough of Liverpool not to be stopped up or acquired without Consent of the Council, § 42.
Certain Provisions of "Railways Clauses Consolidation Act, 1845," to apply to the Water Pipes of the Corporation of Liverpool, § 43.
Protecting Works of Toxteth Park Local Board, § 44.
Protecting Southwood Road Sewer, § 45.
Board may construct new Sewers, &c., § 46.
Saving Rights of Local Board, § 47.
Limiting the Land to be purchased from the Earl of Sefton, § 48.
Provision for Bridge at Lord Sefton's Jericho Estate, § 49.
Provisions for future Bridges, § 50.
For establishing a Passenger Station at Jericho, § 51.
Provision against establishing Goods Station at Jericho, § 52.
As to Tunnel to Beresford Road, § 53.
Saving the Rights of the Earl of Sefton, § 54.

55. It shall be lawful for the Committee to demand and receive any Tolls and Charges in respect of the Railway, not exceeding those which the Sheffield Railway Company are authorized to receive in respect of their Undertaking; and it shall not be lawful for the Company to take any maximum Rates of Charge greater than those which the same Company are entitled to demand and receive: Provided always, that notwithstanding anything in the Acts relating to the same Company contained, every Passenger travelling upon the Railway, or booked therefrom, may take with him his ordinary Luggage, not exceeding 100 Pounds in Weight for 2d Class Passengers, and 60 Pounds in Weight for 3d Class Passengers, without any Charge being made for the Carriage thereof; provided also, that such Tolls and Charges shall be calculated as though the Railway by this Act authorized and the Line of Railway from Garston to Warrington formed a continuous Railway of the Sheffield Railway Company and the Great Northern Railway Company.

56. And with respect to small Packages, be it enacted, That notwithstanding the Rate of Tolls prescribed by this Act, the Committee may lawfully demand Tolls not exceeding the following; that is to say,

For the Carriage on the Railways or any Part thereof of any Parcel not exceeding 14 Pounds in Weight, 4*d.*;
For the Carriage of any Parcel exceeding 14 Pounds but not exceeding 28 Pounds in Weight, 6*d.*;
For the Carriage of any Parcel exceeding 28 Pounds but not exceeding 56 Pounds in Weight, 9*d.*;
And for the Carriage of any Parcel exceeding 56 Pounds but not exceeding 500 Pounds in Weight the Committee may demand at the Rate of 3*d.* for every Quarter of a Ton beyond 56 Pounds:

Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages.

57. It shall be lawful for the Sheffield Railway Company and the Great Northern Railway Company, severally or jointly, to use the Railway, Station, and Works hereby authorized, as fully to all Intents and Purposes as if the same formed Part of the Undertaking of each of the said Companies; and the Company so using the Railway shall, out of the gross Receipts earned by the same Company for the Conveyance of Traffic using the Railway, pay to the Committee the maximum Tolls

authorized to be taken for the Use of the Railway hereby authorized, or such other Sums as both Companies shall agree upon.

58. It shall be lawful for the said Two Companies to enter into Contracts and Agreements from Time to Time touching any of the Matters herein-before provided for: Provided always, that no such Contract or Agreement shall prejudicially affect the Interests of the Public or of any Persons not Parties thereto, and that all Persons other than the said Parties thereto shall have the same Rights to the Use of the said Railway and upon the same Terms as they lawfully might if no such Contracts or Agreements have been entered into; and provided also, that no such Agreement shall be valid unless the same shall have been approved by the Board of Trade.

59. The Sheffield Railway Company may pass over and use with their Engines and Carriages and Servants, and for the Purposes of Traffic of all Kinds, the following Railways, and, save as herein-after mentioned, the Stations, the Sidings, Watering Places, Buildings, Approaches, Works, and Conveniences at such Stations belonging thereto or connected therewith; and the London and North-western Railway Company, during their Possession of the said Saint Helens Railway, and afterwards the Saint Helens Canal and Railway Company, shall make all requisite Arrangements for that Purpose; namely,

So much of the Warrington and Stockport Railway as extends from the Junction of that Railway with the Manchester South Junction and Altrincham Railway to its Junction with the Saint Helens Railway at Warrington:

So much of the Saint Helens Railway as lies between the Junction therewith at Warrington of the Warrington and Stockport Railway and the Point where the Railway by this Act authorized joins the Saint Helens Railway at Garston:

The Railway authorized to be constructed by "The London and North-western (Edgehill to Garston) Railway Act, 1859," but not any of the Stations connected therewith or with any other Part of the London and North-western Railway at Liverpool or Edgehill.

60. The Terms, Conditions, and Regulations to which the Sheffield Railway Company shall be subject in respect of the said Use and Services and Accommodations, and the Tolls or other Consideration to be paid by them for the same, shall, if not agreed upon between them and the London and North-western Railway Company, be from Time to Time determined by an Arbitrator to be appointed by the Board of Trade, and the Decisions of such Arbitrator shall be binding and conclusive on all the Parties in difference, and the Costs and Expenses of such Arbitrator shall be defrayed as the Arbitrator shall direct; and either of the said Companies who shall refuse or neglect to perform, observe, and conform to any Decision given or Regulation made by any such Arbitrator in the Premises shall forfeit and pay to such Person or Company as the Arbitrator shall determine any Sum not exceeding 50*l.* for every such Offence, and 20*l.* for every Day during which such Offence shall continue.

61. The Sheffield Railway Company in using or traversing the said Portions of Railway, and in using the Stations and Conveniences thereof, in accordance with the Provisions herein-before mentioned, and the London and North-western Railway Company in using the Railway of the Sheffield Company between Ardwick and Sheffield, and the Stations and Conveniences connected therewith in like Manner, shall at all Times observe the reasonable Regulations and Byelaws for the Time being in force on the Undertaking so used, so far as such Byelaws shall be applicable to them.

62. The London and North-western Railway Company may pass over and use with their Engines and Carriages and Servants, and for the Purposes of Traffic of all Kinds, so much of the Railway of the Sheffield Railway Company as lies between their Station at Ardwick and Sheffield (including their Stations at Sheffield, and all the Stations between Sheffield and Ardwick, and all Sidings, Watering Places, Buildings, and Appurtenances, Works and Conveniences, belonging to or connected with the said Portions of Railway and Stations respectively; and the Sheffield Railway Company shall make all requisite Arrangements for that Purpose), and the London and North-western Railway Company shall also have the like Power to use the Railway (except the Stations) by this Act authorized; the Terms and Conditions and Regulations to which the London and North-western Railway Company shall be subject in respect of the said Use and Services and Accommodations, and the Tolls or other Consideration to be paid by them for the same, shall, if not agreed between them and the Sheffield Company, be from Time to Time determined by an Arbitrator to be appointed by the Board of Trade, and the Decisions of such Arbitrator shall be binding and conclusive on all the Parties in difference, and the Costs and Expenses of such Arbitrator shall be defrayed as the Arbitrator shall direct; and either of the said Companies who shall refuse or neglect to perform, observe, and conform to any Decision given or Regulation made by any such Arbitrator in the Premises shall forfeit and pay to such Person or Company, as the Arbitrator shall determine, any Sum not exceeding 50*l.* for every such Offence, and 20*l.* for every Day during which such Offence shall continue: Provided always, that in consideration of the Power by this Act granted to the Sheffield Railway Company to use the Warrington and Garston Railway, the Reversion whereof belongs to the Saint Helens Canal and Railway Company, it shall be lawful for such last-named Company, if and whensoever the Possession of the said Warrington and Garston Railway reverts to them, and during the Continuance of such Possession, to use the Railway by this Act authorized in the same Manner, on the same Terms, and subject to the same Regulations and Conditions as are provided by the 60th and 61st Sections of this Act with reference to the Use by the Sheffield Railway Company of the said Warrington and Garston Railway.

63. In respect to the Traffic of all Descriptions interchangeable between all Places on the respective Systems of the Sheffield and Great Northern Railway Companies respectively, on the one hand, and the Warrington and Timperley and Saint Helens Railways (between Warrington and Garston), and the Edge Hill and Garston Railway, and Liverpool and Places through Liverpool, and all Stations and Places on the aforesaid several Lines and the Line hereby authorized, on the other hand, the said Two Companies shall conduct the same Traffic efficiently and in good Faith the one towards the other, and in the event of an Arbitrator to be appointed under "The Railway Companies Arbitration Act, 1859," (and to whom shall be referred all Matters of Difference between such Two Companies,) deciding that either of such Companies is not so conducting the Traffic, it shall be lawful for the Great Northern Company, in the event of the Manchester, Sheffield, and Lincolnshire Company being so decided to be in default, to run with their own Engines and Carriages over the System of the Manchester, Sheffield, and Lincolnshire Company, West of Retford, and also over the aforesaid several Lines between Manchester and Garston, and Garston and Edge Hill, on Payment, as respects the Railways of the Great Northern and Manchester, Sheffield, and Lincolnshire Companies, of 80 per Cent. of the Mileage Proportion of the Through Receipts for Traffic, for the Distance actually traversed, after deducting the

usual Clearing House Terminals and Government Duty on Passengers, and on Payment, as respects the Warrington and Stockport, Warrington and Garston, and Edge Hill and Garston Railways, on the Terms and subject to the Regulations and Conditions mentioned in Sections 60 and 61 of this Act; and it shall be lawful for the Manchester, Sheffield, and Lincolnshire Railway Company, in the event of the Great Northern Company being so decided to be in default, in like Manner and on like Terms to run over the Great Northern Company's Line from Retford to King's Cross; and in either such event the Company in default shall permit the other Company to have its own Carting Agents for all Descriptions of Traffic, and to do its own Traffic Work, at the Terminal Stations at Manchester and King's Cross, belonging respectively to the Manchester, Sheffield, and Lincolnshire, and Great Northern Companies; and provided that the said Great Northern Company shall not for any Purposes use or interfere with any of the Stations of the London and North-western Railway Company at Manchester or at Liverpool or at Edge Hill, or at any intermediate Place, or, except for Traffic carried by them, under this Provision, to or from some Place in the Great Northern Railway, or East of Sheffield, with any of the Stations of or connected with the Warrington and Stockport Railway, or the Warrington and Garston Railway, or the Garston and Edge Hill Railway.

64. In consideration of the Grant by the London and North-western Railway Company of such contingent Use of such Lines to the Great Northern Railway Company, be it enacted, That, as respects the Lines of the Great Northern Company between the London and North-western Company's Lines at and near Peterborough and the several Places herein-after mentioned; that is to say, York, Leeds, Wakefield, Doncaster, Sheffield, Lincoln, Nottingham, Stamford, Peterborough, Newark, Halifax, Bradford, Hull, Grimsby, New Holland, or Gainsborough; and as respects the present and future Stations, Works, and Conveniences of the Great Northern Company at those Places, the London and North-western Company shall, for the Purposes of all Traffic whatever, whether Passengers, Cattle, Goods, Minerals, or other Things, to or from the said several Places respectively, from Time to Time and at all Times hereafter have the Right to book and invoice through over the Great Northern Lines all such Traffic intended to pass to or from any present or future Line of the London and North-western Company, or any Place on or beyond such Lines; and the Great Northern Company shall, for and in respect of all such Traffic, at all Times afford to and for the London and North-western Company all needful Accommodations, Facilities, and Conveniences at, on, and over the Lines and Stations of the Great Northern Company, so far as they from Time to Time can reasonably be required to do by the Through Trains of the Great Northern Company, Through Booking, Through Rates, Through Waggons and Carriages; and shall, at all Times, in all respects, conduct, forward, carry on, and accommodate all such Traffic on equal Terms with and as well as if it were their own proper Through Traffic; and the Charge to the North-western Company shall in no Case exceed the Mileage Proportion of the Through Rates in respect of such Traffic, after Deduction of the usual Clearing House Terminal Charges on Goods and Government Duty on Passengers: Provided always, that the Rates and Charges shall be calculated as if the Traffic passed over the shortest Distance that the Lines of the said Great Northern and London and North-western Companies in connexion, or either of them, would give; and out of such Charges the Great Northern Company shall receive its full Mileage Proportion of the Distance which the Traffic passing over their Railway has actually traversed, except with regard to non-competitive Traffic, as to which the Division of Receipts shall be according to the actual Distance travelled; and it shall be lawful for the said London and North-western Railway Company, if they think fit, from Time to Time, to have and employ at all or any of the said Places and Stations of the Great Northern Company, their own Booking and Invoicing Clerks, and Carting and other Agents, and for them the said Great Northern Railway Company shall provide all proper and needful Accommodations as before stipulated; and if any Dispute shall at any Time arise between the said Two Companies as to the Amounts to be allowed or charged by the one to the other for the Services and Accommodations aforesaid, or as to any Matter or Thing in this Provision mentioned, the same shall from Time to Time be settled by Arbitration in the Manner provided for the Settlement of Disputes by Arbitration by the "Railway Companies Arbitration Act, 1859;" and the Decisions of such Arbitrator shall be binding and conclusive on all the Parties in difference, and the Costs and Expenses of such Arbitrator shall be defrayed as the Arbitrator shall direct; and either of the said Companies who shall refuse or neglect to perform, observe, and conform to any Decision given or Regulation made by any such Arbitrator in the Premises shall forfeit and pay to such Person or Company as the Arbitrator shall determine any Sum not exceeding *50l.* for every such Offence, and *20l.* for every Day during which such Offence shall continue.

Cap. xxxvi.

"The Great Western Railway (Capital) Act, 1861."

Whereas by the several Acts relating to the Great Western Railway specified in Schedule (A.) to this Act, or some of them, the Great Western Railway Company have been authorized to construct or to purchase the several Lines of Railway and other Works in the said Acts mentioned, and for those Purposes have raised, by the Creation of Shares or Stock in the Company, Sums amounting to 12,591,010*l.*, which Amount has been fully expended in the Construction or Purchase of the said Undertakings and of the Stock necessary for the working of the said Railways: And whereas by the several Acts relating to the Birmingham and Oxford Junction Railway, and the Birmingham, Wolverhampton, and Dudley Railway, and to the Purchase of the said Two Undertakings by the Great Western Railway Company, specified in Schedule (B.) to this Act, the Company were authorized and required to purchase and pay for the said Two Undertakings, and were also empowered to construct and complete the same in manner therein mentioned, and to raise the Money necessary for those Purposes in Shares or Stock of the Company to the Amount of 3,121,250*l.*, which Sum has been fully expended for the same, and the Undertakings have been completed and purchased by the Company: And whereas by the several Acts relating to the Wilts, Somerset, and Weymouth Railway, specified in Schedule (C.) to this Act, the Company were empowered to construct and complete the Wilts, Somerset, and Weymouth Railway, and to raise the Money necessary for those Purposes in Shares or Stock of the Company, or by Annuities to the Amount of 1,750,000*l.*, which Sum has been fully expended, and the Undertaking has been completed and purchased by the Company: And whereas by the Act 17 & 18 Vict. c. ccxxii. the Shrewsbury and Chester and Shrewsbury and Birmingham Railway Companies were amalgamated with the Company upon the Terms and Conditions of Purchase specified in the said Act, and the Share Capital of the said Two Companies, amounting to the Sum of 2,605,787*l.*, thereby became and now forms Part of the Capital of the Company: And whereas the said several Sums before specified (the whole

of which, except 227,562*l.*, has been raised), together with the Sum of 275,000*l.* authorized by the several Acts relating to the Metropolitan Railway and the West London Extension Railway to be contributed by the Company towards the Construction of those respective Undertakings, amount in the aggregate to 20,343,047*l.* (the Particulars of which are set forth in Schedule (D.) to this Act), and it is expedient to define and declare the Amount which the Great Western Company are authorized to raise by the Creation of Capital, in Shares or Stock, for the several Purposes aforesaid, and to provide further Powers in respect thereof: And whereas, in addition to the said Capital authorized in Shares or Stock, and to the Loans by Mortgage of the several Undertakings, not exceeding One Third of such Capital, as authorized by the recited Acts, (which Loans amounted on the 31st Day of December 1860 to 6,721,275*l.*,) the Company will require for the general Purposes of their Undertaking, and for increasing their Traffic, and for the more efficient working thereof, and for providing additional Stock, Rolling Plant, and other Accommodation, and for laying down on some Portions of their Undertaking Rails adapted to the Narrow Gauge in addition to the Broad, a further Capital of 1,000,000*l.*, and the Company, at a Special General Meeting thereof, have determined to apply to Parliament for Powers to raise the same as and when required: And whereas under the Provisions of the several Acts or some of them mentioned or referred to in Schedule (E.) to this Act, the Company were empowered to subscribe to the Extent mentioned in that Schedule towards the Undertakings in those Acts mentioned, and to raise the Amount of such Subscription by Guarantee thereof, or by the Creation of Capital in their own Undertaking, &c.

2. The Undertaking of the Company shall be deemed to include the Great Western Railway, the Windsor Railway, the Birmingham and Oxford Junction Railway, the Birmingham, Wolverhampton, and Dudley Railway, the Wilts, Somerset, and Weymouth Railway, the Shrewsbury and Birmingham Railway, the Shrewsbury and Chester Railway, and all other Undertakings constructed or purchased by or amalgamated with the Company under the Powers of the recited Acts, or any of them.

3. The aggregate Capital which the Company are authorized to raise by the Creation of Shares or Stock, and to expend for the Purposes of their Undertaking as herein-before specified, and for the said Contributions of the Company to the West London Extension and Metropolitan Railways, (but exclusive of any Sum or Sums of Money which they may by any other Act of the present Session be authorized to raise,) is hereby declared to be 20,343,047*l.*, and the Company may from Time to Time create and issue Shares or Stock for so much of the said Capital as has not been raised by Shares or Stock of the Company.

4. The Company shall not raise by Shares or Stock, or Guarantee under any Act passed prior to the present Session of Parliament (except the Acts mentioned or referred to in Schedule (E.) to this Act, the Powers whereof are hereby reserved to the Company, and may be exercised by them), any greater Sum than the said Sum of 20,343,047*l.*

5. In addition to the said Capital of 20,343,047*l.*, but exclusive as aforesaid, the Company, for the general Purposes of their Undertaking, as herein-before specified, and for increasing their Traffic and for the more efficient working thereof, and for providing additional Stock, Rolling Plant, and other Accommodation, and for laying down, on some Portions of their Undertaking, Rails adapted to the Narrow Gauge, in addition to the Broad, may from Time to Time raise, by the Creation of Shares or Stock in their Undertaking, such Sum or Sums of Money as they think fit, not exceeding in the whole 1,000,000*l.*, making the Share Capital of the Company under this Act 21,343,047*l.*, but no Portion of such Sum shall be raised without the Authority of a General or Special General Meeting of the Company.

6. And whereas by the Act 11 & 12 Vict. c. clix. the Company were required to give Securities for the Purchase Monies of the Birmingham and Oxford Junction and Birmingham, Wolverhampton, and Dudley Railways, irrespective of the Sums required for the Construction and Completion of those Railways, which Purchase Monies amount to the Sum of 2,571,250*l.*, and it is expedient to provide for the Discharge of any such Securities from Time to Time by authorizing the Assignment of Preference Dividends to all or any Shares or Stock that may be created by the Company for raising the said Monies: Therefore the Company, with the Consent of Three Fifths of the Votes of the Shareholders of the Company present, personally or by Proxy, at a Meeting of the Company convened with special Notice of such Object, may assign to all or any Stock or Shares to be created by them for raising the said Purchase Monies such Amount of preferential Dividends as they think fit, not exceeding the Rate of 4*l.* 10*s.* per Cent. on the Amount of any such Stock, or on the Amount for the Time being paid up on any such Shares: Provided, that the total Amount of Shares or Stock to be created for such Purpose shall not exceed the Sum of 2,571,250*l.*

7. The Company, with such Consent of their Shareholders as last aforesaid, may assign to any Stock or Shares which they may create under the Powers of this Act for raising any other Part of the said Capital of 21,343,047*l.*, and which may not have been raised by them at the Time of the passing of this Act, such Amount of preferential Dividends as they think fit, not exceeding 4*l.* 15*s.* per Cent. on the Amount of such Stock, or on the Amount for the Time being paid up on any such Shares; provided, that if in any Year ending the 31st Day of December there shall not be Profits of the Company available for the Payment of the whole of such preferential Dividends, the Deficiency shall not be made good out of the Profits of any subsequent Year, or out of any other Funds of the Company.

8. And whereas for the Purpose of raising the said Sum of 275,000*l.* under the Acts relating to the Metropolitan Railway and the West London Extension Railway respectively, the Company created One Class of Shares or Stock for the whole of that Amount, and assigned preferential Dividends thereto at the Rate of 4*l.* 10*s.* per Cent., but as regards 175,000*l.*, Part of the said 275,000*l.*, such Assignment of preferential Dividends was made subject to the Approval of Parliament: Therefore such Assignment of preferential Dividend on the 175,000*l.* is hereby authorized and confirmed, and the preferential Dividends assigned to the Shares or Stock for raising all and every Part of the said Sum of 275,000*l.* shall have the same Priority in Payment of Dividends.

9. The Company may from Time to Time raise by the Creation of Shares or Stock in their Undertaking such Sums as they may require for the Redemption of any Preference or guaranteed Shares or Stock which they may have Power to redeem, but the Amount of Shares or Stock to be created or appropriated for any such Purpose shall not exceed the Amount of the Shares or Stock so to be redeemed, and the Sums to be raised by every such Creation shall be applied in Payment of the Shares or Stock to be redeemed, and to no other Purpose.

10. The Company, with such Consent of their Shareholders as aforesaid, may assign to all or any Stock to be created by them under the Powers of this Act for redeeming other Shares or Stock of the Company such Amount of preferential Dividends as they think fit, at any Rate per Centum per Annum upon the Amount of the Stock so created, or upon the Amount for the Time being paid up on the Shares so created, that shall

be lower than the Rate per Centum per Annum of the preferential Dividends upon the Shares or Stock to be redeemed.

11. If the Company, after having created any Shares or Stock, determine not to issue the whole of the Shares or Stock so created, they may cancel the unissued Shares or Stock, and may from Time to Time thereafter create and issue instead thereof other Shares or Stock of an aggregate Amount not exceeding the aggregate Amount of the Shares or Stock so cancelled.

12. Any Shares, whether ordinary or preferential, which the Company may create under the Powers of this Act, shall be of such Amount each, and payable by such Instalments or Calls, and at such Periods, and be issued and disposed of in such Manner, and be redeemable or irredeemable, terminable or perpetual, and in other respects subject to such Terms and Conditions as the Company shall prescribe.

13. Any Stock, whether ordinary or preferential, which the Company may create under the Powers of this Act, shall be issued and disposed of to such Persons, and in such Manner, and be redeemable or irredeemable, terminable or perpetual, and in other respects subject to such Terms and Conditions as the Company shall prescribe.

14. Subject to the Provisions of this Act, all Shares and Stock which the Company may create under the Powers of this Act shall form Part of the general Capital of the Company.

15. Any Shares or Stock created under the Powers of this Act for the Redemption of other Shares or Stock, and entitled to preferential Dividends at a lower Rate per Centum per Annum than the preferential Dividends upon the Shares or Stock to be redeemed, shall, as and when such last-mentioned Shares or Stock are paid off, have the same Priority in respect of Charge upon the Company's Revenues and Payment of preferential Dividends as the Shares or Stock redeemed thereby, but, except as aforesaid, no Preference or Guarantee of Dividend which may be granted by the Company under the Powers of this Act shall prejudice or affect any Preference or Priority in the Payment of Dividend or Interest on any other Shares or Stock which may have been granted by the Company in pursuance of or which may have been confirmed by any Act of Parliament previously passed, or which may otherwise be lawfully subsisting.

16. The Company may from Time to Time, with such Consent of the Shareholders of the Company as aforesaid, convert all or any Classes of Shares then existing in the Capital of the Company, and in respect whereof the whole Money subscribed shall have been paid up into Stock to be divided amongst the Shareholders according to their respective Interests therein.

17. After such Conversion or Consolidation shall have taken place, all the Provisions of any Acts of Parliament which require or imply that the Capital of the Company shall be divided into Shares of any fixed Amount and distinguished by Numbers shall, as to so much of the Capital as shall have been so converted or consolidated into Stock, cease and be of no Effect, and the several Holders of such Stock may thenceforth transfer their respective Interests therein, or any Parts of such Interests, in the same Manner and subject to the same Regulations and Provisions as or according to which any Shares in the Capital of the Company may be transferred; and the Company shall cause an Entry to be made in some Book to be kept for that Purpose of every such Transfer.

18. The Company shall from Time to Time cause the Names of the several Parties who may be interested in any such Stock, with the Amount of the Interest therein possessed by them respectively, to be entered in a Book to be kept for the Purpose, and to be called "The Register of Holders of Stock," and such Book shall be accessible at all reasonable Times to the several Holders of such Stock.

19. The Stock into which any Shares shall be converted or consolidated under this Act shall entitle the Holders thereof, according to their respective Interests therein, to the same Amount of preferential Dividends as such Shares, and shall also entitle the Holders thereof to the same Preference and Priority in respect of the Payment of Dividends, and all other Rights and Privileges, as such Shares.

20. The Company, by Order of a General Meeting of the Shareholders, may from Time to Time borrow on Mortgage of their Undertaking such Sums as they think fit, not exceeding, inclusive of Mortgages granted by the Company before the passing of this Act, and for the Time being in force, and also inclusive of the Amount of any Mortgage Stock, and of the Amount represented by Mortgage Annuities, the Sum of 7,114,349*l.*, and such Power shall be in substitution for, and not in addition to, all other Powers of borrowing Money on Mortgage of the Company's Undertaking conferred by any Act relating to the Company.

Incorporating Provisions of "Companies Clauses Consolidation Act, 1845," as to Mortgages, § 21.
Former Mortgages to have Priority, § 22.
Saving Priorities of existing Preference Shareholders, § 23.

24. It shall be lawful for the Company, from Time to Time, with the Consent of Three Fifths of the Votes of the Shareholders present, in Person or by Proxy, at any General Meeting of the Company convened with due Notice of that Object, to resolve that any Portion of the borrowed Capital of the Company, or any Debenture or other Security for which or for the Interest whereof the Company are lawfully liable, then subsisting on the Security of outstanding Mortgages or Bonds, not exceeding an Amount to be defined in and by such Resolution, may be converted either into Mortgage Stock of the Company of like Amount, with a fixed and perpetual irredeemable yearly Dividend or Interest attached, at any Rate not exceeding 4*l.* 10*s.* per Cent., or into Mortgage irredeemable Annuities at a Rate not exceeding 4*l.* 10*s.* per Cent., such Conversion to take place either by Agreement with the Holders of such Mortgages or Bonds respectively before the same respectively became due, or by paying off the same respectively when due, and creating and issuing such Stock or Annuities as aforesaid, instead of re-borrowing the Sums so paid off; and it shall thereupon be lawful for the Directors of the Company to carry into effect such Resolution or Resolutions by the Creation and Issue either of so much Stock having such fixed Rate of Interest or Dividend as aforesaid, or of such Annuities as aforesaid, as may from Time to Time be necessary for such Purpose, or partly by each of such Means, and the Stock or Annuities so respectively created and issued shall be a Charge upon the Tolls and Undertaking, and Lands, Tenements, and Hereditaments of the Company, and the Interest or Dividend of the said Stock, and the Amount of the said Annuities, and all Arrears thereof respectively, shall respectively for ever have Priority of Payment over all other Dividends on any other Stock or Shares of the Company whatever, and the Stock and Annuities respectively when so created and issued shall be termed respectively Great Western Mortgage Stock or Great Western Mortgage Annuities (as the Case may be): Provided that nothing herein contained shall in anywise prejudice or affect the Rights of the Holders of then existing Mortgages or Bonds of the Company; provided also, that, after the Conversion of any such Mortgages or Bonds into Stock or Annuities, it shall not be lawful for the Company again to borrow the Sum so converted, or to issue Mortgages or Bonds or any other Securities in respect

thereof, but the Powers of borrowing by the Company shall, to the Extent of the Sum so from Time to Time converted into Stock or Annuities, be extinguished.

25. The Holders of the said Mortgage Stock or Mortgage irredeemable Annuities shall not be entitled to vote in the Affairs of the Company.

26. The several Holders of any Annuities to be created under the Authority of this Act may transfer the Annuities for the Time being held by them, or any Part thereof, in the same Manner, and subject to the same Regulations and Provisions (mutatis mutandis), as or according to which the Capital Stock of the Company, or any Interest therein, may be transferred under the Provisions of the Act or Acts of the Company applicable thereto; and the Company shall cause an Entry to be made in some Book to be kept for that Purpose of every such Transfer, and for every such Entry they may demand any Sum not exceeding 2*s.* 6*d.*

27. The Company shall from Time to Time cause the Names of the several Parties who may be entitled to any such Annuities as aforesaid, with the Amount thereof to which they are so respectively entitled, to be entered in a Book to be kept for that Purpose, to be called "The Register of Holders of Mortgage Annuities;" and such Book shall be accessible at all seasonable Times to every Mortgagee, Bondholder, Annuitant, or Share or Stock Holder of the Company.

28. If within 30 Days after the Dividend or Interest on any Mortgage Stock or (as the Case may be) any Annuity to be granted under the Authority of this Act shall have become due, and after Demand thereof in Writing the same be not paid, the Proprietor or Proprietors of such Stock holding individually or collectively an Amount in nominal Value of 100,000*l.* or upwards, or (as the Case may be) the Holder or Holders of any such Annuity or Annuities of the yearly Amount individually or collectively of 4,000*l.*, may, without Prejudice to his and their Right to sue for the Dividend or Interest, or (as the Case may be) the Annuity or Portion thereof so in arrear, in any Court of competent Jurisdiction, require the Appointment of a Receiver by an Application to be made as herein-after provided.

Appointment of a Receiver, § 29.

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Great Western Railway Acts.

5th and 6th of William IV., Chapter 107.
7th of Victoria, Chapter 3.
9th of Victoria, Chapter 14.
10th and 11th of Victoria, Chapters 91 and 226.
11th and 12th of Victoria, Chapters 74, 133, 135, and 158.
15th and 16th of Victoria, Chapter 133.
16th and 17th of Victoria, Chapters 153 and 175.
17th and 18th of Victoria, Chapters 108 and 202.

SCHEDULE (B.)

Birmingham and Oxford Junction Railway and Birmingham, Wolverhampton, and Dudley Railway Acts.

9th and 10th of Victoria, Chapters 315, 337, and 338.
10th and 11th of Victoria, Chapters 149 and 226.
11th and 12th of Victoria, Chapter 159.

SCHEDULE (C.)

Wilts, Somerset, and Weymouth Railway Acts.

8th and 9th of Victoria, Chapter 53.
9th and 10th of Victoria, Chapter 313.
14th and 15th of Victoria, Chapter 48.
15th and 16th of Victoria, Chapter 140.

SCHEDULE (D.)

ORDINARY SHARE CAPITAL:		
Great Western Railway Consolidated Stock and Windsor Shares	£8,169,424	
Stour Valley Railway Stock	188,087	
		£8,357,511
PREFERENTIAL SHARE CAPITAL:		
Irredeemable:		
Great Western Railway proper,		
5 per Cent.	56,092	
4½ per Cent.	3,300	
4 per Cent.	2,167,100	
3 per Cent.	10,050	
Shrewsbury and Chester and Shrewsbury and Birmingham Railways,		
8 per Cent.	175,000	
6 per Cent.	155,000	
3½ per Cent. guaranteed	£1,751,076	
		4,317,618
Redeemable		7,440,356
		20,115,485
Amount of Share Capital not raised		227,562
		£20,343,047

SCHEDULE (E.)

The Cornwall Railway Act, 1846, and all other Acts relating to the Cornwall Railway, 75,000*l.*, of which the Sum of 60,000*l.* has been guaranteed.

The Oxford, Worcester, and Wolverhampton Railway Act, 1845, and all other Acts relating to the Oxford, Worcester, and Wolverhampton Railway, 850,000*l.*, of which the Sum of 181,500*l.* has been guaranteed.

The Plymouth Great Western Dock (Amendment) Act, 1848, 12,500*l.*, the whole of which has been guaranteed.

The South Devon Railway Act, 1844, (of which the Title is "An Act for making a Railway from Exeter to Plymouth, to be called 'The South Devon Railway Act;'") and all other Acts relating to the South Devon Railway, 225,000*l.*, the whole of which has been guaranteed.

The South Wales Railway Act, 1845, and all other Acts relating to the South Wales Railway, 600,000*l.*, of which the Sum of 581,000*l.* has been guaranteed, and a proportionate Amount of Preference Stock, of which 56,220*l.* has been guaranteed.

Cap. xxxvii.

"Lancashire and Yorkshire Railway (Capital) Act, 1861."

Proposes to enable the Lancashire and Yorkshire Railway Company to raise additional Capital for enabling them to lay down additional Lines of Rails on Portions of their Undertaking; for the Enlargement of existing and Construction of new Stations, Sidings, and other Accommodation, and for providing additional Rolling Stock, and for other general Purposes of their Undertaking, and to amend their Acts.

Power to raise 500,000*l.* by Shares, with a Preference not exceeding 5*l.* per Cent., §§ 3 to 6, and §§ 8 to 10.

Power to raise Capital under any other Act of this Session and this Act by new Shares of One Class, § 7.

Extending Period for Sale of superfluous Lands, § 11.

Cap. xxxviii.

"Price's Patent Candle Company's (Limited) Act, 1861."

Recites Incorporation in 1857, with a nominal Capital of 1,000,000*l.*, divided into 50,000 Shares of 20*l.* each, and with Power to borrow 100,000*l.* upon Mortgage or Bond, but subject to a Provision requiring the Company on or before the 26th Day of May 1861 to reduce their Debts on Mortgage or Bond to 50,000*l.*, and limiting their borrowing Power thenceforth to that reduced Amount; that having issued 37,500 Shares, and being unable to issue as ordinary Shares any Part of the Remainder of their Capital, they were by "Price's Patent Candle Company's (Limited) Act, 1859," empowered to issue Preference Shares in substitution for their unissued ordinary Capital, or any Part thereof; that in pursuance of the last-mentioned Act they duly resolved to issue 5,000 Shares of 20*l.* each, bearing Preference Dividends of Six per Centum per Annum, and 1,621 of such Shares have been issued and paid up in full, but the Company have been and are unable to issue any Part of the Residue thereof; that their issued Capital of the Company now amounts to 782,420*l.*, consisting of 37,500 ordinary Shares, which have been paid up in full, and 1,621 Preference Shares, which have also been paid up in full; that they are indebted on Bonds to nearly the full authorized Amount of 100,000*l.*, viz., to the Sum of 98,600*l.*; and it is expedient that the Period allowed to the Company for reducing their Debt to 50,000*l.* should be extended.

1. So much of the 19th Section of the first-recited Act as enacts that it shall be imperative upon the Company on or before the 26th Day of May 1861 to pay off so much of the Money then owing by them on Mortgage or Bond as should be in excess of 50,000*l.*, and that from and after that Day the total Amount borrowed by the Company at any One Time shall not exceed 50,000*l.*, shall cease to be obligatory upon the Company, but nevertheless it shall be imperative upon the Company on or before the 26th Day of May 1866 and they are hereby required to pay off so much of the Money then owing by them on Mortgage or Bond as shall be in excess of 50,000*l.*, and from and after that Day the total Amount borrowed by the Company at any One Time shall not exceed 50,000*l.*

2. After the 26th Day of May 1866 no Dividend shall be paid on the ordinary Capital of the Company if and while the Company shall remain indebted on Mortgage or Bond to a total Amount exceeding 50,000*l.*

3. Until the Company's total Debt on Mortgage or Bond shall be reduced to 50,000*l.*, the total issued Share Capital of the Company shall not exceed 900,000*l.*

Cap. xxxix.

"The Haslingden Gasworks Act, 1861."

Recites that the Town and Neighbourhood of Haslingden in Lancashire are increasing in Population, and are now insufficiently lighted, and a Company has been formed under the Style of "The Haslingden Union Gas Company," for supplying with Gas the Inhabitants of the said Town and District; that a Company for supplying the Town of Haslingden with Gas was formed in the Year 1847 by a Deed of Settlement bearing Date the 31st Day of August 1847, and the same Company was completely registered on the 22d Day of May 1848 by the Style of "The Haslingden Gaslight and Coke Company;" that the Capital of the last-named Company consists of 1,005 Shares of 6*l.* each, whereof 662 have been paid in full, and upon the remaining 343 4*l.* per Share have been paid; and it is intended that the remaining 2*l.* shall be forthwith called up and paid; that it has been agreed that the Two Companies should be united upon the Condition that the Shareholders in the last-named Company shall receive the Value of their existing Works, Property, and Effects, amounting to the Sum of 8,542*l.* 10*s.*, in the Shares of the United Company.

Incorporation of General Acts, § 1.
Limits of the Act, § 3.
Incorporation of new Company, § 4.
Purposes of the Company, § 5.
Effects, &c. of Haslingden Gas Company vested in the new Company, and saving of Rights and Liabilities, §§ 6 to 11.
Capital—1,005 Shares to Haslingden Gaslight and Coke Company, 503 further Shares to same Company, 1,401 Shares assigned to Haslingden Union Company, 1,091 remaining Shares to be disposed of by Directors according to the General Act, §§ 12 to 17.
Power to borrow 9,950*l.*, §§ 18, 19.
Directors, §§ 20, 21.
Meters; Penalties; Testing Clauses, §§ 25 to 38.

Cap. xl.

"The Northern Assurance Amendment Act, 1861."

Recites Formation of a Company under the Name of "The North of Scotland Fire and Life Assurance Company," by virtue of a certain Contract of Copartnery, bearing Date the 2d Day of June in the Year 1836, and various subsequent Dates, in order to carry on the Business of effecting Insurance of all Descriptions of Property against Loss or Damage by Fire, Assurances of single Lives, joint Lives, and Survivorships, the Purchase of Policies and Advances on their Security, the Purchase and Sale of Reversions, reversionary Interests, and Annuities, Endowments for Children, and such other Business as is generally carried on or transacted by similar Companies; that by Articles of Agreement and Deed of Accession to the said Contract of Copartnery, bearing Date the 1st Day of April, in the Year 1847, and various subsequent Dates, a certain other Assurance Company, carrying on Business in Glasgow under the Name of the Western Fire and Life Insurance Company of Scotland, was amalgamated with and merged in the said North of Scotland Fire and Life Assurance Company, which after the said Amalgamation carried on Business in Glasgow and certain other Places under the Name of "The North and West of Scotland Fire and Life Assurance Company;" that by 11 & 12 Vict. c. xlvi. the said Company was incorporated by the Name and Designation of "The Northern Assurance Company," and various Powers were conferred upon the said Company, and various Provisions made for the Conduct and Regulation of its Business and for other Matters relating thereto; that the Company has, since the passing of the said Act, constituted Local Boards and Agencies in various Places, pursuant to the Provisions of the said Act, and has carried on Business through the Medium of such Local Boards and Agencies, and otherwise, in the United Kingdom and the Colonies and Dependencies thereof, and in various Foreign Countries and States; that under the Laws, or by the Custom and Practice of certain of the said Colonies, Dependencies, Foreign Countries, and States, Persons and Companies carrying on Business of Assurance are required to deposit or invest certain Sums of Money in the Names of Trustees, or otherwise, as a Security or Guarantee for the Fulfilment of their Engagements, and also to comply with other Regulations in force in such Colonies, Dependencies, Foreign Countries, and

States respectively with reference to Persons and Companies respectively carrying on such Business as aforesaid; that the Powers of the said Company are not sufficient to enable them in all such Cases to make the required Deposit or Investment, or to comply with the specified Regulations, and the Powers of Investment of the said Company are otherwise insufficient; and that for the Purpose of the Colonial and Foreign Business of the said Company it is expedient that the Powers capable of being delegated to or conferred upon Local Boards and Agents should be enlarged, and that Provisions should be made for facilitating the granting of such Powers, and also for enabling the said Company, by such Local Boards and Agents or otherwise, more effectually to carry on Business in any of the Colonies or Dependencies of Great Britain, or in any Foreign Countries or States, in accordance with the Laws, Customs, and Institutions of such Colonies, Dependencies, Foreign Countries, and States respectively.

Power to make Deposits and Investments required by Law of Foreign Countries, § 1.

Powers to appoint Foreign Agents, and to delegate certain Powers to them, § 2.

Foreign Policies and Instruments need not bear the Common Seal, § 3.

Powers of Investment, § 4.

Power to vary Byelaws, § 5.

Provisions of existing Act and Deed to be in force, except so far as repealed, § 6.

Cap. xli.

"The Swansea Gas Act, 1861."

Recites that by 11 Geo. 4. c. xvii. the Swansea Gaslight Company were incorporated and authorized to light with Gas the Town of Swansea, with a Capital of 6,000*l.*, divided into 120 Shares of 50*l.* each, and with Power to raise any further Sum not exceeding 3,000*l.* by Mortgage; and they have further expended on their Undertaking Sums amounting in the whole to 29,000*l.*, or thereabouts, of which 21,000*l.* consisted of Profits of the Undertaking, and 8,000*l.* remain unpaid; that it is expedient that the Limits of the Company should be extended so as to include the Town and Borough of Swansea, the Parish of Swansea (within and without that Borough), the Parish of Oystermouth, and all Places and Lands situate wholly or partly within One Mile of any Part of the Borough; and in order to enable the Company to pay off and discharge their existing Debts and Liabilities, and to meet the increased and increasing Demand for Gas, that the Company should be empowered to raise further and other Sums of Money, and that further and other Provisions should be made with reference to the Regulation and Augmentation of the Capital of the Company; and that the recited Act be repealed.

Recited Act repealed, § 1.

8 & 9 Vict. cc. 16. & 18. and 10 & 11 Vict. c. 15. incorporated, § 3.

Limits of Act, § 5.

Re-incorporation of Company, and saving Rights and Liabilities, §§ 6 to 16.

Capital, 100,000*l.* in 25*l.* Shares, § 17.

Allotment of 240 Shares, § 18.

Allotment of the remaining Shares, § 19.

New Shares to divide equally with the original Shares up to, but not exceeding, 7*l.* 10*s.* per Cent. per Annum, § 20.

Shares to be held upon the same Trusts, § 21.

Old Certificates to be delivered up, § 22.

Power to issue remaining Shares, § 23.

Three thousand two hundred and eighty new Shares, from Time to Time issued, to be sold by Auction, § 24.

Auctions to be advertised, § 25.

Application of Premiums, § 26.

General Power to dispose of new Shares, § 27.

Receipts for disqualified Persons, § 28.

Shareholders not disqualified from being or acting as Members of Town Council, or Local Board, or Harbour Trustees, § 29.

Power for Company to borrow to the Amount of One Fourth of paid up Capital, §§ 30 to 33.

Directors; Meetings, §§ 35 to 44.

Power to construct Works, § 45.

Power to lay Pipes under the Tawe, &c., § 46.

Plans to be deposited with Swansea Harbour Trustees before Commencement of Works across the Tawe, § 47.

Power to Company to lay Pipes for lighting Buildings, § 48.

Limit of the Price of Gas, § 49.

Compulsory Supply of Gas by the Company, § 50.

Company bound to supply Gas, § 51.

Quality of Company's Gas, and testing of, § 52 to 55.

Power to Company to require Consumers to consume Gas by Meter, § 56.

Meter Rents; Penalties, §§ 57 to 65.

Saving Rights of the Duke of Beaufort and of the Corporation of Swansea, §§ 66, 67.

Cap. xlii.

"The Liverpool Improvement Act, 1861."

Proposes to enable the Mayor, Aldermen, and Burgesses of the Borough of Liverpool to make new and widen existing Streets within the Borough.

Lands Clauses Consolidation Acts incorporated, § 2.

Service of Notice on the Corporation, § 3, 4.

Power to take Lands, &c., § 5, 6.

Alterations consequent on changing Levels of Streets to be made at Expense of Corporation, § 7.

Expense of Removal of Water Pipes to be paid by Corporation out of Monies raised under this Act, § 8.

Corporation to reinstate Pipes of Liverpool United Gaslight Company, § 9.

Erection or Alteration of Buildings fronting Streets to be according to such Elevation as the Corporation shall approve, § 10.

Corporation may sell or lease Lands not required for Purposes of Act, § 11.

Power for Corporation to levy an Improvement Rate, § 12.

Churches, Chapels, Schools, &c. not liable to be rated, § 13.

Provisions of "The Liverpool Improvement Act, 1858," as to Rates extended to this Act, § 14.

Power to borrow 130,000*l.*, § 15.

Provisions of "The Liverpool Improvement Act, 1858," as to Mortgages to apply to Mortgages under this Act, § 16.

Application of Monies, § 17.

When Purposes of Act effected, Improvement Rate to cease, § 18.

Accounts to be kept and audited, § 19.

Accounts to be made out annually and published, § 20.

Corporation may appoint Officers for Purposes of this Act, § 21.

Reserving Powers conferred by Municipal Corporation and other Acts, § 22.

Cap. xliii.

"The Newcastle-under-Lyme Marsh Lands Act, 1861."

Recites that by the Act 22 Geo. 3., c. 29., intituled "An "Act for inclosing and leasing a Piece of Waste Land "called The Marsh within the Parish and Borough of "Newcastle-under-Lyme in the County of Stafford, and "applying the Profits thereof in aid of the Poors Rates "of the said Parish and Borough," certain Persons therein named and their Successors, to be elected in manner thereinafter mentioned, were appointed Trustees for putting the said Act in execution, and a Piece of Waste Land in the said Parish and Borough of Newcastle-under-Lyme called "The Marsh," was vested in the said Trustees and their Successors for ever, with Powers to lease the same for any Term not exceeding 21 Years, at the greatest annual Rent that could be obtained for the same, and for the Purpose of such leasing to divide the said Land into Lots; and the said Act directed that the Money arising under the said Act should be applied in paying the Costs thereof and the Charges of removing Encroachments and Nuisances upon the said Land and in levelling and improving the same, and that the Residue of the Money to arise under the said Act, after paying the Expense of executing the same, should be applied and disposed of by the said Trustees in the Relief and Maintenance of the Poor of the said Parish and Borough, and in aid and ease of the Poor Rates within the same, in such Manner as the said Rates are directed to be disposed of and applied; that by 22 Geo. 3. c. 10. additional Trustees were appointed, and the Trustees were empowered to lease the said Land, or any Part or Parts thereof, for any Term of Years not exceeding 200 Years, for the greatest annual Rent, or upon a small annual Rent, and for the best Price by way of Fine that could be reasonably had for the same, and for the Purpose of such leasing to divide the said Land into Lots; and the Second Act directed that no Lot should be leased for any longer Term than 21 Years in possession, unless the Lessee entered into Covenants to build on the Ground demised, within the Space of Five Years then next ensuing, a substantial Dwelling House of the Value of 200*l.* at least, exclusive of any Outbuilding on the same Land, according to such Plan and under such Covenants as should be settled by the Trustees; also to expend the like Sum of 200*l.* at least on every other Dwelling House at any Time during the said Term erected upon any Part of the Ground by such Lessee, exclusive of any Outbuildings to the same respectively; also that no such Dwelling House should be divided into Tenements of less Value than as aforesaid, nor any Part thereof underleased (except such Part should be of the Value of 200*l.* respectively), but that each Dwelling House that should be erected and occupied by a distinct Family should be of the full Value of 200*l.*; that at the Time of the passing of the said recited Acts the Borough of Newcastle-under-Lyme was co-extensive with the Parish of Newcastle-under-Lyme; that the Borough has since been extended beyond the said Parish by the Act 5 & 6 Will. 4. c. 76. for the Regulation of Municipal Corporations in England and Wales, but the extended Portion of the said Borough has no Interest in any Portion of the Rents of the Marsh Lands; that the Restrictions imposed by the Second Act are objectionable, and prevent the said Land being taken for building Purposes; that Part of the said Piece of Land called The Marsh was in or about the Year 1798 taken by the Newcastle-under-Lyme Junction Canal Company under the Authority of the Act of Parliament relating to that Company, and the Consideration therefor was a perpetual annual Rent of 5*l.* payable thereout, and such Land has since been taken from the said Canal Company by the North Staffordshire Railway Company under the Authority of the Acts of Parliament relating to that Company, and such Land is now used for the Purposes of the Railway and Works of the last-mentioned Company, who are now entitled thereto in Fee Simple, subject to the said Rent; that other Part of the Freehold of the said Piece of Land called The Marsh, containing by Admeasurement 900 Square Yards, was some Years since exchanged by the Trustees acting under the said Acts with John Edensor Heathcote, Esquire, for another Piece of Land of the same Extent, also formerly Part of the said Piece of Land called The Marsh, but at the Time of such Exchange vested in the said John Edensor Heathcote in Fee, subject only to the Payment to the said Trustees of a perpetual annual Rent of 4*l.* 10*s.*, and the Consideration for such Exchange was the Discharge of the Land received by the Trustees in exchange from the Rent theretofore payable in respect thereof, and the Charge by the said John Edensor Heathcote of a perpetual annual Rent of the same Amount upon the Land received by him in exchange, and the said John Edensor Heathcote is now entitled to the Land so received by him, in Fee Simple, subject to the said Rent; that shortly after the making of such Exchange as last aforesaid the said North Staffordshire Railway Company, under the Powers of their said Acts, took from the said Trustees not only the said 900 Square Yards of Land so received by them in exchange as aforesaid, but also 1,500 Square Yards of Land adjoining thereto, also Part of the said Piece of Land called The Marsh, and the Consideration for the Land so taken by the said Company was a perpetual annual Rent of 12*l.*, and such Land is now used for the Railway and Works of the said Company, who are now entitled thereto, in Fee Simple, subject to the said Rent; that the said Piece of Land called The Marsh, exclusive of the Land so given by the said Trustees in exchange as aforesaid, and also of the said Land so taken by the said Company as aforesaid, contains 16 Acres 3 Roods and 3 Perches, and the same is divided as mentioned in the Schedule to this Act annexed; that the said Land could be made much more productive, and it would be of advantage to the said Parish if the Powers herein-after mentioned were vested in the Trustees, and it would be convenient in the Management of the Trust if the Trustees were incorporated and some of the Powers of the recited Acts amended and extended.

Repeal of Part of Second Act, § 3.

Repeal of Parts of both Acts as to Appointment of Trustees, § 4.

Number of Trustees, § 5.

First Trustees; Trustees incorporated, § 6.

Power to fill up Vacancies in Trustees, § 7.

Certain Provisions of "The Commissioners Clauses Act" incorporated, § 8.

Qualification of Trustees, § 9.

First Meeting of Trustees; Annual Meeting of Trustees, § 10.

Quorum of Meeting of Trustees, § 11,

Trustees need not hold Monthly Meetings or provide daily Attendance at their Office, § 12.

Lands in Schedule vested in Trustees, § 13.

Existing Leases, &c. to be binding on all Parties, § 14.

Evidence of Appointment of former Trustees, § 15.

Power to divide and sell or let Lands, § 16.

Rents may be apportioned, § 17.

Trustees may release Lessees from Restrictions contained in Leases under the Second Act, § 18.
If Trustees sell Reversion of any Lands, any Lessee of Marsh Lands may require the Trustees to sell the Reversion thereof, § 19.
Contracts, Sales, Leases, &c. may be made on such Terms as the Trustees think proper, but Leases not to be renewable, § 20.
Power to confirm defective Leases, § 21.
Memorandum of Execution of Counterpart endorsed on Lease sufficient Evidence, § 22.
Receipts of Trustees or Treasurer to be a Discharge for Principal Sums, § 23.
Receipts of Clerk or Collector to be a Discharge for Income, § 24.
Sales and Lettings to be made by Auction, of which Notice shall be given, § 25.
Sales and Lettings by private Contract, § 26.
Lands comprised in avoided Leases or Contracts may be let again, § 27.
Purchase Monies amounting to 200*l.* to be paid into the Bank until invested in other Lands, § 28.
In the meantime the Money may be invested, § 29.
Sums under 200*l.* to be paid to Trustees to Capital Account, § 30.
Certificate of the Accountant General, with the Receipt of One of the Cashiers of the Bank, to discharge Purchasers, § 31.
Monies to be carried to Capital and Income Accounts, § 32.
Application of Capital, § 33.
Application of Income, § 34.
Proceedings under this Act to bind all Parties interested, § 35.
General Saving of Rights, § 36.
Trustees may sell Lands to pay Expenses of Act, and in meantime may borrow Money for that Purpose, § 37.
Marsh Lands exempted from 5 & 6 Will. 4. c. 69., and subjected to Sect. 85. of 4 & 5 Will. 4. c. 76., § 38.
Schedule (Lands).

Cap. xliv.

"The Nantwich and Market Drayton Railway Act, 1861."

Proposes to make a Railway between the London and North-western Railway at Nantwich in the County of Chester and Market Drayton in the County of Salop; and to authorize the London and North-western Railway Company to enter into Arrangements with the Company by this Act incorporated with respect to the working of the Railway, and the Division and Apportionment of Tolls, Fares, Rates, and Charges arising from such Traffic.
Incorporation of General Acts, §§ 2, 3.
Company incorporated with a Capital of 60,000*l.* in 10*l.* Shares and with Power to borrow 20,000*l.*, §§ 4 to 11.
Meetings; Directors, §§ 12 to 18.
Power to make and maintain Railway, § 19.
Two Years for compulsory Purchase of Lands, § 20.
Four Years for Completion of Works, §§ 21, 32.
Railway authorized, § 23.
Communication with the London and North-western Railway, §§ 24 to 28.
For Protection of Property of Shropshire Union Railways and Canal Company, §§ 29 to 32.
Tolls, §§ 33 to 40.
Power for Company and the North-western Company to agree for Purposes authorized, §§ 41 to 50.

Cap. xlv.

"Neath Water Supply Act, 1861."

Limits of Act, § 2.
Incorporation of General Acts, §§ 3 to 5.
Incorporation of Company with a Capital of 5,500*l.*, in Shares of 10*l.*, and with Power to borrow 1,300*l.*, §§ 6 to 13.
Meetings; Directors, &c., §§ 14 to 22.
Supply of Water; Rates; Penalties, §§ 23 to 42.
Contracts for supplying Water for public Purposes, § 43.
Power to sell and for Corporation to purchase the Undertaking of the Company, § 44.
Payment and Application of Purchase Money, § 45.
Time and Place of Payment to Shareholders, § 46.
On Payment of Purchase Money and Execution of Conveyance Property of Company to vest in Corporation, § 47.
When Waterworks are vested in Corporation, Powers of Company to be executed by Corporation, § 48.
Conveyances, &c., made in favour of, or by the Company, to operate in favour of or against the Corporation, § 49.
Things done or suffered before Purchase to remain valid, § 50.
Power to borrow Money on Security of the Rates, § 51.
Part of 10 & 11 Vict. c. 16. incorporated, § 52.
Power to levy Rate to secure Money borrowed, § 53.

Cap. xlvi.

"Dartmouth and Torbay Railway Act, 1861."

Recites Incorporation of Company in 1857 with Power to make a Railway, commencing by a Junction with the Torquay Branch of the South Devon Railway, and terminating in the Parish of Brixham at the Side of the River Dart near to Dartmouth; to establish and maintain a Ferry or Steam Communication across the River between the Terminus of the Railway adjoining to the River and the other Side of the River at or near to Dartmouth; and to provide and use, within the Limits of the Ferry, Steam and other Vessels for the Purposes of the Ferry; and to enter into Arrangements with the South Devon and Great Western Railway Companies; that the Company are proceeding in the Execution of the Act; that they are authorized to raise a Capital of 90,000*l.*, by Shares, and to borrow on Mortgage not exceeding 30,000*l.*; that all the Shares have been taken, and 64,100*l.*, or thereabouts, has been paid up thereon; that as no Part of the First Call on 542 Shares has been paid, those Shares have been forfeited; and that the Company have borrowed 30,000*l.*; and it is expedient that they be authorized to raise further Monies.
Part of Companies Clauses Act incorporated, §§ 2, 3.
Power to raise 32,500*l.* additional Capital by new Shares, § 4.
Power to cancel forfeited Shares, §§ 5 to 9.
Power for Company to issue new Shares instead of forfeited and cancelled Shares, § 10.
New Shares may be of different Classes, and with a preferential Dividend not exceeding 6*l.* per Cent., §§ 11 to 20.
Power to borrow 10,800*l.*, §§ 21 to 23.
Power to create Debenture Stock, with a preferential Dividend not exceeding 5*l.* per Cent., §§ 24 to 29.

Cap. xlvii.

"The Northampton Waterworks Act, 1861."

Recites that the Northampton Waterworks Company was originally established by a Deed dated the 6th Day of October 1837 (as a Partnership not incorporated), with a Capital of 8,000*l.* in 2,000 Shares of 4*l.* each, and has been registered and incorporated under the Joint Stock Companies

Acts, 1856 and 1857; that in their Memorandum of Association and Articles of Association annexed thereto it is provided that the Capital shall be the Sum of 40,000*l.* in 4,000 Shares of 10*l.* each; the whole of which has been subscribed for, and 22,000*l.* has been actually paid up, and the Works originally contemplated by the said Company have been completed, and subsequently greatly enlarged; proposes to increase the Supply of Water to the Town and to the several Parishes called Abington, Kingsthorpe, Dallington, Duston, Hardingstone, and the Hamlets, Townships, or Places called Cotton End, Far Cotton, and Saint James's End, all situate in the County of Northampton and adjacent to the said Borough of Northampton.

Incorporation of General Acts, §§ 1, 2.
Limits of Act, § 4.
Re-incorporation of Northampton Waterworks Company and Saving of Rights and Liabilities, §§ 5 to 11.
Capital 95,000*l.*, § 12.
Original Shares to form Part of Capital, §§ 13 to 15.
Power to raise the Remainder of the Capital by new Shares, §§ 16, 17.
New Shares not to be issued till original Shares fully paid up, § 18.
Power to borrow 4,000*l.*, § 19.
Meetings; Directors, §§ 21 to 30.
Company empowered to construct new Works, &c., § 32.
Certain Provisions of 10 Vict. c. 17. to extend to Turnpike Roads, &c., § 33.
Confirming Agreement with Corporation of Northampton, § 34.
Rents of Land to be First Charge, § 35.
Restrictions may be imposed upon Sale of superfluous Property, § 36.
Provisions for Conveyance of superfluous Property, § 37.
Gratuitous Supply of Water to public Tanks, &c., § 38.
Supply of Water for watering Roads and Streets, § 39.
Company to supply Water at reduced Rates to small Tenements when required by Local Board, § 40.
Local Board and Town Commissioners may contract with the Company, § 41.
Settlement of Disputes as to Supply for public Purposes, § 42.
Settlement of Disputes as to Supply for private Purposes, § 43.
Number and Expense of Fireplugs, § 44.
Penalty for removing Fire Plates, § 45.
Power to Local Authorities to investigate Accounts, § 46.
Supply of Water; Rates; Penalties, §§ 47 to 72.
Reservoir Provisions, §§ 73 to 83.

Cap. xlviii.

"The Baggymoor Drainage Act, 1861."

Recites that by an Act passed in the 17th Year of the Reign of His late Majesty King George the Third, intituled "An Act for dividing and inclosing the Moors, Commons, "or Waste Grounds within the Manors of Baschurch, "Hordley, Stanwardine-in-the-Wood, Weston Lullingfield, "and Stanwardine-in-the-Fields, or some of them, in the "County of Salop," it was recited that there were within the said Manors several Moors, Commons, or Waste Grounds, called Boggy Moor, otherwise Baggymoor or Bagley Marsh, Stanwardine Moor, Wicherley Moor, Weston Common, and Weston Moor, and other Waste Lands, containing by estimation 1,290 Acres or thereabouts; and that the said Moors, Commons, or Waste Grounds, and also several Freehold Lands near or adjoining to the same were, in their then Situation, subject to Inundations, and were frequently overflowed and incapable of any considerable Improvement; but it would be an Advantage to the several Persons interested therein if the same were divided, inclosed, and drained, and specific Shares of the said Moors, Commons, or Waste Grounds were allotted to each Person's Right and Interest in and to the same; that by that Act Commissioners were appointed for dividing and allotting the said Moors, Commons, or Waste Grounds, and for carrying the several Purposes of the said Act into execution; and it was enacted that, as soon as conveniently might be after the passing of the said Act a Survey should be made of the said Moors, Commons, or Waste Grounds, and of the ancient inclosed Lands within the said several Manors belonging to all and every Person and Persons interested in the Moors, Commons, or Waste Grounds by the said Act intended to be divided and inclosed, and also of all and singular the Freehold Lands near or adjoining to the said Moors, Commons, or Waste Grounds which were subject to be damaged by Inundations, that should receive any Benefit by the passing of the said Act, which Survey, it was enacted, should be reduced into Writing, and the Number of Acres, Roods, and Perches belonging to each Proprietor therein set forth, ascertained, and declared; and it was also enacted that the same, when so made, should be laid before the Commissioners, and verified on Oath by the Person or Persons making the same; that the Commissioners were directed by the said Act, on the Completion by them of the Divisions and Allotments of the said Moors, Commons, or Waste Grounds in pursuance of the said Act, to form and draw up an Award and Instrument thereof, which should express and contain the Quantity or Number of Acres, Roods, and Perches contained in the said Moors, Commons, or Waste Grounds, and the Quantity and Contents of each and every Part and Parcel thereof assigned and allotted to each of the Parties interested in and entitled to the same, with a Description of the Situation, Buttals, and Boundaries thereof respectively, and with proper Orders and Directions for fencing and mounding the same, and for making and laying out proper Roads and Ways, as well public as private, in, through, and over the same; and in which said Award or Instrument should also be expressed and contained such other Orders, Regulations, and Determinations as should be proper and necessary to be inserted therein, conformable to the Intent and Purpose of the said Act, which said Award or Instrument, together with the Map or Plan of the Inclosures, should be fairly engrossed or written or drawn out on Parchment, and signed and sealed by the said Commissioners, or any Two of them, and should within Six Calendar Months after the same should be signed and sealed as aforesaid be enrolled by the Clerk of the Peace for the County of Salop, or in One of Her Majesty's Courts of Record at Westminster, to the end Recourse might be had to the same by all Persons interested in the said Division and Inclosure, for his, her, or their Inspection and Perusal; and it was by the said Act enacted that the several Divisions and Allotments to be made in and by such Award or Instrument so executed and enrolled as aforesaid should be and they were thereby declared to be binding and conclusive unto and upon all and every the Parties interested in or entitled unto the several and respective Lands and Grounds so intended to be divided and inclosed as aforesaid; that an Award was made on the 14th Day of March 1783 in manner prescribed by the said Act, and duly enrolled; that after a Recital in the said Act to the Effect that the then Course of the River Perry, which in a Portion of its Course divides the Parishes of Baschurch and Hordley from the Parishes of Baschurch and West Felton,

was very crooked and angular, by means whereof, and of certain Shoals and Erections obstructing the free Passage of the Water, a considerable Part of the said Moors or Commons or Waste Grounds, and of the inclosed Lands on each Side of the said River, were frequently subject to be overflowed, and that it would be a mutual Benefit and Advantage to the Proprietors of Allotments to be set out in pursuance of the said Act, and to the Owners of the said inclosed Lands, if the Course of the same was made straighter, and such Shoals and Obstructions removed, which would be the Means of draining and preserving the said Allotments and Lands then already inclosed, and of preventing in a great Degree, if not entirely, their being overflowed, Powers were thereby granted to the said Commissioners to treat with the respective Owners or Proprietors of Lands in the Parishes of Ruyton (otherwise Ruyton-of-the-Eleven-Towns), West Felton, Hordley, and Baschurch, as well for the Purchase or Exchange of so much of the Lands abutting upon the said River Perry as they should adjudge necessary for straightening the Course or Passage of the Water for the Purpose of draining and preserving the said Moors, Commons, or Waste Grounds, by the said Act intended to be divided and inclosed, and the inclosed Lands adjoining to the River on each Side thereof, as for the Expenses attending the same; that after a Recital that it might be necessary, for the Purpose of acquiring a sufficient Fall of Water for the effectual draining and preserving the said Moors, Commons, or Waste Grounds and the inclosed Lands adjoining to the River Perry, to take down and remove the Dwelling House called Wikey's Wear, and certain Mills called the "Ruyton Mill" and the "Plat (now called Platt) Mill," the said Commissioners were by the said Act empowered to treat, contract, and agree with the several Owners or Proprietors of or Persons interested in Wikey's Wear aforesaid, and in the said Mills called "Ruyton Mill" and the "Platt Mill," for taking down the same or such of them as they should adjudge necessary for carrying the Purposes of the said Act into execution, and to scour, alter, and convert into a more direct Line and enlarge the Course of the said River Perry, and to make such Ditches, Drains, Watercourses, Cloughs, Stanches, Sluices, Bridges, or other Works, as well in and over the same, as in, through, or over the Moors, Commons, or Waste Grounds by the said Act intended to be divided and inclosed as aforesaid; and any ancient Inclosures or other Lands or Grounds within the said Parishes of Baschurch, Ruyton-of-the-Eleven-Towns, West Felton, Hordley, and Ellesmere, near or adjoining to the said Moors, Commons, or Waste Grounds, as they should judge necessary for the effectual draining and preserving the said Lands and Grounds, and for the convenient Use and Occupation of the same, making Satisfaction by allotting such Parts and Proportions of the said Moors, Commons, or Waste Grounds to the Proprietors of such Dwelling House, Mills, and ancient Inclosures for so doing as the said Commissioners and such Proprietors should determine and agree upon; and the said Commissioners were, by the said Act, required in and by their said Award to direct and appoint by whom, at whose Expense, at what Times, and in what Manner the several Works aforesaid should be made, and thereafter repaired, cleansed, scoured, and maintained; that the Commissioners, in pursuance of the said Act, removed some of the Obstructions in the River Perry, constructed various Dams and Embankments, and executed other Works with the View of improving the Passage of the Water of the said River and the Drainage of the Lands adjacent thereto; and they did by their said Award make various Orders, imposing upon the Owners of the Lands adjoining the said River and Drains the Burden and Charge of making and keeping in Repair the Banks and other Works necessary for keeping the said River in its Course, and for cleansing and scouring the said River and Drains; but they did not remove the said Mill called the "Platt Mill," nor a certain Wear in connexion therewith, called the "Platt Mill Wear," across the said River, nor entirely remove Two other Wears or Fords, called "Ruyton Wear" or "Ford" and "Wikey's Wear" or "Ford," nor sufficiently straighten the Channel of the said River within the Limits of the said Act where it is most crooked and irregular, and consequently no sufficient Outfall for the Drainage of the said Lands has ever been established, and a proper Passage for the Flow of the Waters of the said River has not been made; that the Lands and Grounds divided and inclosed as aforesaid, and the other Lands intended to be benefited by the Operation of the said recited Act, have been brought into Cultivation, but the same are now and have for many Years past been liable to be overflowed in consequence of the Obstructions still existing within the said River, and the Want of a straight and direct Channel for the Waters of the same as aforesaid, whereby the Improvement of the said Lands has been greatly impeded, and the Health of the Inhabitants of the District on either Side of the said River has been greatly injured; and whereas it is expedient that Powers should be granted for further draining, improving, and preserving the Lands inclosed under the said recited Act, or which were benefited or intended to have been benefited under the Powers and Provisions thereof; that it is expedient that the said Wear across the River Perry, now called the "Platt Mill Wear," and the before-mentioned Wears or Fords across the same River, called respectively "Ruyton Wear" or "Ford" and "Wikey, otherwise Wikey's Wear" or "Ford," situate in the said Parishes of Ruyton-of-the-Eleven-Towns and Baschurch, or One of them, in the County of Salop, should be altered or removed; and that the said River Perry should be altered, deepened, widened, straightened, scoured, diverted, and otherwise improved between a certain Bridge across the same, situate in the said Parishes of Baschurch and Ruyton-of-the-Eleven-Towns, or One of them, Five hundred Yards or thereabouts below the said Platt Mill Wear, and called the "Platt Mill Bridge," and a certain other Bridge across the said River, called "Rednall Mill Bridge," situate in the Parishes of West Felton and Hordley, or One of them, in the County of Salop; and that a new Cut or Channel should be made and maintained for carrying the said River in a more direct Course for a Portion of the Distance between the Points aforesaid, as hereinafter authorized; and that the Powers of the said Act should be enlarged.

Incorporation of Part of Railways Clauses Act, §§ 3, 4.
Limits of Act, § 5.
Commissioners incorporated, § 6.
Incorporation of Portion of Commissioners Clauses Act, 1847, § 7.
Qualification of Commissioners; Meetings, §§ 8 to 21.
Incorporation of Lands Clauses Consolidation Act, 1845, § 22.
Power to deepen and improve River Perry between Rednall Mill Bridge and Platt Mill Bridge, § 23.
Powers to make new Channel for River Perry, §§ 24, 25.
Power to set out Works of new Cut, § 26.
Commissioners empowered to deviate from Plan to a certain Extent, § 27.
Three Years for Purchase of Lands and Five Years for Execution of Works, § 28.

Soil of old Bed of River to become the Property of adjoining Owners, § 29.
General Powers to drain and improve Lands within Limits of Act, § 30.
Power to enter Lands to make Survey for additional Works, § 31.
Commissioners may remove Obstructions, § 32.
Penalty on Persons refusing or neglecting to remove Obstructions, § 33.
Commissioners to cut Weeds and scour River and Main Drain No. 7 at least Four Times a Year, § 34.
Commissioners to dredge and scour other Drains, &c., § 35.
Penalty on Neglect, § 36.
Commissioners and other Persons to pass along the Lands adjoining the Works, § 37.
Penalty on Persons damaging or destroying the Works, § 38.
If Ditches filled up, Fences to be made, § 39.
Bridges or Fords to be made over River or Drains where Passage to Land is obstructed, § 40.
Provision as to new Bridge, § 41.
Indemnity to Proprietors of Lands from Injury by Breach in the Banks or from Inundation, § 42.
Commissioners to ascertain Expenses of Act and permanent Works, § 43.
Commissioners to make an Assessment of same according to Benefits conferred, § 44.
Appeal against Scheme of Assessment, § 45.
Parties may appeal to Commissioners, § 46.
Parties may appeal to the Quarter Sessions against the Assessment, § 47.
Quarter Sessions to hear Appeal, whose Decision shall be final, § 48.
Order of Court not to be removed by Certiorari, § 49.
Assessment to be filed when settled, § 50.
Commissioners to make other Assessments annually, § 51.
Application of annual Rates, § 52.
Tenants to pay Rates and deduct same from their Rents, § 53.
Persons refusing to pay Rates, Money may be levied by Distress, § 54.
Recovery of Assessments on Lands untenanted, § 55.
Power to borrow 4,000*l.* for general Purposes of Act, § 56.
Power to borrow Money and pay off former Mortgages, 57.
Persons having limited Interest may raise Money by Mortgage for Expenses, § 58.
Mortgages may be assigned, § 59.
Application of Penalties, § 60.
Penalties to be sued for within Six Months, § 61.
Damages to be made good in addition to Penalty, § 62.
Annual Account to be prepared and transmitted to Clerk of Peace, and open to Inspection, § 63.

Cap. xlix.

"The Kilkenny Markets Act, 1861."

Recites that the Mayor, Aldermen, and Burgesses of Kilkenny are or claim to be the Owners of all the Markets in the City of Kilkenny, except the Meat Market held in High Street in that City; that the present Markets for the Sale of Corn and other Agricultural Produce in the City of Kilkenny are insufficient for the Requirements of the Inhabitants of the said City, and a General Market for the Sale of Meat, Fish, Poultry, Game, Butter, Eggs, Bacon, Corn, Grain, Turnips, Fruit, and other Agricultural and Garden Produce, and other marketable Commodities, is much required; that several of the above-mentioned Articles are sold in the public Streets in that City, to the great Inconvenience and Annoyance of the Inhabitants thereof and of Persons resorting thereto from the Neighbourhood of the City; and it is expedient that the Sale of all such Articles on the public Streets in the said City should be prohibited; that it would be advantageous to the Inhabitants of the said City and its Vicinity if the Corporation were empowered to erect One new General Market in the said City, and if the whole of the Markets were placed under their Control and Management; and it would tend to prevent Disputes and to establish Confidence between Buyers and Sellers in the said Markets if proper and sufficient Means were provided for weighing and measuring all Things sold therein by Weight and Measure; and it is expedient that the Corporation should be empowered to purchase the said Meat Market from the Owners thereof; and to borrow Money for the above Purposes.
Laws now in force to be applicable to Markets, § 3.
Incorporation of Lands, Markets, and Fairs, and Parts of Commissioners Clauses Acts, §§ 4 to 7.
Limits of Act, § 8.
Execution of Act by Corporation, § 9.
Officers; Byelaws, §§ 10 to 13.
Compulsory Power to take Lands for General Market, §§ 14 to 16.
Three Years for compulsory Purchase of Land, § 17.
Five Years for Completion of Works, § 18.
Power to purchase other Lands by Agreement, § 19.
Lands acquired by Corporation to be vested in them, § 20.
No Land to be taken by the Corporation outside Boundary of Borough, § 21.
Lands for extraordinary Purposes, § 22.
Corporation authorized to sell surplus Land and Premises, § 23.
Power to take existing Market, making Compensation for the same, § 24.
Power to Owner of private Market to continue the same until Purchase thereof by the Corporation, § 25.
Power to enlarge Market Places from Time to Time, § 26.
Present Markets to be removed when new General Market completed, § 27.
When General Market opened, Corporation may remove Stalls, &c., from public Places, § 28.
Slaughter-houses, § 29.
After General Market is opened, no Person, except a licensed Hawker, &c., to sell Articles in Streets within Limits of Act, § 30.
All Articles to be weighed at the public Weighing Places, § 31.
Power to take Tolls, § 32.
Tolls for weighing and measuring, Schedule (F.), § 33.
Slaughter-house Tolls, Schedule (E.), § 34.
Tolls vested in Corporation, § 35.
Rents for the Deposit of Articles unsold, § 36.
All Butter brought for Sale to be inspected previous to Sale, § 37.
All Monies to be paid weekly into a Bank at Kilkenny, § 38.
Application of Monies arising from Tolls, &c. under this Act, § 39.
Books to be kept of Receipts and Disbursements, § 40.
The Corporation to balance and examine their Accounts half-yearly, § 41.
Accounts to be examined and settled at the Half-yearly Meeting, § 42.
Auditors to be appointed, § 43.
Auditors to inspect Accounts, and may appeal against the same if they think fit, § 44.
Court may order Payment of the Costs of the Appeal, which shall be final, § 45.

Yearly Abstract to be prepared, § 46.
Damages, &c. to be levied by Distress, § 47.
Not to affect the Mayor's Dues, § 48.
Power to borrow 10,000*l.*, §§ 50 to 55.
Schedules (Form ; Rents and Tolls).

Cap. l.

"Lancashire and Yorkshire Railway (Dewsbury, &c. Branches) Act, 1861."

Recites that by an Act of 1859 the Undertakings of the Lancashire and Yorkshire and East Lancashire Railway Companies were amalgamated ; proposes to enable the Company to construct Branch Railways to Dewsbury, Heckmondwike, and Meltham, in the West Riding of the County of York ; to enlarge their existing Station at Rochdale and Miles Platting, and to raise further Monies.
Incorporation of General Acts, § 3, 4.
Power to take Lands, § 5.
Power to make Railways, &c., § 6.
Power to alter Engineering Works, § 7.
As to Bridge over the River Calder at Dewsbury, § 8.
Company to make Carriage Approach to the House of Bentley Shaw, Esq., § 9.
For Protection of the Trustees of the Worsley Estate, § 10.
Provisions as to Bridge over Milnrow Road, § 12 to 14.
Power to construct Bridge over Collyhurst Street, Manchester, § 15.
Three Years for compulsory Purchase of Lands, § 16.
Five Years for Completion of Railways, § 17, 18.
Tolls, § 19.
Power to raise additional Money, § 20.
Additional Sum of 173,000*l.* may be raised by Preference Shares at 5*l.* per Cent., §§ 21 to 26.
Power to borrow 57,600*l.*, §§ 27 to 29.

Cap. li.

"The Llantrissant and Taff Vale Junction Railway Act, 1861."

Proposes the making of a Railway from the Taff Vale Railway, in the Parish of Lantwit Vardre, in the County of Glamorgan, to near Llantrissant ; recites that a large Portion of a certain private Railway, called "The Lantwit Vardre Railway," is included within the Limits of Deviation marked upon the Plans deposited as herein-after mentioned, and it is expedient that the Company should be enabled to purchase the said private Railway, and to alter and adapt the same to such Extent as may be desirable ; that it is expedient that the Taff Vale Railway Company be authorized to contribute towards the Funds of the Company by this Act incorporated and to vote at Meetings thereof ; and that the Company and the Taff Vale Company should be authorized to enter into Agreements for working the Traffic on the Railways by this Act authorized with the Engines and Carriages of the Taff Vale Company ; that the Ely Valley Railway Company and the Taff Vale Company are in this Act called "The Two Companies ;" that it is expedient that the Company on the one hand, and the Two Companies or either of the Two Companies on the other hand, should be authorized to enter into Agreements with respect to the Traffic of the Companies Parties to any such Agreement, and the Division and Apportionment of the Tolls and Charges arising therefrom ; and to provide, as herein-after mentioned, with respect to the laying down a Third Rail upon a Portion of the Mwyndy Branch of the Ely Valley Railway, so as to adapt the same for the Passage of Engines and Carriages as well of the Narrow Gauge of Four Feet Eight and a Half Inches as of the Broad Gauge of Seven Feet, and with respect to the Use by the Company, or their Lessees or Assigns, of the Portion of the said Mwyndy Branch Railway on which the mixed Gauge shall be so laid.
Incorporation of General Acts, § 2.
Company incorporated with a Capital of 40,000*l.*, and Power to borrow 13,000*l.*, §§ 3 to 10.
Meetings ; Directors, §§ 11 to 18.
Power to make Railways, § 19, 20.
Power to purchase the Llantwit Vardre Railway, § 21.
Unless the Llantwit Vardre Railway is purchased by Agreement, it is not to be stopped up, § 22.
Three Years for compulsory Purchase of Lands, § 23.
Five Years for Completion of Works, §§ 24, 30.
Purchase of Lands for additional Stations, &c., § 25.
Junctions with Taff Vale and Ely Valley Railways, §§ 26 to 29.
Tolls, §§ 31 to 38.
Power for Taff Vale Company to contribute 13,000*l.*, §§ 39 to 41.
Nominees of Taff Vale Company to vote at Meetings of Company, §§ 42 to 44.
Power to enter into Working Agreements with the Taff Vale Company, §§ 45 to 53.
Power to lay down a Third Rail on a Portion of the Mwyndy Branch, so as to adapt the same for Narrow as well as Broad Gauge, § 54.
Power to use the Portion of the Mwyndy Branch Railway on which the Third Rail is laid, § 55.
Tolls to be paid on Mwyndy Branch, § 56.
Penalty on Persons on Foot using the Railway, § 57.

Cap. lii.

"The Newgate Market Abolition Act, 1861."

Whereas by an Act passed in the Twenty-second Year of the Reign of King Charles the Second, Chapter Eleven, intituled "An additional Act for rebuilding the City of "London, uniting of Parishes, and rebuilding of the Cathedral "and Parish Churches within the said City," it was enacted, that for ever thereafter the Mayor and Commonalty and Citizens of London might and should have a Market to be kept Three or Four Days in the Week as to them should seem convenient, upon the Ground then set out by the Dean and Chapter of the Cathedral Church of Saint Paul, London, for a Market Place within Newgate, and that the said Dean and Chapter should make and give One or more Lease or Leases of the said Ground to the said Mayor and Commonalty and Citizens, and also of the Wall of the said Churchyard abutting severally upon Paternoster Row and the Old Change (which Wall is not contiguous to Newgate Market) for the Term of Forty Years, reserving the yearly Rent of Four Pounds for the Ground of the said Market Place, and Twopence for every Superficial Foot of the Ground or Soil of the said Wall as it was then set out by the Surveyors of the City and of the said Dean and Chapter ; and so from Forty Years to Forty Years for ever and at the like yearly Rent, and One Year's Rent after the Rates aforesaid to be paid by way of Fine for each of the said Grounds respectively upon the making every new Lease thereof, which said Lease and Leases should be good and effectual in the Law as against the said Dean and Chapter and their Successors, and all Persons claiming by, from, or under them ; and that no House, Shed, or other Building should stand or thereafter be erected and fixed upon the said Market Place other than the Market House already built

without the Consent of the said Dean and Chapter, anything in the said Act or any other Act to the contrary notwithstanding: And whereas the Site of the Market held under the Authority of the said Act is small and confined, and wholly inadequate to supply the Accommodation required to meet the Wants of the increased and rapidly increasing Population of the Metropolis, and from the inconvenient Situation of the said Market, and from the Narrowness of the surrounding Lanes and Streets, and other Approaches thereto, which are crowded with Shambles and Slaughter-houses and Salesmen's Shops, Nuisances and Obstructions have been created in the Centre of the City which ought to be removed: And whereas by "The Metropolitan Cattle Market Act, 1851," Provision was made for erecting Slaughter-houses to serve the public Markets of London upon an open Space close to the Cattle Market, and at a proper Distance from any Dwelling Houses or Shops: And whereas by "The Metropolitan Meat and Poultry Market Act, 1860," the Mayor and Commonalty and Citizens of the City of London were empowered to erect commodious Meat and Poultry Markets, with spacious surrounding Streets, near to the ancient Site of Smithfield: And whereas by some of the Acts relating to the Metropolitan Railway Authority was given to connect, by means of a Railway, the Slaughter-houses at the Cattle Market with the proposed Meat and Poultry Market, so that Animals brought by the Provincial Lines of Railway to the Market might be slaughtered and conveyed to the Place of ultimate Sale without traversing the Streets of London: And whereas it is expedient that the said Market, commonly called Newgate Market, should be dismarketed, and the ancient Site thereof sold and disposed of, and that Dwelling Houses and Shops and other Buildings should be erected thereon, and that Facilities should be given for the Removal of the Shambles and Slaughter-houses and other Nuisances and Obstructions in the Vicinity of the said Market: And whereas it is expedient that if the Tolls granted by "The Metropolitan Meat and Poultry Market Act, 1860," at the End of Five Years from the opening of the said Market shall prove insufficient for the Purposes specified in the said Act and this Act, they should be increased.

Incorporation of Lands Clauses Act, except its compulsory Powers, § 3.

4. Such and so many of the Clauses and Provisions contained in the Act passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled "An Act for regulating the Construction "and the Use of Buildings in the Metropolis and its Neigh-"bourhood," as relate to the Removal of Slaughter-houses and other Nuisance Trades, shall be incorporated with and form Part of this Act, and may be put in force within the Parishes of Saint Faith's under Saint Paul's, and Christchurch, in the City of London, the Common Council being for the Purposes of the said Act deemed to be the Persons authorized to present a Memorial to Her Majesty in Council.

5. When and as soon as the Market for the Sale of Meat and Poultry by "The Metropolitan Meat and Poultry Market Act, 1860," authorized to be erected on the Site of Part of Smithfield shall be ready to be opened for the Use of the Public, the Common Council shall fix a Day for the opening of the said Market, and by a Notice under the Hand of the Town Clerk of the City of London for the Time being, to be published in the London Gazette, notify that such Market has been provided, and the Day and Hour when the same will be opened, and from the Day so mentioned Newgate Market shall be discontinued, and shall cease to be used as a Market, and no Market shall thereafter be holden on the Site thereof, and on and from that Day so much and such Parts of the said recited Act of the Twenty-second Year of the Reign of King Charles the Second as authorized the holding of the said Market and prohibited the Erection of any Houses, Shed, or other Building upon the said Market Place other than the Market House then standing thereon, without the Consent of the Dean and Chapter, shall be and the same are hereby repealed.

6. It shall be lawful for the Common Council and they are hereby authorized and empowered to pull down or cause to be pulled down all Sheds and other Erections and Buildings which now are or which shall at any Time (before the Sites thereof are sold and disposed of under this Act) be standing and being upon the Site of Newgate Market, and all Houses, Erections, and Buildings which shall be purchased by them under the Authority of this Act, or such of them, or such Part thereof as they shall think proper, to be pulled down, and to level and clear the Ground whereon the same shall stand, and all other the Ground to be purchased by virtue of this Act, and to sell or cause to be sold the Materials of the Houses or Buildings to be taken down and removed pursuant to this Act, and the Monies to arise or to be produced by the Sale thereof, after deducting the Expense of pulling down such Houses and Buildings respectively, and of such Sale or Sales, and also the Rents and Profits of the Houses and Buildings to be purchased by virtue of this Act, until the same shall be pulled down and cleared, shall be applied and disposed of for or towards the Purposes of this Act, or any of them.

7. Before the Common Council shall proceed to appropriate the Site of Newgate Market, or any Part thereof, for building Purposes, the Common Council and the Dean and Chapter shall cause Plans to be prepared by their respective Surveyors, showing the Situation of the Houses, Erections, and Buildings proposed to be erected thereon, and the Elevation thereof, and it shall be lawful for the Common Council and they are hereby authorized to proceed with the Appropriation of the Site of the said Market for the Erection of Houses and the Erection of Buildings thereon in accordance with the Plans so approved; but in case the respective Surveyors of the Common Council and the Dean and Chapter shall not agree as to such Plans, then the Common Council shall forward a Copy of the Plan proposed by their Surveyor, and a Copy of the Plan proposed by the Dean and Chapter's Surveyor, to One of Her Majesty's Principal Secretaries of State for his Decision thereon, and he shall be at liberty to hear both Parties, and his Decision shall be final and conclusive.

8. It shall be lawful for the Common Council and they are hereby authorized and empowered to treat and agree for the Purchase of any Shambles or Slaughter-houses, and Butchers Shops, or any Houses or Buildings or Land used for Shambles and Slaughter-houses, or Butchers Shops, and any Lands or Buildings connected therewith, situated in the Parishes of Saint Faith's under Saint Paul's, and Christchurch, in the City of London, or either of them, and of any subsisting Leases, Terms, Shares, Estates, and Interests therein, and Charges thereon, or such of them, or such Part or Parts thereof respectively as the Common Council shall think proper.

9. When and as soon as the Site of the said Market shall have been cleared the Common Council shall sell and dispose of such Site for building Purposes, either altogether or in Parcels, to any Person who shall erect and build, or covenant and agree to erect and build thereon, or on any Part thereof, Houses, Erections, and Buildings of such Rate or Class of Building, and upon such Plan and Elevation, of such Height, and with such Stories, as the respective Surveyors of the

Common Council and the Dean and Chapter, or failing Agreement between them, One of Her Majesty's Principal Secretaries of State, shall think proper, and shall sell the same either by Public Auction or Private Contract for such Price or Sum of Money as the Common Council shall think reasonable, and subject to such Stipulations and Provisions as they shall think fit; and the Dean and Chapter may and shall, at the Request of the Common Council, and at the Request, Costs, and Charges of the Purchaser of the same Premises, and upon Payment of the Money agreed to be given for the same to the Chamberlain, convey and assure the Land so purchased by such Purchaser, together with the Houses, Erections, and Buildings, if any, then erected and built thereon, and the Fee Simple and Inheritance thereof, with the Appurtenances, to such Purchaser, his Heirs and Assigns, or as he shall in that Behalf order or direct, free from Incumbrances (except the Covenant or Agreement with respect to any Building thereon to be entered into under this Act).

10. The Common Council shall, within Five Years after the opening of the Metropolitan Meat and Poultry Market, sell and dispose of, as provided by this Act, and the Dean and Chapter shall grant and convey such Parts of the Site of the said Market as shall not have been laid into any Street, and the Common Council shall also within the like Period of Five Years sell and dispose of any other Land which they may have purchased under the Authority of this Act.

11. One Fourth Part of all the Monies which shall arise or be produced by the Sale of the Site of Newgate Market shall immediately after the Receipt thereof by the Chamberlain, and Payment thereout of the Expenses of Sale both of the Dean and Chapter and of the Common Council, be paid by him to the Dean and Chapter for their own Use, and the remaining Three Fourth Parts thereof, and also all Monies which may arise or be produced by the Sale of the old Materials of the present existing Houses and Buildings, shall form a Fund to be called "The Newgate Market Fund," which Fund shall be applicable to and shall be applied by the Common Council in or towards the Expenses of carrying this Act into execution, including the Expenses in and about the Purchase and Removal of Shambles and Slaughter-houses; and the Surplus, if any, of the Newgate Market Fund shall be applied by the Common Council, as they shall think proper, in making Payments to any Lessees or Occupiers of Slaughter-houses or other Buildings in the Neighbourhood of the Market Place.

12. It shall be lawful for the Common Council to charge upon and to borrow or raise for the Purposes of this Act, on the Credit of the Newgate Market Fund, and also of the Estates and other Property of the Mayor and Commonalty and Citizens, or of any Part thereof, any Sum of Money not exceeding the Sum of 45,000*l.*; and upon Payment of any Monies so to be raised under the Authority of this Act into the Chamber of the said City by such Instalments, in such Proportions, at such Times and in such Manner as the Common Council shall direct, the Persons who shall contract to advance or contribute any Part of the said Monies shall, in respect of the Sums which they shall so advance, be entitled to Interest at such Rate as the Common Council shall think reasonable, to be payable half-yearly, and to continue until the Payment of each Principal Sum; and the Provisions contained in the Sections of the Metropolitan Meat and Poultry Market Act, 1860, numbered 21, 22, 23, and 24, shall extend and apply to this Act, so far as applicable, as if they had been re-enacted in this Act.

13. It shall be lawful for the Common Council from Time to Time to appoint a Committee to manage and transact all or any of the Matters or Purposes which the Common Council are hereby empowered to do, execute, or perform, which Committee shall have such and so many of the Powers and Authorities and Discretion by this Act given to and reposed in the Common Council as the Common Council shall think fit and proper to delegate to such Committee.

14. It shall be lawful for the Common Council to lend and advance out of the Corporate Funds of the Mayor and Commonalty and Citizens such Money as shall be requisite or necessary for the Purposes of this Act, and all Monies which shall be so lent and advanced by the Common Council shall carry Interest after the Rate of 4*l.* per Centum per Annum, and shall be repaid to them out of the Newgate Market Fund.

15. If, after the Expiration of Five Years from the Day on which the Market established under the Provisions of the Metropolitan Meat and Poultry Act, 1860, shall have been opened for the Use of the Public, it shall be proved to the Satisfaction of One of Her Majesty's Principal Secretaries of State that the Amount of the Tolls arising from the said Metropolitan Meat and Poultry Market have not been sufficient to pay the Charges thereon imposed by the said Act and this Act, then and in such Case it shall be lawful for the Common Council from thenceforth to demand and take for or in respect of all Meat and Poultry, and other Provisions brought into the said Market, Tolls not exceeding One Farthing per Stone of Fourteen Pounds, instead of One Farthing for every Twenty-one Pounds as specified in the Schedule to the said Act annexed, and all the Provisions of such Act shall be applicable to such Tolls.

Accounts to be laid before Parliament, § 16.

Cap. liii.

"The Uxbridge Gas Act, 1861."

Recites Formation in 1854 of "The Uxbridge and Hillingdon Gas Consumers Company," for the Purpose of manufacturing and selling Gas, and the Products arising therefrom, in the Town of Uxbridge, and other Places in the Neighbourhood thereof; that the Company has been registered without limited Liability, and has received a Certificate of Registration under "The Joint Stock Companies Act, 1856;" that their authorized Capital is 11,000*l.*, with Power to borrow on Mortgage or Bond the Sum of 4,410*l.*, of which 5,860*l.* has been raised by 586 Shares of 10*l.*, which are fully paid up, and that they have borrowed 3,300*l.*; that they have constructed and laid down Gasworks, Pipes, and other Apparatus, and are now supplying Gas in Uxbridge and the Neighbourhood thereof, and it is expedient that more effectual Powers should be conferred upon them for the Purposes of their existing Supply; that the Town of Uxbridge and the Neighbourhood thereof are also partially supplied by a Joint Stock Company established under a Deed of Settlement and the "Joint Stock Companies Registration Act," without limited Liability, under the Name of the "Uxbridge Gas Company;" and it is expedient that the Company should be authorized to purchase the Undertaking of the Uxbridge Gas Company; and that the Company should be empowered to raise further Monies for the Purposes of their Undertaking.

Incorporation of General Acts, §§ 2, 3.
Limits of Act, § 4.
Incorporation of Company and Avoidance of Deed of Settlement, §§ 5 to 8.
Capital 16,000*l.*, § 9.
Appropriation of new Shares for existing Shares, §§ 10, 11.
Creation and issue of new Shares and Power to cancel unissued Shares, §§ 12 to 19.

Limit of Dividend 10*l.* per Cent. upon the old and 7*l.* 10*s.* on the new Shares, § 20.
Scale of voting, § 21.
Power to borrow 4,000*l.* in all, § 22 to 24.
Company may purchase Shares, § 26.
Meetings; Directors, §§ 27 to 33.
Power to maintain Works and to supply Gas, § 34.
Restricting Erection of future Works, § 35.
Company not to lay Mains, &c. through Property of R. H. Cox, Esquire, without Consent, § 36.
Power to Company to purchase Works of Uxbridge Gas Company and Saving of Rights and Liabilities, §§ 37 to 48.
Price of and Supply of Gas, §§ 49 to 59.
Quality of Company's Gas and Testing Clauses, §§ 60 to 64.
Recovery of Money by Distress, §§ 65 to 67.
Small Sums recoverable in County Courts, § 68.
Protecting Uxbridge Gas Company, § 70.
Schedule (Lands).

Cap. liv.

"West Cornwall Railway Amendment Act, 1861."

Recites that in 1846 "The West Cornwall Railway Company" were incorporated with a Capital of 500,000*l.* in 25,000 Shares of 20*l.* each, and with Power to borrow on Mortgage or Bond 165,000*l.*; that by "The West Cornwall Railway Amendment Act, 1853" (reciting "The West Cornwall Railway Act, 1846," and "The West Cornwall Railway Amendment Act, 1850," which authorized the Company to make a Deviation and Branch Railway), the Company were empowered to cancel forfeited Shares and to accept Surrenders of Shares; and also from Time to Time, by Order of an Extraordinary Meeting, to create and issue new Shares in lieu of Shares so cancelled or surrendered; and it was enacted that all Capital raised by the Creation of such new Shares should be applied only to the Purposes by the Act now in recital and the therein recited Acts authorized; that of the Capital of the Company, 353,825*l.* 14*s.* 10*d.* has been paid up, of which Sum 6,925*l.* 14*s.* 10*d.* has been paid up on 7,655 Shares, which have since been forfeited and cancelled or surrendered, and the Sum of 146,174*l.* 5*s.* 2*d.* remains unpaid on those Shares; that it is expedient that the Company be enabled to create Debenture Stock in substitution for and for the Redemption of their Mortgage and Bond Debt, to attach to any Capital created under the Powers of "The West Cornwall Railway Amendment Act, 1853," in lieu of Shares cancelled or surrendered, such Preference or Priority in Payment of Interest or Dividend as herein-after provided; enables the Company to create Debenture Stock at 5*l.* per Cent., and also to attach a Preference of 5*l.* per Cent. to any Shares authorized by their Act of 1853.

Cap. lv.

"The Isle of Wight Waterworks Act, 1861."

Limits of Act and Restriction on Supply at and near Ryde, § 2.
Incorporation of General Acts, §§ 3, 4.
Incorporation of Company with an Amount of Capital of 20,000*l.* in Shares of 10*l.*, and with Power to borrow 5,000*l.*, §§ 5 to 11.
Meetings; Directors, §§ 12 to 18.
Power to make Works, §§ 19, 20.
Three Years for the compulsory Purchase of Lands, § 21.
Waterworks to be made within Five Years, § 22.
Water not necessarily under Pressure, § 24.
Rates and Penalties, §§ 25 to 38.
Reservoir Provisions, §§ 39 to 48.
Mains not to be extended into Parish of Shanklin without Consent of F. W. Popham, Esq., § 49.
Saving Rights of Commissioners of Sewers, § 50.

Cap. lvi.

"The Huddersfield Gas Act, 1861."

Recites that by Articles of Agreement dated the 2d Day of April 1821, a Company or Copartnership, called "The Huddersfield Gas Company," was established for supplying Huddersfield with Gas, with a Capital of 3,400*l.* in Shares of 20*l.* each, and Powers of increasing such Capital; that in January 1846 the Company were completely registered under 7 & 8 Vict. c. 110., by the Name of "The Huddersfield registered Gas Light Company," and by their Deed of Settlement entered into for the Purpose of such Registration, dated the 17th Day of November 1845, and which superseded the recited Articles of Agreement of the 2d Day of April 1821, their then Capital was stated to be 16,000*l.*; and it was agreed that if at any Time or Times thereafter it should with reference to the then State and Condition of the Affairs and Concerns of the Company and its future Prospects be thought advisable for an extraordinary Board of Directors, specially called for the Purpose, to raise more Money for the Company, or for extending its Business, it should be lawful for Meetings of the Company, as therein set forth, to enter into Resolutions to increase the Capital of the Company, and the said Company were afterwards duly incorporated under "The Joint Stock Companies Act, 1856;" that they erected Gasworks and laid down Mains and Pipes through the Streets and Roads of the said Town and the Neighbourhood thereof for the Purpose of supplying the same with Gas, and have hitherto supplied Gas to the said Town and Neighbourhood accordingly; that the Population, Mills, Manufactories, and other Buildings of the Town and Neighbourhood of Huddersfield have considerably increased, and the Company have from Time to Time, as Occasion required, invested large Sums of Money and constructed extensive Works to meet the increased Wants of the said Town and Neighbourhood, and the Sums expended in the Construction and Extension of the said Works amount to 60,000*l.*; that they have created Shares to the Amount of 23,000*l.*; and the present Share Capital of the Company so increased amounts to 39,000*l.*; and the Balance between the said Sums of 60,000*l.* and 39,000*l.*, amounting to 21,000*l.* has been supplied from the Profits of the Undertaking, divisible amongst the Shareholders, and the Company are desirous of creating Shares to represent that Amount; proposes to extend their Works; to raise further Monies; and to purchase certain Lands.
Incorporation of 8 & 9 Vict. c. 16. & 18., and 10 & 11 Vict. c. 15., §§ 2, 3.

5. The Limits of this Act with respect to the Supply of Gas are the Townships, Hamlets, or Places of Huddersfield, Fartown, Deighton, Sheepridge, so much of Bradley as is within Three Miles of the Market Cross in Huddersfield, Marsh, Paddock, Lindley, Lindley-cum-Quarmby (except such Part thereof as is South of the Centre of the Huddersfield and New Hey Turnpike Road and West of a Line extending Southwardly from a Point on the said Road opposite to the Bay Horse Inn at Lindley Lane End, to a Point on the Road leading from Paddock to Longwood, where the Angel Inn now stands), all in the Parish of Huddersfield; Dalton; so much of Kirkheaton as is within Three Miles of the said Market Cross, Colne Bridge, and Mold Green, all in the Parish of

Kirkheaton; Almondbury, Lockwood, Salford, South Crosland, North Crosland, and Linthwaite, except such Part thereof as is situate West of a Line extending from the River Colne Southwardly near to Spring Mill, to a Point on the Southern Boundary of Linthwaite, and between the River Colne and a Line parallel with and at a Distance of 300 Yards from the South Side of the Wakefield and Austerlands Turnpike Road, all in the Parish of Almondbury; which said Parishes, Townships, Hamlets, and Places are in the West Riding of the County of York: Provided always, that the Company shall not lay any Mains or supply Gas within the Parish of Kirkheaton or the Townships of Dalton or Almondbury, except so much of the last-mentioned Townships as are coloured Red on a certain Map deposited at the Office of the Clerk of the Peace for the West Riding of the County of York at Wakefield, until they shall have obtained the Consent in Writing for that Purpose of Anthony Knowles Kaye, the present Owner of the Gasworks at Mold Green, or other the Proprietor for the Time being of the said Gasworks.

Map defining Limits, § 6.

Company incorporated, and saving of Rights and Liabilities, §§ 7 to 18.

19. The Capital of the Company shall be 100,000*l.*, divided into 5,000 Shares of 20*l.* each, and 3,000 of such Shares shall be distributed amongst the Proprietors of Shares in the Capital of the Registered Company in the Proportions in which such Proprietors were entitled to the Shares in that Capital at the Time of the passing of this Act and in substitution for such last-mentioned Shares, and shall vest in such Persons and Corporations accordingly; and every Share so vested shall be subject and liable to the same Trusts, Powers, Provisions, Declarations, Agreements, Charges, Liens, and Incumbrances as immediately before the passing of this Act affected the then existing Share in the Capital of the Registered Company for which it is substituted, and so as to give effect to and not revoke any testamentary Disposition of or affecting such then existing Share, but the Amount of Profits which the Company may divide upon 1,050 of the said 3,000 Shares shall not exceed the Rate of 5*l.* per Centum per Annum upon the Amount of such Shares.

20. The Shares so vested shall be considered as fully paid up, except that all Calls made by the Registered Company upon any of their Shares which remained unpaid at the Time of the passing of this Act shall be due upon the Shares by this Act vested in substitution for those Shares, and the Company may enforce Payment of such Calls in like Manner as they may enforce Payment of Calls made by them upon any other Shares under the Authority of this Act.

Company shall call in and cancel existing Share Certificates, and issue new Certificates in lieu thereof, § 21.

Remaining Shares to be sold by Auction, § 22.

23. The Intention to sell the said Shares by Auction shall be duly advertised for Two successive Weeks in a Newspaper circulating in the Town of Huddersfield, and any Sum of Money which shall arise upon such Sales by way of Premium shall be expended in paying the Expenses of this Act, or in extending or improving the Works of the Company, or in paying off Money borrowed or owing by the Company, and shall not be considered as Part of the Capital of the Company entitled to Dividend.

Company may issue remaining Shares when they think fit, § 24.

Power to borrow 15,000*l.* at once, and eventually 10,000*l.* more, §§ 26, 27.

Meetings; Directors, §§ 28 to 38.

Power to purchase Lands, § 39.

Company empowered to lay down Pipes, &c., § 40.

As to laying Pipes under Sir John Ramsden's Canal, &c., § 41.

Power to lay Pipes against Buildings, § 42.

43. The Prices to be charged by the Company for Gas supplied to Persons who shall burn the same by Meter shall not exceed the following; (that is to say,) for Gas supplied within a Radius of One Mile from the Market Cross in Huddersfield and the present Limits of the Mold Green Local Board, 4*s.* per 1,000 Cubic Feet, and for Gas supplied beyond the said Limits and Radius, 5*s.* per 1,000 Cubic Feet, and the Price to be charged by the Company for Gas supplied to the public Lamps within the Limits for the Time being of the Huddersfield Improvement Commissioners, after the Expiration of existing Contracts, shall not exceed 2*s.* 6*d.* per 1,000 Cubic Feet.

Gratuitous Supply of Gas, § 44.

Register of Gas Meter to be primâ facie Evidence, § 45.

Gas to be consumed by Meter when required by Company, § 46.

Charges for Use of Meters as in Schedule, § 47.

48. The Company shall, at the Request of any Owner or Occupier of any House, Part of a House, Factory, or Premises, or of any public Body or private Company having Charge of any public Lamps, or having Premises within the Limits of this Act within Fifty Yards of which any Main Pipe of the Company shall be laid, furnish to such Owner or Occupier, public Body, or private Company, a sufficient Supply of Gas for such House, Part of a House, Factory, Lamps, or Premises, at Rates not exceeding the respective Rates by this Act limited; and if the Company fail to supply such Gas to any such Owner or Occupier, public Body, or private Company, then and in any such Case, on Proof before any Two Justices of such Failure, the Company shall forfeit such Sum not exceeding 20*l.* as the Justices think fit: Provided always, that the Company shall not be bound to supply any Gas under the foregoing Provision, unless the Party requiring the same shall contract for not less than Two Years to pay Gas Rates in respect of such Supply to an Amount equal to 20 per Centum upon the Company's Outlay, and reasonable Security for Payment of the Gas supplied be given to the Company if required: Provided also, that the Expense of laying all necessary Service Pipes of a greater Length than 30 Feet from the Company's Main shall be borne by the Person so requiring the same to be laid, and the estimated Cost thereof, if required by the Company, shall be paid in advance by such Person; and in case of Dispute between the Company and such Person as to such Costs, the same shall be settled by Arbitration: Provided also, that nothing herein contained shall be construed to render it compulsory upon the Company to lay any Service Pipe in private Property, or to supply Gas where any such Service Pipe would be necessary, and is not laid down by the Person requiring such Supply, and available for the Purpose of such Supply.

49. If the Company and the Persons so requiring such Pipes or Gas cannot agree upon the Security to be so given, the same shall be determined by Two Justices, and such Justices shall, on the Complaint and Application of the Company, and such Person or either of them, determine the Amount and Nature of the Security to be so given, and the Decision of such Justices shall be final and conclusive, and such Security may be by the Deposit or Prepayment of Money.

Incoming Tenant not liable to pay Arrears of Gas Rent, § 50.

Company may remove Pipes from unoccupied Premises on giving Notice to Owner, § 51.

Testing of Gas; Penalties, §§ 52 to 61.

Saving Rights of Huddersfield Waterworks Commissioners, § 62.

Schedule.—(Meter Rents.)

Cap. lvii.

"The Midland Railway (New Lines) Act, 1861."

Incorporation of General Acts, §§ 2, 3.

4. Subject to the Provisions of this Act and of the Acts incorporated herewith, the Company may from Time to Time enter upon, take, and use all or any of the Lands defined on the deposited Plans and described in the deposited Books of Reference.

5. Subject to the Provisions of this Act, the Company from Time to Time may make in the Lines and in accordance with the Levels respectively shown on the deposited Plans and Sections, and in and upon the Lands which the Company are by this Act authorized to enter upon, take, and use, the Railways following, with all proper Stations, Works, and Conveniences connected therewith; (that is to say,)

First, a Railway to commence in the Parish of Shustoke in the County of Warwick by a Junction with the Tame Valley Line of the Midland Railway at or near the Point where the same passes over the River Blythe, and to terminate in the Parish of Nuneaton in the same County by a Junction with the South Leicestershire Railway at or near to Horeston Grange:

Secondly, a Railway to commence in the said Parish of Shustoke by a Junction with the last-mentioned intended Railway near the Bridge by which the Railway of the Company between Nether Whitacre and Hampton-in-Arden, commonly and herein-after called "the Hampton Branch," passes over Bourne Brook, and to terminate in the same Parish by a Junction with the said Hampton Branch at a Point to the North of the said Bridge:

Thirdly, a Railway to commence by a Junction with the first-mentioned intended Railway at the same Point as the last-described Railway is intended to commence, and to terminate in the said Parish of Shustoke by a Junction with the said Hampton Branch at or near the Point where the same passes under the Turnpike Road leading from Coleshill to Atherstone at Cross Heath:

Fourthly, a Railway to commence in the said Parish of Nuneaton by a Junction with the said first-mentioned intended Railway near the Bridge by which the Turnpike Road leading from Nuneaton to Atherstone passes over the Coventry Canal near Abbey End, and to terminate in the same Parish by a Junction with the Trent Valley Line of the London and North-western Railway at a Point North of the Nuneaton Station on the said Railway:

Fifthly, a Railway to commence from and out of and by a Junction with the Main Line of the Midland Railway between Ashchurch and Worcester in the Parish of Ashchurch in the County of Gloucester, and to terminate in the Parish of Saint Lawrence, Evesham, in the County of Worcester, by a Junction with the Oxford, Worcester, and Wolverhampton Railway, now forming Part of the West Midland Railway, near the Evesham Station thereon:

Sixthly, a short diverging Line of Railway to commence from and out of and by a Junction with the Main Line of the Midland Railway between Ashchurch and Worcester near the Point where the intended Railway last herein-before described will diverge from such Main Line, and to terminate by a Junction with the Ashchurch and Tewkesbury Branch of the Midland Railway near the Point of Junction of such Branch Railway with the said Main Line, all in the said Parish of Ashchurch:

Seventhly, a Railway to commence in the Parish of Blackwell in the County of Derby, by a Junction with the Erewash Valley Branch, now in course of Construction, of the Midland Railway authorized by "The Midland Railway (Erewash Valley) Act, 1859," and to terminate in the Parish of Teversall in the County of Nottingham, near Fackley Lane Toll Gate:

Eighthly, a Railway to commence in the Parish of Beighton in the County of Derby by a Junction with the Midland Railway, and to terminate in the Parish of Aston-cum-Aughton in the West Riding of the County of York by a Junction with the Manchester, Sheffield, and Lincolnshire Railway:

And the Railways and Works executed under the Authority of this Act shall, for the Purposes of Tolls and Charges, and for all other Purposes whatsoever, be Part of the Undertaking of the Company.

Board of Trade Provisions as to level Crossings, §§ 6 to 8.

10. Notwithstanding anything in "The Railways Clauses Consolidation Act, 1845," contained, the Company, in the Construction of the Railway, may deviate from the Line of any Arches, Tunnels, or Viaducts described in the deposited Plans or Sections, so as the Deviations be made within the Limits of Deviation shown on those Plans, and subject to the Limitations contained in the 15th Section of that Act, and so as the Nature of the Work as described be not altered, and they may also substitute any other Engineering Work not shown on those Plans or Sections instead of a Tunnel, Viaduct, Arch or Arches, as shown thereon, provided that every such Substitution be authorized by a Certificate of the Board of Trade; and the said Board is hereby empowered to grant such Certificates, provided it shall appear to the Board, upon due Inquiry, that the Company has acted in the Matter with good Faith, and that the Owners, Lessees, and Occupiers of the Land in which the Substitution is intended to be made consent thereto, and also that the Safety and Convenience of the Public will not be diminished thereby: Provided, that nothing herein contained shall take away or affect any of the Powers given to the Company or to the Board of Trade by the 14th or 15th Sections of "The Railways Clauses Consolidation Act, 1845."

Two Years for compulsory Purchase of Lands, § 12.

Four Years for Completion of Works, §§ 13, 14.

Protection of Coventry Canal Navigation, §§ 15 to 18.

Communication with London and North-western, South Leicestershire, Manchester, Sheffield, and Lincolnshire, and West Midland Railway Companies, §§ 19 to 36.

After Completion and Opening of Branch Railways Company not compellable to keep certain Portion of Hampton Branch Railway open for public Traffic, § 37.

As to Sale of Lands on which Portion of Hampton Branch ceasing to be used for public Traffic is situate, § 38.

Seventhly-described Railway to Teversall to be Passenger as well as Goods Line, and One Passenger Train daily to be run thereon each Way, § 39.

Parts of Companies Clauses Act incorporated, § 40.

Power to create new Capital not exceeding 390,000*l.*, with or without a Preference not exceeding 5*l.* per Cent., §§ 41 to 52.

Power to borrow not exceeding 127,600*l.*, §§ 53 to 55.

56. Any Traffic destined to pass over the Railways fifthly and sixthly herein-before described, between any Part of the West Midland Railway lying within a District comprised within a Line drawn due East from Evesham to the Coast and a Line drawn due South from Evesham to the Coast, and any Place on any other Part of the West Midland Railway, shall be carried by the Company over the Railways fifthly and sixthly herein-before described at Rates and Charges not exceeding the Rates and Charges demanded or taken by the

Company on any Part of their Railway for any other Traffic of the same Description which shall be carried by them over any Part of their Railway, unless such last-mentioned Rates and Charges shall be lower than the Rates and Charges demanded or taken by the West Midland Railway Company on any Portion of their Railway in respect of any particular Traffic destined to pass on any Part of the Midland Railway, in which Case the Rates and Charges payable to the Company in respect of such particular Traffic shall be the Rates and Charges so demanded and taken by the West Midland Railway Company in respect thereof, and so from Time to Time; and in regard of the Traffic first above mentioned, the Company shall afford the same Facilities, Advantages, and Accommodation in every respect for receiving, forwarding, and delivering the same, and for the Return of Carriages, Trucks, and other Vehicles, as shall be reasonably required by the West Midland Railway Company, or as shall be afforded by the Company to or for the Purposes of any other Traffic of the same Description on any Part of their Railways.

57. If the Company shall decline or refuse (after Notice given from the West Midland Railway Company) to observe any of the above Stipulations, any Complaint of the West Midland Railway Company thereupon shall from Time to Time be referred to an Arbitrator according to "The Railways Clauses Consolidation Act, 1845;" and if such Arbitrator shall be of opinion that such Complaint is well founded, he may give such Orders and Directions in the Matter as in his Opinion shall be fit and proper for the Removal of such Complaint; and if the Company shall decline or refuse to obey any such Order or Direction, then, upon Proof of the Fact to the Satisfaction of such Arbitrator, the West Midland Railway Company shall be entitled thenceforth to use, with Engines, Carriages, and otherwise, the Railways fifthly and sixthly herein-before described, and any Station thereon, and all the Works and Conveniences thereof or connected therewith, on such Terms and Conditions in every respect as shall be settled by Arbitration in case of Dispute according to "The Railways Clauses Consolidation Act, 1845," and such Arbitrator shall be at liberty to make an Award on any Part of the Matters referred to him from Time to Time.

58. And whereas an Agreement has been entered into between the Company and the West Midland Railway Company in respect of Traffic between Evesham and Malvern passing or to pass over the Railways fifthly and sixthly by this Act authorized: Therefore, in pursuance of such Agreement, the Company shall account for and pay over to the West Midland Railway Company any Sums of Money received by the Company in respect of the Conveyance of such Traffic over the Railways fifthly and sixthly by this Act authorized and the Tewkesbury Branch of the Midland Railway between Evesham and the Tewkesbury and Malvern Railway, less an Allowance to the Company of 30 per Centum for Working Expenses.

59. And whereas an Arrangement has been come to between the Company and the Manchester, Sheffield, and Lincolnshire Railway Company for the free Interchange of Mineral Traffic, and the Terms of that Arrangement are set forth in the Schedule to this Act, and it is expedient that Effect be given thereto (so far as the same remain to be performed): Therefore that Arrangement, as set forth in the Schedule to this Act, is hereby confirmed, and the Company and the Manchester, Sheffield, and Lincolnshire Railway Company may and shall carry the same into effect accordingly; and all Differences, Questions, and Matters thereby directed to be settled by Arbitration shall, when and as the same arise, be so settled in the Manner provided by "The Railway Companies Arbitration Act, 1859," and as if the said Two Companies had agreed to refer and had referred the same to Two Arbitrators in accordance with that Act, and all the Clauses and Provisions of that Act shall be applicable thereto accordingly.

The SCHEDULE to which the foregoing Act refers.

HEADS OF ARRANGEMENT between the Midland and Manchester, Sheffield, and Lincolnshire Companies for a free Interchange of Mineral Traffic.

1. Through Rates for Mineral Traffic (Coke, Coals, Lime, Limestone, and Iron Stone) to be arranged between the Midland and Manchester, Sheffield, and Lincolnshire Companies between all Places on the Two Systems proper.

2. The Rates to be such as may be necessary to develop the Traffic arising upon and destined for any Place upon the Two Systems proper, and as may be mutually agreed upon, or failing Agreement to be settled by Arbitration.

3. The Receipts from the Traffic to be divided by Mileage, with an Allowance as between the Companies of Twopence per Ton at each End for Iron Stone, and Threepence for Coal, Coke, Lime, and Limestone.

4. With regard to the new Branch connecting the Two Railways near Woodhouse Mill (being the Railway eighthly herein-before described), all new Sidings to be made by the Two Companies at the Junctions, or as near the Junctions as can conveniently be done, for the proper Interchange of Traffic. The Midland Company to allow the Manchester, Sheffield, and Lincolnshire Company to run over the new Branch to the Sidings to be provided upon the Midland Line; and the Manchester, Sheffield, and Lincolnshire Company to allow the Midland Company to run over their Line to the Sidings to be provided on the Sheffield Line. Each Company to provide its own Sidings.

5. The Manchester, Sheffield, and Lincolnshire Company to withdraw their Bill for making a Line from Shireoaks to Staveley.

Cap. lviii.

"Ryde Water Act, 1861."

Recites that at the Time of the passing of their Act of 1854 the Sum of 4,731*l.* 10*s.* then remained due from the former Commissioners upon Mortgage of the Tolls, Rates, and Assessments levied under "The Ryde Improvement Act, 1829;" that the Commissioners were authorized by the said Act of 1854 to raise the Sum of 23,000*l.* for any of the Purposes of the Waterworks by that Act authorized, and also (inclusive of the said Sum of 4,731*l.* 10*s.*) the Sum of 15,000*l.* for all or any of the Purposes of that Act other than those for which Money was therein-before specifically authorized to be raised; that they have raised the Sum of 22,618*l.* 10*s.* in respect of the Waterworks, and also (inclusive of the Sum of 4,731*l.* 10*s.*) the Sum of 13,681*l.* 10*s.* for such other Purposes, making together the Sum of 36,300*l.*, and have expended the whole of the said Sum of 36,300*l.*; that they have, out of the Monies raised under the said "Ryde Improvement Act, 1854," and applicable to the Sinking Fund by the said Act authorized, paid off Monies borrowed on Mortgage by them to the Amount of 1,501*l.* 18*s.* 6*d.*, and have invested in Government Securities further Monies applicable to such Sinking Fund, amounting to the Sum of 1,229*l.* 15*s.* 10*d.*; that the Act of 1854 confers General Powers upon the said Commissioners for the Improvement and Benefit of the District included within the said Limits, and amongst them a Power to supply with Water the Inhabitants of the said District and (by Agreement) the Inhabitants of any Parish or Place

adjoining thereto, and also Vessels resorting to the Town of Ryde; and that the present Supply of Water is inadequate; and it would be of public Advantage if the Commissioners were authorized to furnish a further Supply of Water, and such further Supply could be easily obtained from certain Ponds or Springs known as the Knighton Ponds or Springs, near to Knighton Mill, all in the Parish of Newchurch.

Limits of Act same as those of Act of 1854, § 3.
Incorporation of General Acts, § 4.
Power to make Waterworks, § 5.
Three Years for compulsory Purchases, § 6.
Five Years for Completion of Works, § 7.
Power to take Water, §§ 9 to 12.

13. The Water to be supplied by the Commissioners need not be constantly laid on, nor under a Pressure greater than can be supplied by Gravitation from the Works by the recited Act and this Act respectively authorized.

14. Whereas by Section 107 of the recited Act the Commissioners are authorized by Agreement to supply with Water the Inhabitants of any Parish or Place adjoining to the Town in such Manner as shall best consist with the due Supply of Water to the Town: And whereas a Bill has been introduced into Parliament in the present Session for incorporating the Isle of Wight Waterworks Company and authorizing them to supply Water in Parishes or Places adjoining to the Town: Therefore, if that Bill be passed into a Law in the present or any subsequent Session of Parliament before Michaelmas Day, 1866, and if in the present Session, whether before or after the passing of this Act, the Commissioners shall not, without in every Case the previous Consent of the Isle of Wight Waterworks Company in Writing under their Common Seal, supply Water beyond the Limits of the Town, as defined by the recited Act, at any Distance greater than Half a Mile from some Part of those Limits, save only in the following Cases; (that is to say,)

First, the Commissioners shall furnish the Supply of Water provided for by Section 108 of the recited Act:

Secondly, if the Owners or Occupiers of the Knighton Estate, now belonging to Messrs. Carter, shall at any Time require a Supply of Water to be furnished by the Commissioners to that Estate, or any Part thereof, the Commissioners from Time to Time may furnish a Supply of Water accordingly:

Thirdly, if on the 16th Day of March 1861 the Commissioners were, in accordance with Section 107 of the recited Act, supplying Water at any greater Distance, they may continue to furnish that Supply until they receive from the Isle of Wight Waterworks Company Notice in Writing that they are ready and willing to furnish the Supply; and at the Expiration of 28 Days after the Delivery of the Notice to the Commissioners and thenceforth they shall wholly cease to furnish that Supply.

Rates for domestic Purposes to be those specified in the Schedule (C.) to the recited Act, § 15.
Supply of Water for special Purposes, § 16.
Water need not be supplied under certain Circumstances, § 17.
Water may be cut off in certain Cases, § 18.

19. Whereas the estimated Expense of executing the intended new Works is 5,800*l.*: Therefore the Commissioners may for any of the Purposes of this Act borrow at Interest on the Credit of the Waterworks and the Water Rates, or any of them, any Sums of Money not exceeding 7,000*l.*, and may secure the Repayment of the same with Interest by Mortgages of those Waterworks and Water Rates respectively, or any of them.

20. The Money by this Act authorized to be borrowed on the Credit of the Waterworks and the Water Rates shall be in addition to the Money authorized to be borrowed by the 109th Section of the recited Act: Provided, that all Mortgages granted by the Commissioners under the recited Act and now in force shall, while in force, have Priority over all Mortgages granted by them under this Act.

21. All Monies borrowed under the Authority of this Act shall be paid to the Treasurer and be carried to the Credit of the Waterworks Account, and be applied—

First, in paying all the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act;

Secondly, in executing the Works authorized by this Act, and defraying all Expenses incidental thereto; and

Thirdly, the Surplus (if any) shall be applicable as other Monies carried to the Credit of the Waterworks Account.

22. So much of the 110th Section of the recited Act as directs the Application of all Monies from Time to Time carried to the Credit of the Waterworks Account therein referred to is repealed by this Act, but not so as to affect anything already done under the recited Act.

23. From and after the passing of this Act all Monies which under the recited Act and this Act respectively shall after the passing of this Act be carried to the Credit of the Waterworks Account shall, except as is by this Act otherwise provided, be applied so far as the same shall extend as follows:

First, in Payment of all the Expenses of and incident to the maintaining of the Waterworks and the providing under the recited Act and this Act respectively of a good and sufficient Supply of Water:

Secondly, in Payment of the Interest on the Monies already and hereafter borrowed under the recited Act and this Act respectively for the Purposes of the Waterworks:

Thirdly, in providing, in proportion to the Amounts so borrowed, the Sinking Fund by this Act required:

Fourthly, the Surplus, if any, shall from Time to Time be carried to the Credit of the General Purposes Account referred to in the recited Act, and be applied in the Manner by the recited Act directed concerning the Application of the Monies carried to the Credit of the General Purposes Account: Provided always, that the Surplus of any Monies borrowed under the Authority of this Act which may be transferred to the Credit of the Waterworks Account under Section 21 shall not be applied to any other Purposes than the Payment of Money borrowed for the Purposes of the Waterworks in addition to the Sinking Fund above mentioned.

24. Whenever the Amount received in respect of the Supply of Water under the recited Act and this Act respectively in any One Quarter of a Year shall be insufficient for paying so much of the Monies first, secondly, and thirdly mentioned in the last preceding Clause of this Act as are due in the Quarter, the Commissioners may, in addition to the Rates and Monies by the recited Act and this Act respectively authorized to be levied, make, assess, and levy in respect of the Supply of Water within the Limits of this Act such a Rate as shall be sufficient to meet the Deficiency, and the additional Rate shall be applied in making good the Deficiency accordingly.

25. In order to discharge every Principal Sum already and hereafter borrowed under the Authority of the recited Act and this Act respectively, and which is not already paid off, or for the Payment of which Provision is not already made by the Sum of 1,229*l.* 15*s.* 10*d.* invested by the Commissioners for that Purpose under the Provisions of the Ryde Improvement Act, 1854, as herein-before recited, the Commissioners shall

every Year, out of the Monies by the recited Act and by this Act respectively liable to furnish the same, appropriate and set apart as a Sinking Fund such a Sum as, with the Accumulations and Monies herein-after mentioned, will enable the Commissioners in 50 Years to pay off the respective Sum so borrowed, and shall from Time to Time cause the Sinking Fund to be invested in the Purchase of Exchequer Bills or other Government Securities, and to be increased by Accumulation in the way of Compound Interest or otherwise, until the same shall be of sufficient Amount to pay off the Principal Sum, to the Payment whereof the Sinking Fund shall be applicable, or such Part thereof as the Commissioners from Time to Time think ought to be paid off.

Monies from Sale of superfluous Lands, § 26.
Saving Rights of Commissioners, § 28.

Cap. lix.

"The Berwick, Norham, and Islandshire Turnpike Trust Act, 1861."

Recites their Act of 10 Geo. 4. c. lix. for maintaining certain Roads and Bridges in the County of the Borough and Town of Berwick-upon-Tweed and Counties of Northumberland and Berwick; that the Debt due on the Security of the Tolls taken on the said Roads and Bridges amounts to the Sum of 27,883*l.*, the Particulars of which are set forth in the Schedule No. 1, and that the further Sum of 300*l.*, the Particulars of which are set forth in the Schedule No. 2, hereunto annexed, have been advanced upon the Credit of the Tolls; repeals recited Act, and continues the Trust for 21 Years.

Cap. lx.

"The Leeds, Bradford, and Halifax Junction Railway Act, 1861."

Recites Incorporation in 1852 for constructing a Railway from Bowling near Bradford to Wortley near Leeds, in the West Riding of the County of York, and for other Purposes; that by their Act of 1853 they were authorized to construct a Branch Railway from the Main Line at Laister Dyke to Gildersome Street, and another Branch Railway from Laister Dyke to the Town of Bradford; and by their Act of 1854 to construct a Railway (in extension of the Gildersome Branch) to East Ardsley; and by their Act of 1855 to raise additional Capital; and by their Act of 1859 to convert their Mortgage or Bond Debt into Debenture Shares or Debenture Stock; proposes to construct the Branch Railway herein-after described, and to raise a further Sum of Money; and that the intended Branch Railway should form a Junction with the Birstal Branch of the London and North-western Railway near the Junction of that Branch with the Main Line of the London and North-western Railway in the Township and Parish of Batley; and that Provision should be made for the User by the Company of that Portion of the London and North-western Railway which lies between the said Point of Junction therewith of the intended Railway and the Station at Batley of the London and North-western Railway, and the Stations, Works, and Conveniences connected therewith (including the said Station at Batley), on the Terms and Conditions herein-after in that Behalf provided.
Incorporation of General Acts, §§ 2, 3.
Power to construct Railway, § 4.
Communication with the London and North-western Railway, §§ 5 to 9.
Regulating Inclination of certain Roads, § 10.
Power to alter Engineering Works, § 11.
Bridge under the Leeds and Birstal Turnpike Road, § 12.
Bridge over the Leeds and Ealand Turnpike Road, § 13.
Two Years for compulsory Purchase, § 15.
Three Years for Completion of Works, §§ 16, 17.
Tolls, § 18.
Power to raise additional Capital of 45,000*l.* by new Shares, with or without a preferential Dividend not exceeding 5*l.* per Cent., §§ 19 to 28.
Power to borrow 15,000*l.*, §§ 29 to 32.
Provision for Use by the Company of Portion of London and North-western Railway, § 33.
Terms of User of Portion of London and North-western Railway, § 34.

Cap. lxi.

"The Universal Private Telegraph Company's Act, 1861."

Recites that by Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing Date at Westminster the 2d Day of June in the Year 1858, Her present Majesty did grant unto Charles Wheatstone, his Executors, Administrators, and Assigns, the sole Privilege of making, using, exercising, and vending his Invention of "Improvements in Electric Telegraphs, and in Apparatus "connected therewith," during the Term of 14 Years thence next ensuing, a Specification of which said Invention was duly enrolled in Chancery; and that by certain other Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing Date at Westminster the said 2d Day of June in the Year 1858, Her said Majesty did grant unto the said Charles Wheatstone, his Executors, Administrators, and Assigns, the sole Privilege of making, using, exercising, and vending his Invention of "Improve- "ments in Electro-Magnetic Telegraphs and Apparatus, and "for transmitting Signs or Indications to distant Places by "means of Electricity, commonly known as Wheatstone's "Universal Telegraph," during the Term of 14 Years thence next ensuing, a Specification of which said Invention was also duly enrolled in Chancery; and whereas the Persons herein-after named and others formed themselves into a Company for the Purpose of working and using the said Patents, which Company was registered pursuant to the Act passed in the 19th and 20th Years of the Reign of Her said Majesty Queen Victoria, Chapter 47, intituled "An "Act for the Incorporation and Regulation of Joint Stock "Companies and other Associations," by the Name of "The Universal Private Telegraph Company, Limited;" that the said Inventions have been found to be of great public Benefit and Utility, and it would be of public Advantage if the same were brought into general Use, and that Object would be greatly promoted if the said Patent Privileges were used and exercised by the Company hereby incorporated with and under the Powers and Provisions herein-after contained.
Companies and Lands Clauses Acts (both English and Scotch) incorporated, but without compulsory Powers, §§ 2, 3.
Incorporation and Purposes of Company, § 5.
Continuing Liabilities of dissolved Company, §§ 6, 7.
Capital 190,000*l.*, in 25*l.* Shares, § 8.
Meetings; Directors, §§ 9 to 16.
Land taken not to exceed Five Acres, § 17.
Company may construct Works and Buildings upon Lands taken, § 18.
Power to agree with other Electric Telegraph Companies for facilitating Telegraphic Communication, § 19.

Company may take Charges for Use of Telegraph, § 20.
And also Charges for through Transmission by Telegraphs of other Companies, § 21.
Company empowered to lay Pipes and Wires along Streets, § 22.
Power for Company and other Companies to enter into Agreements, § 23.
Wires to be removed when they may interfere with Improvements, &c. of Property, § 24.
Power for Company to agree with Owners of Railways and Canals, § 25.
Company not to place Electric Apparatus in Streets, &c. without Consent, § 26.
Company not to interfere with Property of Mersey Docks and Harbour Board without Consent of Board, § 27.
Company not to break up Streets in Boroughs without Consent of Councils of such Boroughs, § 28.
Notice to be served before breaking up Streets, § 29.
Streets, &c. to be broken up under Superintendence, § 30.
Streets, &c. broken up to be reinstated without Delay, § 31.
Penalty for Delay in reinstating Streets, &c., § 32.
In case of Delay, other Parties may reinstate and recover the Expenses, § 33.
Company to make good Damage to the Roads, § 34.
Traffic not to be stopped during Company's Works on any Street or Road, § 35.
Precautions to be taken by Company during Works on Streets and Roads, § 36.
Pipes not to be laid in City of London without Consent, § 37.
mpany to alter or remove Works if required by the Metro-Copolitan Board, &c. to do so, § 38.
For Protection of Sewers of Metropolitan and other Boards, § 39.
Company not to alter Position of Gas or Water Pipes, except Service Pipes, § 40.
Company to reinstate Service Pipes, make good all other Damage done by them, and pay Compensation, § 41.
Company, if required, to lay down Wires for the exclusive Use of Her Majesty, § 42.
Wilfully injuring an Electric Telegraph a Misdemeanor, § 43.
Power to apprehend unknown Offenders, § 44.
Company to indemnify Turnpike Road Trustees against Damages arising from Company's Acts or Defaults, § 45.
Incorporation of Part of Railways Clauses Consolidation Act, 1845, § 46.

Cap. lxii.

"The Whitehaven, Cleator, and Egremont Railway Act, 1861."

Recites Incorporation in 1854 of the Whitehaven, Cleator, and Egremont Railway Company for the Purpose of making a Railway from the Whitehaven and Furness Junction Railway, near Whitehaven, to Egremont in the County of Cumberland, with a Branch therefrom to Frizington in the same County; that by their Act of 1857 the Powers of the Company were enlarged and Power given for the raising of additional Capital by the Creation of ordinary or preferential Shares, but no such preferential Shares have been created by the Company; that they were authorized by the first-recited Act to raise by Shares 50,000*l.*, and by borrowing 16,600*l.*, which Sums have been duly raised and borrowed; and by the second-recited Act to raise by Shares 25,000*l.*, and by borrowing 8,000*l.*, of which respective Sums the Sum of 25,000*l.* has been duly raised by Shares, and the Sum of 6,700*l.* by borrowing; that the Railway and Works have been constructed and are now open to the Public; and it is expedient that the Company be empowered to extend their Railway from Frizington to Lamplugh, as herein-after described; to widen and lay down additional Lines of Rail upon certain Portions of their Railway, to provide additional Stations, Communications, and Conveniences; and that Provision be made with a view of facilitating the Traffic of the said Railway; and also that they be empowered further to increase their Capital by the Creation of new Shares in their Undertaking and by borrowing.
Incorporation of General Acts, § 2.
Description of Railway and Works, §§ 3, 4.
Power to lay down an additional Line of Rail at and on a Road now crossed on a Level, § 5.
Trains not to be shunted on level Crossings, § 6.
Two Years for compulsory Purchase of Lands, § 8.
Three Years for Completion of Railway, §§ 9, 10.
Tolls and maximum Charges, § 11.
Increase of Capital by 45,000*l.* by new Shares, with or without a Preference not exceeding 5*l.* per Cent., §§ 12 to 24.
Power to borrow 15,400*l.* more, §§ 25 to 27.

Cap. lxiii.

"The Stockton and Darlington Railway (Works) Act, 1861."

Recites their Amalgamation Act, 1858, that by their (North Riding Lines) Act, 1858, the Company were authorized to make and maintain a Railway first therein described, and a Branch Railway secondly therein described; that "The Stockton and Darlington Railway (Durham Line, &c.) Act, 1858," and "The Stockton and Darlington Railway Act, 1859," and "The Stockton and Darlington Railway Act, 1860," have also been passed with respect to the Company; proposes to make and maintain the Railway by this Act authorized, and to abandon the making of the Branch Railway in their (North Riding Lines) Act, 1858, secondly described and thereby authorized.
Incorporation of General Acts, §§ 2, 3.
Power to take and use Lands, § 4.
Eighteen Months for compulsory Purchase of Lands, § 5.
Power to make Works authorized by this Act, § 7.

8. The Works by this Act authorized to be made and maintained by the Company comprise the following Railway, with all proper Sidings, Approaches, Stations, Works, and Conveniences connected therewith; that is to say,

A Railway commencing from and out of and by a Junction with the Railway first described in and authorized by "The Stockton and Darlington Railway (North Riding Lines) Act, 1858," at a Point Westward of Rifts House in the Township and Parish of Marske, and terminating at a Point Westward of Marske Mill (which is situate in the Township and Parish of Marske) in the Township and Parish of Skelton, all in the North Riding of the County of York.

Regulating certain Roads, §§ 9, 10.
Period for Completion of Railway, 31st December 1863, §§ 11, 12.
Railway authorized Part of Company's Undertaking, § 13.
Company may abandon Branch Railway secondly described in Act of 1858, § 14.
Compensation to be made where Contracts have been entered into or Notices given, § 15.

Cap. lxiv.

"The Belfast and County Down Railway (Bangor Branch Abandonment) Act, 1861."

Recites that by "The Belfast and County Down Railway Act, 1855," the Belfast and County Down Railway Company were authorized amongst other things to make Two Branch Railways, the one commencing at the Newtownards Branch and terminating in the Town of Donaghadee, and the other known as the Bangor Branch, commencing at the said Donaghadee Branch and terminating in the Town of Bangor; that so much of the said Bangor Branch as was by the said Act of 1855 authorized to be made between the public Road in the Townland of Corporation in the Parish of Bangor, marked Number 8 on the Parliamentary Plans referred to in the said Act, and the authorized Termination of the said Branch on the Quay in Bangor, was by "The Belfast and County Down Railway Amendment Act, 1860," authorized to be abandoned; and that by an Act passed in the last Session of Parliament, and called "The Belfast, Holywood, and Bangor Railway Act, 1860," a Company was incorporated with Powers to make a Railway from the Holywood Branch of the Belfast and County Down Railway to the Town of Bangor, and the Powers of that Act are being carried into execution; that the Construction of the said Belfast, Holywood, and Bangor Railway will render the making of any Part of the said Bangor Branch of the Belfast and County Down Railway unnecessary, and it is expedient therefore that it should be altogether abandoned.

1. It shall be lawful for the Company to abandon so much of their said Bangor Branch as they have still Power to make, and the 39th Section of the said Act of 1855 shall be read and construed as though the said Bangor Branch had not been by that Act authorized to be made.

Compensation to be made where Contracts have been entered into and Notices given, § 2.

Cap. lxv.

"The Mid-Wales Railway Act, 1861."

Recites that by their Act of 1859 the Mid-Wales Railway Company were incorporated and authorized to make "a "Railway from Llanidloes in the County of Montgomery "to Newbridge in the County of Radnor;" that by their Extensions Act, 1860, the Company were authorized to construct a Railway, in such Act called "Railway No. 2," commencing at Newbridge aforesaid and terminating in the Parish of Llanelwedd in the said County of Radnor; and it is expedient that the Company should be enabled to make the Deviation herein-after described in the Line of the said Railway authorized by the last-mentioned Act; that by "The Hay Railway Act, 1860," it was among other things enacted, that so much of the Hay Railway and Property of the Hay Railway Company as the Company required and were authorized to take for the Construction of their Railway and Works should, upon Payment as therein-after described, be transferred and conveyed to the Company by "The Hereford Company," and that the Price to be paid by the Company for such Transfer and Conveyance should, in case of Difference, be determined in manner provided by the "Lands Clauses Consolidation Act, 1845," with reference to Cases of disputed Compensation, and that it should be lawful for the Company to convert such Part of the Hay Railway and incorporate the same into their Railway; but under the Provisions of that Act the Hay Railway therein mentioned may not be transferred to or become the Property of the Hereford Company until some Time after the 6th Day of June 1862, and Doubts are entertained whether before such Transfer to the Hereford Company the Transfer to the Company of the Part of the Hay Railway mentioned in the above-recited Enactment can be legally carried into effect; and it is expedient that the Company should be empowered to purchase and enter upon the said Part of the Hay Railway, and to convert and incorporate the same at an earlier Period; and that they be authorized to enter into Agreements with the Llanidloes and Newtown Railway Company for the joint Construction and Use by those Companies of a Station at Llanidloes or for the Transfer to the Llanidloes and Newtown Railway Company of any Station, or an Interest in any Station, constructed by the Company at Llanidloes.

Incorporation of General Acts, §§ 2, 3.

Power to abandon Part of authorized Line and Compensation, §§ 4, 5.

Power to take Lands, § 6.

Certain Property not to be taken without Consent, § 7.

Two Years for completing Purchase of Lands, § 8.

Railway to be completed on 3d July 1865, § 9.

Power to make Railway authorized by this Act, § 10.

11. The Railway and Works by this Act authorized comprise the following Railway, with all proper Stations, Works, and Conveniences connected therewith; (that is to say,)

A Deviation Line commencing by a Junction with the Line of Railway authorized by "The Mid-Wales Railway Act, 1859," at or near the Village of Newbridge in the Parish of Llanyre in the County of Radnor, and terminating in the Parish of Llanelwedd in the same County near the Thirteenth Milestone from Rhayader on the Turnpike Road leading from Builth to Rhayader, by a Junction with the authorized Line of the Railway authorized by "The Mid-Wales Railway Extensions Act, 1860," and therein called Railway No. 2;

and the said Railway by this Act authorized shall be and be deemed for the Purposes of Tolls and Charges and for all Purposes whatsoever Part of the Undertaking of the Company.

12. At any Time after the passing of this Act the Company may give Notice, in such Manner as is prescribed by "The Lands Clauses Consolidation Act" as to the giving of Notices to purchase and take Lands, to the Hay Railway Company and the Hereford Company, that they require to purchase and take so much of the Hay Railway as is mentioned in the said recited Enactment of "The Hay Railway Act, 1860," and the Price to be paid by the Company for such Purchase shall, in case of Difference, be determined in the Manner provided by "The Lands Clauses Consolidation Act, 1845," with reference to Cases of disputed Compensation; and in and for the Purpose of and in any Proceeding for determining such Compensation the Hay Railway Company and the Hereford Company shall be deemed to be and shall represent the Owners of the said Part of the Hay Railway as One Party; and the Price agreed or determined to be paid for such Purchase shall, subject to the Provisions of this Act, be paid by the Company into the Bank of England in the Name and with the Privity of the Accountant General of the Court of Chancery in England, to be placed to the Account there of such Accountant General to the Credit of the Hay Railway Company and the Hereford Company, and upon such Deposit the Cashier of the Bank shall give to the Company a Receipt for such Money, specifying to whose Credit and in respect of what Purchase it has been paid in, and thereupon it shall be lawful for the Company to enter upon the said Part of the Hay Railway, and to convert the same and incorporate it into their Railway, and to do all such Acts, Matters, and Things in relation thereto as

they might do if it were their own Property; and if within Two Years after the passing of the Act the Hay Railway shall be transferred and conveyed to the Hereford Company as provided by "The Hay Railway Act, 1860," a Transfer and Conveyance of the said Part of the Hay Railway shall, as soon thereafter as practicable, be made and executed by the Hereford Company to the Company as provided in the said Act, and thereupon the Hereford Company shall be entitled to receive the Money so deposited; but if within the Period aforesaid the Hay Railway shall not have been transferred and conveyed to the Hereford Company, a Transfer and Conveyance of the said Part of the Hay Railway shall be forthwith made and executed to the Company by the Hay Railway Company, who thereupon shall be entitled to receive the Money so deposited; provided that such Conveyance, whether by the Hereford Company or by the Hay Railway Company, shall be by Deed duly stamped, in which the Consideration for the same shall be truly stated and set forth: Provided always, that it shall be lawful for the Hereford Company and the Hay Railway Company jointly at any Time before the Purchase Money is paid into the Bank of England, by Writing under their several and respective Common Seals, to authorize and request the Company to pay the Purchase Money either to the Hereford Company or to the Hay Railway Company, instead of paying the same into the Bank of England as herein-before directed, and in that Case the Purchase Money shall be paid by the Company in accordance with such written Authority and Request.

13. The Company may at any Time after the passing of this Act, subject to the Clauses and Provisions of "The Lands Clauses Consolidation Act, 1845," with respect to the Entry on Lands by the Promoters of the Undertaking, enter upon and use the said Part of the said Hay Railway before any Agreement shall have been come to or an Award made or Verdict given for the Purchase Money or Compensation to be paid in respect thereof: Provided, that any Money paid by the Company into the Bank of England under the 86th Section of "The Lands Clauses Consolidation Act, 1845," in respect of such Entry shall be placed to the same Account, and shall subsequently be paid and transferred in the same Manner and subject to the same Provisions as are by this Act made applicable to Money agreed or awarded or determined to be paid by the Company for a Purchase of the said Part of the Hay Railway.

14. From and after the Transfer to the Company of any Portion of the Hay Railway the Provisions of "The Hay Railway Act, 1860," shall cease to be obligatory on the Hereford Company with respect to every Portion so transferred as if the same were transferred and conveyed to the Company under or in accordance with that Act; and if the Company enter upon any Portion of the Hay Railway before the Transfer thereof to them, the Provisions of that Act shall cease to be obligatory on the Hereford Company with respect to every Portion so entered upon as if the same were transferred and conveyed to the Company under or in accordance with that Act.

Saving Rights of Hereford Company and Hay Company, § 15.

16. It shall be lawful for the Company and the Llanidloes and Newtown Railway Company to enter into and to carry into effect Agreements and Arrangements for and with reference to the joint Construction and Use by such Companies of a Station at Llanidloes, or for the Transfer by the Company to the Llanidloes and Newtown Railway Company of any Station or a Share or Interest in any Station which may be constructed by the Company at Llanidloes.

Cap. lxvi.

"The Manchester London Road Station Enlargement Act, 1861."

Recites that the London and North-western Railway Company and the Manchester, Sheffield, and Lincolnshire Railway Company respectively possess an Interest in a Station at Store Street in Manchester, known as the London Road Station, and are entitled in Severalty to certain Portions thereof, and Disputes having arisen and Suits in Chancery and other Proceedings at Law having been instituted between those Companies with respect to the Property, Use, and Management of the said Station, it was by Heads of Agreement made between those Companies on the 26th Day of November 1858, amongst other things, provided as follows: "That all Litigation shall cease, each Party paying "their own Costs; that the London and North-western and "Manchester, Sheffield, and Lincolnshire Companies shall "concur in altering and enlarging the present Passenger "Station according to the Plans of Locke and Jee, with such "Improvements and Modifications as may be agreed, Pro-"vision to be made for joint or separate Use and separate "Staff as far as desirable; the Land of both Companies to "be exchangeable for joint Purposes so far as may be "necessary to improve and enlarge the Stations generally "on Terms to be settled; Rights to be defined and con-"firmed by Act of Parliament, and a joint Station Com-"mittee; and Means of summary Arbitration to be esta-"blished thereby;" and such Agreement has been acted upon as regards such Station by both the said Companies; that for the due and proper Enlargement of the said Station, for the joint and separate Accommodation of the Two Companies, certain Lands are or may be required which belong to the Sheffield Company and to the North-western Company and to other Parties; that by "The Manchester London Road Station Act, 1859," Provision was made for the Partition by Agreement between the Two Companies, or failing such Agreement, by Arbitration, as by the said Act provided, of the said Station, and for the general Management, Regulation, and Control of such Parts thereof as should be allotted for joint Use, and the Maintenance and Repair thereof, and for other Matters in relation thereto; that under the said Act the North-western Company are widening the Approaches to the said Station from Ardwick, and are proceeding to lay down another Double Line of Rails, and in contemplation of such widening it is expedient and has been agreed to make the Provision herein-after contained with reference thereto; that it is also expedient that Provision be made for enabling the Arbitrators and Umpire, or the major Part of them, acting under the Provisions of the said Act, by their Award to deal in such Manner as they shall think fit for the Purposes of that Act and of this Act with all or any Estate or Interest which the Sheffield Company have or are entitled to in all or any Part of the Lands lying within the Boundaries following; that is to say, between London Road, Store Street, a Right Line drawn in prolongation of the Northerly Side of Ducie Street, East of Dale Street to London Road, and a curved Line drawn from the North Corner of Ducie Street, at its Junction with Dale Street, passing near to the West Corner of the Ashton Canal Warehouse, and ending at the North-westerly Side of the Station at Sheffield Street at the Point where the Second Row of Turn-tables from Store Street, on the upper Level of the Station, is now laid down, which said Lines are shown on the Plans herein-after referred to; and for enabling the Two Companies to acquire the Interest of all other Parties in and to the said Lands

or any of them; that it is also expedient that the Two Companies be empowered to acquire certain other Lands lying on the Westerly Side of Boad Street, in the said Parish, and to stop up and discontinue and appropriate the Site of so much of Ducie Street as lies on the Southerly or South-westerly Side of the said curved Line as hereinbefore described, and to cover over and occupy and appropriate the Surface above so much of Sheffield Street, Travis Street, Ashton Street, and of Store Street respectively, as lies on the Southerly or South-westerly Side of the said Line.

General Acts incorporated, §§ 2, 3.
Power to take Lands, § 4.
Discontinuance and Appropriation of Part of Ducie Street, § 5.
Power to cover over Parts of Store Street, Ashton Street, and Travis Street, § 6.
Power to stop up Branch of Rochdale Canal, § 7.
Land to be given up for altering Boad Street, § 8.
Restriction on Interference with Ducie Street, § 9.
Provision as to Alteration of Levels of certain Streets, § 10.
New or altered Streets to be paved, &c., § 11.
As to Bridges over Streets, § 12.
Levels of Streets not to be altered without Consent of Corporation of Manchester, § 13.
Three Years for the compulsory Purchase of Lands, § 14.

15. The Two Companies may from Time to Time hereafter, and either before or after any Award made under the said recited Act, agree between themselves for the Partition between them of the whole or any Part of the said London Road Station, and of the Approaches, Works, and Conveniences connected therewith, and of the whole or any Part of the Lands adjoining or near thereto, whether belonging to the Two Companies jointly, or to either of them separately, and either alone or conjointly with any other Company or Persons; and also of the Lands and Buildings, or any Part thereof, which may be acquired under the Authority of this Act, and for vesting in the Two Companies jointly, or in each of the Two Companies separately, such Portions as may be agreed upon of the said Station, Approaches, Works, Lands, and Buildings, and for regulating and determining the Use and the Terms and Conditions of Use, by the Two Companies of any Portion thereof which may be vested in them jointly, and the Conduct of the Traffic resorting thereto; and for extending the Area of the Control or Management to be exercised by the Joint Committee appointed or to be appointed under the said recited Act, and for determining and regulating the Use and the Terms and Conditions of the Use of the Approaches to the said Station; and any Agreement made by the Two Companies prior to the passing of this Act, in relation to the Objects aforesaid, shall be as binding upon them respectively as if made after the passing hereof.

16. If within Six Months after the passing of this Act the Two Companies shall have made an Agreement in relation to any of the Matters in respect to which they are by this Act empowered to make Agreements, then the Powers vested by "The Manchester London Road Station Act, 1859," in the Arbitrators and Umpire or standing Arbitrator (as the Case may be) appointed or to be appointed under the Provisions thereof, shall not be exercised in respect of any of the Matters comprised in and disposed of by such Agreement, but in other respects the Powers of the said Arbitrators and Umpire and standing Arbitrator respectively, and the other Provisions of the said Act, shall remain in full Force, notwithstanding any such Agreement.

17. The Arbitrators and Umpire, or the major Part of them, from Time to Time acting under "The Manchester London Road Station Act, 1859," in making a Partition of the said London Road Station as by that Act provided, and in otherwise executing the Powers by that Act and by this Act vested in them in reference to the said Stations, shall include in their Award, as Part of the said Stations, and as such, subject to the Provisions of the said Act and of this Act, all Lands hereinbefore referred to within, adjoining, or near to the said Stations, and all Approaches, Works, and Conveniences connected with the said Stations and Lands respectively, whether such Lands, Approaches, Works, and Conveniences belong to the Two Companies jointly, or to either of them separately, either alone or in conjunction with any other Company or Person, and any Lands which the Two Companies may acquire under the Provisions of this Act, and shall also deal in such Manner as shall be necessary for the Purposes aforesaid or any of them, with all or any Estate or Interest which the Sheffield Company have or are or shall have become entitled to in all or any of the Lands and Buildings lying between the Boundaries following; (that is to say,) London Road, Store Street, the said Line drawn in prolongation of the Northerly Side of Ducie Street, East of Dale Street, to London Road, and the said curved Line drawn from the North Corner of Ducie Street, at its Junction with Dale Street, passing near to the West Corner of the Ashton Canal Warehouse, and ending at the North-westerly Side of the Station at Sheffield Street, at the Point where the Second Row of Turn-tables from Store Street, on the upper Level of the Station, is now laid down, but the Lands within the said Boundaries, or so much thereof as shall not be otherwise expressly appropriated by this Act, shall be allotted and awarded equally between the Two Companies, as and for a Goods Station only; and the Lands and Buildings belonging to the Sheffield Company, as well as any Lands and Buildings which may be taken for the Reconstruction of the present Passenger Station belonging to the North-western Company, and any Injury to any adjoining Lands of the Two Companies respectively, shall be fairly valued and awarded; and the Plans for the Passenger Station, as already agreed between the said Two Companies, and signed by James Bancroft and Samuel Lees, shall forthwith be carried out, subject to any Alterations which, if not agreed upon between them, shall be settled by the said Arbitrators and Umpire, or the major Part of them; and the Cost of the new Works connected therewith, and the Cost of such Lands and Buildings as shall be required so to be purchased under this Act (less the Value of old Materials) shall be equally divided between the said Two Companies; and the Passenger Station and such Lands and Buildings shall be equally divided; and the Passenger Stations of the said Two Companies respectively shall be retained as such, unless the Two Companies shall otherwise agree; provided that the Sheffield Company shall take the North-easterly, and the North-western Company the South-westerly Side, and the Division shall be so made; any Difference in the Value of the Two Sides of the Goods Station being treated by the said Arbitrators and Umpire, or the major Part of them, as Matter of Money Compensation as between the said Two Companies.

18. The said Arbitrators and Umpire, or the major Part of them, in considering and determining as by the said Act directed the Sums to be paid by the One of the said Two Companies to the other of them, shall divide equally between the Two Companies the Costs and Charges incurred in applying for and obtaining this Act, or incident thereto, and in carrying the same into execution, and shall also make his or their Award conformably with this Act, so far as this Act extends, and by his or their Award shall dispose of all Matters which, under this or the said recited Act may remain to be disposed of between the said Two Companies.

19. All the Provisions of "The Manchester London Road Station Act, 1859," shall be construed and read as though at the Time of the passing thereof the said London Road Station included the Lands which the Two Companies shall acquire under the Authority of this Act, and also the Estates and Interests of the Sheffield Company in the Lands lying between the Boundaries before mentioned and the Lands within the said Stations, or near or adjoining thereto, and the Approaches, Works, and Conveniences connected with the said Station and Lands respectively, whether such Lands, Approaches, and Conveniences belong to the Two Companies jointly, or to either of those Companies separately, either alone or in conjunction with any other Company or Person, and as though all and every the several Particulars aforesaid had been specifically mentioned and referred to in the said recited Act, and made subject to the Provisions thereof.

20. The Two Companies respectively may apply to the Purposes of this Act any of the Monies which they now have in their Hands, or which they have Power to raise by Shares or Mortgage by virtue of any Acts relating to them respectively, and which may not be required for the Purposes to which they are by any such Acts made specially applicable.

21. The Sheffield Company shall, subject to the Payment to the North-western Company of an annual Rent of 350*l.*, and subject to the Tolls prescribed in the Schedule to this Act annexed, have the Use of, and shall use the said Two new Lines of Rails into and out of the said London Road Station, so soon as the same are laid down, and such Two Lines of Rails shall be appropriated to them for all Purposes of their Traffic, and shall be under the Control and Management of the Joint Committee, whose Powers are hereby extended over all the Lines between London Road and Ardwick, including the Junctions and Signals at Ardwick and South Junction; provided that the North-western Company shall maintain and uphold the said new Lines of Railway, and the Works connected therewith, and that nothing herein contained shall affect the Rights of the North-western Company as Owners of the said new Lines, or of crossing such Two new Lines for the Interchange of Traffic, but always subject to the Rights hereby expressly granted to the Sheffield Company over the same; and provided also, that so soon as the said Two new Lines are completed as aforesaid, the Sheffield Company shall cease to use the existing Lines, except for the Purpose of passing to and from the Manchester South Junction and Altrincham Railway; and except also for the Purpose, in case of Emergency, of passing into and out of the said Station of the said Sheffield Company, and any Portion of the said Station which may be the joint Property of the Two Companies, so far as may be needful, but always under and subject to the Regulations and Instructions of the said Joint Committee.

22. It shall be lawful for the Two Companies to agree to the Commutation of such Tolls and Payment by a fixed annual Payment in lieu thereof, or by the Payment of such other Consideration or Considerations in One Sum or in several Sums, or by way of annual Payment, as they may from Time to Time agree.

Schedule—(Tolls).

Cap. lxvii.

"The Great Northern and Western (of Ireland) Railway Act, 1861."

Recites 20 & 21 Vict. c. lxxxiv., being "An Act for making "Railways from Athlone to Roscommon and Castlereagh, to "be called 'The Great Northern and Western (of Ireland) "Railway;'" 21 & 22 Vict. c. xcvi., being "An Act to "enable the Great Northern and Western (of Ireland) Rail-"way Company to make Deviations in their authorized "Railways, and to empower the Midland Great Western "Railway of Ireland Company to acquire Shares in the "Undertaking of the Great Northern and Western (of "Ireland) Railway Company;" and 22 & 23 Vict. c. xlviii., being "An Act to enable the Great Northern and Western "(of Ireland) Railway Company to extend their Railway "to Castlebar;" proposes to extend their Railway from Castlebar to Westport in the County of Mayo; recites that the Company have by the recited Acts been authorized to raise the Sum of 340,000*l.* by Shares, and the Sum of 113,000*l.* by borrowing on Mortgage of their Undertaking; that they require further Sums for the Purposes of this Act; that the Midland Great Western Railway of Ireland Company, are authorized to subscribe to the Undertaking of the Company to any Extent not exceeding One Third of the estimated Cost of executing the Undertaking of the Company under the recited Acts; that they have agreed to subscribe One Third Part of the additional Capital authorized to be raised by this Act, and also to work the Traffic upon the Railway by this Act authorized, and it is expedient to confer all necessary Powers upon the said Companies for carrying out such Agreement; that the Company are not authorized to create and have not created any preferential or guaranteed Shares; and it is expedient that they should, to the Extent herein-after mentioned, be authorized to issue Preference Shares in lieu of unissued Shares created under the Authority of the thirdly-recited Act, and also in lieu of forfeited Shares; that by the secondly-recited Act it was enacted, that so soon as the Midland Company had become Subscribers to the Undertaking of the Company to the Extent of 80,000*l.*, the Number of Directors of the Company should be neither more nor less than Nine, of whom One Third are, under the Provisions of the said Act, directed to be appointed by the Directors of the Midland Company, and Two Thirds by the Shareholders of the Company, exclusively of the Midland Company, and much Inconvenience has resulted from the Limitation of the Number of Directors to Nine, and it is expedient that the Number should be increased to Twelve, to be appointed in the same Proportions as aforesaid by the Directors of the Midland Company and by the Shareholders of the Company, exclusively of the Midland Company.

Incorporation of General Acts or Portions thereof, § 2.

Power to make Railway, §§ 3, 4.

Rails, &c. to be countersunk, and laid under Superintendence of Commissioners of Westport Harbour, § 5.

Admiralty and Board of Trade Provisions, §§ 6 to 13.

Three Years for compulsory Purchase, § 14.

Five Years for the Completion of Works, §§ 15, 16.

Power to Company to increase their Share Capital by 64,000*l.*, § 18.

Power to borrow 21,000*l.*, §§ 19, 20.

The Midland Company may acquire additional Shares in the Undertaking of the Company not exceeding 21,000*l.* more, §§ 21 to 23.

Power of the Companies to make Agreements contained in the Acts of 1857 and 1858 to apply to the Railway by this Act authorized, § 24.

Power to cancel unissued or forfeited Shares and to issue new Shares in lieu thereof to the Extent of 40,000*l.*, and to attach a Dividend not exceeding 5*l.* per Cent. to Shares so issued, §§ 25 to 27.

Shares issued under this Act in lieu of Shares under Act of 1859, to be deemed for the Purpose of borrowing to have been issued under the Act of 1859, § 28.
Calls, § 29.
The Midland Company to receive the same Dividend as if Preference Shares had not been created under the Authority of this Act, § 30.
The Number of the Directors of the Company to be increased from Nine to Twelve, § 31.
Saving Rights of the Crown and of Secretary of State for the War Department, §§ 35, 36.

Cap. lxviii.

"The Elland Gas Act, 1861."

Recites Formation of a Company by a Deed of Settlement, dated the 6th Day of May 1836, under the Name and Style of "The Elland-cum-Greetland Gas Company," for the Establishment of Gasworks and the Supply of Gas to the Township of Elland-cum-Greetland, in the Parish of Halifax and the Precincts thereof, and any of the Places adjacent thereto, and for other Purposes, with a Capital of 4,000*l.*, divided into 400 Shares of 10*l.* each, with Power to borrow on Security of the said intended Buildings, Works, and Premises, or by the Creation of a suitable Number of new Shares, any further Sum or Sums of Money that might be found necessary; that such 400 Shares have been subscribed for and fully paid up; that the Company increased their Capital by the Creation of 100 new Shares of 10*l.* each, upon 80 of which Shares the full Sum of 10*l.* each was fully paid up, and upon the remaining 20 forfeited and sold by Auction, of which the Sum of 114*l.* 17*s.* 6*d.* was realized by the Company; that they from Time to Time created and issued 227 new Shares of 10*l.* each, in consideration of the Payment by the Shareholders of the Sum of 6*l.* for each such Share, which said Sum of 6*l.* for each such Share was paid, and the same was then the full Market Value of the original Shares, upon which 10*l.* each had been paid; and afterwards, pursuant to the Power contained in the said Deed, repurchased 28 Shares in their Undertaking and merged the same, leaving the present Number of Shares 699 of 10*l.* each, upon all which Dividends of equal Amount have been paid from Time to Time without Preference or Priority; that they have also, under the Powers contained in the said Deed, borrowed the Sum of 1,200*l.*, which said Sum of 1,200*l.* was expended in the Enlargement of the Works, and the same is still existing as a Charge on the Estate, and the then Committee of Management of the Company also entered into their personal Covenants for the Repayment thereof, with Interest, and they are still personally liable thereto; that they have expended on its Works the Sum of 10,000*l.* and upwards, including the Sum of 1,200*l.* so borrowed as above mentioned; proposes to extend their Limits and to incorporate the Company.
Incorporation of General Acts, §§ 2, 3.
Incorporation of Company and Saving of Rights and Liabilities, §§ 5 to 15.

16. The Capital of the Company shall be 28,000*l.*, and such Capital shall be divided into 2,800 Shares of the nominal Value of 10*l.* each.

17. Six hundred and ninety-nine of the said 2,800 Shares shall be allotted to the Proprietors of Shares in the Company at the Time of the passing of this Act in proportion to their several Interests in the same, and shall be deemed to be paid-up ordinary Shares in the Company by this Act incorporated, and 699 other of the said 2,800 Shares shall be in like Proportion allotted to the Proprietors aforesaid; but such last-mentioned Shares shall be deemed to be paid up Preference Shares, and shall be entitled in priority to a fixed preferential Dividend of 4*s.* per Share per Annum from and out of the Profits of the Undertaking.
Power to raise additional Capital with 5*l.* per Cent. preferential Dividend, §§ 18 to 23, and 25, 26.
Company may call in and cancel existing Share Certificates and issue new Certificates in lieu thereof, § 24.
Power to borrow to the Amount of One Sixth of paid-up Capital, §§ 27 to 29.
Meetings; Directors, §§ 30 to 39.
Power to purchase Lands, §§ 40, 41.
Gas not to be manufactured on any other Lands, § 42.
Powers as to Construction of Gasworks, § 43.
Compelling Company to supply Consumers, § 44.
Meters; Penalties; Testing of Gas, §§ 45 to 58.

Cap. lxix.

"Portadown, Dungannon, and Omagh Junction Railway Act, 1861."

Recites Incorporation in 1847, under the Title of "The Portadown and Dungannon Railway Company," with Power to make a Railway from the Ulster Railway at Portadown in the County of Armagh to the Town of Dungannon in the County of Tyrone; that in 1857 their Name was changed to the Name of "The Portadown, Dungannon, and Omagh Junction Railway Company," and they were empowered to relinquish a Part of the Railway authorized by the Act of 1847, near Dungannon, and which Railway so altered is in this Act called the original Railway, and to make a Railway from Dungannon to join the Londonderry and Enniskillen Railway at Omagh, and the Ulster Railway Company were authorized to take a Lease of the original Railway, and also to work the Extension Railway for a limited Period; that by their Act of 1860, the Company were authorized to make certain Deviations in the Line of the Railway authorized by the Act of 1857, and which Railway as altered is hereinafter referred to as the Extension Railway, and to construct a Branch Railway at Omagh, and the Ulster Railway Company were authorized to take a Lease of the Extension Railway as well as of the original Railway, for a further Period; that "The Portadown and Dungannon Railway Act, 1853," and "The Ulster and Portadown and Dungannon Railways Act, 1856," also relate to the Company; that they have proceeded in the Execution of the said Acts, and the original Railway has been completed and opened for Traffic, and the Extension Railway is nearly completed; proposes to make a Branch Railway to the Town of Aughnacloy in the County of Tyrone, and to raise additional Capital for such Purpose.
Incorporation of General Acts, §§ 2 to 5.
Power to construct Branch Railway, §§ 6 to 8.
Inclinations of certain Roads, § 9.
Tolls on Branch Railway, § 10.
Five Years for the Completion of Works, §§ 11, 12.
Power to raise additional Capital of 75,000*l.* by new ordinary Shares, §§ 13 to 15.
Power to borrow 24,800*l.*, §§ 16 to 18.

19. Inasmuch as the original Railway is worked by the Ulster Railway Company, and Arrangements are in progress for the Lease of the Railways and Works authorized to be made by the recited Acts to the Ulster Railway Company, and

it is expedient that Authority should be given to include the Branch Railway by this Act authorized in any such Lease, or in any Working Arrangement with the Ulster Railway Company; therefore the Powers conferred by the 39th Section of the Act of 1857, and in the 27th Section of the Act of 1860, on the Company of granting, and upon the Ulster Railway Company of accepting, a Lease of the original Railway and Extension Railway, shall extend and apply to the Branch Railway authorized to be made by this Act; and the Provisions of the said Acts with reference to such Lease, and to any Working Arrangements between the Company and the Ulster Railway Company, shall extend and apply to such Branch Railway in the same Manner as if such Branch Railway had been Part of the Extension Railway.

20. The 19th Section of the Act of 1847, relating to Newspapers for the Insertion of Advertisements, is hereby repealed.

21. The Newspapers in which Advertisements relating to the Affairs of the Company are to be inserted, shall be a Newspaper published in Belfast, and a Newspaper published or circulated in the County of Tyrone.

Cap. lxx.

"The Great Northern Railway Act, 1861."

Recites that the Undertaking of the Hertford, Luton, and Dunstable Railway Company consists of Two Railways, the One (called the Hertford and Welwyn Junction Railway) connecting the Great Northern Railway at Welwyn in Hertfordshire with the Eastern Counties Railway at Hertford, the other (called the Luton, Dunstable, and Welwyn Junction Railway) connecting the Great Northern Railway also at Welwyn with the Undertaking of the London and North-western Railway Company at Dunstable; that the said Two Railways were amalgamated into One Undertaking in the Year 1858, by the Name of the Hertford, Luton, and Dunstable Railway; but they were, nevertheless, for certain Purposes, kept distinct, and separately designated as "The Hertford Section" and "The Luton Section," and their Capitals were also kept distinct, under the separate Designations of "Hertford Capital" and "Luton Capital;" that it would conduce to the Public Convenience, and to the efficient and economical Management of the said Railway, if it were transferred to the Great Northern Railway Company upon the Conditions herein-after contained; and the Great Northern Railway Company have agreed with the Hertford, Luton, and Dunstable Railway Company to accept such Transfer, subject to the Authority of Parliament; that the Acts relating directly to the Hertford Railway Company are enumerated in the First Schedule to this Act, and are herein-after called the recited Acts; that the second Schedule to this Act contains a Statement of the Capital of the Hertford Railway Company, and it is necessary that the same Company should have Power to issue Shares to the Extent of the Capital already authorized, and also to raise further Capital, for the Purpose of discharging Liabilities affecting its Undertaking; that it is expedient that the Great Northern Railway Company should have Power to purchase a certain Plot of Land at Dunstable for the Purposes of a Station; and they are desirous that the Time should be extended which is granted to them by "The Great Northern Railway Act, 1859," for executing the Works therein mentioned, in order to improve the Communication between the Great Northern and the North London Railways.

Vesting Hertford Railway in Great Northern Railway Company, § 2.

3. There shall be paid by the Great Northern Railway Company the following Sums of Money, which shall be deemed to have accrued from the 1st Day of September 1860:

Firstly. Interest on all the Liabilities of the Hertford Railway Company incurred before the passing of this Act, whether such Liabilities are immediate or deferred, and whether consisting of Debts bearing Interest by Agreement or otherwise, or Bonds, Mortgages, or Debentures of the Company, at such Rate of Interest as such Liabilities shall respectively bear: Provided, that as between the Great Northern Railway Company and the Hertford Railway Company, such Interest shall be deemed to be at the Rate of 4*l.* per Centum per Annum, and if any such Liabilities bear Interest exceeding that Rate, and the Great Northern Railway Company are required to pay the same, such Excess shall be deducted by them from the Dividends on the ordinary Shares of the Hertford Capital, or of the Luton Capital as herein-after mentioned, unless such Excess shall have been otherwise provided for by the Hertford Company:

Secondly. Dividends at the Rate of 4*l.* per Centum per Annum on the Preference Shares of the Hertford Capital, amounting to 28,400*l.*, including therein the Shares amounting to 8,400*l.*, herein-after authorized to be created, and at the Rate of 5*l.* per Centum per Annum on the Preference Shares of the Luton Capital, amounting to 50,000*l.*, and Dividends at the Rate of 4 per Centum per Annum on the Shares, amounting to 15,000*l.*, herein-after also authorized to be created:

Thirdly. Dividends until the 1st Day of April 1866, at the Rate of 1 per Centum per Annum on the ordinary Shares in the Hertford Capital, amounting to 55,000*l.*; and after the 1st Day of April 1866 and thenceforth, Dividends at the Rate of 3½ per Centum per Annum on such Amount; and Dividends on the ordinary Shares in the Luton Capital amounting to 70,000*l.*, at the Rate of 3 per Centum per Annum until the 1st Day of September 1861, at the Rate of 4 per Centum per Annum from that Day until the 1st Day of September 1863, and thenceforth at the Rate of 4½ per Centum per Annum.

4. Provided nevertheless, That the total Amount of Capital and Liabilities (excepting the Liabilities assumed by the Great Northern Railway Company with respect to the Dunstable Station) on which the Great Northern Railway Company shall, as between them and the Hertford Railway Company, be deemed liable to pay Interest or Dividends, whether consisting of ordinary or Preference Shares, Debenture Stock, Bonds, Mortgages, Debts, or otherwise, and whether before or after the Amalgamation of Capitals herein-after provided for, shall not exceed the several Sums specified in the Second Schedule to this Act: Provided also, that if the said Amount of Capital and Liabilities shall in fact exceed the said Sums, or if the Interest on the Liabilities of the Hertford Railway Company shall exceed the Rate of 4 per Centum per Annum, the Amount of Interest payable on such Excess of Capital and Liabilities, and the Amount of Interest exceeding such Rate of 4 per Centum, shall, unless such Excess of Interest be otherwise provided for by the Hertford Company, be deducted from the Dividends on the ordinary Shares of the Hertford Capital or the Luton Capital, according as the Excess shall be found to affect those Two Capitals, or the Hertford or Luton Sections respectively: Provided also, that after the existing Mortgages or Bonds of the Hertford Railway Company shall have become payable, according to the Course stipulated by such Mortgages or Bonds, the same Company shall not be liable to pay any Excess of Interest beyond 4*l.* per Centum per Annum on the several Sums of Money secured thereby.

5. The Hertford Railway Company may from Time to Time raise (in addition to the Sums of Money which they are already authorized to raise) any further Sums not exceeding in Increase of the Hertford Capital 8,400*l.*, and in Increase of the Luton Capital 15,000*l.*; and the said Amounts may be raised by the Creation of new Shares of the said Capitals respectively, of such Amounts as will allow the same to be conveniently apportioned or disposed of, according to the Resolution of any Ordinary or Extraordinary Meeting of the Company; and the Company may from Time to Time, but subject to the Provisions of this Act, fix the Amounts and Times of Payment of the Calls on Shares so created, and dispose of such Shares on such Terms and Conditions as may be so resolved upon: Provided always, that the Holder of Shares in the Hertford Capital shall not vote in respect thereof on any Question relating to the Luton Capital, nor shall any Holders of Shares in the Luton Capital vote in respect thereof on any Question relating to the Hertford Capital.

6. The Shares so to be issued with respect to the Hertford Capital and the Luton Capital shall entitle the Holders thereof to a preferential Dividend at the Rate of 4 per Centum per Annum, payable according to the Provisions of this Act by the Great Northern Railway Company.

Incorporation of Parts of Companies Clauses Act, § 8.
Periods of Payment, § 9.
As to Appointment of a Receiver, § 10.
Saving existing Agreements, § 11.

12. It shall be lawful for the Great Northern Railway Company, and they are hereby required (upon giving One Month's Notice thereof in Writing addressed to the Proprietors of Shares in the Hertford Railway Company at their last known Places of Abode) to fix a Time, not later than Three Months after the passing of this Act, at which they will convert the Shares of the Hertford Railway Company into Shares or Stock of the Great Northern Railway Company; and the last-named Company may for that Purpose create Stock of such Amounts as shall be convenient for the Exchange, and bearing the several fixed Rates of Dividend herein-before secured to the Shares in the Hertford Railway Company; and upon the Day so fixed, or whensoever afterwards any such Proprietor shall, at such convenient Places as the Great Northern Railway Company shall have designated in the said Notice, surrender the Certificates of the Shares so held by him, and duly paid up, he shall receive in the Stead thereof Certificates for Stock in the Great Northern Railway Company, bearing the same Rate of Dividend as is herein-before secured on the Shares so delivered up; and every Proprietor shall, upon Tender of his Proportion of the said Stock, deliver up to the Great Northern Railway Company to be cancelled the Certificates of the Shares which such Stock is to replace; and the said Stock shall be held by the Person to whom it is delivered, upon the same Trusts and for the same Purposes as attached to the said cancelled Shares.

Hertford Railway to vest in Purchasers absolutely, § 13.
Saving of Rights and Liabilities, §§ 14 to 24.
As to superfluous Land, § 25.
As to Land at Dunstable, § 26.
For facilitating Transmission of Traffic between Luton and the London and North-western Railway, § 27.
Reciprocal Powers to Great Northern Railway Company at Dunstable, § 28.
Great Northern Railway Company may apply their Funds towards Purposes of Act, § 29.
Power to same Company to raise additional Capital of 20,000*l.* with or without a Preference not exceeding 5*l.* per Cent., §§ 30 to 34.
Power to borrow 6,000*l.*, §§ 35 to 38.
Time granted by 22 Vict. c. xxxv. extended; Parties aggrieved may have Compensation; and Contracts and Notices not to be affected, § 39.
Saving Rights of the Crown, § 43.

SCHEDULE I.

Enumerating the Acts relating to the Hertford, Luton, and Dunstable Railway Company.

17 & 18 Vict. c. cxxvii.; 18 & 19 Vict. c. cxlvi.; 19 & 20 Vict. c. lxix.; 21 & 22 Vict. c. lxxiv.; 22 & 23 Vict. c. xxxiii.

SCHEDULE II.

Statement of Capital and Liabilities of the Hertford Railway Company.

HERTFORD SECTION.

	£	£
Ordinary Capital paid up in full		55,000
Mortgage Debt	21,600	
Four per Cent. Preference Shares	20,000	
Liabilities	8,400	
		50,000
		£105,000

LUTON SECTION.

Ordinary Capital paid up in full		70,000
Five per Cent. Preference Shares already raised		50,000
Mortgage Debt	40,000	
Liabilities	15,000	
		55,000
		£175,000

Cap. lxxi.

"Mr. Sneyd's Railway Act, 1861."

Proposes to authorize the Construction of Bridges over Highways, and Arches under a Turnpike Road and Highways, in the Parishes of Wolstanton and Audley in the County of Stafford.
Certain Provisions of Railways Clauses Act incorporated, § 3.
Power to construct Arches under and Bridges over Highways and Road, § 4.
Three Years for Completion of Roads, § 5.
Power to deviate, § 6.
Lands for extraordinary Purposes, § 7.
Costs of Works to be paid by Undertakers, § 8.
Saving Agreement between Mr. Sneyd and North Staffordshire Railway Company, § 10.

Cap. lxxii.

"The Frosterly and Stanhope Railway Act, 1861."

Proposes the making of a Railway from the Stockton and Darlington Railway, at or near the Frosterly Station, to Newlandside, near Stanhope, with a Road Approach from Stanhope, all in the County of Durham; and the authorizing Working Arrangements with the Stockton and Darlington Railway Company.
Incorporation of General Acts, § 2.
Subscribers incorporated, with a Capital of 10,000*l.* in Shares of 20*l.*, and with Power to borrow 3,300*l.*, §§ 3 to 9.
Meetings; Directors, §§ 10 to 16.
Power to make Railway, §§ 17 to 19.

Two Years for Lands to be purchased by Compulsion, § 20.
Three Years for Completion of Works, §§ 21, 22.
County Road at Frosterly Bridge not to be crossed at the Level, § 23.
Certain Road not to be crossed on the Level, § 24.
Junction with Stockton and Darlington Railway Company, §§ 25 to 27.
Tolls, §§ 28 to 35.
Power for the Stockton and Darlington Railway Company and the Company to enter into Traffic Arrangements, §§ 36 to 41.
Power to Stockton and Darlington Railway Company to subscribe and hold Shares to not exceeding 2,500*l.*, § 42.

Cap. lxxiii.

"The Uxbridge and Rickmansworth Railway Act, 1861."

Proposes the making of a Railway from the Uxbridge Branch of the Great Western Railway, near the Uxbridge Station of that Railway, in the County of Middlesex, to communicate with the authorized Line of the Watford and Rickmansworth Railway, at the Termination thereof near Rickmansworth, in the County of Hertford, with a Branch to Scott's Bridge Mill in the Parish of Rickmansworth and County of Hertford; to authorize the Company and the Great Western Railway Company to enter into Traffic and Working Agreements; and to enable the Great Western Railway Company to contribute to the said Undertaking.
Incorporation of General Acts, § 1.
Subscribers incorporated, with a Capital of 70,000*l.* in Shares of 10*l.*, and Borrowing Powers to 23,300*l.*, §§ 3 to 8.
Directors; Meetings, §§ 11 to 17.
Power to make Railway and Branch Railway, §§ 18, 19.
Provision as to crossing of public Road in Village of Denham, § 20.
River Colne to be crossed by Bridge of a single Span, § 21.
Provision as to Construction of Railway between certain Properties, § 22.
Provision as to Beaconsfield and Redhill Turnpike Roads, § 23.
Saving Rights of the Grand Junction Canal Company, §§ 24 to 27.
Lands to be purchased by Compulsion within Two Years, § 29.
Three Years for Completion of Railways, §§ 30 and 57.
As to Communication with the Great Western and Watford and Rickmansworth Railways, §§ 31 to 33.
Tolls, §§ 34 to 41.
Railways shall be constructed upon the Broad Gauge, § 42.
Great Western Company may contribute 30,000*l.* towards Funds of Company, §§ 43 to 47.
Power to enter into Traffic Agreements with the Great Western Company, and into Working Agreements, §§ 48 to 56.

Cap. lxxiv.

"The Birmingham Canal Navigations Act, 1861."

Recites several Acts prior to 1846 relating to the Company; that by "The London and Birmingham Railway and Birmingham Canal Arrangement Act, 1846," Provision was made for the Guarantee by the London and Birmingham Railway Company (now merged in the London and North-western Railway Company) of an annual Dividend of 4*l.* per Share on 17,600 then existing Shares in the Capital of the Company, and also on every Share into which the unallocated Debt owing by the Company or any Part thereof should, with the Consent of the North-western Company, be converted in case the annual Profits or Income of the Company, after deducting Expenses and Interest on their unallocated Debt and other Outgoings in the reciting Act specified, should be insufficient to produce a Dividend of that Amount, and for extending that Guarantee to 2,060 additional Shares and Six Eighths of a Share, which might be added to the Capital of the Company if any Bill for the Consolidation of the Dudley Canal Navigation with the Birmingham Canal Navigations should be passed into a Law during the then Session of Parliament; that 9 & 10 Vict. c. cclxix. was passed for the Consolidation of those Navigations; that by "The Birmingham, Wolverhampton, and Stour Valley Railway Act, 1846," Birmingham, Wolverhampton, and Dudley Lines, the Company were authorized to subscribe towards and to become Shareholders in the Undertaking by that Act authorized in their own Name to the Extent of One Fourth Part of the Capital of the Birmingham, Wolverhampton, and Stour Valley Railway Company, or to any less Extent, and to raise the Sum agreed to be subscribed by them or any Portion thereof by Mortgage or Bond; that in pursuance of those Powers the Company have borrowed the Sum of 190,087*l.* 10*s.*, and have applied such Sum in Payment of their Subscription to the same Amount for Shares of the Capital of the Stour Valley Company; that under Section 21 of "the Act of 1846," the Monies which the Company have so borrowed, and the Profits from the Shares so subscribed for, are not to be considered Part of the Property of the Company with reference to the Guarantee of the North-western Company; that the North-western Company are willing, and it is expedient that their Guarantee be extended to those Monies; that by "The Birmingham Canal Navigations Act, 1854," the Company were authorized to make and maintain new Canals, Tramways, and other Works, and to raise by Mortgage of their Undertaking a further Sum of 80,000*l.*, with a Provision that the Sums from Time to Time borrowed and owing by the Company under and by virtue of that Act should be deemed Part of their unallocated Debt, and, until the Monies borrowed under that Act had been paid, the Company should not make a yearly Dividend exceeding 4*l.* per Share, and with a further Provision for a Sinking Fund for the Discharge of the Monies so borrowed; that they have borrowed the whole of that Sum of 80,000*l.*; that by "The Birmingham Canal Navigations Act, 1855," the Company were authorized to make and maintain a Canal commencing in the Parish of Rowley Regis in the County of Stafford, and terminating in the Parish of Dudley in the County of Worcester (being the Canal in that Act first described), with a Tunnel thereon, and other Canals and Works, and for those Purposes to raise any additional Sums not exceeding 238,300*l.*, by Shares of the same Amount per Share as the then existing Shares in the Capital of the Company; that by "the Act of 1855" the Guarantee of the North-western Company was extended to every new Share for the Time being created and issued under that Act, with a Provision that the Company should not make in any Year a Dividend exceeding 4*l.* 10*s.* per Share until a Part of their unallocated Debt equal to the total Monies raised by the Issue of Shares under the Authority of that Act should have been fully repaid; and also with a Provision for setting apart a Sinking Fund to pay off that Part of their unallocated Debt; that in pursuance of "the Act of 1855" the Company have created and issued 2,647 Shares, which have been fully paid up; that by "The Birmingham Canal Navigations Act, 1858," the Company were authorized for the Completion of the several Canals and Works authorized by "the Act of 1855," to raise additional Capital not exceeding in the whole

100,000*l.*, by the Creation and Issue of new Shares, and Provision was thereby made for the Extension to every such new Share of the Guarantee of the North-western Company; that under the Authority of "the Act of 1858" the Company have created and issued 1,096 Shares, which have been fully paid up; that since the passing of "the Act of 1858," the Canals and Works first and thirdly described in "the Act of 1855" have been opened for public Traffic, but the Purchase Money for Portions of the Lands and Mines required for those Works still remains unpaid, and divers Works in connexion therewith are yet unfinished; that by virtue of the several recited Acts the Company owe on Mortgage (including the Sum of 190,087*l.* 10*s.* borrowed under the Stour Valley Act), the total Sum of 1,067,487*l.* 10*s.*, and the same now forms the unallocated Debt of the Company; that the Monies which the Company have raised under the recited Acts or any of them have proved insufficient for the Completion of the whole of the Works by those Acts respectively authorized, and for the other Purposes thereof; that it is expedient that the Company be authorized to raise further Sums by Shares and by borrowing; that the North-western Company are willing to extend their Guarantee in respect of the Sums raised under this Act, and it is expedient that Provision be made for its being so extended; and that further Provision be made with respect to the Sinking Fund to be formed by the Company.

Parts of 8 & 9 Vict. c. 16. incorporated, §§ 2, 3.

4. The Company from Time to Time may raise by the Creation and Issue of new Shares under this Act any additional Capital not exceeding 75,000*l.*

5. Provided, That Part of the Monies raised by the Company under this Act by new Shares shall be applicable to the Completion of the Canal first described in "the Act of 1855," and the Tunnel and the Works and Conveniences connected therewith respectively, and the Purchase of Lands and Mines required for the same respectively, and the Payment of the Costs, Charges, and Expenses of and incident to the applying for, obtaining, and passing of this Act; and the Remainder of the Monies raised under this Act by Shares or by borrowing shall be applicable for any of the Purposes by the several Acts from Time to Time relating to the Company respectively authorized.

6. The new Shares issued by the Company under this Act shall be of the same Amount per Share as the existing Shares in the Capital of the Company.

7. With and subject to the Assent of the North-western Company, signified either under the Common Seal of that Company or under the Hand of the Chairman of that Company, the Company from Time to Time, with the Sanction of a Majority of at least Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at a General Assembly of the Company specially convened for that Purpose, may create and issue the new Shares under this Act at such Rate or Price per Share, and on such Terms and Conditions, and in such Manner as the Company from Time to Time think fit, and may dispose of such Shares at not less than the nominal Value, either by public Tender or in such other Manner as the Company from Time to Time (with and subject to such Assent of the North-western Company as aforesaid) determine: Provided always, that the Company shall not create or issue any such new Shares with any Preference or Priority in Payment of Dividend over any other Shares of the Company.

8. Unless otherwise ordered by any such General Assembly, before the Issue of the Shares to which such Order relates, every Person who becomes entitled to a new Share created and issued under this Act shall in respect of the same be a Shareholder of the Company, and shall be entitled to a Dividend with the Holders of the existing Shares in proportion to the Amount from Time to Time paid up on such new Share.

9. Subject to the Provisions of this Act, the new Shares created and issued under this Act, and the Holders thereof, shall in all respects be entitled to the like Rights and Privileges, and be subject to the like Modes of Transfer, Powers, Provisions, Liabilities, and Incidents whatsoever as the existing Shares in the present Capital of the Company and the Holders thereof are entitled or subject to under or by virtue of the recited Acts, or any of them.

10. The Guarantee by the North-western Company of a minimum annual Dividend of 4*l.* in respect of every Share in the Share Capital of the Company, as provided by Section 15 and the other Provisions of "the Act of 1846," shall extend to and include every new Share for the Time being created and issued under this Act from and after the Time of the issuing thereof: Provided always, that such minimum guaranteed Dividend of 4*l.* shall, in case of any such new Share not fully paid up, be payable only in proportion to the Amount from Time to Time paid up on such new Share.

11. The Company from Time to Time (with and subject to the Assent of the North-western Company, signified in Writing either under the Common Seal of that Company or under the Hand of the Chairman of that Company) may borrow on Mortgage of their Undertakings not exceeding 25,000*l.*

12. Provided, That all Mortgages granted by the Company under the recited Acts or any of them, and now in force or hereafter to be made in pursuance of those Acts or any of them, shall have Priority over all Mortgages granted by the Company under this Act.

13. For the Purpose of ascertaining from Time to Time the annual Amount of Deficiency to be paid by the North-western Company by way of Guarantee, as provided by "the Act of 1846," the Sums of Money for the Time being borrowed under and owing by the Company by virtue of this Act shall be deemed Part of the unallocated Debt owing by the Company, and the Interest thereof shall be deducted from the gross annual Income of the Company as if the same were Part of the unallocated Debt owing by the Company at the Time of the passing of "the Act of 1846."

14. Section 21 of "the Act of 1846" is by this Act repealed, and for the Purpose of ascertaining from Time to Time the annual Deficiency to be paid by the North-western Company by way of Guarantee, as provided by "the Act of 1846," the Monies raised by the Company for the Purpose of subscribing for Shares in the Undertaking authorized by "the Stour Valley Act," shall be deemed to be Part of the unallocated Debt owing by the Company, and the Interest thereof shall be deducted from the gross annual Income of the Company as if the same were. Part of the unallocated Debt owing by the Company at the Time of the passing of "the Act of 1846," and the respective Dividends and other Profits upon or in respect of the Shares so subscribed for by the Company in the said Undertaking shall be included in and considered Part of the Income of the Company.

15. Until the Money borrowed under the Authority of this Act has been wholly paid and satisfied, the Company shall not in any Year make a Dividend to a greater Amount than 4*l.* in respect of each Share in the Share Capital of the Company.

16. Subject to the Provisions of "the Act of 1854" and of this Act respectively for the Repayment of the Monies for the Time being borrowed and owing by the Company under or by virtue of the same respectively, the Company shall not make in any Year a Dividend to a greater Amount than 4*l.* 10*s.* in respect of any Share in the Capital for the Time being of the Company until a Part of the unallocated Debt of the Company

equal in Amount to the total Monies borrowed by the Company under the Stour Valley Act, and so applied in Payment of their Subscription to the Stour Valley Company as aforesaid, and the total Monies raised by Shares under the Authority of this Act, and such further Sum of Money as shall be agreed upon in that Behalf between the Company or their Committee of Management and the Directors of the North-western Company, shall have been fully repaid and satisfied; but such Repayment under this Act shall not commence until the total Amount of the Monies for the Time being borrowed and owing by the Company under and by virtue of "the Act of 1854" and this Act respectively have been fully repaid and satisfied.

17. Section 35 of "the Act of 1854" is by this Act repealed, and subject to the Repayment by the Company of the whole of the Monies from Time to Time owing by them upon Mortgage, the Company shall from and after the passing of this Act and until the whole of the Monies from Time to Time borrowed under "the Act of 1854" and this Act respectively are fully repaid or satisfied, set apart out of the net Income or Revenue of their Undertaking, a yearly Sum equal to at least One Twentieth Part of the Principal Monies borrowed under "the Act of 1854" and this Act respectively, unless the North-western Company in any Year assent to a smaller Sum being set apart, such Assent being signified in Writing under the Common Seal of the North-western Company, or under the Hand of the Chairman of that Company; and the Amount so from Time to Time set apart shall form a Sinking Fund to be applied in paying off the Principal Monies borrowed under "the Act of 1854" and this Act respectively.

18. Whenever the Company are able to pay off One or more of the Mortgages made under this Act and then payable, and are not able to pay off all the Mortgages of the same Class, they shall decide by Lot the Order in which the Mortgages of the same Class shall be paid off, and shall cause a Notice signed by the Clerk to the Company to be given or left at the last known Place of Abode in England of the Person entitled to the Money to be paid off; and the Notice shall state the Amount intended to be paid off, and that the same, together with the Interest due thereon, will be paid at a Place to be specified in the Notice at the Expiration of Six Months after the Time of the Notice being given, or at the Period fixed by the Mortgage for the Repayment of the Principal Money thereby secured, if that Period shall precede the Expiration of Six Months from the Time of the Notice being given.

19. Whereas the Company have granted the Leases mentioned in the Schedule to this Act for valuable Consideration, and Doubts have been raised as to the Power of the Company to grant such Leases, and it is expedient that such Doubts should be obviated: Therefore the Leases mentioned in the said Schedule shall be deemed to have been properly granted, and the same are hereby confirmed.

20. All the Costs, Charges, and Expenses of and incident to the applying for, obtaining, and passing of this Act shall be paid by the Company.

Schedule.—(Lands leased.)

Cap. lxxv.

"Manchester and Wilmslow Turnpike Roads Act, 1861."

Recites that the Term granted by an Act passed in the 11th Year of George the Fourth, intituled "An Act for more "effectually repairing and improving the Road from Chorl- "ton Row, near Manchester, in the County Palatine of Lan- "caster, to the Bridge at the Cornmills at Wilmslow in the "County Palatine of Chester," will expire at the End of the Session of Parliament next after the 8th April 1861, and that the Road cannot be maintained, repaired, and improved unless the Term by the recited Act granted be extended, and further Provisions be made; and that it is expedient that a Portion of the Road be widened and improved, and it would be a great Advantage to the Owners of Property in the Townships of Northen and Withington, in the said Counties Palatine, if the Branch Road herein-after described were constructed; and that the Maintenance and Repair of a Portion of the Road which, as to the whole Width thereof, is situate within the District of the Local Board of Health for the Township of Rusholme, be transferred to that Local Board.

2. This Act shall commence on the passing thereof, and shall continue for the Term of 21 Years from that Day inclusive, and thenceforth to the End of the then next Session of Parliament.

Cap. lxxvi.

"The Henley-in-Arden Railway Act, 1861."

Proposes to make a Railway from the Birmingham and Oxford Junction Railway (belonging to the Great Western Railway Company) in the Parish of Rowington in the County of Warwick to Henley-in-Arden in the same County.

Incorporation of Companies, Lands, and Railways Clauses Acts, §§ 2, 3.

Henley-in-Arden Railway Company incorporated, with a Capital of 18,000*l.*, and Power to borrow 6,000*l.*, §§ 4 to 11.

Meetings; Directors, §§ 12 to 20.

Power to make Railway, § 21.

Two Years for compulsory Purchase of Land, § 22.

Three Years for Completion of Works, §§ 23, 34.

Railway and Works authorized, § 25.

Power to alter Engineering Works, § 26.

Gauge of Railway, § 27.

Junctions with Birmingham and Oxford Junction Railway, § 28.

For Protection of the Stratford-upon-Avon Navigation and West Midland Railway Company, § 29 to 33.

Great Western Railway Company and the Company empowered to enter into Working Arrangements, §§ 35 to 43.

Tolls, §§ 44 to 52.

Saving Rights of Great Western Railway Company, § 53.

Cap. lxxvii.

"The Darlington Local Board Act, 1861."

Recites that by "The Darlington Local Board Act, 1854," the Local Board of Health of the District of the Township of Darlington, who then possessed certain Powers for supplying their said District with Gas and Water, were empowered to purchase, and they since have purchased, from the Darlington Gas and Water Company, incorporated in 1849, the whole of the Gasworks, Mains, and Pipes of the Company, and so much of their Waterworks, Mains, and Pipes as were used for the Supply of the District with Water; that the Townships of Cockerton, Blackwell, Whessoe, and Haughton-le-Skerne, in the County of Durham, immediately adjoin the District, and the said Townships are not supplied with Gas, and are very insufficiently supplied with Water; that it would be of local and public Advantage if the County Bridge in the District, called the Church Bridge, and the several Streets therein, called Parkgate and Station Street, were respectively widened, altered, and improved, and if certain new Approaches were made to the Railway Station on Bank Top; and if a Portion of the Stockton and Barnard Castle Turnpike Road within the District were widened and improved; that it would also be

of local Advantage if the Market Place in the District were enlarged, by purchasing and pulling down the Blocks of Houses therein, called Bakehouse Hill and Church Row, or some of them, and if a covered Market were erected in the said Market Place adjoining the Town Hall; and that the Local Board should be authorized to purchase the Patronage of, and the Power to appoint, the Bailiff of the Borough, and also the Emoluments of the said Office, and after such Purchase to abolish the same, and to enable the Chairman of the Local Board to execute any of the Duties of such Bailiff which it may be necessary or convenient to retain; that it would be attended with a Saving of Expense to the District if the Powers of the Burial Board for the District were vested in the Local Board, and the Burial Board discontinued; and also it would be advantageous to the District if the Local Board were authorized to purchase the Water Corn Mill in the District, called "Blackwell Mill," and the Mill-head and Dam belonging thereto, and to abolish the same, and draw off the Waters of the said Mill-head and Dam, and appropriate the Site thereof to other Purposes.

3. The Limits of this Act for the Supply of Gas and Water shall extend to and include the several Townships of Cockerton, Blackwell, Whessoe, and Haughton-le-Skerne, all in the County of Durham, and the Lands, Houses, Buildings, and Places within those Limits shall be called the Outer District, and the Limits of this Act for all the other Purposes thereof shall extend to and include the whole of the District of the Township of Darlington (herein referred to as the District), and all the Lands and Places within the same; and such District shall for all Purposes be deemed and taken to be the Town of Darlington.

Lands Clauses Act incorporated, §§ 4, 5.
The Local Board to execute Act, and may appoint a Gas and Water Committee and other Committees, §§ 6 to 8.
Minute Books of Gas and Water Committees to be open to Inspection, § 9.
Local Board to appoint Officers, § 10.
The Gasworks Clauses Act to be incorporated, § 11.
Streets, &c. under the Control of the Local Board may be broken up without Notice, § 12.
Power to light the Outer District, § 13.
Power to construct Works, § 14.
Power to lay Pipes for lighting Buildings, § 15.
Maximum Price to be charged for Gas supplied by Meter in the Outer District, § 16.
Waterworks Clauses Act extended to this Act, § 17.
Power for Local Board to supply Water, § 18.
Works for Water Supply, § 19.
Power to make new Waterworks, to take Water, and purchase Lands, §§ 20, 21.
Works to be completed in Seven Years, § 22.
Power to lay down Pipes for Gas or Water, § 23.
Rates at which Water is to be supplied for domestic Purposes; if there be a Watercloset, § 24.
Power to Local Board to remit Charges, § 25.
What shall be domestic Purposes, § 26.
Water for other than domestic Purposes to be supplied by Agreement, § 27.
Penalty for using Water for other than domestic Purposes without Agreement, § 28.
Recovery of Charges for Water, § 29.
Cisterns to be supplied with proper Ballcocks or other Apparatus, § 30.
Closets and Baths to be so constructed as to prevent Waste, or the Flow or Return of impure Matter into the Mains, &c., § 31.
Regulations may be made by the Local Board for preventing Waste of Water, § 32.
Penalty for suffering Pipes, &c. to be out of Repair, § 33.
Local Board may repair Pipes, &c., § 34.
Particulars of Penalties shall be published, § 35.
Reservoir Provisions, §§ 36 to 46.
Roads and other Works, § 47.
Power to make new Roads, &c., § 48.
Certain Lands, &c. not to be taken without Consent, § 49.
Power to purchase Houses for Market and Blackwell Mill, &c., § 50.
Markets and Fairs Clauses Act incorporated, § 51.
Market Clauses of Act of 1854 to apply to Markets under this Act, § 52.
Defining Limits of Market Place, § 53.
Power to construct covered Market, § 54.
Five Years for compulsory Purchase of Lands for enlarging Market, § 55.
Ten Years for Completion of Works, § 56.
Sales elsewhere than in Markets prohibited under a Penalty of Forty Shillings, § 57.
Tolls to be taken in extended Market Place, § 58.
Power to lease Market and Fair Tolls, § 59.
Power to lease Standings in the Market, § 60.
Power to agree with Surveyors of adjoining Townships for Repair of public Footpaths, § 61.
Local Board may agree with Trustees of Stockton and Barnard Castle Turnpike Road for the Widening and Improvement of Part of that Road, § 62.

63. It shall be lawful for the Local Board, by Agreement with the Ecclesiastical Commissioners for England, to purchase, and for the said Commissioners to sell to the Local Board, the Patronage of the Office of, and the Power to appoint, the Bailiff of the Borough of Darlington, and the Profits belonging to that Office, and any Lands the Rents of which are applicable to the Payment of that Officer; and after such Purchase it shall be lawful for the Local Board to abolish the said Office, and to declare that after a Day to be named the said Office of Bailiff of the Borough of Darlington shall cease, and that all the Duties and Powers theretofore exercised by that Officer will be exercised by the Chairman of the Local Board, and the Emoluments thereof received by the Treasurer of that Board, and Fourteen Days at least before the Day to be named for such Transfer, Notice thereof shall be given by the Local Board in Two Newspapers usually circulating in Darlington, and after such Day and Notice the Powers of the Bailiff of the said Borough may be exercised by the Chairman of the Local Board accordingly, and the Emoluments of the said Office and of the Lands belonging thereto, shall be paid to the Treasurer of the District, and be carried to the Account of the General District Rate of the District.

Power of Burial Board vested in Local Board, § 64.
Recovery of Penalties under Byelaws, § 65.
Evidence of Byelaws, § 66.

67. It shall be lawful for any Two Justices of the Peace for the County of Durham, and they are hereby required, upon the Application of the Local Board, from Time to Time to appoint and swear in any Person or Persons nominated by the Local Board to be a Keeper or Keepers of the Public Park in the Parish of Darlington to be a Special Constable or Constables within the said Park and within the District, and every Park Keeper so sworn as a Special Constable within the said Park or within the District, and all other Constables acting within the District, may lawfully take into Custody and deal with any Person committing any Offence in breach of any Byelaw made or to be made by the Local Board, in the same

Manner in all respects as if such Offence had been committed in breach of any Byelaw made by a Municipal Corporation under the Provisions of the Acts relating to Municipal Corporations in England and Wales, or any of such Acts.

68. All Police Constables of the County of Durham acting or required to act as Constables within the District, may within the District exercise all the Powers and Authorities, and discharge all the Duties which any Constable by the Act of 1854 and the Provisions of the "Town Police Clauses Act, 1847," incorporated therewith, authorized to be appointed and sworn as therein provided, would if so appointed and sworn, be competent to exercise and discharge as a Constable within the District acting in exercise of the Power contained in such Act and Provisions respectively.

Lands and Houses acquired under this Act to be vested in Local Board as a Body Corporate, § 69.
Improvement Rates for Expenses of executing Act by Local Board, § 70.
Improvement Rates may be collected with General District Rates, § 71.
Incorporation of the Sections of the Commissioners Clauses Act respecting Mortgages, § 72.

73. The Board may from Time to Time, under the Authority of this Act, borrow at Interest on Mortgage of the Gas and Water Rates, and of the Markets and Fairs Tolls, and other Revenue of the Local Board arising therefrom, and of the General Improvement Rates, or of any of such Securities, either together or separately, all such Sums as they may from Time to Time think requisite for all or any of the Purposes of this Act, not exceeding in the whole the Sum of 100,000*l.*

Other Powers of Local Board not to be affected, § 74.
Power to reborrow, § 75.
Receiver of Mortgages, § 76.
Income of Local Board under Act, § 77.
Expenditure by Local Board under Act, § 78.
Not to affect Powers of Local Board under Public Health Act, § 82.
Recovery of Sums not exceeding 50*l.*, § 83.
Penalty for taking Water from Pipes of Consumers, § 84.
Recovery of Monies by Local Board, § 85.
Application of Penalties, § 86.
Saving Rights of Local Board, § 89.
Schedules.
A. (Market Tolls).
B. (Cattle Market Tolls).
C. (Weighing and Measuring Tolls).
D. (Tolls for Weighing Carts).

Cap. lxxviii.

"Thorne Moor Improvement Act, 1861."

Recites an Act of 1848 for draining, warping, and otherwise improving Thorne Moor, in the West Riding of Yorkshire, by which Act a Company was incorporated under the Style of "The Thorne Moor Improvement Company," with Power to purchase by Compulsion and hold certain Lands in or near the said Moor for the Purpose of the Works of warping, and to purchase by Agreement other Lands for the Purpose of improving the same, or to facilitate such Improvement; that the Powers granted by the said Act for the compulsory Purchase of Lands have expired, but the Powers granted for the Execution of the Works of Drainage, warping, and improving will not expire until the Year 1868; that the said Act was obtained and the Company thereby incorporated was formed in the Expectation that a Railway, called "The Great Northern Railway (Isle of Axholme Extension)," authorized by an Act of Parliament passed in the Year 1848, would be constructed across Thorne Moor, and would afford great Facilities for the warping thereof, and by the said Act Provision was made for such Facilities; but the Powers of the said Act were never carried into effect, and the Operations of the Company in improving the said Moor have been suspended, and it is expedient that certain of the Powers of the Company should be extended; that in the Act of 1848 Provision is made for the Settlement by Arbitration of certain Disputes which had long subsisted between the Participants of the Level of Hatfield Chase and the Owners of the said Moor Lands, and among the said Owners themselves; and an Agreement has been come to between the said Participants and the said Owners which it is expedient to carry into effect; and it is also expedient that a certain Lease of Part of the said Moor Lands should be confirmed, which was granted many Years since to Ralph Creyke, Esquire, and the Right Honourable Thomas Henry Sutton Sotheron Estcourt, and on the Faith of which Lease the Lessees have expended considerable Sums of Money in improving Parts of the Moor Lands, and it is expedient that the said Act should be in other respects amended as herein-after is contained.

Varying Qualification of Directors, § 1.
As to Lands leased to Mr. Creyke and Mr. Sotheron Estcourt, § 2.
Powers to inclose, &c. extended, § 3.
One thousand Acres specially allotted, § 4.
Notice to be given of Allotment, § 5.
Declaration of Allotment to be deposited, § 6.
One thousand Acres allotted to be sold, § 7.
As to Application of Purchase Money, § 8.
As to Settlement of Expenses, § 9.
Providing for their Payment, § 10.
As to draining, warping, and improving Moor Lands, § 11.
As to Application of Purchase Money, § 12.
Exchange of cultivated Lands for Moor Lands, § 13.

Cap. lxxix.

"The Hull Docks Act, 1861."

Preamble recites that by the Act of the 14th Year of George the Third (1774), Chapter 56 (the short Title of which Act is the "Kingston-upon-Hull Dock Act, 1774"), the Dock Company at Kingston-upon-Hull were incorporated, and authorized to make and maintain at Kingston-upon-Hull the Dock formerly called the "Old Dock," but now called the "Queen's Dock," with a Communication from the River Hull, the lower Part of which River is now called the "Old Harbour," and were authorized to demand and take Tonnage Rates on Vessels and Wharfage Rates on Goods, and Provision was made for the Execution of the Works, and the Management of the Docks being carried into effect, not by the Company but by Commissioners under the Act, and the Guild or Brotherhood of Masters or Pilots Seamen of the Trinity House in Kingston-upon-Hull were authorized to appoint a Dock and Haven Master for the Purposes of the Act; that by the Act (Local and Personal) of the 42d Year of George the Third (1802), Chapter 91 (the short Title of which Act is the "Kingston-upon-Hull Dock Act, 1802"), the Company were authorized to make and maintain (and they made and still maintain) a Second Dock at Hull, now called the "Humber Dock," with a Basin thereto, now called the "Humber Dock Basin," and a Third Dock,

formerly called the "Junction Dock," but now called the "Prince's Dock;" that the Act (Local and Personal) of the 45th Year of George the Third (1805), Chapter 42 (the short Title of which Act is the "Kingston-upon-Hull Dock Act, 1805"), was afterwards passed with respect to the Company; that by the Act (Local) of the Session (1844) of the 7th and 8th Years of Her present Majesty, Chapter 103 (the short Title of which Act is the "Kingston-upon-Hull Dock Act, 1844"), the Company were authorized to make and maintain (and they made and still maintain) at Hull a Fourth Dock, now called "the Victoria Dock," with Basins and a Timber Pond respectively connected therewith, and a Fifth Dock, now called "the Railway Dock," communicating with the Humber Dock, and were authorized to demand and take, in addition to the Inward Wharfage Rates on Goods theretofore granted to them, Outward Wharfage Rates on Goods, subject in the Events and at the Times therein specified, to Revision, Limitation, or Extinction by the Board of Trade, and Exemption in the Events therein expressed from Tonnage Rates and Wharfage Rates granted to the Company was provided for Vessels using any Dock thereafter constructed within the Limits of the Port of Hull by any Parties other than the Company, and Provision was thereby made for a new Body of Commissioners for managing the Trade and Business of the Docks, and with Authority to make Byelaws for the Purpose, and Provision was thereby made for the watching of the Docks by the Borough Police of Kingston-upon-Hull; that by the Act (Local) of the Session (1845) of the 8th and 9th Years of Her present Majesty, Chapter 5 (the short Title of which Act is the "Kingston-upon-Hull Dock Act, 1845"), the Company were authorized to enlarge (and they accordingly enlarged) the Railway Dock, and further Provision was made with respect to the Tonnage Rates and Wharfage Rates payable to the Company; that the Act (Local) of the Session (1847) of the 10th and 11th Years of Her present Majesty, Chapter 283 (the short Title of which Act is the "Kingston-upon-Hull Dock Act, 1847"), and the Act (Local) of the Session (1849) of the 12th and 13th Years of Her present Majesty, Chapter 69 (the short Title of which Act is the "Kingston-upon-Hull Dock Act, 1849"), and the Act (Local) of the Session (1854) of the 17th and 18th Years of Her present Majesty, Chapter 13 (the short Title of which Act is the "Kingston-upon-Hull Dock Amendment Act, 1854"), were afterwards passed with respect to the Company; that the "Hull Dues Act, 1852," and the "Humber Conservancy Act, 1852," and the "Kingston-upon-Hull Improvement Act, 1854," respectively affect the Company; that the Trade and Commerce of the Port, and the Resort of Shipping thereto, have been and are increasing; that the making and maintaining of the new (the Sixth) Dock and Works by this Act authorized would be of great public Advantage, and afford the requisite additional Accommodation, and the Company are willing to make and maintain the same; also that it is expedient that Provision be made for an Alteration of the Lines of the Hull and Selby Railway, leading to the Goods Station of the North-eastern Railway, which is built on Land of the Hull and Selby Railway Company, now in Lease to the North-eastern Railway Company, and it is also expedient that the Dock should be connected with that Railway by means of a Line of Railway, commencing at or near the Western Boundary of the Borough, and terminating at or near the intended Dock; that Plans and Sections have been duly deposited showing the Situation, Lines, and Levels of such new Dock (the Sixth), and the Enlargement of the Humber Dock Basin, and the Alteration of the Hull and Selby Line of the North-eastern Railway, now in Lease to the North-eastern Railway Company, and the Railway to connect that Line with the Dock and other Works in connexion therewith on Lands and Part of the Foreshore respectively lying to the Westward of the Humber Dock Basin; that the Tonnage Rates on Shipping which the Company are authorized to receive are charged on the Burthen of the Vessel according to Admeasurements prescribed in the Act of 1774, and by means thereof a Revenue is received by the Company considerably exceeding the Revenue which would arise if the Rate were made on the registered Tonnage, but that it is expedient that the Tonnage Rates received in the Western Dock, and in all the existing Docks of the Company, should be uniform; that the yearly Sum of 6,333*l.* 17*s.* 4*d.* is paid to the Company by the Lords Commissioners of Her Majesty's Treasury by way of Compensation to the Company for Differential Dues on Foreign Shipping, to which the Company, under the recited Acts, or some of them, are entitled, but which, by reason of Reciprocity Treaties with Foreign Countries, are not now levied by the Company, and it is expedient that Provision be made for the Cesser of that Compensation; that it is expedient that the Dock Commissioners be discontinued, and the Authority of the Dock and Harbour Master and his Assistants, appointed by the Hull Trinity House, so far as regards the Docks and Works of the Company, should cease, and that Provision be made for the Transfer of the Docks, Works, and Property of the Company to a Body of Trustees, or a Board of Commissioners, to be, on the Application of the Hull Corporation, established by Parliament for the Purpose; that it is also expedient that the Management and Regulation of the Docks and Works, and Business of the Company, be vested, until such Transfer, in the Company, and that further Provision be made for the Regulation, Management, and User of the Docks, Warehouses, and Works of the Company, and of the Shipping resorting thereto; further, that by the Act of 1774, the Company were authorized to raise a Capital of 80,000*l.* by Shares of their Undertaking of 500*l.* each, and to borrow not exceeding 20,000*l.*; that by the Act of 1802 they were authorized to raise additional Capital by the Creation and Sale of 30 new Shares of their Undertaking, and to borrow further Money; that by the Act of 1805 they were authorized to raise additional Capital by the Creation and Sale of 30 more new Shares of their Undertaking; that by the Act of 1844 they were authorized to raise by Mortgage, or by the Creation and Issue of new Shares of their Undertaking, any Sums not exceeding in the whole, with the Sums theretofore authorized to be borrowed, 400,000*l.*; that by the Act of 1849 they were authorized to borrow any further Sums not exceeding in the whole 150,000*l.*, and by the Act of 1854 they were authorized to borrow any further Sums not exceeding in the whole 150,000*l.*, and were authorized to convert their Debenture Debt into Stock or into perpetual Annuities, and to create a preferential Stock, to be called "Kingston-upon-Hull Docks Debenture Stock," for the Purpose of redeeming their Debenture Debt; that the Company had, on the 1st Day of December 1860, raised by Debenture Stock and on Mortgage or Bond, under the Powers of the Act of 1844 and the subsequent Acts conferring such Powers, the followings Sums; (that is to say,)

6,740*l.* by Debenture Stock,

634,110*l.*, or thereabouts, on Mortgage, Bond, or Loan, and they had Power to borrow on Mortgage or Bond the further Sum of 59,150*l.*, or thereabouts; that the Company have not created or issued more than 120 of the Shares of their Undertaking, which by the Act of 1774 they were

authorized to create and issue, and with the 30 Shares of their Undertaking which under the Act of 1802 were created and sold, and the 30 Shares of their Undertaking which under the Act of 1805 were created and sold, there are now 180 Shares of the Undertaking of the Company; that the Company have expended in and about the making of the Docks, Warehouses, and other Works, large Sums of Money, and it is expedient that the present nominal Value of the Shares in the Company should be declared as hereinafter provided; and that the Company be authorized to raise Money for the Purposes of the new Works by this Act authorized.

Incorporation of Lands Clauses, and of certain Parts of Companies Clauses, Railways Clauses, and Harbours, Docks, and Piers Clauses Acts, §§ 2 to 5.

Provisions of recited Acts (except as altered) to be enforced in new Dock as well as old, § 6.

Repeal of Parts of Company's Acts as specified in Schedule, § 9.

Certain Sections in Act of 1844 to apply to Haven Master only, § 10.

Company to represent Dock Commissioners, §§ 11, 12.

General Saving of Rights under recited Acts, § 13.

Provisions of other Acts to continue in favour of Company, § 14.

Conveyances to remain, § 15.

Actions not to abate, &c., § 16.

Debts due by and to Dock Commissioners to be paid to and by Company, § 17.

Books, &c. continued Evidence, § 18.

Byelaws of Dock Commissioners continued for Six Months, § 19.

Penalties, § 20.

Provision for present Dock Master and Assistant Dock Master, § 21.

Settlement of Dispute as to retiring Allowances, § 22.

Property of Dock Commissioners vested in Company, § 23.

Dock Commissioners to deliver their Books, &c. to Company, § 24.

Deposit and Production of those Books, &c., § 25.

Compensation to Clerk of Dock Commissioners, § 26.

Company to maintain and manage their Docks and Works, § 27.

Power for Company to take and use Lands for Works authorized by Act, § 28.

Five Years for the compulsory Purchase of Lands, § 29.

Lands for extraordinary Purposes, § 30.

Power to make new Works, §§ 31, 32.

Lateral and vertical Deviations, § 33.

Company to provide Footway on River Side of new Dock and Works, § 34.

Company to provide Steps at River Side, § 35.

Steps to be free for Passengers, § 36.

Company to provide Fish Landing-place in Basin, § 37.

Patent Slip to be provided, § 38.

Company to provide new Shipping-place for Messrs. Earle, § 39.

Substitution of Yard in lieu of present Yard at Limekiln Creek, § 40.

As to Limekiln Creek and the substituted Works, § 41.

Present Charges only payable by Manchester, Sheffield, and Lincolnshire Railway Company, § 42.

Arrangements as to Diversion of Hull and Selby Railway, § 43.

Provision for North-eastern Railway Company's Accommodation at the Railway Creek, § 44.

As to Deficiency in Appropriation of Land at Railway Creek to North-eastern Company, § 45.

To what Lands each Company shall be entitled to the Appropriation, § 46.

Company to convey certain Lands to Railway Companies, § 47.

North-eastern Railway Company and Hull and Selby Railway Company to have perpetual User of Railway Creek on certain Payments, § 48.

Appropriation of Railway Creek to Railway Companies, § 49.

As to scouring the Railway Creek, § 50.

No Interference with Hull and Selby Railway or North-eastern Railway until substituted Works executed, § 51.

Certain Lands to be transferred to Company, § 52.

As to Junctions with Hull and Selby Railway, § 53.

Rights of crossing reserved, § 54.

Disputes with North-eastern Railway Company as to Diversion of their Line to be settled by Board of Trade, § 55.

Arrangements with Manchester, Sheffield, and Lincolnshire Railway Company as to Limekiln Creek, § 56.

Five Years for Completion of Works, § 57.

If new Dock not completed within limited Period, Payment of Dividend on ordinary Capital to be suspended, § 58.

Expiration of Period for Completion of Dock not to prevent Erection of Buildings, &c., § 59.

Power for Company to interfere with Roads, &c., § 60.

Power to take Waters of Hull and Humber, § 61.

As to flushing Sewers, § 62.

Company to permit Local Board to lay down Water Mains, &c., for Protection against Fire, § 63.

As to Gas and Water Pipes, § 64.

No Sewer, &c. to be stopped up without substituted Sewer, &c. being provided, § 65.

Repeal of the Arrangements with respect to a certain Road contained in the Act of 1802, § 66.

Power to make Walls for new Docks, &c., § 67.

Power to provide Dwellings for Officers, &c., § 68.

Consent of Commissioners of Woods, &c. and Admiralty, required for Works on Foreshore, § 69.

Admiralty Provisions, §§ 70 to 74.

New Docks, &c. to be Part of Port of Hull, § 75.

Plans to be approved by Humber Conservancy Commissioners, § 76.

Additional Contribution by Company to Humber Conservancy Commissioners, § 77.

Power for Company to make and use Tramways on Quays; Restrictions, §§ 78 to 81.

Limits of Dock Master's Authority, § 82.

Power to limit Time for Vessels to remain in Docks, § 83.

Power to pass Entries at Custom House for avoiding Delay, § 84.

Accidental Error in Entry not to render Cargo seizeable, § 85.

Power to land Goods on Neglect of Entry at Custom House, § 86.

Power for Customs to sell Goods so landed for Payment of Duties, § 87.

Power for Company to recover Rents and Charges for Goods by Sale, &c.; Restriction, §§ 88, 89.

Sale of perishable Goods for Freight, §§ 90, 91.

Power for Company to appropriate Docks, Basins, Quays, and Yards, § 92.

Docks, &c. so appropriated, to be alone used for Timber Trade; Exception, §§ 93, 94.

Power to lease Timber Ponds, § 95.

Vessels not to discharge Timber contrary to Act, § 96.

Power for Dock Master to remove the Timber, § 97.

Free Access for Officers of Customs to Docks, § 98.

Company may give Certificates of deposited Goods and Warrants for Delivery of Goods, § 99.

Warrant not to be given till Freight Rates, &c. paid, § 101.

Warrant not to be given till Certificate given up, § 102.
Effect of Warrant, § 103.
Power for Company to make Byelaws as to Docks, Quays, &c., §§ 104, 105.
Power for Constables to go on board Vessels, § 106.
Change in Mode of Measurement, § 107.
Cesser of Compensation for Loss of Differential Dues, § 108.
Limiting the authorized Outward Wharfage Rates, § 109.
As to Vessels remaining in Docks beyond Six Months, § 110.
As to loaded Barges and loaded Lighters remaining in Docks beyond Seven Days, § 111.
Graving Docks, § 112.
Powers of Company when new Dock, &c. fit for Use, § 113.
Power to remit Rates, § 114.
Power to charge for Services in shipping, unshipping, &c. Goods at Dock, § 115.
As to Transfer to Public Trust, § 116.
Members of the Company, § 117.
Capital, § 118.
288,000*l.* ordinary Capital created and vested in present Shareholders in substitution for present Shares, §§ 119, 120.
Company to issue Certificates of ordinary Shares, § 121.
Power to create 700,000*l.* additional ordinary Capital for Redemption of Debenture Stock, and raising Money which the Company may now borrow, § 122.
Power to dispose of Shares, § 123.
Power to raise additional Capital by Shares for new Works, § 124.
Ordinary Dividends on Shares of additional Capital, § 126.
Votes and Qualifications in respect of ordinary Shares, § 127.
Company may cancel unissued new Shares and issue other new Shares, §§ 128, 129.
Sections 57 to 60 of Companies Clauses Act apply to new Shares, § 130.
As to new Shares to be allotted to Hull Trinity House, § 131.
As to certain Shares to be subscribed for by the Hull Corporation, § 132.
Power to reborrow in respect of the present Debt, § 133.
Application of Monies generally, § 134.
Priority of Interest on present Debenture Stock, § 135.
Rate of Dividend on Debenture Stock, § 136.
Rate of Annuities, § 137.
Privileges of present Debenture Stock, § 138.
Saving Rights of Holders of existing Debenture Debt, § 139.
Power for Company at General Meeting to allot Preference Dividend to certain Shares, § 140.
Preferential Dividends not to carry Arrears beyond One Year, § 141.
Saving existing Priorities and Privileges, § 142.
Power for Company to borrow in respect of new Works, § 143.
Limit of Powers of raising Money, § 144.
Limitation of Dividend, § 145.
Application of surplus Profits, § 146.
Directors may declare Dividends half-yearly, § 147.
Quorum of General Meetings, § 148.
Scale of voting at General Meetings, and Mode and Conditions of voting, §§ 149 to 153.
Qualification of Directors, §§ 154, 155.
Saving Rights of the Crown, § 156.
Nothing to be done repugnant to Customs Laws and Regulations, § 157.
Saving for Hull Corporation and Hull Trinity House, § 158.
Saving for Hull and Selby Railway Company and North-eastern Railway Company, § 159.
Saving for British Gaslight Company (Limited), § 160.
Docks subject to General Acts relating to Docks, § 161.
Schedule (Sections of Acts repealed).

Cap. lxxx.

"The Sowerby Bridge Gas Act, 1861."

Proposes to incorporate the Sowerby Bridge Gas Company; to enable the Company to raise further Capital; to better supply Sowerby Bridge and the Neighbourhood with Gas; and to authorize the Sale of the Undertaking of that Company, and also of the Rights and Powers of the Sowerby Bridge Gas Consumers Company (Limited), to the Local Board.
Incorporation of General Acts, §§ 1 to 3.
Limits of Act, § 5.
Incorporation of Company, and Saving of Rights and Liabilities, §§ 6 to 18.

19. And whereas the paid-up Capital of the Company consists of a Sum of 10,670*l.*, divided into 1,067 Shares of 10*l.* each, and of the Sum of 795*l.*, divided into 397 Shares of 2*l.* each, and the Company have expended out of Profits which might have been divided amongst the Shareholders as Dividend, a Sum of 5,732*l.* and upwards; it is expedient that the said Sums of 10,670*l.*, 794*l.*, and the Sum of 2,866*l.*, being One Half of the said Sum of 5,732*l.*, making together the Sum of 14,330*l.*, should be consolidated into Stock: Therefore the said several Sums of 10,670*l.*, 794*l.*, and 2,866*l.* shall be converted into the Sum of 14,330*l.* Consolidated Stock, and shall be called "the original Stock of the Company," and the several Holders of such Stock shall be entitled to participate in the Dividends and Profits of the Company, according to the Amount of their respective Interests in such Stock.

20. After the passing of this Act, and until the Capital of the Company shall be augmented under the Powers of this Act, the Capital of the Company shall be the said Sum of 14,330*l.*, to be hereafter called the original Stock of the Company.

Distribution of original Stock, § 21.
Original Stock to be subject to same Trusts as old Shares, § 22.

23. It shall be lawful for the Company from Time to Time by Order of any Meeting thereof convened with Notice of the Matter to be discussed, to raise, by the Creation and Issue of new Shares, in addition to the said original Stock of 14,330*l.*, any Sum or Sums of Money not exceeding in the whole the further Sum of 15,670*l.*, and any additional Shares so created may be of such nominal Amount, and may be issued in such Manner and Proportions amongst the Stockholders for the Time being of the Company, and under and subject to such Calls, and to such other Terms and Conditions in all respects as the Meeting creating such Shares may determine.

A Portion of the new Shares may be allotted to Gas Consumers not being Shareholders, § 24.
Sales by Auction to be advertised, &c., § 25.
Power to attach Preference to new Shares, §§ 26 to 30.
Power to borrow 3,500*l.*, and eventually 3,900*l.* more, §§ 31 to 33.
Meetings; Votes; Directors, §§ 34 to 41.
Power to purchase or lease additional Lands, § 43.
Company not to hold more than Five Acres in addition to the Land now held by them, § 44.
Power to construct Gasworks and to supply Gas, § 45.
Not to erect Gasworks on certain Lands of Company, § 46.
Power for Company to lay Pipes for lighting Buildings, § 47.
Power to enter into Contracts with Surveyors of Highways and Local Authorities, § 48.
Meters; Penalties, §§ 49 to 55.
Power to sell Undertaking to Local Board of Sowerby Bridge, § 56.

Debts due at the Time of Purchase and Conveyance to belong to Company notwithstanding this Act, § 57.
Application of Purchase Money for Gas Undertaking, § 58.
Persons whose Names appear in the Books as Shareholders to be deemed such until the contrary be proved, § 59.
Receipt of Executors, &c. of Shareholders to discharge Company, § 60.
Provision in case of Absence of Shareholders, § 61.
Company to be dissolved, § 62.
Upon Payment of Consideration and Execution of Conveyance the Gasworks to vest in the Local Board, § 63.
Local Board to be liable for the Acts of the Gas Company in respect of the Works vested under this Act, § 64.
Actions, &c. not to abate, and Penalties to be recoverable, § 65.
Upon the Gasworks vesting in Local Board "The Gasworks Clauses Act" to be incorporated, § 66.
Power for Local Board, after the Purchase of the Gasworks, to light the District within the Limits of this Act, § 67.
Streets under Control of the Local Board may be taken up without Notice, § 68.
Limiting Charge for Supply of Gas, § 69.
Quality of Gas, §§ 70 to 74.
Agreement in Second Schedule between Consumers Company and Local Board confirmed, § 75.
Consumers Company to wind up their Affairs, § 76.
Payments into Court by Company, § 77.
Dissolution of Consumers Company, § 78.
Power for Local Board to raise Money for Purchase of Undertaking, § 79.
Incorporating certain Provisions of the Commissioners Clauses Act, § 80.
Sum to be set apart as a Sinking Fund, § 81.
Receiver of Mortgages, § 82.
Gasworks Purchase Rates for Expenses of carrying Powers of Act into execution by Local Board, § 83.
Gasworks Purchase Rates may be collected with General District Rates, § 84.
Amount of Rates to include Expense of recovering it, § 85.
Income of Local Board under Act, § 86.
Expenditure by Local Board under Act, § 87.
Accounts of Local Board, § 88.
Schedules—(Agreements for Sale).

Cap. lxxxi.

"The Victoria Station and Pimlico Railway Act, 1861."

Recites that by their Act of 1858 the Victoria Station and Pimlico Railway Company were incorporated, and authorized to construct a Railway with a Bridge across the River Thames, and a Station at Pimlico, and to raise for that Purpose, by Shares 675,000*l.*, and by borrowing 225,000*l.*; and the London, Brighton, and South Coast Railway Company were authorized to subscribe 450,000*l.*, Part of the Share Capital of 675,000*l.*; and Provision is made for extinguishing in certain Events the Shares subscribed for by the Brighton Company, and for paying off a Portion of the Mortgage Debt of the Company in excess of the Sum of 75,000*l.*, on such Extinguishment, either out of the Subscription of the Brighton Company or by the Conversion of Loan into Capital; and by the said Act Two Agreements between the Company and the Brighton Company, and between the Company and the East Kent Railway Company, now called "The London, Chatham, and Dover Railway Company," were set forth in the Schedule to that Act, and were confirmed; that by their Act of 1859 the Company were authorized to raise a further Sum of 75,000*l.* by Shares, and the Sum of 25,000*l.* by borrowing; that their Railway hath been opened for public Traffic, and in accordance with the Agreement with the Brighton Company, a Portion of the Land applicable to Station Purposes has been appropriated to the exclusive Use of the Brighton Company, but the Shares of the Brighton Company have not yet been extinguished; that the Company have entered into an Arrangement with the Great Western Railway Company, and have laid down Rails on the Mixed Gauge for the Accommodation of the Traffic of that Company; that by "The London, Chatham, and Dover Railway (Metropolitan Extensions) Act, 1860," further Arrangements between the Company and the Chatham Company, either alone or in conjunction with any other Company, were authorized; and they have entered into an Agreement with the Chatham Company and the Great Western Railway Company for the User by those Companies of the Railway of the Company, and of that Portion of the Station which has not been appropriated to the Brighton Company, which Agreement is set forth in the Schedule to this Act; and have engaged to construct the Works and provide the Station Accommodation set forth in the said Agreement; that certain Lands which the Company have purchased and hold for the Purposes of their Undertaking will be required by the Chatham Company and the Great Western Company, as Occupiers of that Portion of the Station before mentioned, and it is expedient that the Company should be authorized to sell or grant a Lease of those Lands to those respective Companies; that the Sums of Money which the Company are now authorized to raise are the following; (that is to say,)

By Shares under the Act of 1858, the Sum of 675,000*l.*, subject to its Reduction to 225,000*l.* when the Shares of the Brighton Company are extinguished, and by the Act of 1859 the Sum of 75,000*l.*;

By borrowing by the Act of 1858 the Sum of 225,000*l.*, subject to the Repayment or Conversion into Capital of 150,000*l.*, Part thereof, and by the Act of 1859 25,000*l.*;

that they have received the whole of the Sum of 675,000*l.* authorized to be raised by Shares, with the Exception of some small Sums which have not yet been paid, but have not raised any Part of the Sum of 75,000*l.* authorized to be raised by Shares by the Act of 1859; and have borrowed about 205,000*l.*, Part of the Sum of 225,000*l.*, but have not raised any Money by borrowing under the Act of 1859; that in addition to the Sums which they have so already raised they will require the further Sums which they are authorized to raise by the Act of 1858 and the Act of 1859; and it is expedient that such Powers should be granted to the Company for raising such Sums of Money, and such Provision be made for regulating the Capital and Borrowing Powers of the Company as are herein-after expressed; and that the Arrangements between the Company and the Great Western Railway Company and Chatham Company should be confirmed.

2. The Company may raise, in manner herein-after mentioned, by the Creation of additional Shares, all or any Part of the following Sums of Money authorized to be raised by the Act of 1858 and the Act of 1859; that is to say, the Sum of 225,000*l.* authorized by the Act of 1858 to be raised by Mortgage or Bond, or by the Conversion of borrowed Money into Capital, the Sum of 75,000*l.* authorized to be raised by the Act of 1859, by additional Shares, and the Sum 25,000*l.* by the same Act authorized to be raised by borrowing or by the Conversion of borrowed Money into Capital, making together the Sum of 325,000*l.*

3. The ultimate total Amount to be raised by the Company by Shares, Stock, or borrowing under the Provisions of the recited Acts and this Act shall not exceed in the whole 550,000*l.*, exclusive of the Shares of the Brighton Company, but inclusive of all the other Monies already raised by Shares or borrowing under the Provisions of the recited Acts, or either of them, and to the Extent of the Money raised under the Provisions of this Act, the Powers of the Company of raising Money by Shares or borrowing under the Provisions of the Act of 1858 and the Act of 1859 shall be extinguished.

4. The Company may raise all or any Part of the said Sum of 325,000*l.* by the Creation of additional Shares in the general Capital of the Company, and such Shares shall (except as by this Act otherwise provided) confer the same Rights, Privileges, Qualifications, Liabilities, and Incidents as are attached to or conferred by the Shares forming the Capital of 225,000*l.*, which, after the Extinguishment of the Shares of the Brighton Company, will form the ordinary Share Capital of the Company.

5. It shall be lawful for the Company from Time to Time to resolve and declare that (instead of creating and issuing the said Sum of 325,000*l.*, or some Part thereof, as ordinary Capital participating in the general Dividends of the Company) the Holders of any Shares to be created and issued for the Purpose of raising the said Sum of 325,000*l.*, or any Part thereof, shall be entitled, either perpetually or for such limited Time as may be resolved upon and declared, to a preferential Dividend, to be paid out of the general Revenues of the Company in priority of the general Dividends made by the Company, at such Rate and with such other Privileges, and subject to such Powers of Redemption, Diminution, or Conversion (if any), as may be expressed in the Resolution creating such Shares, and thereupon the Holders of such Shares shall become entitled to such preferential Dividend, and to any other Privileges so resolved upon and declared as aforesaid accordingly, and such preferential Dividend shall be payable half-yearly, at the same Time as the ordinary Dividends of the Company, and it shall be lawful for the Company with such Consent as aforesaid from Time to Time and at all Times, until the whole of the said Sum of 325,000*l.* shall have been subscribed for, to alter the Rate of such preferential Dividend, or any of such other Privileges or Powers with regard to such Portion of the same Share Capital as shall not then have been subscribed for, but so as not to violate or infringe any Condition upon which any of such Share Capital shall have been previously subscribed for, unless with the Consent of all the Subscribers for the same, or to create and issue the Portion not so subscribed for, as ordinary Shares or Stock participating in the general Dividends of the Company; and for the Purpose of redeeming any Shares created with a Power of Redemption by the Company, the Company may create and issue from Time to Time fresh Shares, with or without any preferential Dividend or special Privileges or Advantages: Provided, that any fixed or preferential Dividend to be granted by the Authority of this Act shall not exceed the Rate of 5*l.* per Centum per Annum on the Amount for the Time being paid up on the Shares.

Disposal of Shares, §§ 6 to 17.

18. The Company may continue on Mortgage any Part (not exceeding 137,500*l.*) of the said Sum of 325,000*l.*

But not to affect existing Mortgages, § 19.

20. It shall be lawful for the Company from Time to Time, with the Consent of Three Fifths at least of the Votes of the Shareholders present, personally or by Proxy, at any Meeting of the Company convened with Notice of such Object, to raise all or any Part of the Monies which they shall for the Time being have raised or be authorized to raise on Mortgage or Bond, by the Creation and Issue, at such Times, in such Amounts and Manner, on such Terms, subject to such Conditions, and with such Rights and Privileges as the Company shall with such Consent resolve and determine, of Stock to be called Debenture Stock, instead of and to the same Amount as, or if so agreed in exchange for, the whole or any Part of the Money which now is or at any Time hereafter may be owing by the Company, or which they may have Power to raise on Mortgage or Bond, and to attach to the Stock so created a fixed and perpetual preferential Interest, payable half-yearly on the 1st Day of January and the 1st Day of July in each Year, or at such other Periods as shall be determined at such Meeting, and to commence at once or at any future Time or Times when and as any such Debenture Stock shall be issued, or otherwise, as such Meeting shall resolve: Provided, that any preferential Interest or Dividend to be attached to any such Debenture Stock shall be at a Rate not exceeding 4*l.* 10*s.* per Centum per Annum.

Provisions as to Debenture Stock, §§ 21 to 28.

29. The Sections of the Act of 1858 numbered respectively 76, 79, 80, 81, 82, 83, and 84 shall extend and apply to the Company and the Great Western Railway Company, in as full and ample a Manner as if the Great Western Railway Company had been originally named or referred to in those Sections as One of the contracting Companies.

30. And whereas Arrangements have been entered into by the Company with the Great Western Railway Company and the Chatham Company, with reference to the Execution of the Purposes of the Act of 1858 and the Act of 1859, and the Agreement in Writing entered into for effecting such Arrangements is set forth in the Schedule to this Act, and it is expedient that it be confirmed: Therefore, the Agreement set forth in the Schedule to this Act shall be and is hereby authorized, and shall be binding on the Company and the Two contracting Companies, Parties respectively thereto; and the Agreement between the Company and the East Kent Railway Company, set forth in the Schedule to the Act of 1858, is hereby annulled and shall cease to have any Force or Effect, and the 78th Section of the Act of 1858, and so much of the 77th Section as relates to the East Kent Railway Company, are hereby repealed; and the Act of 1858 as amended by the Act of 1859 and this Act, and the Sections thereof made applicable to the Great Western Railway Company, shall be construed as if the Agreement between the Company and the Great Western Railway Company and Chatham Company, confirmed by this Act, had been originally set forth in the Schedule of the Act of 1858, and had been confirmed by that Act, instead of the annulled Agreement between the Company and the East Kent Railway Company.

Term of Lease, &c., § 31.

Power to sell or lease certain Lands to the Great Western and Chatham Companies, § 32.

Saving Agreement of 1858 with the Brighton Company, § 33.

Schedule.—(Heads of an Agreement between the Victoria Station and Pimlico Railway Company and the London, Chatham, and Dover Railway Company and the Great Western Railway Company.)

Cap. lxxxii.

"The Rhyl Bridge Act, 1861."

Incorporation of General Acts, § 2.

Company incorporated, with a Capital of 10,000*l.*, and Power to borrow 2,500*l.*, §§ 3 to 8.

Meetings; Directors, §§ 9 to 14.

Power to execute Works, § 15.
Works authorized by Act, § 16.
One Year for compulsory Purchase of Lands, § 17.
Two Years for Completion of Works, § 18.
Fences to Bridge, § 19.
Tolls; Collectors; Penalties, §§ 21 to 45.
Saving Rights of the Crown, § 46.
Any Land reclaimed by the Works not to be taken without the Consent of the Commissioners of Woods, &c., § 47.
Admiralty Provisions, §§ 48 to 53.
Saving the Rights of the Rhuddlan Marsh Embankment Trustees, § 54.
Crossing for Use of Rhuddlan Marsh Embankment Trustees, § 55.
Opening and Cutting for carrying away Land Waters, § 56.
For securing the Continuance of the Drainage to the East of the River, § 57.
Company not to interfere with Level of Embankment or Works of Trustees, § 58.
Saving Rights of Rhyl Improvement Commissioners, § 59.
Water affecting the Sewer, &c. of the Commissioners to be under Control of their Engineer, § 60.
Level of their Roads not to be affected without Consent, § 61.
Not to take Lands of which Henry John Ward is Lessee, § 62.
Power to Vale of Clwyd Railway Company to hold Shares not exceeding 2,000*l.* in Undertaking of the Company, § 63.

Cap. lxxxiii.

"The Workington Dock Act, 1861."

Recites that the present Accommodation for loading and unloading Shipping in the Harbour of Workington in the County of Cumberland is inadequate, and the making and maintaining of a Dock or Tidal Basin, at a Place called Workington North Side in the Township of Seaton in the Parish of Camerton in the County of Cumberland, and a Railway from such Dock, to join the Whitehaven Junction Railway, would increase the Trade and Commerce of the Town of Workington and its Neighbourhood, and by facilitating the Exportation of Mineral and other Produce, and providing a convenient Place for the loading and unloading of Vessels, would be not only highly beneficial to the Owners and Occupiers of Estates, Iron-works, and Mines in the Neighbourhood, but also of great Advantage to the Public in general; that the Right Honourable William Earl of Lonsdale is Tenant for Life in possession of the Lands above High-water Mark upon which the Dock, Railway, and Works are intended to be made, except such Portion (if any) of the said Lands as is vested by Act of Parliament in the Trustees for improving the Harbour of Workington, and also of extensive Estates and Mines in the County of Cumberland, and is willing at his own Expense to make and maintain such Dock, Railway, and Works in manner hereinafter mentioned; that the existing Harbour of Workington, and the Quays and other Works connected therewith, and divers Rights and Powers in relation thereto, are vested in the Trustees for improving the said Harbour, acting in execution of the Act 3 Vict. (Local), c. xliv., including Power to take Tolls or Dues in respect thereof; proposes to authorize the Earl of Lonsdale, his Heirs and Assigns, and the Whitehaven Junction Railway Company and the Cockermouth and Workington Railway Company to enter into Traffic and Working Arrangements; and that in consideration of the Expense which the said Earl will incur in making and maintaining the said Dock, Railway, and Works, it is reasonable that the said Earl, his Heirs or Assigns, or other the Owner or Owners for the Time being of the Lands in or upon which the same are to be made, should be enabled to levy Tolls, Rates, and Dues in respect thereof from Parties requiring to use the same, and who will hereby become entitled on Payment of such Tolls, Rates, and Dues to the Benefit and User of such Dock, Railway, and Works.

Incorporation of General Acts, § 2.
Certain Parts of "Harbours Clauses Act" excepted, § 3.
Limits of Dock, § 6.
Power to construct Dock, § 7.
Power to borrow 8,000*l.*, § 8.
Application of Monies, § 9.
Power to take Lands for Works authorized, § 10.
Lands belonging to Trustees of Workington Harbour not to be taken without their Consent, § 11.
Providing as to Maintenance and Use of North Side Quay, § 12.
Arbitration, § 13.
Three Years for compulsory Purchase of Lands, § 14.
Five Years for Completion of Works, §§ 15, 31.
Purchase of additional Lands, § 16.
Power to execute Works authorized by Act, § 17.
Description of Works authorized by this Act, § 18.
Working Drawings of Works within Harbour to be deposited at Office of Harbour Trustees, and such Works to be executed in accordance with this Act, § 19.
Regulating Interference with a certain Road, § 20.
Admiralty Provisions, §§ 21 to 26.
Junction with the Whitehaven Junction Railway, §§ 27, 28.
Reserving Jurisdiction of Workington Harbour Trustees, § 29.
Trustees of Workington Harbour to deepen and cleanse Channel within the Limits, § 30.
Railway Tolls, §§ 32 to 34.
Quay Tolls, § 35.
Rates for the Use of Wharves, Drops, &c., § 36.
Navigation not to be interrupted, § 37.
Ballast Provisions, §§ 38 to 44.
Dredging Engines, § 45.
Appointment of Dock Master and other Officers, § 46.
Power to Constables to go on board Vessels, § 47.
Ballast Rates, § 48.
Tonnage Rates on Vessels, § 49.
Vessels using the Dock as well as the Harbour to be entitled to an Abatement of Harbour Dues, § 50.
Rates payable in respect of Vessels entering the Dock without entering the Harbour of Workington, § 51.
Vessels loading in Dock to have same Privileges as those loading in Harbour, § 52.
Exemption of Officers of Customs from Dock Tolls, § 53.
Exemption of Vessels driven in by Stress of Weather, § 54.
Agreements with Workington Harbour Trustees with respect to Collection of Dues, § 55.
Saving Rights to Anchorage Dues, § 56.
Traffic Arrangements with Railway Companies, §§ 57 to 62.
This Act not to prevent Enlargement of Harbour, § 63.
Saving the Rights of the Crown, of the Admiralty, and of the Workington Harbour Trustees, §§ 64 to 66.

SCHEDULE to which the foregoing Act relates.

PART FIRST.

Upon every new Vessel launched into the said Dock the Sum of 7*d.* per Ton.

Upon every Vessel entering the said Dock Inwards from the Ports or Places herein-after mentioned or described; (that is to say,)

From any Port of Great Britain, Ireland, and the Isle of Man, for each Voyage the Sum of 7*d.* per Ton.

From any other Port of Europe, the Islands of Guernsey, Jersey, Alderney, Sark, the Faro Isles, and Iceland, for each Voyage the Sum of 1*s.* 1*d.* per Ton.

From any Port in Asia, Africa, or America to the Northward of Rio de la Plata inclusive, and to the Northward of the Cape of Good Hope, the Islands of Saint Helena, Ascension, Cape de Verd Islands, Canaries, Western Islands, Madeira, Azores, Newfoundland, Greenland, and Davis' Straits, for each Voyage the Sum of 1*s.* 7*d.* per Ton.

From any Port of South America to the Southward of Rio de la Plata, or in the Pacific Ocean, or in Africa and Asia to the Eastward of the Cape of Good Hope, or from any other Part of the World not herein-before specified, for each Voyage the Sum of 2*s.* 1*d.* per Ton.

PART SECOND.

Upon every Vessel which shall remain within the Dock for a longer Period than Six Months, the Rates following for the Period during which the Vessel remains beyond such Period of Six Months; (that is to say,)

For the First Week or any Part thereof, per Ton, 1*d.*

For the Second Week or any Part thereof, per Ton, 2*d.*

For every subsequent Week or Part of a Week, per Ton, 3*d.*

Cap. lxxxiv.

"The Edinburgh and Glasgow Railway Amendment Act, 1861."

Recites that the Edinburgh and Glasgow Railway Company were incorporated in 1852, and further Powers were conferred on the Company by 15 Vict. c. cix., 16 & 17 Vict. c. cli., 18 & 19 Vict. c. clviii. and cxc., 21 & 22 Vict. c. lxiv.; that the Sums authorized to be raised, and which had on the 31st July 1860 been raised and received by the Company in pursuance of the recited Acts are respectively specified in the Schedule; that the Company had at the same Date expended for the Purposes of the said Acts the Sum of 4,408,035*l.* 15*s.*, and a further Sum is required to meet their Engagements, and it is expedient that the Company should be authorized to raise additional Capital for the general Purposes of their Undertaking.

Incorporation of Provisions of Companies Clauses Act, § 2.

Power to raise additional Capital of 160,000*l.* for general Purposes, § 3.

Power to confer on new Shares Right to preferential Dividend, not exceeding 5*l.* per Cent., §§ 4 to 9.

SCHEDULE referred to in this Act.

PART I.

Share Capital under existing Acts.

Acts.	Capital authorized to be raised.	Capital raised and paid at 31st July 1860.	Capital not raised or not paid at 31st July 1860.
	£ s. d.	£ s. d.	£ s. d.
15 Vict. c. 109. - -	2,373,375 0 0	2,368,519 10 0	4,855 10 0
16 & 17 Vict. c. 151. - -	30,000 0 0		
18 & 19 Vict. c. 158. - -	115,000 0 0 50,000 0 0	275,000 0 0	
18 & 19 Vict. c. 190. - -	80,000 0 0		
21 & 22 Vict. c. 64. - -	480,000 0 0	450,000 0 0	30,000 0 0
	3,128,375 0 0	3,093,519 10 0	34,855 10 0

PART II.

Loan Capital under existing Acts.

Acts.	Authorized to be raised on Loan and to be converted into Funded Debt.	Due on Loans at 31st July 1860.	Converted into Funded Debt at 31st July 1860.	Not borrowed at 31st July 1860.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
15 Vict. c. 109. -	1,111,700 0 0	1,050,119 10 10	59,850 0 0	1,730 9 2
16 & 17 Vict. c. 151.	10,000 0 0	39,967 0 4	- - -	32 19 8
18 & 19 Vict. c. 158.	30,000 0 0			
21 & 22 Vict. c. 64. -	160,000 0 0	156,338 10 5	- - -	3,661 9 7
	1,311,700 0 0	1,246,425 1 7	59,850 0 0	5,424 18 5

Cap. lxxxv.

"The Scottish Widows Fund and Life Assurance Society's Incorporation Act, 1861."

Proposes to incorporate the Scottish Widows Fund and Life Assurance Society.

Repeal of the Company's former Act, 3 & 4 Vict. c. xli.,—§ 1.

Society incorporated, and Saving of Rights and Liabilities, §§ 3 to 7.

The Society may sue and be sued, and hold Property, &c., § 8.

Real Property to be sold within Five Years of the Acquisition thereof, § 9.

Dispositions and other Deeds, &c., how to be executed, § 10.

Memorial of Trustees, &c. to be registered, §§ 11, 12.

No more than One Action in respect of same Demand, § 13.

No Action against the Society to be affected in consequence of Plaintiff or Defendant being a Member, §§ 14, 15.

Discharge of Sums payable under Policies, § 16.

Regulating Form of Assignments and Discharges of Policies, § 17.

Policies subject to Trusts may be discharged by Trustees, § 18.

Society may be cited at the Head Office in Edinburgh, § 19.

Power to make Byelaws as heretofore, § 20.

Schedules (Forms).

Cap. lxxxvi.

"The Manchester, Sheffield, and Lincolnshire Railway (Additional Works) Act, 1861."

Proposes to enable the Manchester, Sheffield, and Lincolnshire Railway Company, incorporated by 12 & 13 Vict. c. lxxxi., to construct Railways from New Mills to Crist Quarry in the County of Derby, with a Branch therefrom, and from Grimsby Docks to Cleethorpes in the County of Lincoln, and also to enlarge and improve their Station at Ardwick, to acquire additional Lands and execute certain Works in the Parish of Manchester in the County of Lancaster; also to authorize the Company to work over and use the Railway of the Marple New Mills and Hayfield Junction Railway Company, and the Stations, Watering Places, Works, and Conveniences connected therewith, and to provide for the Transmission of Traffic over that Railway; and to enable them to raise additional Capital for the Purposes of this Act, and also for the general Purposes of their Undertaking; and that the Period for the Sale of superfluous Lands held by the Company should be extended, and that some of the Powers and Provisions of their existing Acts should be altered and enlarged.

Incorporation of Acts, §§ 2 to 4.

Power to take Lands and to make Railways authorized by this Act, § 5, 6.
Heads of Arrangement (in Schedule) between Company and Mr. Tomline confirmed, § 7.
Power to cross a certain Road on the Level, §§ 8 to 11.
Power to alter Engineering Works, § 14.
Company to maintain Communication between Land and Water, § 15.
If Works abandoned, Admiralty may remove same, § 16.
Admiralty may order a local Survey, § 17.
Mode of crossing Disley and Hayfield Railway, § 18.
Approval of Plans, &c. of Arches under Disley and Hayfield Railway, § 19.
As to Repair of Arches under Disley and Hayfield Railway, § 20.
Damage to Disley and Hayfield Railway to be made good, § 21.
Traffic on the Disley and Hayfield Railway not to be interfered with, § 22.
Company to acquire only Easements in Lands of the Disley and Hayfield Railway Company, § 23.
Provision as to Gorton Lane in Ardwick, § 24.
Gorton Lane to be widened, § 25.
Edmund Street in Ardwick and Openshaw to be maintained, § 26.
Pottery Lane in Ardwick and Openshaw, § 27.
Gas and Water Pipes of Corporation of Manchester not to be interfered with, § 28.
Certain Provisions of Railways Clauses Act to apply to Mains and Pipes of Corporation of Manchester, § 29.
Power to divert a certain Occupation Road, § 30.
Three Years for compulsory Purchase of Lands, § 32.
Five Years for Completion of Railways, §§ 33, 34.
Authorizing Sale of Lands belonging to the Duchy of Lancaster, and providing for Application of Purchase Money, § 35.
Concerning the Sale and working of Mines belonging to the Duchy of Lancaster, §§ 36, 37.
Power for Company to raise additional Capital of 218,500*l.* by Preference Shares, not exceeding 6*l.* per Cent., §§ 38 to 46.
Power to borrow 72,000*l.*, §§ 47, 48.
Company may apply Corporate Funds to Purposes of Act, § 49.
Power for Company to work over and use Marple New Mills and Hayfield Junction Railway, § 50.
Terms of such working over and User, § 51.
The Marple Company to afford Traffic Facilities to Company, § 52.
Terms for affording the Traffic Facilities, § 53.
Power to establish Provident Institutions for Servants of the Company, § 54.
Incorporation of Provisions of Savings Banks Act, 7 & 8 Vict. c. 83.,—§ 55.
Extending Period for Sale of superfluous Lands for 10 Years, § 56.
Saving Rights of the Crown, § 59.
Saving Rights of the Crown, and the Duchy of Lancaster, § 60.
SCHEDULES:
1. Agreement with Mr. Tomline.
2. Form of Conveyance.

Cap. lxxxvii.

"The Wycombe Railway (Extensions to Oxford and Aylesbury) Act, 1861."

Recites that by "The Wycombe Railway Act, 1846," the Company were incorporated "for making a Railway from the Great Western Railway at Maidenhead in Berkshire to the Town of High Wycombe in the County of Buckingham;" that by their Act of 1852, their Powers for the Purchase of Lands and making their Railway were revived and extended, and, subject to the Provisions of that Act, an Agreement for the Lease of the Wycombe Railway to the Great Western Railway Company, and any Lease made in pursuance of that Agreement, were made binding upon that Company and the Company; that the Wycombe Railway has been long since made and opened to the Public, and a Lease thereof has been, in pursuance of the before-mentioned Powers, granted to the Great Western Railway Company for an annual Rent amounting in the aggregate to 3,600*l.*; that the Company by the said firstly-recited Act had Power to raise 150,000*l.* by Shares, divided into 10,000 of 15*l.* each, and 50,000*l.* by borrowing; but by the secondly-recited Act Power is given to reduce the said Share Capital to 100,000*l.*, and the said Borrowing Powers to 33,600*l.*, and this Reduction has accordingly taken place, and the said Share Capital is now divided into 10,000 Shares of 10*l.* each; that the before-mentioned Rent of 3,600*l.* is, after certain Deductions, divided amongst and secured to the Holders of original Share Capital, amounting in the whole to 60,560*l.*; that by their Act of 1857 the Company were authorized to extend their Railway to Princes Risborough and to Thame, at an estimated Expense of 108,000*l.*, and to meet this Expenditure the Company were empowered to apply surplus Funds not required by them for the Purposes of the recited Acts, and which amounted to about 48,000*l.*, and to raise an additional Capital of 60,000*l.* by Shares, and of 20,000*l.* by borrowing, and the Company are making the said Extension, but to complete it it is necessary that they should have Power to raise a further Sum of 20,000*l.*; that none of the existing Shares of the Company have any Preference or Priority in the Payment of Interest or Dividends; that the Extension of the Wycombe Railway to Aylesbury and to Oxford would be attended with great local and public Advantage, and the Company are willing so to extend their Railway at an estimated Cost of 240,000*l.*; that the Great Western Railway Company have agreed to work the Extension to Thame, under an Agreement bearing Date the 11th Day of August 1859, which Agreement has received the Sanction of the Shareholders of the Two Companies; and it is expedient that that Agreement should be confirmed, and that the said Great Western Railway Company should have Power to agree for the working also of the proposed Extensions to Aylesbury and Oxford, and also that they should be authorized to subscribe thereto.
Incorporation of General Acts, §§ 1, 2.
Power to construct Railways, §§ 3 to 5.
Level Crossings, §§ 6 to 9.
Communication with Great Western Railway, §§ 10, 11.
Company not to take Land of Aylesbury and Buckingham Railway Company without Consent, § 12.
Junction to be made in best Manner, § 13.
Joint Station at Aylesbury, § 14.
Agreements between Company and Aylesbury and Buckingham Railway Company as to Joint Station, § 15.
Two Years for Purchase of Lands, § 17.
Four Years for making Railways, §§ 18, 19.
Tolls, §§ 20 to 22.
Power to raise additional Capital of 260,000*l.* by new Shares, with or without a preferential Dividend not exceeding 5*l.* per Cent., §§ 23 to 28.
Power to borrow 86,000*l.*, § 29.
Power to Great Western Railway Company to subscribe 100,000*l.*, § 32.
And to vote at General Meetings, § 33.

Power to Great Western Railway Company to raise Money by the Creation of Shares, with or without a Preference not exceeding 5*l.* per Cent., § 34.
Confirmation of Agreement as to Thame Extension, § 35.
Power to enter into Traffic Arrangements with the Great Western Railway Company, §§ 36 to 43.
Power to reduce the Number of Directors, § 44.

Cap. lxxxviii.

"The Leeds and Ealand Road Act, 1861."

Repeals an Act passed in the 7th and 8th Years of the Reign of His Majesty King George the Fourth, intituled "An "Act for repairing the Road leading from Ealand to the "Town of Leeds in the West Riding of the County of "York," and extends the Trust for 16 Years, and thence to the End of the then next Session of Parliament.

Cap. lxxxix.

"The Banbridge Railway Extension Act, 1861."

Proposes the making of a Railway from the Banbridge, Lisburn, and Belfast Railway at or near the Town of Banbridge to Ballyroney, with a Branch Railway therefrom to Rathfriland; to authorize the Company incorporated by this Act, and any or either of the following Companies, namely, the Ulster Railway Company, the Dublin and Belfast Junction Railway Company, the Banbridge, Lisburn, and Belfast Railway Company, and the Banbridge Junction Railway Company, to enter into Traffic Agreements as herein-after mentioned, to enable the Company and the Ulster Railway Company to enter into Agreements for working the Traffic on the Railway by this Act authorized with the Engines and Carriages of the Ulster Railway Company, and to permit the Ulster Railway Company to subscribe to the Undertaking of the Company; recites that the Shares of the Ulster Railway Company are at a Premium, and the Amount which that Company are authorized to raise by borrowing and by Debenture Stock is less than One Third of the Amount of the Capital of the Ulster Railway Company in Shares exclusively of so much of that Capital as consists of Shares authorized to be created for the Purpose of Subscriptions to the Undertakings of other Railway Companies, and it is expedient that the Ulster Railway Company should be authorized to raise Money by the Issue of Debenture Stock for the Purpose of subscribing to the Undertaking of the Company; that the Ulster Railway Company are not authorized to create and have not created any Preference Shares.
Incorporation of General Acts, § 2.
Subscribers incorporated, with a Capital of 90,000*l.* in Shares of 10*l.*, and Borrowing Powers to 30,000*l.*, §§ 3 to 7.
Meetings; Directors, &c., §§ 11 to 20.
Power to make Railway, §§ 21 to 23.
Level Crossings, §§ 24 to 26.
Lands to be purchased by Compulsion within Three Years, § 28.
Five Years for Completion of Railway, §§ 29, 61.
For Protection of certain Property, § 30.
As to Communication with the Banbridge, Lisburn, and Belfast and Banbridge Junction Railways, §§ 31 to 33.
Protecting Property of Bann Reservoir Company, § 34.
Tolls, §§ 35 to 44.
Power to enter into Traffic Agreements with the Four Companies, or any of them, and into Working Arrangements with the Ulster Railway Company, §§ 45 to 53.
Power for Ulster Railway Company to subscribe 10,000*l.* § 54.
Power for subscribing Company to raise and apply Monies for Contribution towards Funds of Company, § 55.
Sanction of Shareholders for Contribution, § 56.
Existing Debenture Stock of the Ulster Railway Company to have Priority, § 57.
Nominee of Ulster Railway Company to vote at Meetings of Company, § 58.
Instruments of Appointment and Removal of Directors, and of Appointment and Revocation of Nominees, § 59.

Cap. xc.

"The Llanidloes and Newtown Railway Act, 1861."

Recites Incorporation of the Company in 1853, with Power to make a Railway from Llanidloes to Newtown in the County of Montgomery, and that that Railway has been completed and opened for public Traffic; that by their Canal Extension Act, 1859, the Company were authorized to execute as Part of their Undertaking a Tramway and other Works to connect their Railway with the Shropshire Union Canal; that the Powers given by the Act of 1859 for the compulsory Purchase of Lands have expired, and it is expedient that such Powers should be revived, and that the Period limited by the same Act for the Completion of the Works thereby authorized should be extended, and that further Powers should be granted to the Company in respect of such Works; that by the first-recited Act the Company were authorized to create a Share Capital of 60,000*l.*, and to borrow on Mortgage or Bond 20,000*l.*, and those Sums have been raised and expended by the Company, and it is expedient that they should be authorized to raise additional Capital for the Completion of their Undertaking, and to create and issue for such Purpose new Shares, with a Preference Dividend or other Rights and Privileges attached thereto; that the Company have created no Preference Shares; proposes to enable the Shrewsbury and Welchpool, the Great Western, and the London and North-western Railway Companies and the Company to enter into Working and Traffic Arrangements.
Power for compulsory Purchase of Land revived and extended for Six Months from passing of Act, § 2.
Extending Period for Completion of Tramway for Two Years from passing of Act, §§ 4, 5.
Power to raise additional Capital of 25,000*l.*, with Preference Dividend not exceeding 5*l.* per Cent., §§ 6 to 9.
Power to cancel new Shares created but not issued, § 10.
Incorporating certain Provisions of Companies Clauses Act, § 14.
Priority of existing Mortgages, § 15.
Power for Company and the Four Companies to agree for Purposes authorized, §§ 18 to 26.

Cap. xci.

"The Tyne Improvement Act, 1861."

Recites that by "The River Tyne Improvement Act, 1850," a Body of Commissioners was constituted for exercising the Powers by that Act conferred on them for the Improvement of the Port of Newcastle-upon-Tyne and the River Tyne, and the Regulation of the Navigation thereof, and Provision was made for the Formation of a Fund for the Execution of that Act by the Commissioners, to be called the Tyne Improvement Fund; that by such Act the Sum of 67,349*l.*, Part of the then existing Debt, was charged upon the Tyne Improvement

Fund thereby vested in the said Commissioners, and by the same Act the said Commissioners were authorized to raise on the Credit of the said Tyne Improvement Fund the further Sum of 30,000*l.*; that in 1852 further Powers were conferred on the Commissioners for the Improvement of the Navigation of the Port and of the River, and for the Regulation of the Navigation thereof, and the Commissioners were authorized, amongst other Things, to make Docks, to be called the Northumberland Docks, at a Place called Hay Hole on the Northern Side of the River, and to levy Rates, Dues, and Duties for the Purposes thereof, and to borrow on Mortgage of such Rates and Dues any Sum or Sums of Money not exceeding in the whole the Sum of 200,000*l.*; that the said Docks have been for some Time past open for the Use of Vessels frequenting the Port of Newcastle-upon-Tyne; that they have borrowed a considerable Sum of Money on Mortgage of the Rates, Dues, and Monies by the Act of 1852 authorized to be levied in respect of the Northumberland Docks and the Works connected therewith, and that Sum with the Interest thereon is now charged on those Rates, Dues, and Monies; that for the Purpose of facilitating the borrowing of such Sum of Money several Coal Owners entered into Agreements with the Commissioners for the Shipment of their Coals in the Northumberland Docks; that in 1857 the Commissioners were incorporated, and authorized to make Docks at a Place on the Northern Side of the River, called Coble Dean, to be called the Coble Dean Docks, and to levy Rates, Dues, and Duties for the Purposes thereof; that in 1859 further Powers were conferred on the Commissioners of raising Money for the Purposes of the Northumberland Docks, and certain Sums of Money have been borrowed under the Powers thereof; that for the Convenience of the Trade of the River Tyne, it is expedient that the Commissioners be authorized to make a Dock at Tynemouth, at a Place called Low Lights, to be called the Tynemouth Docks, and to levy Rates, Dues, and Duties for the Purposes of the Construction of the said Tynemouth Dock, and to borrow Money on Mortgage of such Rates, Dues, and Duties, and on Mortgage of the Rates, Dues, and Duties levied at the Northumberland Docks; that it would much lessen the crowding of the River with Vessels, and would greatly improve the Navigation thereof, and would enable larger Vessels to navigate the said River, if the Banks or Shores were in certain Places altered or contracted, the Bed of the River deepened, and the Course diverted and straightened, and the projecting Points, Shoals, and Sand Banks removed, and it is expedient that the Commissioners be authorized to execute these several Works; that the Bridge of Newcastle-upon-Tyne hinders the Flow of the Waters of the River Tyne, and prejudicially affects the Scouring of the Bed of the said River by the Action of the Tide, and obstructs the Passage of masted Vessels, and it is expedient that the Commissioners be empowered to take down and rebuild the said Bridge upon a new and improved Plan, and to construct it so as to admit of the passing of Ships with Masts into the upper Parts of the River; that there is a Sum of Money in the 3*l.* per Centum Consolidated Bank Annuities now standing in the Names of the Mayor, Aldermen, and Burgesses of the Borough of Newcastle, for the Purpose of protecting the said Mayor, Aldermen, and Burgesses and the See of Durham from the Cost of repairing a Portion of the said Bridge, and it is expedient to regulate the Expenditure of the Income arising from the said Sum in the Repair of the said Bridge; that it is expedient that the Commissioners be authorized to levy further Rates, Dues, and Duties, and to borrow further Monies; that certain ancient Rates or Dues now levied by the Commissioners should be extinguished and certain other Rates and Dues levied in their Stead; and that the Commissioners should have Powers vested in them to purchase any existing Ferries over the said River, and to regulate the Speed of Steamers navigating the said River.

Incorporation of Lands Clauses Act, and of Parts of Commissioners, Harbours, Docks, and Piers, and Railways Clauses Acts, §§ 2 to 8.
Commissioners to carry Act into execution, § 9.
Power to take Lands shown on deposited Plans for Works, § 10.
Commissioners may by Agreement purchase, &c. other Lands, § 11.
Power to deviate, § 12.
Works authorized by Act, § 13.
Powers of Construction to cease if Works not completed within 10 Years, § 14.
Tynemouth Dock to be commenced within Three Years, § 15.
Admiralty Provisions, §§ 16 to 19.
Provision for Protection of Jarrow Chemical Company, § 20.
Five Years for compulsory Purchase of Land, § 21.
Officers of Customs to have free Access to Docks without Payment of Tolls, § 22.
Rates on Vessels, § 23.
Legal Quays to be approved by the Treasury, &c., § 24.
Exemption of Vessels in Her Majesty's Service, &c. from Rates, § 25.
Dues on Goods, § 26.
Power to appropriate Shipping Places, § 27.
Salaries to be apportioned between Accounts, § 28.
Application of Dock Rates, § 29.
Appropriation of any Surplus, § 30.
Notice of lowering Rates to be given, § 31.
Reserve Fund for Repairs of Docks, § 32.
Existing Mortgages on the Northumberland Docks to have Priority, § 33.
Power to borrow Money upon the Dock Rates, § 34.
Commissioners not to include River Dues in Securities for Docks, § 35.
Power to pay Interest out of Capital, § 36.
Mortgagees may appoint Receivers, § 37.
Separate Accounts to be kept, § 38.
Coal Owners bound to ship to Northumberland Docks released from the Obligation to Extent of their Shipments in the Tynemouth Docks, § 39.
Jurisdiction of Commissioners extended to Extremity of Piers, § 40.
Corporation of Tynemouth to have Power to borrow 50,000*l.* on Mortgage of Borough Rates, § 41.
Sums borrowed to be advanced by Corporation to Commissioners upon Mortgage of Docks, § 42.
Corporation may agree that Rates shall be a collateral Security, § 43.
Proportion in which Deficiency shall be charged on the Tynemouth Rates, § 44.
Restriction on Exercise of Powers by Tynemouth Corporation, § 45.
Former Mortgages to have Priority, § 46.
Commissioners to pay Purchase Monies out of Tyne Improvement Fund, or to raise by way of Mortgage, § 47.
Powers of mortgaging, § 48.
Sinking Fund, § 49.
Priority of existing Charges, § 50.
Charges for conveying Ballast to be 1*s.* per Ton, § 51.
Limits within which Ballast may not be cast extended, § 52.

Groundage, Plankage, Ballast, Office, and Ships or Boat Dues to be extinguished, § 53.
A Tonnage Rate to be levied upon all Vessels using the Ports, § 54.
Tonnage Duty to be levied on Steam Vessels, § 55.
For ascertaining Tonnage Rates, § 56.
Reduction of Rates in Schedule D., § 57.
Duties upon Goods imported Coastwise or exported Coastwise or Foreign to be levied, § 58.
Reduction of Rates in Schedule E., § 59.
Coal, Cinders, and Grindstone Duties to remain and not to be increased, § 60.
Rates to be carried to Tyne Improvement Fund, § 61.
Power to erect and license Landing Places, § 62.
As to purchasing Ferries, § 63.
Power to regulate Rate of Speed of Steamers, §§ 64, 65.
As to Part of the River between Leamington and Blaydon and Stella, § 66.
As to certain Works near to King's Meadows, § 67.
Commissioners not to take down old Bridge till temporary Bridge ready for Use, § 68.
A Fund in Hands of Commissioners, Corporation of Newcastle, and Ecclesiastical Commissioners, to be applied to Erection and Maintenance of new Bridge, § 69.
Commissioners to make Openings and moving Platforms in new Bridge, §§ 70, 71.
Commission to maintain and repair Machinery of opening Platform of new Bridge, § 72.
Vessels not to be unnecessarily detained, § 73.
Acts of 1850, 1852, 1857, and 1859 not affected, § 74.
Saving Rights of the Commissioners, § 75.
Provision as to the Rights of the Crown, § 76.
Saving Rights of Her Majesty's Principal Secretary of State for the War Department; of Corporation of Trinity House of Newcastle-upon-Tyne; of Commissioners of Sewers; of Corporation of Newcastle-upon-Tyne; of the Duke of Northumberland; and of Lords of Manors and Owners of Land, §§ 77 to 82.
Schedules (Rates and Dues).

Cap. xcii.

"Bonelli's Electric Telegraph Act, 1861."

Recites that a Company has been incorporated, called "Bonelli's Electric Telegraph Company (Limited)," for working a certain patented Invention of the Chevalier Gaetano Bonelli, in Electric Conductors and Apparatus for transmitting Telegraphic Despatches, and that the Use of such Invention throughout the United Kingdom would tend greatly to the public Convenience, and proposes to enable the Company to carry their Undertaking into effect, and to acquire Licences for and work other Letters Patent, and generally to exercise the Powers and perform the Duties and Services of an Electric Telegraph Company.
Limits of Act, § 2.
Power to lay Tubes under Streets, §§ 3, 4.
Regulations respecting breaking up of Streets, §§ 5 to 11.
Company not to alter Position of Gas or Water Pipes, except Service Pipes, § 12.
Company to reinstate Service Pipes, make good all other Damage done by them, and pay Compensation, § 13.
Company not to lay Tubes, &c. in any City, &c., without Consent, § 14.
Pipes not to be laid in City of London without Consent, § 15.
For Protection of Sewers of Metropolitan and other Boards, § 16.
Company to alter or remove Works when so required for Sewerage, &c. Purposes by Metropolitan Board, or Vestry or District Board, § 17.
Regulating the Payment to be made for the Damage done to certain Turnpike Roads, § 18.
As to laying Wires in, over, &c., Lands, Buildings, Railways, Canals, &c., § 19.
Wires not to be so placed as to impede the Traffic passing from one Railway or Canal, &c., to another, § 20.
Providing for Access from future Docks to Canal or River, § 21.
Wire not to pass within Four Feet of the Front of any House, § 22.
Notice to be given before Wires, &c. laid over Houses, and Plan approved, § 23.
Wires to be removed when they may interfere with Improvement, &c. of Property, § 24.
Company to deposit Plans, &c. with Conservators of the Thames, § 25.
Company not to dredge in the Thames, § 26.
Company to remove Works injurious to Navigation of the Thames, § 27.
Saving Rights of the Conservators of the Thames, § 28.
Power to lay Tubes under Estuary, &c., § 29.
Power for Company and other Companies to enter into Agreements, § 30.
Telegraph to be used without Preference, § 31.
Penalty for injuring Company's Tubes, &c., § 32.
Power to apprehend unknown Offenders, § 33.
Indemnity to Trustees of Turnpike Roads, §§ 34, 35.
Satisfaction for accidental Damage, how to be recovered, § 36.
Provisions of 8 & 9 Vict. cc. 20. & 33. as to Recovery of Damages, &c., extended to this Act, § 37.
Company not to interfere with River Mersey or Estate of Mersey or Docks and Harbour Board without Consent, § 38.
Saving Rights of the Mersey and Irwell Navigation Company, § 39.
Removal of Apparatus upon Dissolution of the Company, § 40.

Cap. xciii.

"The Charing Cross Railway (City Terminus) Act, 1861."

Recites that by their Act of 1859 the Company were incorporated and authorized to make and maintain the Charing Cross Railway, commencing by a Junction, in the Parish of Saint Olave Southwark, with the North Kent and Greenwich Lines of the South-eastern Railway, crossing the River Thames by means of a Bridge, and terminating in Hungerford Street in the Parish of Saint Martin-in-the-Fields, with a Branch Railway therefrom terminating by a Junction with the London and South-western Railway; that "The Hungerford Market and Charing Cross Bridge Act, 1860," was afterwards passed, and relates to the Company; that they have proceeded to put the Act of 1859 into execution, and are making the Railway and Bridge thereby authorized, and have raised and expended for the Purposes thereof a large Sum of Money; that the making and maintaining of a Railway commencing by a Junction at or near to Red Cross Street in the Parish of Saint Saviour Southwark, with the authorized Line of the Charing Cross Railway, and passing thence across the River Thames and terminating near to Cannon Street in the City of London, with a Branch Railway therefrom in the Parish of Saint

Saviour Southwark, to form an additional Junction with that authorized Line, would afford further Facilities for Communication by Railway between the Western and Eastern Parts of the Metropolis, and between the City of London and divers Parts of England Southward of the River Thames, and would relieve some of the principal Thoroughfares of the Metropolis from Part of the Traffic by which they are at Times incommoded, and would be of great public Advantage; that by the Act of 1859 the Company were authorized to raise a Capital of 800,000*l.* by Shares, and the South-eastern Railway Company were authorized to subscribe for Shares of that Capital to the Extent of 300,000*l.*; that it is expedient that the Company be authorized to raise further Monies for the Purposes of this Act, and that the South-eastern Company be authorized to contribute towards the Funds of the Company for the Purposes of this Act; that by the Act of 1859 Traffic and Working Arrangements between the Company and the South-eastern Company were authorized with respect to the Railway and Branch by that Act authorized, and it is expedient that Traffic and Working Arrangements between them be authorized with respect to the Railway by this Act authorized.

Incorporation of General Acts, §§ 2 to 4.

Power to take and use Lands for Works authorized by Act, § 5.

Questions of disputed Compensation in City of London to be heard in Lord Mayor's Court of City of London, § 6.

Three Years for compulsory Purchase of Lands, § 7.

Saving Act of 56 Geo. 3. as to Saint Saviour's, § 9.

Local Rates to be made good, § 10.

Power to make Works authorized by Act, §§ 11 to 13.

Width and Headway of Viaduct over Streets, § 14.

Admiralty Provisions, and Saving of Rights of Conservators of River Thames, §§ 15 to 23.

Three thousand Pounds to be invested in Names of Trustees before making Bridge over Thames, § 24.

If Company obstruct public Stairs they shall provide others, § 25.

For Protection of Sewers in City of London, §§ 26 to 28.

For Protection of Sewers of Metropolitan and other Boards, §§ 29 to 31.

Bridges to be lighted by Day and Night, §§ 32.

Company to light Archways in Saint Saviour's District, § 33.

Colonnade for Borough Market, § 34.

Rails to be laid on longitudinal Sleepers between certain Points, § 35.

Steam Whistle not to be sounded between Green Dragon Point and York Street, § 36.

Not to stop or divert specified Streets in Saint Saviour's, § 37.

Company to enclose Arches in Parish of Saint Saviour, § 38.

Drainage Works in Saint Saviour to be subject to Vestry or District Board, and their Rights saved, § 39.

For Protection of Upper Thames Street, § 40.

For widening Upper Thames Street, § 41.

Power to stop up Streets, &c. between Upper Thames Street and Cannon Street, § 42.

For Protection of Allhallows Lane, § 43.

For widening Dowgate Hill, § 44.

Protection of Southwark and Vauxhall Water Company, §§ 45 to 48.

Five Years for Completion of Railway, § 49.

Railways under Act and Act of 1859 to form "Charing Cross Railway," § 51.

Tolls on Railway, §§ 52, 53.

Power for Company to raise 525,000*l.* by new Shares, with or without a Preference, not exceeding 5*l.* per Cent., §§ 55 to 66.

General Power to borrow 175,000*l.* more, §§ 67 to 70.

Company may apply Monies raised under recited Acts for Purposes of Act, § 71.

South-eastern Company may contribute 250,000*l.* by Shares, with or without a Preference, not exceeding 5*l.* per Cent., §§ 72 to 76.

Power for Company and South-eastern Company to make Working and Traffic and other Arrangements, §§ 77 to 82.

Saving Rights of the Crown, of Admiralty, of Conservators of River Thames, of City Corporation, of Metropolitan Board of Works, Vestries, and District Boards, of Company and South-eastern Company, §§ 83 to 88.

Cap. xciv.

"The Dewsbury and Batley Gas Act, 1861."

Recites that by "The Dewsbury and Batley Gas Act, 1851," the Company were authorized to construct Gasworks and supply Gas within the Parish of Dewsbury and Township of Batley in the Parish of Batley, and their then existing Capital was declared to be 10,000*l.*, and they were authorized to raise 20,000*l.* more by the Creation of Shares, and 7,000*l.* by Mortgage of their Undertaking, and to convert all or any Part of their Mortgage Debt into Capital; that they have raised and expended upon their Undertaking the whole of the said Sums of 20,000*l.* and 10,000*l.*, and have converted their Mortgage Debt amounting to 7,000*l.* into Capital, and their present Capital is 37,000*l.*, divided into 7,400 Shares of 5*l.* each; that Part of the Township of Thornhill adjoins the Parish of Dewsbury, and could conveniently be supplied with Gas by the Company; that further Capital is required for the Purposes of the Company's Undertaking.

Repeal of Act, § 1.

Extending Provisions of General Acts to this Act, § 2.

Establishment of Company and Saving of Rights and Liabilities, §§ 4 to 9.

Limits of the Act, § 10.

Capital to be 37,000*l.*, and with Power to raise 38,000*l.* more, §§ 11 to 17.

Power for Company to borrow 18,000*l.*, § 18.

Meetings; Directors, §§ 20 to 32.

Power to purchase Lands, § 33.

Company empowered to construct Gasworks, &c., § 34.

Testing of Gas; Price of Gas; Meters; Penalties, §§ 35 to 54.

Saving Rights of Local Boards, § 55.

Cap. xcv.

"The Burton-upon-Trent Water Act, 1861."

Proposes to incorporate the Burton-upon-Trent Waterworks Company, and to authorize them to supply with Water the Town of Burton-upon-Trent, and the Township of Burton-under-Needwood, and the Neighbourhoods thereof.

Incorporation of General Acts, § 2.

Limits of Act for Supply of Water, § 4.

Burton-upon-Trent Waterworks Company incorporated, with a Capital of 24,000*l.* in Shares of 10*l.*, and with Power to borrow 6,000*l.*, §§ 5 to 10.

Meetings; Directors, §§ 11 to 16.

Power for Corporation to take Lands, § 17.
Two Years for compulsory Purchase of Lands, § 18.
Power to take Waters, § 19.
Power for South Staffordshire Waterworks Company to sell Water, § 20.
Power for Company to make Works authorized by Act, § 21.
Works authorized by Act, § 22.
Vertical Deviation, § 23.
Five Years for Completion of Works, § 24.
Not to interfere with the Coventry Canal Navigation, §§ 25, 26.
Company not to interfere with Bridges over Midland Railway, § 27.
Traffic on the Midland Railway not to be interfered with, §§ 28 to 31.
Supply of Water, §§ 32 to 37.
Power for Company and Burton Commissioners, &c. to enter into Contract for Supply of Water, § 38.
Penalties; Distress, §§ 39 to 46.
Power for Company and South Staffordshire Waterworks Company to enter into Contracts, § 47.
Agreements for Lease or Sale to the South Staffordshire Waterworks Company or Burton Commissioners, § 48.
Lease or Sale to entitle Lessee or Purchaser to Premises leased or sold, § 49.
Powers of the Company to be exercised by Lessees or Purchasers, § 50.
Lessees or Purchasers to perform Duties of Company, § 51.
Company to wind up their Affairs, § 52.
Payments by Company into Court, § 53.
Dissolution of Company, § 54.
This Act to apply after Sale to Purchasers of Company's Undertaking, § 55.
All Works connected with the Lichfield and Burton Roads to be under the Superintendence of the Trustees and Surveyor, § 56.
Traffic not to be stopped during the Performance of the Works on the Roads, § 57.
Precautions required to be taken during the Performance of the Works on the Roads, § 58.
Saving Rights of South Staffordshire Waterworks Company and Burton Commissioners, § 59.

Cap. xcvi.

"The Dunblane, Doune, and Callander Railway (Amendment) Act, 1861."

Recites that in 1856 the Dunblane, Doune, and Callander Railway Company were incorporated for the Purpose of constructing a Railway from the Scottish Central Railway at Dunblane by Doune to Callander; that the Railway has been constructed and opened to the Public; that they were authorized to raise 60,000*l.* by Shares, and 20,000*l.* by borrowing; that they have issued 4,416 Shares, and have received 42,992*l.*, or thereby, and certain of the Shares so issued are liable to be forfeited, and the remaining Share Capital of the Company, being 1,584 Shares, representing a Capital of 15,840*l.*, has not been issued, and it is expedient that the Company should be authorized to reduce and cancel the original Share Capital to the Extent of 15,000*l.*, and to create additional Share Capital, and to confer on such additional Capital a Priority in Payment of Dividend, for the Purpose of paying off their Liabilities, and for the general Purposes of their Undertaking.
Company and Scottish Central Railway Company may agree for Use of Station at Dunblane, § 3.
Unissued Share Capital of 15,000*l.* cancelled, § 4.
Power to raise 25,000*l.* by Preference Shares at 5*l.* per Cent., §§ 5 to 12.
Borrowed Money may be converted into Debenture Stock at 5*l.* per Cent., §§ 13 to 19.

Cap. xcvii.

"The Whitworth Vale Gas Act, 1861."

Recites that the Whitworth Vale Gas Company (Limited), were registered and incorporated on the 25th Day of March 1859, under the Powers of "The Joint Stock Company's Act, 1856," and have provided Gasworks and manufactured and supplied Gas in the Township of Spotland and Parish of Rochdale in the County Palatine of Lancaster; that under the Powers of the Memorandum of Association of the Company, bearing Date the 16th Day of March 1859, they have raised a Capital of 6,000*l.* by 1,200 Shares of 5*l.* each, and which Capital is fully paid up; and under "The Joint Stock Companies Act, 1856," and of a Resolution of the said Company, bearing Date the 2d Day of May 1860 (duly made and registered according to the Provisions of the said last-mentioned Act) they have created a further additional Capital of 6,000*l.*, by 1,200 additional Shares of 5*l.* each, upon which the Sum of 1*l.* 17*s.* 6*d.* per Share has been paid, making altogether a Capital of 8,250*l.* already actually raised and paid; that it is expedient that further Provision should be made for supplying Gas within and to the said Parish of Rochdale and the Neighbourhood thereof, including the several Hamlets or Divisions of Whitworth Lower End and certain Parts of Whitworth Higher End, Catley Lane, and Healey, in the Township of Spotland in the Parish of Rochdale in the County of Lancaster, and that the Company should be incorporated for such Purpose, and should be authorized to raise further Monies.
Incorporation of General Acts, §§ 2, 3.
Limits of Act, § 4.
Incorporation of the Company, and saving previous Rights and Liabilities, §§ 5 to 12.
Capital 36,000*l.*, in 5*l.* Shares, §§ 13 to 17.
Power to borrow 9,000*l.* in all, §§ 18, 19.
Limiting Dividends on new Capital to 7*l.* 10*s.* per Cent., § 20.
Meetings; Directors, §§ 21 to 27.
Power to maintain and erect Gasworks, and to supply Gas, &c., § 28.
Company may contract for lighting Streets, &c., § 29.
May lay down Pipes for lighting Buildings, § 30.
May require Consumers to use Meters, § 31.
Penalties, §§ 32 to 37.
Quality of Gas, §§ 39 to 42.
Saving Rights of "The Rochdale Improvement Act, 1853," and "The Rossendale Union Gas Company's Act, 1854," § 43.

Cap. xcviii.

"Blyth and Tyne Railway Amendment Act, 1861."

Recites that by "The Blyth and Tyne Railway Consolidation and Extensions Act, 1854," the Company were authorized to raise by means of Shares 260,000*l.*, and by Mortgage 60,000*l.*, and to construct various Branches and Extensions, and in 1857 to raise an additional Share Capital of 110,000*l.*, and to borrow 36,500*l.*, and to make a Railway called "The Warkworth Extension," and a Branch, called the "Blyth Harbour Branch;" that they have proceeded with the Execution of the said Acts, and the several Extension Railways and Branches thereby authorized to be made (except the Blyth Harbour Branch and a Portion of the Warkworth

Extension) are completed; that the Portion of the Warkworth Extension which has not been completed was intended for the Accommodation of various Fields of Coal which have not yet been worked or opened out, or have been only partially worked or opened out, and the Coal from such Pits as have been sunk is conveyed by other Lines of Railway, and the Works of the Blyth Harbour have not yet been made, and it is expedient that the Time for completing such Extension and Branch should be enlarged; that the Construction of Railways from the Blyth and Tyne Railway to various Portions of the Newcastle Coal Field, with a Branch communicating with the Town of Newcastle-upon-Tyne, would be of great Advantage, by facilitating the Conveyance of Coal to the River Tyne and the Docks on the Northern Shore of that River, and by opening an improved Communication for Traffic between Newcastle-upon-Tyne and various important and populous Districts in the County of Northumberland; that the Capital of the Company is divided into several Classes of Shares, as follows; (that is to say,)

2,000 Shares of the nominal Value of 25*l.* each, called "Preference Shares," which are entitled to a first preferential Dividend of 10*l.* per Centum per Annum upon their nominal Value of 25*l.*;.

4,000 Shares of the nominal Value of 25*l.* each, denominated "ordinary Shares;"

6,000 Shares of the nominal Value of 18*l.* 6*s.* 8*d.* each, called "Extension Shares," and which Extension Shares are Part of the additional Capital authorized to be raised by the Act of 1854;

And 6,000 Shares of the nominal Value of 10*l.* each, called "A. Preference Shares," and 6,000 Shares of the nominal Value of 8*l.* each, called "B. Preference Shares," bearing a preferential Dividend of 5*l.* per Centum, but subject to the first Preference Shares; and Calls upon such Shares have been made to the full Amount thereof;

that the Company had, on the 1st Day of December 1860, borrowed upon Mortgage the Sum of 59,916*l.* 8*s.* 5*d.*; that some Portions of the Lands upon which the Railways and Works have been formed, or which are used in connexion with or for the Purposes of such Railway and Works, are held by the Company under certain Way-leave and other Agreements, subject to certain yearly or other Rents and annual Payments thereby reserved, and that it is expedient that the Company should be empowered to purchase the Rights, Estates, or Interests of any Persons or Corporations existing in any of the said Lands or Grounds, or to enter into other Arrangements with reference thereto, and that they should be enabled to raise further Monies.

Incorporation of General Acts, §§ 3, 4.

5. The Time limited by the Act of 1857 for the Construction of the Railways by that Act authorized shall, except as herein-after mentioned, be extended and enlarged for the Period of Three Years, to be computed from the Expiration of the Period mentioned in the Act of 1857, and on the Expiration of such Period all the Powers given by the Act of 1857, and this Act, for the Completion of the Railways by that Act authorized, shall cease to be exercised, except as to so much of the Railways as shall then be completed: Provided always, that the Time limited for the Consfruction of so much of the Warkworth Extension as lies between the River Wansbeck and Hirst shall only be extended and enlarged for the Period of 18 Months from the passing of this Act.

Power to construct Works according to deposited Plans, §§ 6, 7.

Protection of North-eastern Railway Company, §§ 8 to 11.

Admiralty Provisions, §§ 12 to 14.

As to Works in Newcastle and Tynemouth, §§ 15, 16.

Protection of Property of Mr. Linskill, § 17.

Three Years for compulsory Purchases, § 18.

Five Years for Completion of Works, §§ 19, 20.

Power to the Company to purchase the Fee Simple of the Lands on which the Railway is constructed, § 22.

23. This Act shall be without Prejudice to the 10th Section of the Act of 1854, and to the Rights and Powers reserved by that Section, and that Section shall extend and apply to the Railways and Works by this Act authorized to be made, and to the Lands by this Act authorized to be taken, and to all Agreements and Contracts relating thereto made before the passing of this Act, as fully and effectually as it would have done if those Railways and Works had been included in and authorized to be made by the Act of 1854, and as if those Lands had been authorized by that Act to be taken for the Purposes thereof, and those Agreements and Contracts had been entered into before the passing of that Act.

Tolls in respect of the Railways, § 24.

Company may raise additional Capital of 210,000*l.*, § 26.

New Shares to be considered as original Shares, but may be issued with a preferential Dividend not exceeding 5*l.* per Cent., §§ 27 to 33.

Power to borrow 70,000*l.*, §§ 34 to 37.

Saving Rights of Corporation of Newcastle-upon-Tyne, of Owners and Lessees of Cramlington Colliery, and of the Crown, §§ 41 to 43.

Cap. xcix.

"The Limerick and Foynes Railway Act, 1861."

Recites the several Acts relating to the Limerick and Foynes Railway Company; that the Capital which the Company are authorized to raise by Shares amounts to the Sum of 130,000*l.*, of which 31,975*l.* are authorized to be raised by Preference Shares, and the Remainder by ordinary Shares; that they have raised, by ordinary and Preference Shares, the whole of the said Sum of 130,000*l.*, and have borrowed 43,000*l.*; empowers the Company to raise a further Sum of 40,000*l.* by Shares, with or without a Preference not exceeding 5*l.* per Cent.

Cap. c.

"The Middleton and Tonge Improvement Act, 1861."

Preamble recites that it would be of great Advantage to the Inhabitants of the Township of Middleton in the Parish of Middleton, and to the Inhabitants of the Township of Tonge in the Parish of Prestwich-cum-Oldham, both in the County of Lancaster, if the said Townships were sufficiently paved, drained, lighted, cleansed, and otherwise improved, and if a Body of Commissioners were established for those Purposes, and for the Management and Regulation of the said Townships; that by the Local and Personal Act, 9 Vict. c. viii., the Middleton Gas Company were incorporated with a Capital of 5,000*l.*, to be divided into 500 Shares of 10*l.* each, and with Power to borrow by Mortgage or by Bond 5,000*l.* for the Purpose of manufacturing Gas and for lighting with Gas the several Streets, Roads, Lanes, public Passages, Churches, Chapels, Places, and Buildings, and also the several Shops, Taverns, private Houses, Warehouses, and other Buildings within the Townships of Middleton and Tonge in the County of Lancaster; that by "The Middleton Gas Act, 1854," the last-recited Act was repealed, and the Company thereby incorporated was dissolved, and a new Company was incorporated by the Name of "The Middleton Gas Company," for the Purpose of making and

supplying Gas within the Town of Middleton and the Townships of Middleton and Tonge in the County of Lancaster, and all the Property, Rights, Debts, Liabilities, and Engagements of the dissolved Company were vested in the Company thereby incorporated, with Power to raise by the Creation of Shares 20,000*l.*, in addition to the 10,000*l.* authorized by the former Act, making the total Share Capital of the Company 30,000*l.*, divided into 3,000 Shares of 10*l.* each, and that the Company have Power to borrow by Mortgage or Bond any Sum not being more than One Third Part of the paid-up Capital of the Company for the Time being; that the whole of the Shares created by the Company's original Act have been long since issued and fully paid up, and the whole also of the Shares authorized by the Company's Act of 1854 (which are herein-after referred to as new Shares), have been subscribed for and 8*l.* have been paid up in respect of each such Share (except 88 of such Shares); that the Commissioners to be appointed under this Act have agreed to purchase the Undertaking of the Company, and the Company have agreed to sell the same, upon the Terms herein-after mentioned; and that it is expedient that upon and from such Purchase the said Commissioners should be empowered to supply Gas to the said Townships, and also to the Township of Thornham in the Parish of Middleton, and the Townships of Alkrington, Great Heaton, and Little Heaton in the Parish of Prestwich-cum-Oldham, all in the County of Lancaster.

Incorporation of Lands Clauses, Commissioners Clauses, and Parts of Towns Improvement Clauses and of Gas Clauses Acts, § 1.
Limits of Act, § 6.
Limits of Gas Supply, § 8.
Act to be carried into execution by Commissioners, § 9.
Election, Number, and Qualification of Commissioners, §§ 10 to 13.
Qualification of Electors, § 14.
How Companies may vote, § 15.
Limiting Sums to be borrowed on Mortgage of the Improvement Rates, Sewers Rates, and Highway Rates, § 18.
A further Sum may be raised with the Consent of the Ratepayers, § 19.
Mortgagees may apply for a Receiver, § 20.
Sinking Fund, § 21.
Commissioners to pave, &c., § 22.
For Protection of Water Pipes, § 23.
Large Mains of Water Companies not to be moved without Consent, § 24.
Commissioners may pave and drain Streets at the Expense of Owners, § 25.
Power to enter into Arrangements with the Trustees of Turnpike Roads within the said Townships, § 26.
Notice to be served on Trustees of Turnpike Roads before breaking up same, § 27.
Breaking up and reinstating of Turnpike Roads, §§ 28 to 31.
Saving Rights of Trustees of Rochdale and Manchester Turnpike Roads, § 32.
Removal of Nuisances, § 33.
General Improvement Rate, § 34.
Land, &c. to be rated at One Fourth only of net Value, § 35.
Townships to be separately rated, § 36.
Power to increase Rate by Consent of Ratepayers, § 37.
As to voting at Special Meetings to raise additional Money or to increase Rates, §§ 38 to 40.
Application of Improvement Rates and of Monies borrowed on the Improvement Rates, §§ 41, 42.
Application of Highway Rates and of Money borrowed on Highway Rates, §§ 43, 44.
Limiting the Amount of the Highway Rates, § 45.
Highway Rates levied after the 1st of January to be paid over to the Commissioners, § 46.
Commissioners may require Houses to be provided with Water, § 47.
Water Rents to be paid by Owners or Occupiers, § 48.
Amount of Rate to include Expenses of recovering it, § 49.
Terms of Transfer of Undertaking, §§ 50, 51.
Townships to take upon themselves Company's Liabilities, and to be entitled to all Profits, &c., § 52.
Company to deduce a good Title, § 53.
Company to conduct Works till 1st October 1861, § 54.
Company to be entitled to all Monies till 1st October 1861, § 55.
Lighting Rates, &c. to be charged with Annuities, § 56.
Annuities to be computed from 1st October 1861, § 57.
Proofs of Partnership of Company, § 58.
Notice of Act, § 59.
Shareholder's Receipt, § 60.
Evidence and Effect of Transfer, § 61.
Rights and Liabilities under other Acts saved, §§ 62 to 66.
Powers as to Construction of Gasworks, &c., § 67.
Restriction on Erection of new Works, § 68.
Gas to be consumed by Meter on Request, § 69.
Provision of Service Pipes, § 70.
Commissioners may remove Pipes from unoccupied Premises on giving Notice to Owner, § 71.
Maximum Price of Gas, § 72.
Commissioners may contract for lighting, § 73.
Power to lay Pipes against Buildings, § 74.
Quality of Gas, §§ 75 to 79.
Annuities to represent Shares in Company, § 80.
Commissioners to issue Certificates for Annuities, §§ 81 to 86.
Register of Gas Annuitants, § 87.
Transfer of Annuities, §§ 90 to 96.
Annuities recoverable by Suit or by Receiver, §§ 97 to 99.
Commissioners may redeem Annuities, § 100.
Eventual Dissolution of Company, § 101.
Lighting Rate, § 102.
Separate Accounts to be kept, § 103.
Power for Commissioners to borrow on Security of Gas Rents, or on Mortgage of Gasworks, §§ 104, 105.
Lighting Rate and Estimate to include Sums payable thereout under this Act, § 106.
Gas Rents to be firstly and Lighting Rate secondly liable, § 107.
Power to reborrow, § 108.
When rateable Property assessed jointly with other Property not in the said Townships, the Commissioners may cause the Property in the District to be valued, § 109.
Application of Monies, § 111.
Penalties, &c., §§ 117, 118.
Application of Monies arising from Sale of superfluous Lands, § 119.
Lands in Township exempted from Jurisdiction of Commissioners of Sewers, § 120.
Watching and Lighting Act (3 & 4 Will. 4. c. 90.) to be superseded by this Act, § 121.
Saving Rights of Lords of Manor of Middleton, § 122.

Cap. ci.

"The Lancashire and Yorkshire (Salford to Victoria Station) Act, 1861."

Recites that the Lancashire and Yorkshire Railway Company are the Owners of the New Bailey Street Station in Salford, and also of the Eastern Portion of the Victoria Station in

Manchester, the other or Western Portion of the last-named Station being the Property of the London and North-western Railway Company; that the Railway communicating between the said Stations belongs exclusively to the London and North-western Railway Company, and it would contribute to the public Convenience and to the efficient Conduct of the Traffic of the Lancashire and Yorkshire Railway Company if the last-named Company were authorized to construct a Railway parallel and contiguous to that of the London and North-western Railway Company between the Two Stations aforesaid, and so as to connect by an unbroken Communication their Lines of Railway on the East and West Sides of Manchester.

Incorporation of General Acts, § 1.
Power to make Railway, §§ 2, 3.
Power to alter Engineering Works, § 4.
Certain Streets may be closed, § 5.
As to Works in Manchester, § 6.
Streets not to be interfered with, § 7.
Pipes protected, § 8.
Providing Compensation to Corporation of Salford, § 9.
Company may buy Part of Workhouse, § 10.
Protecting Gravel Lane Chapel and Property, § 11.
As to crossing of Back Thomson Street, § 12.
Defining Width of Railway over Streets in Salford, § 13.
Company to make Bridges drop-dry and keep them so, and in good Repair, and form Parapets, § 14.
Height of Bridges over Streets, § 15.
As to Construction of Bridges in Salford, §§ 16, 17.
Provisions as to Sewers and Pipes of the Salford Corporation, § 18.
Provision for avoiding Recesses under Bridges, § 19.
Corporation may enter upon a certain Plot of Land belonging to the Company, and lay same to New Bailey Street, § 20.
Corporation may enter upon Land under Bridges in Salford, § 21.
Company not to alter Levels of Streets, § 22.
Company not to interrupt the free Passage of any Street, § 23.
Sufficient Hoards to be erected, § 24.
Company to smooth off Buildings and prevent unsightly Appearances, § 25.
Plans, &c. of Bridges to be open to Inspection of Salford Surveyor, § 27.
Saving Rights of Salford Corporation, § 28.
Protecting Viaduct and Station of London and North-western Railway Company, § 29.
Three Years for compulsory Purchase of Lands, § 31.
Five Years for Completion of Railway, §§ 32, 42.
Tolls, § 33.
Power to raise 150,000*l.* by Preference Shares at 5*l.* per Cent., §§ 34 to 38.
Power to borrow 50,000*l.*, §§ 39 to 41.

Cap. cii.

"The North British (Galashiels and Peebles) Railway Act, 1861."

Recites that by "The North British Railway Consolidation Act, 1858," the Acts relating to the North British Railway Company were consolidated and amended; and by "The Border Union (North British) Railways Act, 1859," the said Company were authorized to extend their Hawick Line to Carlisle; and by "The North British and Selkirk Railways Amalgamation Act, 1859," "The North British and Jedburgh Railways Act, 1860," "The North British Railway Stations Act, 1860," and "The North British and Border Counties Railways Amalgamation Act, 1860," further Powers were conferred upon the said Company; that the making of a Railway from the Hawick Line of the North British Railway, near Galashiels, to the Peebles and the Symington, Biggar, and Broughton Railways respectively, at Peebles, would be of great public and local Advantage; that an Agreement, set forth in the Schedule to this Act, has been made between the North British Railway Company, the Caledonian Railway Company, and the Symington, Biggar, and Broughton Railway Company, for the Conveyance of their Traffic over the intended Railway and the North British Railway to Galashiels, and otherwise, and it is expedient that such Agreement should be confirmed.

Incorporation of General Acts, §§ 1, 2.
Power to North British Railway Company to raise 95,000*l.* by Creation of new Shares, with or without a Preference not exceeding 5*l.* 10*s.* per Cent., §§ 4 to 7, 27.
Power to borrow 31,600*l.*, §§ 8, 9.
Power to make Railway, §§ 10 to 12.
Junction with the Peebles Railway, and the Symington, Biggar, and Broughton Railway, §§ 13 to 15.
Provisions as to Roads crossed on the Level, §§ 16 to 19.
Inclination of Roads on Railway, § 20.
Certain Roads and Footpaths may be stopped up, § 21.
Three Years for Lands to be purchased by Compulsion, § 23.
Five Years for Completion of Works, §§ 24, 25.
Tolls, § 26.
Confirming Agreement between North British, Caledonian, and Symington, Biggar, and Broughton Railway Companies, § 28.
Agreement as to Dues and Customs betwixt Town Council of Peebles and the Company, § 30.
Schedule: Agreement between the North British, the Caledonian, and the Symington, Biggar, and Broughton Railway Companies.

Cap. ciii.

"The Bishops Castle Railway Act, 1861."

Proposes the Construction of a Railway from the Oswestry and Newtown Railway near Montgomery, to the Shrewsbury and Hereford Railway near Stretford Bridge, and of Branches to Bishops Castle and Montgomery.

Incorporation of General Acts, § 1.
Subscribers incorporated, with a Capital of 180,000*l.* in Shares of 10*l.*, and with Power to borrow 60,000*l.*, §§ 3 to 7.
Meetings; Directors, §§ 11 to 19.
Line of Railway, §§ 20, 21.
As to Deviation at Lydham, § 22.
Company not to interfere with the Water of Lydham Mill and the Wells upon the Oakeley Estate, § 23.
As to Drainage Works on the Estate of the Reverend Arthur Oakeley, § 24.
Three Years for the compulsory Purchase of Lands, § 26.
Five Years for Completion of Works, §§ 27, 33.
Not to take Lands or interfere with Works of Oswestry and Hereford Companies, § 28.
Junctions with Oswestry and Newtown and Shrewsbury and Hereford Railways to be made in manner most approved, § 29.
Works at Junctions with other Railways to be done to Satisfaction of Engineers, § 30.
As to Expense of Signals, Watchmen, &c. at Point of Junction with the Oswestry and Newtown Railway, § 31.
As to Expense of Signals, Watchmen, &c. at Point of Junction with Shrewsbury and Hereford Railway, § 32.
Tolls, §§ 34 to 41.

Cap. civ.

"The Liverpool Burial Board Act, 1861."

Preamble recites that it is expedient to authorize the Liverpool Burial Board to acquire additional Land.
Incorporation of Lands Clauses Consolidation Acts; and Burial Board empowered to purchase Lands, § 1.
Lands to form Part of existing Burial Ground, § 3.
To be bought in Two Years, § 4.

Cap. cv.

"The Kingstown Waterworks Act, 1861."

Recites that in 1859 the Kingstown Waterworks Company were incorporated and authorized to construct Works for better supplying with Water the Inhabitants of the Towns of Kingstown, Monkstown, Dalkey, Bullock, Glasthule, and the Neighbourhood thereof, in the County of Dublin; that it has become expedient that the Company should be enabled to abandon a Portion of the Works authorized by the said Act, and instead thereof to construct the Works herein-after described; and that the Limits for the Supply of Water by the Company defined in, and the Periods for the compulsory Purchase of Lands and Completion of Works limited by, the recited Act should respectively be extended, and that the Company should be enabled to raise additional Capital.
Incorporation of General Acts, § 2.
Limits for Supply of Water extended, § 3.
Extending Time limited by recited Act for compulsory Purchase of Lands for Two Years, § 4.
Extending Time limited by recited Act for Completion of Works for Three Years, §§ 5, 6.
Power to construct Works, §§ 7 to 9.
Two Years for compulsory Purchase of Lands for new Works, § 10.
Three Years for Completion of new Works, § 11.
Extending Sections of recited Act as to Rates and Water Supply to this Act, § 13.
Works to be abandoned, and Compensation, §§ 14, 15.
Power to Company to increase their Share Capital by 16,000*l.*, § 16.
Power to borrow 4,000*l.*, §§ 17, 18.
Corporation of Dublin not to interfere with Company's Property or Rights until they agree to purchase the same, § 19.
Power for Company to sell and for Corporation to purchase, §§ 20 to 23.

Cap. cvi.

"The Midland Railway (Additional Powers) Act, 1861."

Proposes to enable the Midland Railway Company to construct Works and to acquire additional Lands in the Counties of Derby, Lancaster, Nottingham, Warwick, and Gloucester, and the West Riding of the County of York, and to vest in them the Undertaking of the Dursley and Midland Junction Railway Company; also to empower the Company to purchase by Agreement the Midland Hotel and the Rutland Brewery adjoining thereto, situate in Midland Road and Nelson Street, Derby, and the Hotel known as the Normanton Hotel, situate near the Normanton Station, in the West Riding of the County of York, and to erect an Hotel, with Refreshment Rooms and other Conveniences connected therewith, on Land belonging to the Company at or near the Station of the Company in the Parish of Leeds in the West Riding of the County of York, and to lease for a Term of Years or otherwise the Hotels and Conveniences connected therewith, to be purchased or constructed by the Company under the Provisions of this Act, and to subscribe and contribute Funds towards the Erection of an Hotel and Accommodations and Conveniences connected therewith near to the Company's Station at Sheffield in the West Riding of the County of York, and to raise further Monies.
Incorporation of Acts, § 2.
Power to take Lands and make Railways, §§ 4, 5.
Power to alter Engineering Works, § 6.
Regulating Construction of Bridge across the River Lune, § 7.
Admiralty Provisions, §§ 8 to 11.
As to Portions of Selston Branch and North-western Railway rendered unnecessary by Deviation, § 12.
Power to make Deviation in Wilford Road, § 13.
Provision as to Width of Wilford Road, and Lands of Trustees of Robert Booth, § 14.
Power to alter Line and Levels of public Highway leading from Normanton to Altofts, § 15.
Two Years for compulsory Purchase of Lands, § 16.
Three Years for Completion of Railways, §§ 17, 18.
Authorizing Sale of Lands belonging to the Duchy of Lancaster, and providing for Application of Purchase Money, §§ 19, 20.
Power to purchase Midland and Normanton Hotels, &c., § 21.
Property at Normanton to form Part of Joint Station, § 22.
Power to erect Hotel at Leeds, § 23.
Power to lease Hotels, § 24.
Power to contribute to Hotel at Sheffield, § 25.
Power to agree for Transfer of Dursley Railway to Company; Saving Rights and Liabilities, §§ 26 to 46.
Parts of Companies Clauses Act incorporated, § 47.
Power to create new Capital of 100,000*l.* by new Shares, with a Preference not exceeding 5*l.* per Cent. §§ 46 to 59.
Power to borrow 33,300*l.* §§ 60, 61.

62. Whereas in pursuance of the Fifth Section of "The Midland Railway (London Station) Act, 1860," the Company have purchased the new Site therein referred to for the Purpose of a Church, Schools, and Parsonage, and have conveyed the same to the Ecclesiastical Commissioners for England, but it hath been deemed by the Vicar of the Parish of Saint Pancras and by the Ecclesiastical Commissioners that another Site would be more convenient, and that instead of the building of the Church, Schools, and Parsonage by the Company to the Satisfaction of the said Vicar, as provided for in the said Section, it is expedient that the same should be built by the said Vicar to the Satisfaction of the said Commissioners out of Funds to be partly supplied by the Company, and the Commissioners, Vicar, and Company have consented to the Alteration of the Provisions of the said Fifth Section accordingly: Be it enacted, That the said Section be repealed, and that it shall be lawful for the said Ecclesiastical Commissioners to accept a Conveyance of any new Site or Sites, or to appropriate any Portion of their own Land as such Site or Sites which they shall approve and consider suitable for the Purpose, and that upon their Seal being affixed to such Conveyance or to a Deed of Appropriation by way of Declaration of Trust by them of such Site or Sites, the Land so conveyed by the Company and secondly described in the 3d Section of the said Act shall be and remain vested in the said Commissioners as Part of their Common Fund, and free from any Trust or Obligation with respect to the Erection thereon of a Church, Schools, or Parsonage.

63. Within One Month after the passing of this Act, the Company shall pay the Sum of 6,000*l.* to such Persons as shall be agreed upon between them and the Vicar of Saint Pancras, to be applied by such Persons, together with the Interest accruing thereon, for the Erection by the said Vicar to the Satisfaction of the said Commissioners of a Church, Schools, and Parsonage upon such Site or Sites; the Materials of the Church and the Materials prepared for the same referred to in the said Section shall belong to the said Vicar, to be used in the Erection of the new Buildings, or to be converted into Money, and to go in aid of the Fund for the aforesaid Buildings, and shall be removed by him within Six Months after the passing of this Act; and if such Materials are not removed within such Period, it shall be lawful for the Company to remove the same to some other equally safe and convenient Place on their own Land in the immediate Neighbourhood, in order to their being so used or converted into Money by the Vicar; and the Vicar shall be entitled for the Purpose aforesaid to any Sums of Money to be received under any Grants made or to be made by any Body Corporate or Society, and available for the building of such Church, Schools, or Parsonage; the existing Schoolroom referred to in the same Section and the Approaches thereto shall not be interfered with by the Company for Three Years after the passing of this Act, unless in the meanwhile other Schoolrooms shall have been erected and made ready for Use; and after either of the said Periods the existing Schoolroom may be occupied or removed by the Company, and subject to this Restriction the Portion of Land first mentioned in the 5th Section of the said Act shall, on Payment by the Company of the said Sum of 6,000*l.* to such Persons as aforesaid, become vested in the Company without any further Conveyance or Assurance.

Company may apply Corporate Funds to Purposes of Act, § 64.
Saving Rights of the Crown and the Duchy of Lancaster, § 68.
Schedules:
1. (Form).
2. (Agreement).

Cap. cvii.

"The Cork and Youghal Railway Act, 1861."

Recites that by the Acts contained in the Schedule the Cork and Youghal Railway Company have been authorized to construct a Railway from Saint Patrick's Hill in the City of Cork to the Town of Youghal, and also to construct a Branch Railway to the Harbour of Queenstown, and the Railway is now open for public Traffic between Cork and Youghal, and it would conduce to the public Convenience if the Company were authorized to extend their Railway into the Town of Youghal; that the Time granted to the Company for the Purchase of Lands by their Act of 1855 expired in the Year 1858, and the Time granted for the Execution of the Works therein authorized expired in the Month of July 1860, and the Time granted by the Act of 1856 for the Purchase of Lands expired in 1859, and the Time for the Execution of the Works therein authorized will expire in the Month of June 1861; and it is expedient that the Power of purchasing certain Lands herein-after mentioned should be revived, and that the Time for executing the Works authorized by the said Acts should be extended; that in the Construction of the Railway it has been found either impracticable or to be attended with Inconvenience to the Public, that the Four Roads herein-after mentioned should be crossed by the Railway otherwise than on the Level, and accordingly the Railway has been made on the Level of the said Roads, and it is fitting that express Provision should be made for regulating such Crossings; that certain Provisions are made in the original Act of the Company (1846), and are repeated in the Acts of 1854 and 1855, to secure the uninterrupted Navigation of Glanmire Creek and other tidal Waters, and it is expedient that the said Provisions should be amended; that by the 31st Section of the Act of 1846 the Company are required, before constructing any Part of their Railway upon the Slob of the River Lee, to deposit 10,000*l.* with the Cork Harbour Commissioners, "to be expended by the "said Commissioners in the necessary Works for widening "the said River Lee and in improving the Navigation "thereof," and the same Enactment is repeated in the Act of 1854, but is repealed in the Act of 1855, which provides "that the said Sum of 10,000*l.* shall be paid by the Company "on the 1st Day of August 1860, and shall be a Charge "on the Undertaking of the Company and upon all Calls "upon the Shareholders to be made after that Day," and the said Charge has by the said Act Priority over all Mortgages granted by the Company, unless to the Exchequer Loan Commissioners; and in order to enable the Company to provide for the said Payment it is expedient that the Provisions herein-after contained should be made with respect to the said Sum; that the Share Capital of the Company was reduced by the Act of 1854 to 375,000*l.*, and the Company were thereby authorized to borrow 125,000*l.*, and by the Act of 1855 to raise an additional Sum of 50,000*l.* by Shares, and 16,000*l.* by Mortgage; that by the Act of 1857 (§ 3), the Company are prohibited from issuing certain cancelled Shares representing 105,000*l.*, and the Share Capital of the Company as authorized by the Act of 1854 is thereby reduced to 270,000*l.*, and the Loan Capital is reduced to 90,000*l.*, but the Capital authorized to be raised by Shares and Loan under the Act of 1855 is expressly saved; that it is expedient that the Company should have Power to raise additional Capital, not only for the Purposes of this Act but for the general Purposes of their Undertaking.

Incorporation of General Acts, § 1.
Power to construct new Line of Railway, §§ 2 to 5.
Maintaining Access to River across Railway at Youghal and Admiralty Provisions, §§ 6 to 12.
As to Quay at Queenstown, § 13.
As to crossing certain Roads, §§ 14 to 17.
Reviving Time for the Purchase of certain Lands until 1st January 1863, § 18.
Extending Time for Construction of Works until 1st January 1863, §§ 19 to 22.
Lands to be bought by Compulsion in Two Years, § 23.
Three Years for Completion of Works, § 24.
Confirming Agreement with Port of Dublin Corporation, § 26.
Tolls upon new Railway, § 27.
Application of Monies, § 28.
Power to Company to raise additional Capital of 45,000*l.* by new Shares, with or without a Preference of 6*l.* per Cent., §§ 29 to 34.
Power to borrow 15,000*l.*, §§ 35, 36.
As to crossing Glanmire Creek, &c., § 39.
Section 31 of 9 & 10 Vict. c. cccxcvii. repealed, § 40.

41. It shall be lawful for the Company, for the Purpose of raising the necessary Monies for paying the said Sum to the Commissioners for improving and preserving the Port, Harbour, and River of Cork, to borrow on Mortgage the Sum of 10,000*l.*, bearing Interest at a Rate not exceeding Five per Centum per Annum; the said Mortgage shall have Priority over all the other Mortgages of the Company save and except

any Mortgage or Bond which may have been given or may hereafter be given or executed by the Company for securing the Repayment of any Money borrowed by the Company from the Exchequer Loan Commissioners under the Borrowing Powers or other Authority contained in any of the Acts mentioned in the Schedule hereto or in this Act; and the Holders of such Mortgage shall have all the Powers as to Sale or Transfer thereof which the other Mortgagees of the Company rightfully possess: Provided always, that until the said Sum of 10,000*l.* is paid to the Cork Harbour Commissioners, nothing herein contained shall affect any Priority of Charge which they now possess over the Undertaking of the Company, or their Right to enforce the Payment thereof.

Saving Rights of Cork Harbour Commissioners, and of Crown, §§ 42, 43.

SCHEDULE,

Enumerating the Acts relating directly to the Company.

9 & 10 Victoria, Cap. 397.

An Act for making a Railway from Cork to Waterford, with Branches therefrom; the Short Title of which Act is "The Cork and Waterford Railway Act, 1846."

14 & 15 Victoria, Cap. 95.

An Act to enable the Cork and Waterford Railway Company to make Arrangements as to their Capital, and to provide for the immediate Completion of the Tramore Branch; the Short Title of which Act is "The Cork and Waterford Railway Amendment Act, 1851."

17 & 18 Victoria, Cap. 206.

An Act to extend the Powers of the Cork and Waterford Railway Company, and to enable them to abandon Part of their Railway to Waterford and the Branch to Tramore, and for other Purposes; the Short Title of which Act is "The Cork and Youghal Railway Act, 1854."

18 & 19 Victoria, Cap. 101.

An Act to enable the Cork and Youghal Railway Company to make a Branch Railway to Queenstown, and to make certain Deviations in and an Extension of their Line, and for other Purposes; the Short Title of which Act is "The Cork and Youghal Railway (Queenstown Branch, &c.) Act, 1855."

19 & 20 Victoria, Cap. 33.

An Act to authorize the Cork and Youghal Railway Company to extend their Railway into Cork, and for other Purposes; the Short Title of which Act is "The Cork and Youghal Railway Amendment Act, 1856."

20 & 21 Victoria, Cap. 51.

An Act to extend the Time for making the Cork and Youghal Railway, and to vary the Borrowing Powers of the Company; the Short Title of which Act is "The Cork and Youghal Railway Act, 1857."

Cap. cviii.

"East India Irrigation and Canal Act, 1861."

Preamble recites that by Articles of Settlement, dated the 1st Day of August 1860, a Company was formed under the Name or Style of "The East India Irrigation and Canal Company," for the Purpose of constructing, maintaining, working, and navigating within the Dominions of Her Majesty the Queen known as the East Indies, and the adjacent States and Territories, Works for the Irrigation of Land, combined, wherever practicable, with navigable Canals, and navigable Canals where Irrigation is not required, and also for affording additional Means of Transport and Water Supply within such Dominions, States, or Territories, or either of them; that the Company propose to commence Operations by the Execution of a Work for Irrigation and Navigation, a Portion whereof will be situated in and affect the Deltas of the Mahanuddy, the Byturny, and the Brahmany, in the Province of Orissa; that the Objects of the Company if carried into effect would be of great public Advantage, not only to the Inhabitants of India, but also to Commerce in general; but the same cannot be fully effected without the Incorporation of the said Company by Act of Parliament, and that further Powers should be granted to the said Company.

1. Philip Anstruther, the Honourable Philip Pleydell Bouverie, John Grimes, William Campbell Onslow, Sir George Pollock, James Thomson Westrop Watkins, and all other Persons and Corporations who immediately before the passing of this Act were Proprietors or Shareholders in the East India Irrigation and Canal Company, under or by virtue of the said Articles of Settlement, or shall hereafter become Shareholders in the Company, and their respective Executors, Administrators, Successors, and Assigns, shall be and are hereby united into One Body Corporate under the Name of "The East India Irrigation and Canal Company," for the Purposes and Objects herein-after mentioned; (that is to say,) the Construction, Improvement, Maintenance, and Management of Works for Irrigation of Land, combined, wherever such Combination may be considered practicable and advantageous, with navigable Canals, and of navigable Canals and Tramways within the Dominions of Her Majesty the Queen known as the East Indies, or in any of the adjacent States and Territories; the rendering navigable and improving the Navigation of any Rivers or Waters within such Dominions, States, and Territories; the taking or levying of Tolls on such Irrigation Works and Canals, Rivers, or Waters, and on such Tramways; the Conveyance of Passengers, Animals, Vehicles, Merchandise, and all other Goods upon all or any of such Canals, Rivers, or Waters, or upon any Rivers or Canals in any way connected therewith, or upon such Tramways; the Hiring and Purchase of Steam and other Boats and Vessels, and Engines and Carriages, the using or working and letting the same on Hire on such Canals, Waters, and Rivers, and Tramways; the Construction, Improvement, Maintenance, and Management of Works for the Supply of Water; and the Supply of Water to the Secretary of State for India in Council, or the Supreme or any of the Local Governments of India, or to any Body or Bodies Politic or Corporate, Person or Persons, for Mills, Manufactories, Irrigation, domestic or other Purposes within the Dominions, States, or Territories aforesaid; the Construction, Maintenance, Working, and Management of Mills and other Buildings upon or contiguous to such Canals, Waters, Rivers, and Tramways, the letting or leasing the same or any of them; the Planting, Cultivation, Working up, and Sale of Timber and other Productions of the Soil contiguous as aforesaid; the acquiring and working of Mines of Coal, Iron, and other Minerals, and the Manufacture of the Produce thereof; the Erection and carrying on and working of Furnaces, Forges, Smelting Houses, Gasworks, and other Works for furthering the Objects of the Company, and the Sale and Disposal of the Produce thereof, the obtaining of all such Powers, the entering into all such Contracts, and the doing of all such Acts, Matters, or Things as are or may be expedient for, or incidental, necessary, or conducive to the Attainment and carrying out of such Purposes or Objects, or any or either of them, either by the Company alone or jointly with any other Company, or in

conjunction with the Secretary of State in Council, or the Supreme or any of the Local or Native Governments of India, or any other Body or Bodies Politic or Corporate, or any Person or Persons: Provided always, that only such of the Purposes or Objects aforesaid shall be carried out or into operation as shall be agreed upon between the Company and the Secretary of State in Council, or the Supreme or any of the Local Governments of India; and the Company, by the Name aforesaid, shall have perpetual Succession and a Common Seal, and by such Name shall and may sue and be sued, and shall have Power to take and hold Lands for all or any of the Purposes aforesaid, without incurring any Penalties or Forfeitures, and shall have such further Powers as are herein-after mentioned: Provided also, that no Tolls shall be levied under the Provisions of this Act until the same shall have been defined and sanctioned by the Authority of an Act of the Indian Legislature, and that the Company shall not carry into effect or execution any of the Purposes or Objects aforesaid within the Territories or Places mentioned in "The Madras Irrigation and Canal Act, 1858," Orissa alone excepted.

For vesting Property of the Company in the Corporation, § 2.
Company may hold Lands in England, § 3.
Incorporation of the Companies Clauses Consolidation Act, § 4.
Provisions as to special Application of the Act to India, § 5.
Capital 2,000,000*l.* in 20*l.* Shares; First Issue to be 1,000,000*l.*, § 6.
Power to increase Capital, § 7.
Capital may be raised and kept distinct for separate Undertakings, § 8.
Shares in separate Capital to be called by Reference to Work, § 9.
Separate Capital and Revenue Accounts to be kept, but general Charges to be apportioned, § 10.
Monies raised for particular Work to be applied for that only, § 11.
For general Purposes, the separate Capital to be treated as One united Capital, but as to Matter of special Interest, only Shareholders interested therein to vote, § 12.
Power to consolidate Shares, § 13.
Offices may be established in India for the Registration of Shares, &c., § 14.
Persons may be appointed to issue Shares, &c., and Powers may be delegated, § 15.
Registers to be kept at Offices in India, § 16.
As to Registry of Transfer of Shares, § 17.
Shares, &c. may be transferred from one Register to another at the Option of the Holder, § 18.
For determining the Laws affecting any Share, &c., § 19.
Calls, § 20.
Powers to invest Capital until required, § 21.
Interest at 5 per Cent. may be paid on Capital during Progress of Works; Capital Account to be recouped out of Profits, § 22.
Power to borrow Amount equal to One Third of Share Capital, § 23.
Receiver, § 24.
Power to close Register of Transfers, § 25.
Ordinary Meetings to be held half-yearly, § 26.
Quorum for a General Meeting, § 27.
Proxies of Shareholders out of United Kingdom, § 28.
Poll how to be demanded and taken, § 29.
Number, Powers, and Election of Directors, § 30 to 32.
Directors in London to appoint Directors in and for India, § 33.
Qualification of Directors, § 34.
Power by special Resolution to remove Director and appoint another, § 35.
Qualification and Rotation of Auditors, § 36.
Advertisement of Notices, § 37.

Cap. cix.

"The Leigh District Gas Act, 1861."

Proposes to incorporate a Company for better supplying with Gas the Townships of Atherton, Bedford, Pennington, Tyldesley-cum-Shackerley, West Leigh, and other Places in the County of Lancaster.
Incorporation of General Acts, §§ 1 to 3.
Limits of Act, § 4.
Incorporation of Company, with a Capital of 30,000*l.*, in Shares of 10*l.*, and with Power to borrow 7,500*l.*, §§ 5 to 10.
Meetings; Directors, §§ 11 to 18.
Company may make and maintain Gasworks, and manufacture Gas, &c., § 19.
Limits for Erection of Works, § 20.
Power to purchase Land by Agreement for Gasworks, § 21.
Power to lay Pipes against Buildings, § 22.
Meters, § 23.
Limiting Price of Gas, § 24.
Testing of Quality of Gas, §§ 25 to 28.
Purchase of Works of certain other Gas Companies, §§ 29 to 34.
Penalty for damaging, &c. Meters, § 35.
Lands for additional Purchases, § 36.
For Protection of the London and North-western Railway Company, § 38.
Gas Pipes, &c. not to be laid or maintained within the Lands, &c. of the Duke of Bridgewater's Trustees, or of the Earl of Ellesmere, in Tyldesley-with-Shackerley, without Consent, § 39.
Gasworks, &c. not to be made or Gas supplied within certain Limits in the Township of Atherton, § 40.
Gasworks, &c. not to be made or Gas supplied within certain Limits in the Township of Tyldesley-cum-Shackerley, § 41.
Recovery of Charges for Supply of Gas, §§ 42 to 44.

Cap. cx.

"The London and North-western Railway (Cheshire Lines) Act, 1861."

Proposes to authorize the London and North-western Railway Company to construct a Railway from their Railway near Stockport, to Northenden Road near Cheadle, and also a Railway from their existing Railway, near the Chelford Station thereon, to Knutsford, with a Branch therefrom; recites that on the deposited Plans and Sections the following Lines of Railway are laid down; (that is to say,)

First. A Railway to commence in the Township of Cheadle Bulkeley and Parish of Cheadle in the County of Chester, by a Junction with the London and North-western Railway at or near the Point of Junction therewith of the Stockport, Disley, and Whaley Bridge Junction Railway, and to terminate in the Township of Altrincham in the Parish of Bowden in the same County, by a Junction with the Warrington and Stockport Railway:

Secondly. A Railway to commence in the Township of Cheadle Bulkeley aforesaid by a Junction with the said intended Railway near to and on the Southerly

Side of certain Bleach Works, called the Edgeley Bleach Works, and to terminate in the Township and Parish of Stockport by a Junction with the Stockport, Disley, and Whaley Bridge Junction Railway at a Point to the South-east of the Junction of the last-mentioned Railway with the London and North-western Railway:

Thirdly. A Railway to commence in the Township of Timperley and Parish of Bowden aforesaid, by a Junction with the intended Railway first herein-before described, in or near to a field adjoining the Road leading from the Turnpike Road from Manchester to Chester to the Village of Four Lane Ends on the South Side of such Road, and belonging to Robert Marsland, Esquire, and in the Occupation of William Goodin, and to terminate in the same Township and Parish by a Junction with the Manchester South Junction and Altrincham Railway at a Point South of the Timperley Station on the last-named Railway;

that a Portion of the said Lines of Railway, as delineated on the said Plans and Sections, namely, so much thereof as is situate between Northenden Road and the Terminus thereof at Timperley, follows nearly the same Course as, and is almost identical with, a Portion of the Lines of Railway proposed to be authorized by a Bill now pending in Parliament, intituled "A Bill for incorporating the "Stockport, Timperley, and Altrincham Railway Com- "pany, and for authorizing them to make and maintain "the Stockport, Timperley, and Altrincham Railway, and "for other Purposes," in this Act called "the Stockport and Altrincham Bill," and inasmuch as it is inexpedient that a Second Line of Railway should be made between the Points aforesaid, it has been agreed between the Company and the Provisional Directors of the Company proposed to be incorporated by the said Stockport and Altrincham Bill, in this Act called "the Stockport and Altrincham Company," that the Railway to be constructed under the Authority of this Act shall terminate by a Junction with the Railway proposed to be authorized by the said Stockport and Altrincham Bill at or near Northenden Road, and that such Provision as is herein-after contained shall be made with reference thereto.

Incorporation of General Acts, §§ 2, 3.
Power to take Lands and to make Railways, §§ 4, 5.
Power to alter Engineering Works, § 6.
Junctions may be made with Stockport and Altrincham Railway, § 7.
Power to Company to use Portion of Stockport and Altrincham Railway, § 8.
Prohibition of Station, &c. within 100 Yards of House of Correction, &c., § 9.
Levels of Railway through Mr. Legh's Property, § 10.
Company not to deviate to the North of the Centre Line of the Railway in passing through Mr. Legh's Estate, § 11.
Company not to erect Houses, &c., nor make Bricks, &c., on certain Lands belonging to Norbury Booths Hall, § 12.
A Bridge to be erected to carry the Road, 74, over the Railway, § 13.
Company to make Satisfaction for Damage done to the Norbury Booths Estate, § 14.
Railway to be carried over the Manchester and Wilmslow Turnpike Road by a Bridge, §§ 15, 16.
Three Years for compulsory Purchase of Lands, § 18.
Five Years for Completion of Railways, §§ 19, 20.
Power to raise 133,500*l.* additional Capital, §§ 21 to 25.
Power to borrow on Mortgage 44,500*l.*, §§ 26, 27.

Cap. cxi.

"The Alton, Alresford, and Winchester Railway Act, 1861."

Proposes the making of Railways in the County of Southampton, from the Alton Station of the London and South-western Railway to Alresford, and from Alresford to Headbourne Worthy, near Winchester.
Incorporation of General Acts, § 1.
Subscribers incorporated, with a Capital of 150,000*l.*, in Shares of 10*l.*, and with Power to borrow 50,000*l.*, §§ 3 to 9.
Meetings; Directors, §§ 10 to 15.
Power to make Railways and to alter Engineering Works, §§ 16, 17.
Communication with South-western Railway, §§ 18 to 21.
Three Years for compulsory Purchase of Lands, § 24.
Five Years for Completion of Works, §§ 25, 26.
Tolls, §§ 27 to 36.
Settlement of Differences by Arbitration, § 37.
Power to enter into Traffic Arrangements with South-western Company, §§ 38 to 43.
Saving Rights of the Crown, § 47.

Cap. cxii.

"Clifton Suspension Bridge Act, 1861."

Preamble recites "Clifton Bridge Act," 11 Geo. 4. c. lxix., and the Acts 6 Will. 4. c. vi., 4 Vict. c. xxix., 8 & 9 Vict. c. xxiv., 11 & 12 Vict. c. iv.; that under those Acts, or some of them, the Trustees for executing the same acquired the whole or the greater Part of the Land required for building the Bridge, and making the necessary Roads and Approaches to the same, and they commenced the building of the Bridge and the Formation of the Roads and Approaches, but the Time limited by the Acts for the Completion of the Bridge, Roads, and Approaches expired on the 29th Day of May 1853, and the Works since that Period have remained in an incomplete State; that the Trustees had expended all the Money contributed and raised under the Provisions of those Acts in the Purchases and Works aforesaid; that certain Persons named in the Act are willing at their own Cost to complete a Bridge with Roads and Approaches to the same, in or near to the Situation in which the Bridge, Roads, and Approaches authorized by the recited Acts were to be situate, upon having the Estate and Interest of the Trustees in the Land and Buildings on both Sides of the River granted to them as herein-after mentioned; that at a Meeting of the Committee of Management of the Trustees held on the 8th Day of June 1861, it was resolved that the Trustees will, on receiving paid-up Shares to the Extent of 2,000*l.* in the proposed Undertaking, and on Parliamentary Powers being obtained enabling them so to do, convey to the proposed new Company all the Estate and Interest of the Trustees in the Land and Buildings on both Sides of the River, on the new Company being bound by the Act to complete a substantial Bridge and Approaches for Carriages and Foot Passengers, to the Satisfaction of the Board of Trade, or the President of the Institution of Civil Engineers for the Time being, or such Engineer as he may appoint for the Purpose, within Five Years from the Time of the passing of such Act; that the Completion of the Bridge, Roads, and Approaches will be a Work of great Utility, and it is expedient that Powers should be conferred for that Purpose.
Incorporation of Companies and Lands Clauses Acts, § 2.
Proprietors incorporated, with Capital of 35 000*l.*, in Shares of 10*l.*, §§ 4, 5.

Calls, § 6.
Power to borrow 11,600*l.*, § 7.
Application of Money, § 8.
Number and Qualification of Directors, &c., §§ 9 to 12.
Meetings of Shareholders, §§ 13, 14.
Trustees to convey their Interest in Land to Company on receiving 2,000*l.* in Company's Capital, § 15.
Trustees to dispose of Shares to satisfy Claims on them, § 16.
Repealing certain Sections of first-recited Act, § 17.
Altering Provisions in recited Act as to Quorum and Number of Trustees, § 18.
Acts of Trustees valid, although Number less than 18, § 19.
Trustees to reside within 7 Miles of Bridge, § 20.
Company to complete Bridge and Works, § 21.
Deviation from Lines and Levels, §§ 23, 24.
Part of Approaches how to be fenced off, § 25.
Five Years for completing the Bridge, § 26.
For preventing Injury to Bridge, § 27.
Penalty on Persons committing Offences on Bridge, &c., § 28.
Power to erect Toll Gates and collect Tolls; Tolls, §§ 29 to 39.
Toll Collectors and Lessees of Tolls, §§ 40 to 45.
Limiting the Weight to be carried over the Bridge, §§ 46 to 49.
Annual Account to be made up and transmitted to the Clerk of the Peace, § 50.
Compensation to be made for Rownham Ferry, § 51.
Bridge to be public, but not a County Bridge, § 52.
Bridge to be deemed to be in the County of Somerset, § 53.
Company to pay annually to Trustees 50*l.*, § 54.
Profits of the Company limited to 7½ per Cent., § 55.
If Profits exceed Amount limited, Excess to be paid to Trustees, § 56.
Trustees may receive Money to aid the Bridge becoming free from Toll, § 57.
Application of Money paid to Trustees, § 58.
As to the Mode of discharging Debts and Capital, §§ 59 to 66.
Debts and Capital vested in Trustees, § 67.
When Capital of Company paid off, Powers of Company to cease and certain Powers transferred to Trustees, § 68.
When Tolls are to cease, § 70.
Accumulation Fund to be under the Control of Trustees, § 71.
Power to levy further Tolls, § 72.
Notice to be given before further Tolls collected, § 73.
Bridge to be constructed in accordance with Plan; Admiralty Provisions, §§ 74 to 78.
Saving Rights of the Crown, § 79.
Saving Rights of the Mayor, &c. of the City of Bristol, § 80.

Cap. cxiii.

"Cheshire Midland Railway Act, 1861."

Recites Incorporation of Company by "Cheshire Midland Railway Act, 1860," with a Capital of 100,000*l.*, divided into 5,000*l.* Shares of 20*l.* each, and with Power to borrow not exceeding 33,000*l.*, and that the Company were authorized to make and maintain a Railway commencing by a Junction with the Manchester South Junction and Altrincham Railway at Altrincham in the County of Chester, and terminating in the Township of Witton-cum-Twambrooks in that County; and that Provision was made that, in the event of the London and North-western Railway Company, and the Manchester, Sheffield, and Lincolnshire Railway Company, or either of them, agreeing, within One Month after the passing of the reciting Act, to contribute respectively 30,000*l.* towards the Capital of the Company, Shares of the Capital should be assigned to them, and on the Payment thereof the contributing Company might use the Company's Railway, as therein expressed; that the Company are proceeding to put that Act into execution; that the Sheffield Company have agreed to contribute 30,000*l.* towards the Capital of the Company, but the North-western Company, although requested by the Company to do so, have not agreed to make any Contribution towards the Capital of the Company; that it is expedient that the Company be authorized to make a Deviation from the authorized Line of their Railway; that some of the Powers and Provisions of the recited Act be amended; and that the Sheffield Company be authorized to make further Contribution, and also to work and use the Railway and Works of the Company.
Incorporation of Lands and Railways Clauses Acts, §§ 2, 3.
Power to take and use Lands for Works authorized by Act, § 4.
Compulsory Purchase of Lands to be made by 14th June 1863, § 5.
Power to make Railway authorized by Act, §§ 6, 7.
Power to alter Engineering Works, § 8.
Works to be completed by 14th June 1864, §§ 9, 13.
Power for Company to abandon authorized Line of Railway between Points of Deviation, and Compensation, §§ 10 to 12.

15. The London and North-western Railway Company may pass over and use with their Engines and Carriages and Servants, and for the Purposes of Traffic of all Kinds, the Railway of the Company, and the Stations, Sidings, Watering Places, Buildings, and Appurtenances, Works, and Conveniences belonging to or connected with the said Railway and Stations respectively, and the Company shall make all requisite Arrangements for that Purpose; the Terms and Conditions and Regulations to which the London and North-western Railway Company shall be subject in respect of the said Use and Services and Accommodation, and the Tolls or other Consideration to be paid by them for the same shall, if not agreed between them and the Company, be from Time to Time determined by an Arbitrator to be appointed by the Board of Trade, and the Decisions of such Arbitrator shall be binding and conclusive on all the Parties in difference, and the Costs and Expenses of such Arbitrator shall be defrayed as the Arbitrator shall direct, and either of the said Companies who shall refuse or neglect to perform, observe, and conform to any Decision given or Regulation made by any such Arbitrator in the Premises shall forfeit and pay to such Person or Company, as the Arbitrator shall determine, any Sum not exceeding 50*l.* for every such Refusal or Neglect, and 20*l.* for every Day during which such Refusal or Neglect shall continue: Provided always, that such User as aforesaid shall be subject to the Byelaws and Regulations of the Company for the Time being.

16. In order to facilitate the Transmission of Traffic coming to or from the London and North-western Railway from or to any Place or Places on the Railway of the Company, or to any Places beyond, the London and North-western Railway Company shall, for the Purposes of all Traffic whatever, whether Passengers, Cattle, Goods, Minerals, or other Things, from Time to Time and at all Times hereafter, have the Right to book and invoice through over the Railway of the Company all such Traffic intended to pass to or from the Line of the London and North-western Railway Company to any Place or Places on the Railway of the Company, or to any Places beyond, and the Company shall, for and in respect of all such Traffic, at all Times afford to and for the London and North-western Railway Company all needful Accommodations, Facilities, and Conveniences at, on, and over the Line and Stations, Approaches, and Conveniences of the Company,

by the Trains of the Company, and by Through Booking and Invoicing, Through Rates, Through Waggons and Carriages, and shall at all Times and in all respects conduct, forward, carry on, and accommodate all such Traffic on equal Terms, with and as well as if it were their own proper Traffic; and the Charge to the London and North-western Railway Company shall in no Case exceed the Mileage Proportion of the Through Rates in respect of such Traffic after Deduction of the Charges on Goods usually agreed to be allowed between Companies using the Clearing House, and called there Terminal Charges, and the Government Duty on Passengers: Provided always, that the Rates and Charges shall be calculated as if the Traffic passed over the shortest Distance that the Lines of the Company and the London and North-western Railway Company in connexion would give; and out of such Charges the Company shall receive its full Mileage Proportion of the Distance which the Traffic passing over their Railway has actually traversed; and it shall be lawful for the London and North-western Railway Company, if they think fit, from Time to Time to have and employ at all or any of the Places and Stations aforesaid their own Booking and Invoicing Clerks, and Carting and other Agents, and the Company shall provide all proper and needful Accommodations for such Clerks and Agents; and if any Dispute shall at any Time arise between the Company and the London and North-western Railway Company as to the Amounts to be allowed or charged by the one to the other for the Services and Accommodations to be respectively performed and supplied as aforesaid, or as to any Matter or Thing in the foregoing Provision mentioned, the same shall from Time to Time be settled by Arbitration in the Manner provided for the Settlement of Disputes by Arbitration by "The Railway Companies Arbitration Act, 1859," and the Decisions of such Arbitrator shall be binding and conclusive on all the Parties in difference, and the Costs and Expenses of such Arbitrator shall be defrayed as the Arbitrator shall direct; and either of the said Companies who shall refuse or neglect to perform or observe and conform to any Decision given or Regulation made by any such Arbitrator in the Premises shall forfeit and pay to such Person or Company, as the Arbitrator shall determine, any Sum not exceeding 50*l.* for any such Offence, and 20*l.* for every Day during which such Offence shall continue.

As to Completion of Works on Lands of John Pennington Legh, Esquire, § 17.

Line to be deviated in the Town of Knutsford, § 18.

Application of Monies by Company, § 19.

20. The Company and the Sheffield Company, with the Sanction of at least Three Fifths of the Votes of the Shareholders present, in Person or by Proxy, at a General Meeting of the respective Company specially convened for the Purpose, from Time to Time may make and carry into effect all such Contracts and Arrangements as the contracting Companies think fit with respect to the running over, working, and User by the Sheffield Company, with their own Engines, Carriages, and other Rolling Stock, and their own Officers and Servants, of all or any Part of the Railway, Sidings, Stations, Works, and Conveniences of the Company, on Payment by the Sheffield Company to the Company of such a fixed Toll as the contracting Companies agree on, or as failing their Agreement, is determined by a single Arbitrator, to be on their or either of their Application appointed by the Board of Trade.

Extending Provisions of recited Act relative to Working Agreements between Company and Sheffield Company to Deviation Line, § 21.

22. The Sheffield Company, by Agreement with the Company, and on such Terms and Conditions as the Two Companies think fit, from Time to Time may guarantee the Payment of and pay any Interest or Dividend on all or any Part of the Capital of the Company, and may guarantee the Payment of and pay any Interest on all or any Part of the Money from Time to Time borrowed by the Company: Provided, that no such Guarantee shall be for a Period exceeding 21 Years, or shall be made without the Sanction of at least Three Fifths of the Votes of the Shareholders present, in Person or by Proxy, at a General Meeting of each of the Two Companies specially convened for the Purpose.

Power for Sheffield Company to subscribe 20,000*l.* more, and to raise the Money by Shares with or without a Preference not exceeding 5*l.* per. Cent., §§ 23 to 31.

Cap. cxiv.

"The North British and Peebles Railway (Lease) Act, 1861."

Recites that by "The North British Railway Consolidation Act, 1858," the Acts relating to the North British Railway Company were repealed, and their Provisions consolidated and amended; that by "The Peebles Railway Act, 1853," the Peebles Railway Company were incorporated and authorized to make a Railway from the Hawick Branch of the North British Railway to Peebles, and the said Two Companies were authorized to enter into Agreements with respect to the Use and Working of such Railway by the North British Railway Company, and for the Conveyance of the Traffic thereon, and otherwise in relation thereto; that by the Act of 1853 the Peebles Railway Company were authorized to raise 70,000*l.* by the Creation of Shares, and 23,000*l.* by borrowing, and by "The Peebles Railway Amendment Act, 1857," to raise 27,000*l.* by Preference Shares, and 9,000*l.* by borrowing on Mortgage; that the Peebles Railway Company created 7,000 Shares of 10*l.* each for raising the original Capital of 70,000*l.*, and 2,700 5*l.* per Centum Preference Shares of 10*l.* each for raising the additional Capital of 27,000*l.*; that the Mortgage Debts of the Company do not exceed 32,000*l.*; that the Peebles Railway might be worked with greater Economy and Convenience to the Public if it were entirely under the Management and Control of the North British Railway Company, and the said Companies have agreed, subject to the Approval of Parliament, that such Railway should be leased in perpetuity to the North British Railway Company, and it is expedient that Provision should be made for carrying such Agreement into effect, and that the Provisions of the said Acts of 1853 and 1857 respectively should in some respects be amended.

Certain Provisions of the Companies Clauses Consolidation (Scotland) Act incorporated with this Act, § 1.

Peebles Railway Company to assign their Undertaking, § 2.

Certain Provisions of Peebles Acts to apply to North British Railway Company, § 3.

Repealing Provisions of the Acts of 1853 and 1857 as to borrowing on Mortgage, § 4.

Power for North British Railway Company to borrow on Mortgage Sums authorized to be borrowed by Peebles Railway Company, § 5.

20,000*l.*, Part of the Mortgage Debt of Peebles Railway Company, transferred to North British Railway Company as Consideration for Rolling Stock, &c., § 6.

Mortgages over 20,000*l.* to be deemed Debts of the Peebles Railway Company, § 7.

Saving Rights of Mortgagees, § 8.

Defining Amount of Capital of Peebles Company, § 9.

Separate Accounts to be kept of Traffic on Peebles Railway, and Peebles Company may inspect and audit same, § 10.

Moiety of Receipts to be paid into Bank to Credit of Peebles Company § 11.
Half-yearly Application, § 12.
When the Half Year's Income not sufficient to pay the Liabilities and Dividends at the Rate of 5*l.* per Centum, the Deficiency to be made good by the North British Railway Company, § 13.
If the Half Year's Income more than sufficient to pay the Liabilities and Dividends at the Rate of 6*l.* per Centum per Annum, the Surplus to be divisible between the Two Companies, § 14.
Peebles Railway Company may set aside Sum for Payment of Tenants annual Claims, § 15.
Peebles Railway and North British Railway to be One for Purposes of Toll or Through Traffic, § 16.
Settlement of Disputes by Arbitration, § 17.

Cap. cxv.

"Shireoaks District Church Act, 1861."

Recites that by a Deed Poll dated the 24th Day of April 1802, under the Hand and Seal of the Reverend John Hewett, Clerk, the Lord of the Manor of Shireoaks, and Impropriator of all the Great Tithes within the Liberties of Shireoaks and Gateford in the Parish of Worksop in the County of Nottingham, and enrolled in Her Majesty's High Court of Chancery on the 27th Day of the same Month, John Hewett conveyed to Trustees a Piece of Ground at Shireoaks, to the Intent that a Chapel for the Celebration of Divine Service according to the Rites of the Church of England might be erected thereon, and might be licensed to be used accordingly, and for a Clergyman or Ministers in Holy Orders to officiate there, and charged his Tithes of the Lands in the Parish of Worksop, therein described, containing 652 Acres or thereabouts, with the Charge and Expense of the Reparations of the Chapel, and with the Payment of a clear yearly Sum of 70*l.* to the Incumbent from Time to Time of the Chapel; and that by an Act of the 47th Year of George the 3rd (1807), Session 2, Chapter lxi., intituled "An Act for settling the Right of Patronage "or Presentation of or to a Chapel to be called Shireoaks "Chapel in the Parish of Worksop in the County of "Nottingham," the Right of Patronage of the then intended Chapel was vested in John Hewett for his Life, and after his Decease in the Lord of the Manor of Shireoaks, and divers Provisions were made with respect to the Chapel and the Duty of the Minister thereof, and the Burials thereat, and the Fees for the Burials, and the Seats or Pews within the Chapel, and other Matters; that John Hewett accordingly built at Shireoaks a Chapel, and it was afterwards consecrated, and Divine Service has ever since been celebrated therein accordingly; that by a Deed Poll dated the 10th Day of March 1810, under the Hands and Seals of John Hewett and John Wheatley, and enrolled in Her Majesty's High Court of Chancery on the 12th Day of July in that Year, the same Tithes were charged with the Payment of the further clear yearly Sum of 20*l.* to the Officiating Minister from Time to Time of the present Chapel; that by a Deed Poll dated the 25th Day of August 1810, under the Hands and Seals of John Hewett and Charles then Duke of Norfolk, and enrolled in Her Majesty's High Court of Chancery on the 22d Day of November in that Year, the same Tithes were charged with the Payment of the further clear yearly Sum of 10*l.*, as to 6*l.*, Part thereof, to the Clerk from Time to Time of the present Chapel, and as to 4*l.*, Residue thereof, to be applied for Purposes of the present Chapel as therein expressed, and the Surplus, if any, to be paid to the Clerk; that by an Act of the 55th Year of George the 3rd (1815), Chapter 60, intituled "An Act for exonerating certain Tithes "in the Manor of Shireoaks in the Parish of Worksop "in the County of Nottingham from the Payment of Four "several Annuities, and from the Repairs of the Chapel of "Shireoaks, and for charging Freehold Lands, and the "Tithes thereof, within the same Manor with the future "Payment of the said Annuities and with the said Repairs," the Tithes of the several Lands specified in the First Schedule to the reciting Act annexed were discharged from those Annuities, and the Lands specified in the Second Schedule to the reciting Act annexed, and the Tithes thereof, were vested in George William Frederick then Duke of Leeds, his Heirs and Assigns, upon the Trusts of the recited Deeds Poll concerning the Tithes therein respectively comprised; that the Tithes of the Lands specified in the Second Schedule to the Act of 1815 have been commuted; that William Viscount Nevill, Frederick Acclom Milbank, Thomas Fairfax, Sir James Fergusson, Baronet, and Henry Hudson are now the Trustees under the recited Deeds Poll; that Henry Pelham Duke of Newcastle, K.G., is now the Lord of the Manor of Shireoaks and Patron of the present Chapel, and Owner of the Lands specified in the Second Schedule to the Act of 55 Geo. 3; that a Colliery belonging to the said Duke of Newcastle has recently been opened at Shireoaks, and the Population of Shireoaks and the Neighbourhood thereof has considerably increased and is still increasing, and the present Chapel is insufficient for the Population there; that the Duke is desirous of building at his own Expense a new Church near to, and to be eventually substituted for, the present Chapel, and of providing a Burial Ground for the new Church, and of eventually converting the present Chapel into a Schoolhouse, and of eventually discontinuing as a Burial Ground Part of the Burial Ground belonging to the present Chapel, and it is expedient that Provision be made for those Purposes; that the said Duke has by a Deed Poll conveyed to Trustees for the Purposes of this Act the Land specified in the First Schedule to this Act annexed, and has charged the Lands specified in the Second Schedule to this Act annexed with the Expenses of the Maintenance and Repair of the new Church, and with the Payment to the Incumbent from Time to Time of the new Church of the yearly Sum of 100*l.*; that the said Duke is desirous and it is expedient that an Ecclesiastical District be assigned to the new Church, and the District be a District Parish, and the new Church be a Parish Church accordingly; that the Bishop of Lincoln, as the Ordinary, is desirous that the Objects of this Act should be attained.
Duke of Newcastle's Endowment Deed confirmed, § 2.
The Church Land vested in Trustees for Purposes of Act, § 3.
The Church Land to be used for Site of new Church Burial Ground and Approaches, § 4.
New Church and new Burial Ground may be consecrated, § 5.
Perpetual Right of Nomination vested in Duke of Newcastle as Lord of Manor of Shireoaks, § 6.
District may be assigned to new Church after Consecration, § 7.
Privileges of new Church, § 8.
New Burial Ground to be Burial Ground of District, § 9.
New Church to be subject to Jurisdiction of Ordinary and Archdeacon, § 10.
New Church not to be holden with any other Benefice, § 11.
One Half of the Sittings in new Church to be free, § 12.
The rest to belong to Patron, § 13.

No Pew Rents to be taken, § 14.
Churchwardens, § 15.
Clerk and Sexton, § 16.
The Endowment Lands charged with Repair of new Church and Payments to Incumbent, § 17.
Appropriation of present Chapel for Schoolhouse, § 18.
Appropriation of Part of present Burial Ground as Curtilage to Schoolhouse, § 19.
The other Part of present Burial Ground to be fenced off, § 20.
The Endowment Lands charged with yearly Sums instead of Lands in Second Schedule to Act of 1815, § 21.
Evidence of Consent of Ordinary for Purposes of Act, § 22.
Saving Rights of Incumbent and Clerk of present Chapel, § 24.
Saving Rights of the Crown, § 25.
Schedules.
1 and 2. Lands. 3. Mortgages.

Cap. cxvi.

"Weston-super-Mare Gaslight Act, 1861."

Preamble recites Incorporation of Company by 18 & 19 Vict. c. lxxxi., with a Capital of 8,000*l.* in 20*l.* Shares, and Power to borrow 2,000*l.*; that the Company have raised and borrowed the whole Sums authorized; that the Demand for Gas is still increasing, and the Company are desirous to raise further Capital and to extend their Limits of Supply.
Limits of recited Act extended, § 3.
Further Capital of 16,000*l.* may be raised, §§ 4, 5.
Limiting Calls, § 6.
Limiting the Amount of Dividend on new Capital to 7½ per Cent., § 7.
Power to borrow to Extent of One Fourth of the additional Capital for the Time being, § 8.
Application of Money, § 9.
Limit of Price of Gas, § 10.

Cap. cxvii.

"The Lambeth Bridge Act, 1861."

Recites that the making and maintaining a Bridge across the River Thames, connecting Church Street in the Parish of Saint Mary, Lambeth, in the County of Surrey, with Market Street in the Parish of Saint John the Evangelist within the City and Liberty of Westminster in the County of Middlesex, would be of great public Utility; that a Local Act for incorporating a Company for making such a Bridge, and investing it with the requisite Powers for that Purpose, was passed in the Session 6 & 7 Will. 4. c. cxxxiv., and was afterwards amended by 1 & 2 Vict. c. lxvii., but that the Company incorporated by the said Acts never put the same into execution, and the Powers thereby conferred have expired by Effluxion of Time.
Incorporation of Companies Clauses and Lands Clauses Consolidation Acts, § 2.
Incorporation of Lambeth Bridge Company, with a Capital of 40,000*l.*, and Power to borrow 10,000*l.*, §§ 3 to 6.
Conditions of Mortgages, §§ 7 to 9.
Number and Qualification of Directors, §§ 11 to 15.
Power to take Land for the Works, § 16.
Two Years for compulsory Purchases, § 17.
Works authorized to be executed, § 18.
Fence to Bridge, § 19.
Incidental Works, § 20.
Provisions for Protection of Lambeth Palace and St. Mary, Lambeth Church, § 21.
Bridge to be made according to Plans deposited with Conservators, §§ 22 to 24.
Plans to be deposited for Approval of Admiralty, and Works to be in accordance with such Approval, § 25.
Directions as to Construction of Bridge, § 26.
Lights to be kept burning on Bridge, § 27.
Steps to be constructed at both Ends of Bridge, § 28.
If public Stairs shut up, Company to erect other Stairs, § 29.
1,000*l.* to be invested before Bridge commenced, § 30.
Admiralty may order local Survey, § 31.
Admiralty or Conservators may remove abandoned Works, § 32.
Saving Rights of Conservators, § 33.
For Protection of Sewers of Metropolitan and other Boards, § 34.
Four Years for Completion of Works, § 35.
Tolls; Collectors; Penalties, §§ 36 to 60.

Cap. cxviii.

"The Kingstown Improvement Act, 1861."

Recites 4 & 5 Will. 4. c. xc. for paving, watching, lighting, regulating, and otherwise improving the Town of Kingstown in the County of Dublin, and 7 & 8 Vict. c. cvi., being "An "Act to consolidate and amend the Laws for the Regulation "of Grand Jury Presentments in the County of Dublin," by which Act the Grand Jury of the said County at each Presenting Term are authorized to make Presentment for the making and maintaining of the Roads and Bridges within the several Baronies, including the Barony of Rathdown, in the said County, within which Barony the said Town of Kingstown is situate; that "The Towns Improvement (Ireland) Act, 1854," has been in due Form adopted by the Inhabitants of the said Town, and by the Adoption thereof the said first-recited Act is no longer in force so far as regards such of its Provisions as have reference to the Purposes for which the said Improvement Act has been adopted; and it is expedient to transfer to the Commissioners elected and acting under and in virtue of the said Act, and the Acts partially or wholly incorporated therewith, the making, maintaining, and Management of the Roads, Bridges, and other Public Works within the said Town, and to make the Rates, by this Act authorized to be levied, chargeable with the Expense thereof, a Transference which the said Act by the 36th Section thereof contemplates, but fails in providing adequate Means for carrying into effect; and that it is expedient to exempt the rateable Property within said Town from the Cost of making and maintaining any other Roads or Bridges, or other like Works, within the said Barony of Rathdown, save and except the Blackrock Road as hereinafter mentioned.
Act to come into operation on 1st January 1862, § 1.
This Act and Towns Improvement (Ireland) Act, 1854, to be construed together, § 4.
Roads and Bridges of District exempted from Jurisdiction of Grand Jury and placed under the Commissioners, § 5.
Commissioners to have same Powers as Grand Jury, § 6.
Grand Jury not to make Presentments for repairing Roads, &c. within District assigned to Commissioners, § 7.
No Part of Salary of County Surveyors to be levied upon the District, § 8.
Purposes for which Commissioners authorized to levy Rates, § 9.
As to the Payment of Grand Jury Cess chargeable on the District, § 10.
Manner of enforcing Payment, § 11.
Warrants in force at Commencement of Act to continue, § 12.
Power to Commissioner to levy Rate for making and maintaining Roads, § 13.

Manner of levying Road Rate, § 14.
Vesting and Application of Rates, § 15.
Commissioners may order Works to be executed; may take Security from Contractor; and may bring Actions for Breach of Contract, § 16.
Compensation to Edward Love Alma, Baronial Collector, § 17.
Commissioners may cause a Pound to be erected for stray Animals, § 18.
Provision for future Extension of District, § 19.
Commissioners may superannuate Secretary, § 20.
Saving Rights of Commissioners of Kingstown Harbour, § 21.

Cap. cxix.

"Wivenhoe and Brightlingsea Railway Act, 1861."

Preamble proposes the making of a Railway from Wivenhoe to Brightlingsea in the County of Essex.
Incorporation of General Acts, §§ 2, 3.
Company incorporated, with a Capital of 25,000*l.*, and with Power to borrow 8,000*l.*, §§ 4 to 10.
Meetings; Directors, §§ 11 to 18.
Power to make and maintain Railway, § 19.
Two Years for compulsory Purchase of Lands, § 20.
Four Years for Completion of Works, §§ 21, 36.
Railway and Works authorized, § 23.
In a certain Event, Portion of Railway to be a Double Line, § 25.
Communication with Tendring Hundred Railway, §§ 26, 27.
Admiralty Provisions, §§ 28 to 35.
Tolls, §§ 37 to 45.
Saving Rights of Crown, § 46.

Cap. cxx.

"The Bognor Railway Act, 1861."

Proposes the making of a Railway from the London, Brighton, and South Coast Railway, in the Parish of Eastergate in the County of Sussex, to the Town of Bognor in the Parish of Bersted otherwise South Bersted.
Incorporation of Acts, § 2.
Subscribers incorporated, with a Capital of 30,000*l.*, in Shares of 20*l.*, and with Power to borrow 10,000*l.*, §§ 3 to 7.
Power to enter into Traffic Arrangements with London and Brighton Railway Company, §§ 9 to 14.
Meetings; Directors, §§ 15 to 22.
Line of Railway, §§ 23, 24.
Two Years for Lands to be purchased by Compulsion, § 26.
Four Years for Completion of Railway, §§ 27, 28.
As to Communication with the London, Brighton, and South Coast Railway, §§ 32 to 36.
Power to the London, Brighton, and South Coast Railway Company to subscribe 5,000*l.*, § 37.
Land of the Proprietors of the Portsmouth and Arundel Navigation not to be taken without their Consent; Easement provided, § 38.
Proprietors Rights and Privileges not to be prejudiced, § 39.
Mode of crossing the disused Portion of the Portsmouth and Arundel Navigation, § 40.
Tolls, §§ 41 to 50.

Cap. cxxi.

"The Portsea Island Gas Act, 1861."

Recites that by 1 & 2 Geo. 4. c. lxxiii. (Local) the Town of Portsea Gaslight Company were incorporated and empowered to raise a Capital of 30,000*l.*, and in case within Seven Years after the passing of the said Act the same should be found insufficient, to raise any further Sum not exceeding 7,500*l.*, for the Purpose of constructing Works and supplying the Island of Portsea with Gas; that they proceeded to execute the recited Act, and raised the Sum of 30,000*l.*, together with a further Sum of 1,800*l.*, Part of the said Sum of 7,500*l.*, and expended the same in and upon the Purposes authorized by the said Act; that by "The Portsea Island Gas Company Act, 1852," the Company were empowered to raise a further Capital not exceeding 30,000*l.*, in such Shares and Proportions and at such Times as they should think proper, and the whole of such last-mentioned Sum of 30,000*l.* has been raised and expended upon the Undertaking, together with a further Sum of 9,012*l.* 10*s.* out of the Profits of the Undertaking; that they will require a further Sum of 30,000*l.* to provide adequately for the increased Demand for Gas in the District, and it is expedient that the Capital of the Company should be increased, and that the Company should be authorized to borrow Sums on Mortgage or Bond.
Repealing certain Provisions of 1 & 2 Geo. 4. c. lxxiii.,—§ 2.
Extending certain Provisions of General Acts, § 3.
Limits, § 4.
Company empowered to raise 30,000*l.* by new Shares, § 5.
Half of the new Shares to be allotted amongst the old Proprietors, § 6.
Sale of the other Half by Auction, § 7.
Premiums not to bear Dividend, § 8.
New Shares which cannot be sold to be offered to existing Shareholders, §§ 9 to 13.
Power to create Shares in respect of 9,000*l.* to be deemed fully paid up, § 14.
Power to borrow to the Amount of One Fourth of paid-up Capital, § 15.
Limit of Price of Gas, §§ 16, 17.
Public Lamps, § 18, 19.
Quality of Gas, §§ 20 to 23.
Company to lay down Mains, § 27.
Meetings of the Company, § 29.
Committee of Management increased to Seven Members, § 30.
Land of the Company increased, § 31.

Cap. cxxii.

"The Dublin and Antrim Junction Railway Act, 1861."

Proposes to make a Railway from the Ulster Railway near Lisburn to the Belfast and Northern Counties Railway at Antrim; to enable the Ulster Railway Company and the Belfast and Northern Counties Railway Company to subscribe towards the Undertaking of the Company incorporated by this Act; to authorize the Company and the Ulster Company and the Belfast Company to enter into Working and Traffic Agreements, and to provide for the Use by the Company of any Station which may be constructed by the Ulster Company at Knockmore, and also of the Antrim Station of the Belfast Company.
Incorporation of General Acts, § 2.
Subscribers incorporated, with a Capital of 120,000*l.*, in Shares of 10*l.*, and Power to borrow 40,000*l.*, §§ 3 to 9.
Meetings; Directors, §§ 12 to 21.
Power to make Railway, §§ 22 to 25.
Lands to be purchased by Compulsion within Three Years, § 26.
Five Years for Completion of Railway, §§ 27, 43.
As to Communications with the Ulster and Belfast and Northern Counties Junction Railways, §§ 28 to 31.
Tolls, §§ 32 to 41.

42. And whereas the Railway of the Belfast Company as sanctioned by Parliament affords a Communication between

Belfast and Antrim: And whereas the Railway by this Act authorized will, in connexion with the Ulster Railway, form a Second Line of Communication between the Places aforesaid, and it is just and expedient that the same should not be used for the Purposes of undue Competition with the Belfast Company in respect of Traffic between those Places: Therefore, if the Belfast Company shall from Time to Time in the Months of January and July in any Year (and whether uninterruptedly or not) furnish to the Company a List of the Tolls, Rates, and Charges which they propose to demand in respect of all Descriptions of Traffic passing on their Railway between Belfast and Antrim, and between Antrim and Belfast, for the Term of Six Months next ensuing the Date of the Delivery of such List, it shall not be lawful for the Company to charge, nor by any Agreement to be entered into by virtue of this Act, shall it be lawful for any other Company or Party to charge, during that Term of Six Months any lower Rates, Tolls, or Charges in respect of any Description of Traffic passing from Antrim, or from any Point nearer to Antrim than the Road numbered on the Plans deposited as aforesaid 45 in the Townland of Balloo, and destined for Belfast, by the Ulster Railway, or passing over the Railway of the Company to Antrim, or to any Place nearer to Antrim than the Road numbered as aforesaid 45 in the Townland of Balloo, having come by the Ulster Railway from Belfast, than the Rates, Tolls, and Charges specified in such List in respect of the same Description of Traffic, unless the Belfast Company shall themselves take in respect of such Traffic Rates, Tolls, or Charges lower than those specified in such List: Provided always, that if the Company for the Time being working the Traffic on the Railway shall object to the Rates, Tolls, and Charges, or any of them specified in any such List as aforesaid from Time to Time delivered by the Belfast Company, and shall state their Objections to the Board of Trade, it shall be lawful for the Board of Trade to inquire into such Objections, and if after such Inquiry the Board shall be of opinion that such Objections are reasonable and well founded, the Board may fix the Rates, Tolls, and Charges to be taken in respect of such Traffic as aforesaid, both by the Belfast Company and by the Company for the Time being working the Traffic on the Railway, in such Manner as to the said Board shall seem proper and just to all Parties; and the Rates, Tolls, and Charges so fixed by the Board of Trade shall be the Rates, Tolls, and Charges demanded and taken by each of the said Companies in respect of such Traffic as aforesaid for and during such Period as may be prescribed by the Board of Trade.

Power for the Ulster Company and Belfast Company to subscribe 10,000*l.* each by ordinary Shares, and to appoint Directors, §§ 44 to 56.

Purposes for which the Agreements may be made, Restrictions and Conditions thereof, §§ 57 to 64.

Power to use any Station of the Ulster Company at Knockmore, and also the Antrim Station of the Belfast Company, § 65.

No Station to be erected by the Company nearer to Antrim than a certain Road, § 66.

Cap. cxxiii.

"The London and North-western (Chester and Holyhead) Railway Act, 1861."

Recites that by their Act of 1848, the Chester and Holyhead Railway Company were empowered to become the Owners of Steamboats, or to contract with or to subscribe towards the Funds of any Company or Persons having Steamboats, and thereupon to convey Passengers, Cattle, and Goods of every Description, or to agree with any other Company or Person for the Conveyance of Passengers, Cattle, and Goods between the Harbours of Holyhead and Dublin, subject to the Conditions in that Act contained; that by the same Act the London and North-western Railway Company were authorized to subscribe to the Extent of 120,000*l.* towards the Capital required for the Purchase of such Steamboats; that by the same Act it was further enacted that the Powers thereby granted to purchase, hire, and use Steamboats should continue for the Term of 14 Years from the 1st Day of January 1849, and it is expedient that such Powers should be extended for a further Period; that the entire Undertaking of the Chester and Holyhead Railway Company, with their Powers, Privileges, and Authorities has, under Parliamentary Sanction, become vested in the Company; and it is expedient that the Company should be empowered to acquire for Purposes connected with their Chester and Holyhead Railway additional Lands and Houses in the Parish of Holyhead, and other Parishes in the County of Anglesea, also Lands in certain Townships in the County of Carnarvon, and also Land and Buildings in the Parish of Saint Thomas in the County of Dublin.

Incorporation of General Acts, §§ 2, 3.

Power to take Lands, § 4.

Saving Rights of Corporation for preserving and improving the Port of Dublin, § 5.

Three Years for compulsory Purchase of Lands, § 6.

Renewing the Powers granted by the 11 & 12 Vict. c. lx., in reference to Steamboats, for Nine Years more from 31 Dec. 1862, § 7.

Passengers Luggage, § 8.

Extending Provisions of "The Railway and Canal Traffic Act, 1854," § 9.

Power for Company to apply Corporate Funds to the Purposes of this Act, § 10.

Cap. cxxiv.

"The Penarth Harbour, Dock, and Railway Act, 1861."

Preamble recites Incorporation of Company by "The Ely Tidal Harbour and Railway Act, 1856," by the Name of "The Ely Tidal Harbour and Railway Company," with Power to make the Railway and execute the other Works in that Act mentioned, and with Power to raise by Shares the Sum of 130,000*l.*, and by borrowing the Sum of 43,000*l.*; that by "The Penarth Harbour, Dock, and Railway Act, 1857," the Name of "The Ely Tidal Harbour and Railway Company" was changed to "The Penarth Harbour, Dock, and Railway Company," and Powers were granted to the Company for making the Railways, Dock, and other Works in that Act mentioned, and for raising a further Sum of 192,000*l.* by Shares, and a further Sum of 64,000*l.* by borrowing; that Parts of the Railways by the said Acts authorized have been opened for Traffic, and the Harbour by the first-recited Act authorized has also been in part completed, and Vessels now resort thereto; that the Company require a further Sum of Money to complete their Undertakings; that it would be advantageous to the Company and beneficial to the Public frequenting their Harbour and Dock, if a more convenient Means of Communication between the said Harbour and the Town of Cardiff and the Docks there were provided, and if for such Purpose the Company were empowered to construct a Road between those Places, and to carry the same by Bridges over the River Taff and the Glamorganshire Canal, and to provide along the said Road and to work and use an Electric or other Telegraph, and if the Company were empowered to provide, hire, or other-

wise employ Steamers in connexion with their Harbour and Dock.
Extending Lands Clauses Acts, §§ 2, 3.
Power to take Lands, § 4.
Power to make new Road, §§ 5, 6.
As to Bridge over Taff, §§ 7 to 12.
For Protection of Glamorganshire Canal Company, §§ 13 to 15.
Three Years for compulsory Purchase of Land, § 16.
Eight Years for Completion of Roads and Bridges, § 17.
Tolls for Road and Bridge over River Taff, and Penalties, §§ 18 to 28.
Restrictions as to Use of Road and Bridge, § 29.
Power to provide Telegraphs, § 32.
Power to provide Steam Vessels, § 33.
Power to create new Capital of 300,000*l.* by new Shares, with or without a Preference not exceeding 5*l.* 10*s.* per Cent., §§ 34 to 43.
Power to borrow 100,000*l.*, §§ 44, 45.

Cap. cxxv.

"The Thames Haven Dock (Abandonment) Act, 1861."

Making of Thames Haven Dock to be abandoned, § 2.
Act not to prejudice Right of Lessee, &c. of Lands to Compensation for Entry thereon, § 3.
Company to sell Lands, &c. and pay their Debts, § 4.
Surplus to be divided among Shareholders, § 5.
Receipts for such Surplus, § 6.
Payment into Court by Company where Shareholder not known or Money not claimed, § 7.
Dissolution of Company, § 8.
Restriction on Interference with Bed of River Thames, § 9.
Saving Rights of Conservators of River Thames, § 10.

Cap. cxxvi.

"The Westminster Improvement and Incumbered Estate Act, 1861."

Recites the several Acts relating to the Westminster Improvement Commissioners; that they have under the Powers of the said Acts, or some or One of them, borrowed large Sums of Money on Mortgage or Bond, and Judgments have been recovered against them; that the Mortgages granted by the Commissioners, or some of them, comprise the Interests purchased and conveyed, and contain Covenants by the Commissioners for the Purchase by them, and the Conveyance to the Mortgagees respectively of the Interests outstanding; that the Bond Debts of the Commissioners, except a small Amount raised by virtue of the prior Improvement Acts, are secured by Bonds granted by the Commissioners under their Act of 1853, or in pursuance of an Indenture of Settlement of the 26th Day of May 1852, therein referred to, and which Bonds are or were entitled to the Benefit of an Indenture of Mortgage, also dated the 26th Day of May 1852, referred to in that Act, and of a Deed of Covenant also dated 26th May 1852, and of an Indenture of Assignment, dated the 18th Day of April 1855; that the Improvement Acts contain Provisions authorizing the said Commissioners to grant Building Leases of, and to sell and dispose of the Lands acquired by them for the Purposes of the same Acts, and not required for the Purpose of being made into Thoroughfares; that the Trustees for the Bondholders under the aforesaid Indenture of the 26th Day of May 1852, some Time since, by a Deed dated the 26th Day December 1857, assumed to re-convey and re-assign to the Westminster Improvement Commissioners the whole of the Estates, Property, and Interests vested in them under the said Indentures respectively; that it is expedient that the Constitution of the said Commission should be altered, and that the Lands and Property of the Commissioners acquired or to be acquired under the Powers of the said Acts or this Act should be sold, and that their net Assets should be realized and distributed as Occasion may arise among the Creditors in a due Course of Administration, and that for such Purposes the Commissioners so newly constituted should have and exercise certain Powers and Discretions; that it is desirable that, subject to the Provisions of this Act, the said Commissioners so newly constituted should be authorized to take the Lands mentioned in Schedule A. to the Act; that it would promote the Sale, Exchange, and Leasing upon advantageous Terms of the Lands acquired under the Powers of the Acts, and of all Lands vested in the said Commissioners or Trustees under the said Deeds of Settlement and Mortgage of the 26th Day of May 1852, and of the said Assignment of the 18th Day of April 1855, or in any Trustees for the Commissioners or for the Bondholders and the general Creditors of the said Commissioners, and thereby aid and assist the said Commissioners in the Completion of their Undertaking, and in the Payment and Discharge of the said Mortgage and Bond and other Debts, and it would also conduce to the Execution of the Improvements in the said City of Westminster, and be for the Public Advantage and Benefit, if the said Commissioners so newly constituted were authorized to exercise the Powers and generally to act in the Manner by this Act provided.
Incorporation of Lands Clauses Act, Companies Clauses Act, and the Lands Clauses Consolidation Acts Amendment Act, 1860, § 2.

3. In this Act the following Expressions shall have the several Meanings assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Word "Lands" shall extend to Messuages, Lands, Tenements, and Hereditaments of any Tenure, and also to any Estate, Right, Title, Interest, Charge, Lien, Easement, or Incumbrance in, upon, or affecting Lands, either at Law or in Equity:

The Word "Conveyance" shall extend to the Disposition of Lands, or of any Interest therein, and of Money, or Security for Money, or of Money coming from Rates, or of any Interest thereon:

The Word "Money" shall extend to any Money, or Money coming from Rates, or to any Bonds or other Securities for Money vested in the Commissioners, or their Trustees, or the Trustees for the Bondholders and general Creditors of the Commissioners, or to any Lien, Charge, or Incumbrance in, upon, or affecting Money, or Money coming from Rates, or to any Bonds or other Securities for Money, either at Law or in Equity:

The Word "Person" shall include Corporation, whether aggregate or sole, and Trustees for Charities:

The Word "Mortgagee" shall mean any Person holding a Mortgage, save the Trustees of the Deeds of Settlement and Mortgage of the 26th Day of May 1852, and save also any Trustees for the Commissioners or for the Bondholders and the general Creditors of the Commissioners; but shall not mean a Person holding a Bond, whether entitled to the Benefit of the said Indenture of Mortgage of the 26th Day of May 1852, or granted prior to the Date of such Indenture, and shall not mean a Person holding a Preference Debenture granted under this Act, unless the Person holding such Bond or Preference Debenture shall also hold a Mortgage, and then only in respect of such Mortgage:

The Word "Incumbrances" shall mean any legal or equitable Mortgage in Fee or for any less Estate, and whether made by or to the Commissioners, or their Trustees, and also any Monies secured by a Trust, or by Judgment, Decree, or Order of any Court of Law or Equity duly registered, and also any Lis pendens, Lien, Trust, or other Charge whatsoever:

The Expression "the Bondholders" shall mean all registered Holders of Bonds issued by the said Commissioners prior to the 26th Day of May 1852, and all registered Holders of Bonds issued in pursuance of the said Indenture of Settlement, or entitled to the Benefit of the said Indenture of Mortgage and Assignment herein-before referred to, but shall not mean a Person holding a Mortgage in addition to such Bond as Security for the same Sum:

The Expression "the Commissioners" shall mean the Commissioners for the Time being acting in pursuance of this Act:

The Expression "the Improvement Acts" shall mean the "Westminster Improvement Act, 1845," the "Westminster Improvement Act, 1847," the "Westminster Improvement Act, 1850," the "Westminster Improvement Act, 1853," and the "Westminster Improvement Act, 1855:"

The Word "Sheriff," in the "Lands Clauses Consolidation Act, 1845," shall, with respect to this Act and the said Improvement Acts, mean the High Bailiff of Westminster in all Cases where the High Bailiff discharges the Duties and Offices usually discharged by the Sheriff.

Powers of this Act not to come into operation until Election of new Commissioners as herein-after provided, § 4.

5. The Commissioners acting under the Authority of this Act shall always be Six in Number, of whom Two shall be elected by the Bondholders, Two by the Mortgagees, One shall be nominated by the existing Commissioners, and One shall be nominated by the Chief Commissioner of Her Majesty's Works and Public Buildings as herein-after provided; and all the Lands, Monies, Rights, Titles, and Interests vested in or belonging to the existing Commissioners, or the Trustees, under all or any of the Deeds dated 26th Day of May 1852, or the said Indenture of Assignment dated the 18th Day of April 1855, or the Trustees for the Commissioners, their Mortgagees or Bondholders, and all Powers, Authorities, and Discretions vested in or belonging to the existing Commissioners, or such Trustees as aforesaid, shall immediately upon the Election and Nomination of the Commissioners under the Authority of this Act, and without any Conveyance or other Disposition whatsoever, be vested in and belong to the Commissioners and their Successors as a Body Corporate, with perpetual Succession, who shall be subject in all respects to all Liabilities affecting the existing Commissioners at the Time of such Election and Nomination.

Meeting of Bondholders to be convened by existing Commissioners for Election of Two new Commissioners, § 6.

Meeting of Mortgagees to be convened by existing Commissioners for Election of Two new Commissioners, § 7.

8. The Bondholders convened at such Meeting as aforesaid shall in the Manner herein-after provided elect Two Bondholders, who shall be Commissioners; and the Mortgagees convened at such Meeting as aforesaid shall in the Manner herein-after provided elect Two Persons, whether Mortgagees or not, who shall be Commissioners; and the existing Commissioners shall, on or before the Fifth Day of November next after the passing of this Act, nominate One of their Number, and who shall, when so nominated, continue to act as a Commissioner with the Commissioners so appointed by the Bondholders and Mortgagees as aforesaid; and the Chief Commissioner of Her Majesty's Works and Public Buildings for the Time being shall, by Writing under his Hand, within Six Months after the passing of this Act, nominate some fit and proper Person to be a Commissioner, and who shall be the Chairman of the said Commissioners, and have the Casting Vote at all Meetings.

9. The Bondholders and Mortgagees convened at such Meetings as aforesaid shall vote for the Election of their respective Commissioners in the Manner provided by the Companies Clauses Consolidation Act, 1845, with reference to the voting of Shareholders in Joint Stock Companies; and for the Purpose of applying these Provisions of the said Act, but not further or in any Manner otherwise, the Registers of Bondholders and Mortgagees shall be sealed by the Commissioners One Month before any Election, and the same when so sealed shall be Evidence of the Persons entitled to vote at such Election as Bondholders and Mortgagees. The Bondholders and Mortgagees shall be deemed to be Shareholders within the Meaning of such Provisions; the Commissioners elected by the Bondholders and Mortgagees shall be deemed to be the Directors; this Act shall be deemed to be the Special Act; the Clerk of the Commissioners shall be deemed to be the Secretary; the Chairman of the Commissioners shall be deemed to be the Chairman; and every Principal Sum of 250*l.* secured to the Bondholders by their respective Bonds or to the Mortgagees by their Mortgage Deeds shall be deemed to be a Share within the Meaning of the said Act.

Remedy for improper Entry or Omission of Entry in Register, § 10.

11. If any Commissioner or Commissioners elected by the Bondholders or Mortgagees respectively die or resign, be disqualified, or cease to be a Commissioner, it shall be lawful for the Bondholders and Mortgagees respectively, at a Meeting or Meetings to be convened as herein-before provided, to elect in the Manner herein-before provided another Commissioner or Commissioners in his or their Place, and every Commissioner so elected shall have the same Powers and Authorities as his Predecessor: Provided always, that the Election of the Bondholders Commissioners shall always be made by the Bondholders only, and the Mortgagees Commissioners by the Mortgagees only; and Persons holding both a Mortgage and a Bond, if the Bond is not a Security for the same Sum as is secured by the Mortgage, may vote in all Elections; and if the Bond be a Security for the same Sum as is secured by the Mortgage they shall vote as Mortgagees, and not as Bondholders: Provided always, that no Person elected as a Commissioner shall act until he shall have made and subscribed the Declaration prescribed by the "Westminster Improvement Act, 1845," and that no Person who is Plaintiff in any Suit against the existing or future Commissioners shall be qualified to be a Commissioner.

12. If the Commissioner nominated by the existing Commissioners shall die or resign, be disqualified, or cease to be a Commissioner, it shall be lawful for the remaining Commissioners acting under the Powers of this Act to elect another Commissioner in his Place, and every Commissioner so elected shall have the same Powers and Authorities as his Predecessor.

13. And if the Commissioner nominated by the Chief Commissioner of Her Majesty's Works and Public Buildings shall die or resign, or cease to act as a Commissioner, it shall be lawful for the Chief Commissioner of Her Majesty's Works and Public Buildings for the Time being to nominate another fit and proper Person as Commissioner in his Place, and such Commissioner when so nominated shall have the same Powers and Authorities as his Predecessor.

14. Subject to the Provisions and Restrictions in the said Improvement Acts and this Act contained, it shall be lawful for the said Commissioners to enter upon, take, and use the Lands mentioned in Schedule A. to this Act annexed for the Purposes mentioned in this Act and the said Westminster Improvement Acts: Provided always, that no Notice to treat and agree to take any of the Lands mentioned in the Schedule to this Act shall be given, unless and until the said Commissioners shall have deposited in the Bank of England by way of Security for the Benefit of the Parties interested in such Lands such Sum of Money as a Surveyor appointed by Two Justices shall determine to be the Value of such Lands, and upon such Deposit by way of Security being made as aforesaid, it shall be lawful for the said Commissioners to give Notice of their Intention to enter upon and take and use all or any of the said Lands.

Provision as to Bryan's Factory in Dacre Street, § 15.

Provisions as to taking Lands of the Governors of the Grey Coat and St. Margaret's Hospitals, and as to the Arrangements for carrying out the Deviation of Orchard Street and New Pye Street, § 16.

Power to borrow Money to carry out Exchanges, § 17.

Provision for taking other Lands of the Grey Coat Hospital, and also Lands of Saint Margaret's Hospital, § 18.

19. No Notice to treat and agree in respect of Lands in the said Schedule A. shall be effectual against the Vendor after the Lapse of Six Calendar Months from the Service of such Notice, unless the Purchase or Compensation Money shall have been paid, or such Notice shall be extended by Consent or by Order of the Court of Chancery.

Compulsory Purchase limited to Three Years, § 20.

Power for the Commissioners to divert, stop up, and inclose Highways, § 21.

22. Provided always, That before any such Streets or void Ground shall be diverted, stopped up, inclosed, or altered by the Commissioners under the Powers of this Act, Notice shall be given and published, and such other Proceedings taken, and the same shall be with and subject to such Right of Appeal, and in all other respects as if the Provisions of Section 95 of "The Westminster Improvement Act, 1845," (as amended by Section 17 of "The Westminster Improvement Act, 1850"), and of Sections 96 and 97 of "The Westminster Improvement Act, 1845," had been inserted and re-enacted in and by this Act, but so nevertheless, that such Appeal as aforesaid, in lieu of being made to the Court of General Quarter Sessions for the City and Liberty of Westminster, shall be made to the Court of General Quarter Sessions for the County of Middlesex.

Commissioners to give Notice to the Clerk or Surveyor to the Board of Works for the Westminster District, § 23.

Powers of recited Acts to extend to this Act, § 24.

25. Provided always, That this Act, or anything herein contained, shall not affect or prejudice the Security given by the Commissioners by an Indenture of Mortgage, dated the 25th Day of June 1851, and Bond of even Date therein referred to, for the Repayment by the Commissioners, with Interest as therein mentioned, of a Sum of 30,000*l.* advanced to them by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, pursuant to a Power contained in the Act of the 13th & 14th of Victoria, c. 103, and which, under or by virtue of the "Metropolitan Improvements (Repayment out of Consolidated Fund) Act, 1853," is now vested in the Commissioners of Her Majesty's Works and Public Buildings.

26. Provided always, That this Act shall not prejudice or affect the Articles of Agreement, dated the 3d Day of June 1852, with the Justices of Middlesex, in the "Westminster Improvement Act, 1853," referred to, and thereby confirmed.

27. It shall be lawful for the said Commissioners (for the Purpose of raising a Fund to meet and defray the Costs, Charges, and Expenses of obtaining and passing this Act, and the Costs, Expenses, and Outlay incurred in managing and realizing the Land and Money of the Commissioners, and winding up their Affairs, and which said Fund shall be free from Attachment by Process of Common Law), to take up and borrow at Interest any Sum or Sums of Money, not exceeding the Sum of 10,000*l.*, and to secure such Monies and Interest thereon, after a Rate not exceeding 7 per Centum per Annum, by Debentures to be issued for that Purpose under the Common Seal of the said Commissioners, in the Form set forth in Schedule B. to this Act annexed, or as near thereto as convenient; and such Debentures shall be paid by the Commissioners out of the surplus Monies to arise from the Sale of Lands and Money belonging to them or to be acquired by them under or by virtue of the Acts herein referred to or of this Act, after satisfying all Mortgages thereon other than the said Mortgage of the 26th Day of May 1852, and shall be a First Charge on such surplus Monies in the Hands of the Commissioners, and upon all Lands and Money belonging to or to be acquired by the Commissioners remaining unsold, after satisfying all Mortgages thereon other than the said Mortgage of the 26th Day of May 1852, and the Amounts secured by such Debentures shall be paid out of such surplus Money as aforesaid, pari passu, at One Time not exceeding Five Years from the passing of this Act, and in priority to the said Mortgage of the 26th Day of May 1852, and the said Assignment of the 18th Day of April 1855, and all Claims thereunder, and all Bond, Judgment, or Simple Contract Debts.

28. Every such Debenture as aforesaid shall be signed by at least Three of the Commissioners, as well as sealed with their Common Seal, and all such Debentures shall be numbered consecutively, and a Book shall be kept by the said Commissioners, which shall be called "The Register of Preference Debentures," and which shall be open to all Persons interested at every reasonable Time for Inspection on the Payment of 2*s.* for every Inspection thereof, and any such Person shall be at liberty to require the Commissioners to furnish them with Extracts of or Copies from such Book, upon the Payment of a Sum of 2*s.* for every Entry or Page extracted or copied thereout; and such Extracts or Copies shall be rendered accordingly to every such Person demanding the same, who shall be at liberty to examine the same with the said Book, without any additional Charge; and in the said Book shall be entered such Particulars of every Debenture to be issued under the Authority of this Act as herein-after mentioned; (that is to say,) the Number and Date thereof, the Amount secured thereby, the Rate of Interest at which, and the Period for which such Amount has been advanced, and the Name and Address of the Person advancing the same, and all Particulars as to the Date of, Consideration for, and the Name and Address of the Assignee under every Transfer or Assignment of any such Debenture which may be submitted to the said Commissioners for Registry of such Particulars.

29. The said Commissioners shall forthwith, after their new Constitution, proceed to realize, collect, get in, compound for, convert, and wind up with all convenient Speed, all their Lands, Money, Debts, Assets, and Affairs, and for the Purpose of more effectually and advantageously doing so, it shall be lawful for them to enter into any Contract with the Owners of any adjoining Lands, for the Purchase or Renting of any such adjoining Lands for the Purpose of selling, offering, letting, or disposing thereof with the Lands of the Commissioners, and generally for

the Purposes authorized by the Improvement Acts and this Act to apply and expend any Monies received by or belonging to them. Three of the Commissioners shall form a Quorum, and shall be able to exercise all or any of the Powers vested in them by any of the Acts herein referred to or by this Act.

30. In order that the Commissioners may be enabled to manage and dispose of to the best Advantage the Lands, Hereditaments, and Property belonging to them, or to be acquired by them under or by virtue of any of the Acts herein referred to or this Act, they shall have the following Powers:

The Commissioners are hereby authorized to lease or confirm any Lease or Agreement for a Lease already made of all or any Part of the said Lands and Hereditaments for any Term or Terms of Years, at such Rent, and to apportion the Rent reserved by any such Lease or Agreement for a Lease, upon such Conditions, and in such Manner in all respects as they in their absolute Discretion shall think fit, without the Consent or Concurrence of any Mortgagee, Incumbrancer, Bondholder, or other Person whomsoever:

The Commissioners are hereby authorized to sell and dispose of, without the Privity or Concurrence of any Mortgagee, Incumbrancer, Bondholder, or other Person whomsoever, for such Price, upon such Conditions, and in such Manner in all respects as they shall think fit, all or any of the Lands, Hereditaments, and other Property belonging to or to be acquired by them, and to convey the same, without the Concurrence of any Mortgagee, Incumbrancer, Bondholder, or other Person whomsoever, to the Purchaser or Purchasers thereof, or as he, she, or they shall direct, freed and discharged from all Mortgages, Charges, and Incumbrances affecting the same, but subject to any Lease granted or confirmed under the preceding Power:

Previously to the Sale of any Land the Commissioners shall give Notice in Writing to all the Mortgagees whose Mortgages shall affect such Land, or any Part of it, of their Intention to sell such Land and of the Time and Place at which and the Conditions under which such Sale is to be made: Such Notice shall be sent by Post addressed to the Mortgagees according to their Addresses in the Register of Mortgages of the Commissioners. No Purchaser shall be obliged to inquire whether any such Notice as aforesaid has been given, and every Sale made by the Commissioners shall be valid and binding to all Intents and Purposes although no such Notice shall have been given:

It shall be lawful for any Mortgagee of any Land sold by the Commissioners, or of any Part thereof, to bid at any Public Sale, and to become the Purchaser at any Public Sale in like Manner as any Person not interested therein might bid and become the Purchaser:

The Commissioners are hereby authorized, without the Privity or Concurrence of any Mortgagee, Incumbrancer, Bondholder, or other Person whomsoever, to exchange any Land either for other Land, or partly for Land and partly for Money, upon such Terms and in such Manner as they shall think fit, and upon any such Exchange to convey, without the Concurrence of any Mortgagee, Incumbrancer, Bondholder, or other Person whomsoever, the Land so to be exchanged by them to the Person or Persons with whom the Exchange is made, or to such Uses as he, she, or they shall direct, freed and discharged from all Mortgages, Charges, and Incumbrances affecting the same, but subject to any Lease granted or confirmed under the Power given to the Commissioners by this Act. Any Land taken by the Commissioners in exchange as aforesaid shall be subjected to the Mortgages, Charges, and Incumbrances (if any) affecting the Land given by the Commissioners in exchange, and in the same Priority; and any Money received by the Commissioners on any such Exchange shall be considered as Money arising from the Sale of Land under the Provisions of this Act, and be paid to the Credit of the Commissioners at the Bank of England, and be dealt with by them under the Provisions of this Act:

The Commissioners shall keep a Book containing an Account of all Leases, Sales, and Exchanges made by them, and such Book shall show distinctly with reference to every Lease, Sale, or Exchange the following Particulars, viz., the Land leased, sold, or exchanged, the Date of such Lease, Sale, or Exchange, the Person or Persons to whom, and the Rent, Term of Years, Price of Land at or for which it has been leased, sold, or exchanged, and the Date of Payment of the Purchase Money; such Book shall be open to the Inspection of all the Mortgagees and Bondholders or their Agents at all reasonable Times.

31. All Monies arising from the Sale or Exchange, and all Fines and Premiums on Leases or Alienations of Lands belonging to or acquired by the Commissioners, shall be paid into the Bank of England in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Credit to an Account there, to be intituled "In the Matter of the Westminster Improvement and Incumbered Estate Act, 1861," and in the Matter of "The Purchase Monies arising from Land sold to, leased to, or exchanged with, as the Case may be;" and the Money so paid in shall be subject to all the Rights, Equities, Rates, and Charges to which the Land from the Sale, Exchange, Lease, or Alienation of which it has arisen was subject.

32. No Receipt of the Commissioners, or of any of them shall discharge the Purchaser or other Person paying such Money as aforesaid, or the Lands sold, exchanged, leased, or alienated therefrom, unless such Money be so paid as hereinbefore is directed. Upon the Money being paid into the Bank of England as herein-before directed, no Person paying the same shall be liable to see to the Application of it, or be responsible for the Misapplication or Nonapplication of it.

33. The Court from Time to Time may make and give any Orders and Directions with respect to the Payment of the Monies from Time to Time to be paid into the Bank of England as aforesaid out of Court, or for other the Purposes of this Act, either upon Petition presented in a summary Way, or by Motion or Summons, and on Notice to such Persons, if any, and together with such Costs as the Court shall direct, and the Commissioners shall represent all Bondholders and Incumbrancers, other than Mortgagees, upon every such Petition, Motion, or Summons unless the Court shall otherwise direct.

34. Unless within Two Months after Payment into the Bank of England of any Money the Court shall otherwise direct, such Money shall, without Order for this Purpose, be invested by the Accountant General in the Purchase in his Name of Three Pounds per Centum Consolidated Bank Annuities, and the Dividends and annual Proceeds thereof shall, with the said Bank Annuities, attend the Orders of the said Court.

35. Nothing in this Act contained shall give any Force or Validity to the Mortgage of the 26th Day of May 1852, the Assignment of the 18th Day of April 1855, or the Reconveyance of the 26th Day of December 1857, other than such Mortgage, Assignment, and Reconveyance respectively would

have had if this Act had not been passed, nor shall this Act in anywise affect as between themselves the Priorities of any Mortgagees, Incumbrancers, Bondholders, or Creditors of the Commissioners: Provided also, that this Act shall not prejudice or affect any Preference or Priority in Payment (if any) which any Person holding a Bond of the Commissioners, granted before the Date of the Mortgage and Deed of Settlement dated respectively the 26th Day of May 1852, and not having assented thereto, would be entitled to if the Mortgage and Deed of Settlement had not been executed, or the "Westminster Improvement Act, 1853," confirming the same, or this Act, were not passed.

Act not to extend to certain Leaseholds, § 36.

37. Whereas the Commissioners have entered on Land belonging to the Dean and Chapter of Westminster adjoining to the Eastern Side of the Churchyard of Christchurch, Westminster, and the Commissioners have pulled down the Buildings heretofore standing on the Land, and have formed a Roadway or Street over the Site thereof leading from and out of Great Chapel Street into Victoria Street, and the Road has for some Time been open to the Public, and the Commissioners have stopped up the old Road or Way which heretofore formed the Eastern Boundary of the Land: Therefore the Commissioners shall not sell or dispose of the Site of the old Road or Way until they pay to the Dean and Chapter 2,114*l.* and Interest, and all Expenses incidental to the Completion of the Sale of the Land, and until they shall have paid the said Dean and Chapter's Lessees their Purchase Money, Interest, and Costs, except that, if required so to do by the Dean and Chapter, the Commissioners shall sell and convey to the Dean and Chapter, free from all Incumbrances whatsoever, the Site of the old Road or Way at a Valuation to be made thereof in manner provided by the Westminster Improvement Acts, or some of them, in respect of Land taken by the Commissioners from the Dean and Chapter under those Acts, and the Amount of the Valuation shall be deducted from the 2,114*l.*, or so much thereof as is then unpaid, and thereupon and at any Time thereafter the Dean and Chapter may re-sell and convey the same on such Terms and Stipulations and in such Manner as they think fit; and they may take and hold the Land so conveyed to them and deal with the same as Part of their Corporate Property, and the Costs, Charges, and Expenses of the Dean and Chapter of and incident to such Purchase shall be paid by the Commissioners.

38. And whereas the Lands mentioned or referred to in Schedule C. to this Act annexed belonged to the Dean and Chapter of Westminster, and were in or about the Years 1848, 1851, and 1852 contracted to be purchased by the Commissioners in pursuance of and acting under the said Acts, or some of them, for several Sums amounting together to 8,224*l.*, and the said Commissioners took possession of the said Lands without previous Payment of the Purchase Money thereof: And whereas the Commissioners have paid Interest upon such Purchase Monies up to the Year 1854: And whereas the said Principal Sum of 8,224*l.*, together with Interest thereon from the said Year 1854, is now due to the said Dean and Chapter in respect of such Purchase Money: Therefore it is hereby enacted that the said Commissioners shall not be at liberty to sell, exchange, or lease all or any Part of the Lands comprised or referred to in the said Schedule C. to this Act belonging to the Dean and Chapter of Westminster without the previous Consent in Writing of the said Dean and Chapter under their Corporate Seal first had and obtained, unless they shall have previously paid all Purchase Money, Interest, Costs, Charges, and Expenses due or payable to the said Dean and Chapter of Westminster in respect of the particular Lands intended to be dealt with.

39. That the Provisions of Sections 57 and 77 of "The Westminster Improvement Act, 1845," and of Section 56 of "The Westminster Improvement Act, 1850," and of Section 16 of "The Westminster Improvement Act, 1853," shall extend and apply to Lands purchased of the Dean and Chapter of Westminster under or by virtue of this Act, and to Monies payable by the Commissioners to the said Dean and Chapter on the Sale of any Lands or by way of Compensation or otherwise in respect of such Lands, in the same Manner in every respect as if such Provisions had been incorporated in this Act, and the Commissioners shall not sell or dispose of the Site of Whicher's and Kifford's Alms Houses and Gardens acquired by them under Section 70 of "The Westminster Improvement Act, 1853," until Payment or Satisfaction by them of the Costs and Expenses mentioned in the 73d Section of the same Act.

As to Deviation of Road provided for by the Westminster Palace Hotel Company's Act, 1858, § 40.

Saving Rights of the Parishes of St. Margaret and St. John the Evangelist, Westminster, § 41.

42. And whereas by reason of the Works of the Commissioners hereby authorized there may be Deficiencies in the Produce of the Sewers Rates, the Lighting Rates, the General Rates, and the Main Drainage Rates within the said Parishes: Be it therefore enacted, That after the Occupier or Occupiers of any of the Houses and Buildings in the said Parishes respectively mentioned in Schedule A. to be taken down for the Purposes of this Act shall have quitted the Possession thereof, in pursuance of any Notices or Notice given by the said Commissioners, and until the whole of the said Houses and Buildings intended to be built upon the Ground so to be taken by the said Commissioners shall be completed and occupied, the Commissioners shall pay and make good all such Sum and Sums of Money as shall from Time to Time be deficient in respect of the Produce of the Assessments for the said several Rates within such Parishes, or either of them, by reason or means of the Alterations arising from the Want of Occupiers in or taking down the said several Houses and Buildings respectively, to be computed according to the Produce of such several Rates and Assessments, or as near as the Nature of the Case will admit, in the said Parish, from the 25th Day of March 1862, and the same shall be accordingly paid to the several Collectors of the said Rates.

43. And for the Purpose of providing against any Deficiencies in the Poor Rate within the said Parishes which may be occasioned by the carrying out of the Improvements, be it enacted, That the Commissioners shall from Time to Time be liable to make good the Deficiency in the Poor Rate arising within such Parishes by reason of any such Property mentioned in Schedule A. having been taken or used for the Purposes of this Act, and the said Commissioners shall on Demand pay to the Treasurer of the said Parishes for the Time being, or such other Person as the Vestries of the said Parishes shall appoint to collect or receive the said Rate, all such Deficiency.

44. That for the Purpose of providing against Deficiencies in the Assessments for Land Tax occasioned by the Works of the Commissioners authorized by this Act, be it enacted, That if the Commissioners become possessed by virtue of this Act of any Premises mentioned in Schedule A. charged with the Land Tax, the Commissioners shall from Time to Time, until the said Works shall be completed and assessed to such Land Tax, be liable to make good the Deficiency arising within the Parishes of Saint Margaret and Saint John by reason of the Land having been taken or used for the Purposes of the Works, and such Deficiency shall be computed according to

the Rental at which such Lands, with any Buildings thereon, were valued or rated at the Time of the passing of this Act; and the Commissioners shall pay all Deficiencies, on Demand thereof, to the Collector of the said Assessments.

For Protection of Sewers of Metropolitan and other Boards, § 45.

Property of Emanuel Hospital not to be prejudicially affected by this Act, § 46.

47. Provided always, That the Rights of all Parties in any Suit already instituted, and now pending in the High Court of Chancery against the said Commissioners, either alone or with other Defendants, shall be unaffected by this Act, save so far as the Powers of Leasing, Alienation, Sale, and Exchange discharged from Incumbrances hereby given to the said Commissioners may affect the same, and that such Suit and all Proceedings incidental or supplemental thereto may be proceeded with and adjudicated upon in all other respects as if this Act had not been passed.

As to Costs of Act, § 49.

SCHEDULE (A.)

Lands authorized to be taken by the Commissioners.

SCHEDULE (B.)

Form of preferential Debenture.

SCHEDULE (C.)

Lands of Dean and Chapter of Westminster which have been taken by the Commissioners, but which are not to be dealt with by them until the Purchase Money has been paid.

Cap. cxxvii.

"The Sittingbourne and Sheerness Railway (Increase of Capital) Act, 1861."

Recites Incorporation of the Company in 1856, with Power to make and maintain a Railway from near Water Lane in the Parish of Sittingbourne to Mile Town, Sheerness, in the Parish of Minster in the Isle of Sheppy, with a Railway and Carriage Bridge over the Swale, and to raise a Share Capital of 80,000*l.*, and to borrow 26,600*l.*; that by their Act of 1857 the Company were authorized to make certain Deviations and to construct certain additional Lines of Railway, and a Pier or Landing Place at Queenborough Point in the Swale; and by their Act of 1859 to raise an additional Sum of 40,000*l.* by the Creation of Preference Shares, and to borrow an additional Sum of 13,000*l.*; that the whole of the 8,000 original Shares by the Act of 1856 authorized were created and issued, and the Sums actually received by the Company in respect of such Shares amount to the Sum of 52,520*l.*; that 1,475 of the original Shares of the Company have been declared forfeited for Nonpayment of Calls, and the Sums due to the Company thereon amount to the Sum of 13,979*l.*; that 1,451 of the original Shares of the Company are now liable to be declared forfeited for Nonpayment of Calls, and Proceedings are in progress to forfeit the same under the Provisions of the Act of 1859, and the Sums due to the Company on such Shares amount to the Sum of 10,481*l.*, making with the Sum due on the forfeited Shares the Sum of 24,460*l.*; that the whole of the Sum of 40,000*l.* authorized by the Act of 1859 has been raised by the Creation of 4,000 Shares of 10*l.* each, entitling the Holders thereof to a Preference Dividend of 5*l.* 10*s.* per Centum per Annum on the Amount of each Share; that they have completed and opened for Railway Traffic the Railway and Bridge over the Swale as authorized by the Acts of 1856 and 1857, and the Branch Railways by the Act of 1857 authorized have also been completed, but the Pier at Queenborough Point, thereby authorized, is not yet completed; that they have expended the whole of the Sums raised under the Acts of 1856 and 1859, and the Sum remaining to be raised under the last-mentioned Act will not be sufficient to discharge the existing Liabilities of the Company, and to complete the said Pier and execute other Works in connexion therewith which will be required for the Convenience of the Traffic thereat and for the general Purposes of the Company, and it is expedient that the Company should be authorized to raise an additional Sum of 30,000*l.* by the Creation of Preference Shares entitling the Holders thereof to a Dividend of 5*l.* 10*s.* per Centum per Annum on the Amount of such Shares; also that the Company should be enabled to provide Ballast for Ships frequenting the said Pier, and to enter into permanent Arrangements with the Owners of Steam Vessels and other Vessels undertaking to ply regularly between the said Pier and other Places; proposes to give Power to lease the said Pier and the Tolls, Rates, and Charges demandable thereat, and to alter some of the Provisions of the recited Acts with reference to the Bridge over the Swale, the Forfeiture of Shares, and other Matters.

Power to raise 30,000*l.* additional Capital by Shares, with or without a Preference not exceeding 5*l.* 10*s.* per Cent., §§ 2 to 7.

Power to borrow 10,000*l.*, §§ 8 to 10.

Removing Doubts as to Forfeiture of certain Shares, § 13.

Power to lease the Pier, § 14.

Powers vested in the Company may be exercised by the Lessees, § 15.

Power to enter into Contracts, § 16.

Lease, &c. not to affect Rights, § 17.

Saving existing Agreements, § 18.

Company may enter into Arrangements for regular Service of Vessels to and from Pier, § 19.

Pier to be completed in accordance with Plan approved by Admiralty, § 20.

Penalty for Nonobservance of Admiralty Regulations as to Vessels using the Pier, § 21.

Power to provide Ballast for Ships, § 22.

Company empowered to release Lands from Rates, § 23.

Power to sell Ferry Lands, § 24.

Application of Monies arising from Release of Rates and Sales of Ferry Lands, § 25.

Arrears of Acreage Rates may be recovered by Company, § 26.

Repeal of Section 26 of Act of 1856, § 27.

Company not to detain Vessels, § 28.

Saving Rights of the Crown, § 29.

Cap. cxxviii.

"The London and North-western Railway (Lines near Liverpool) Act, 1861."

Proposes to enable the London and North-western Railway Company to construct Railways from Edgehill to near Bootle, from Winwick to Golborne, and from Aston over the River Mersey at Runcorn to Ditton, with a Branch to Runcorn, and to acquire within the Town and Parish of Liverpool certain Lands for the Enlargement of their

Station at Wapping, and also of their Station at Lime Street, and in connexion therewith to make a new Street, to appropriate Parts of existing Streets, and to execute other Works.
Incorporation of Consolidation Acts, §§ 2, 3.
Power to take Lands and to make Railways, §§ 4, 5.
Vulcan Street not to be stopped up or interfered with without Consent of Mersey Board, § 6.
Prescribing Line of Railway at Walton, § 7.
Execution of Works for Railways affecting Lancashire and Yorkshire Railway, § 8.
Maintenance of those Works, § 9.
Company not to take Land of Lancashire and Yorkshire Company without Consent, § 10.
The Tunnel under the Leeds and Liverpool Canal to be made according to a Plan to be approved by the Engineer of the Canal Company, § 11.
Tunnel to be kept in good Repair by the Company, § 12.
For Protection of Drains belonging to the Canal Company, § 13.
If the Leeds and Liverpool Canal is obstructed, the Company to pay the Damage, § 14.
On South Side of River, Abutment to be set back, and Castle Rock cut off, § 15.
As to Construction of Viaduct across River Mersey, § 16.
Previously to Commencement of Works, Plans, &c. to be deposited at Admiralty, §§ 17 to 20.
Piers to be encased, § 21.
The Company to make and open Branch in Duke's Dock simultaneously with Main Line, § 22.
The Company to place Lights during Progress of Works, and at all Times light Two centre Piers in River from Sunset to Sunrise, § 23.
For preserving the Access to the Docks, and protecting the Interests of the Duke of Bridgewater's Trustees, and of the Company of Proprietors of the Mersey and Irwell Navigation, §§ 24 to 29.
Regulation as to the Viaduct through Property of John Hutchinson, Esq., § 30.
Communication with St. Helen's Railway, §§ 31 to 34.
Protecting Access to Widnes Dock, &c., § 35.
Protecting Access to Hutchinson's Pier, § 36.
Providing for Arbitration, § 37.
Company may apply its Funds, § 38.
Restriction on the Construction of Sidings upon certain Lands, § 39.
Indemnifying North Union Fund, § 40.
Regulating Inclination of a certain Road, § 41.
Power to alter Engineering Works, § 42.
Company not to alter Level of Derby Road, § 43.
For the Protection of the Main Conduit or Water Pipe of the Corporation of Liverpool, § 44.
Certain Provisions of Railways Clauses Consolidation Act, 1845, to apply to the Mains and Pipes, &c. of the Corporation of Liverpool, § 45.
As to the Crossing of certain Roads in the District of West Derby, § 46.
Company to repay to West Derby Local Board additional Cost of Sewers, § 47.
Company to repay to Wavertree Local Board additional Cost of Sewers, § 48.
Power to make new Street and Communication, § 50.
Company to construct a substituted Sewer in such new Street, § 51.
Company to pay Expenses of consequential Alterations of other Streets, § 52.
Certain Streets not to be stopped up without Consent of Corporation, § 53.
New Station to be so constructed as that Carts, &c. may wait without unnecessarily obstructing the Streets, § 54.
Company to reimburse Council of Borough of Liverpool additional Cost of Sewerage, § 55.
Three Years for compulsory Purchase of Lands, § 56.
Five Years for Completion of Railways, &c. §§ 57, 58.
Authorizing Sale of Lands belonging to the Duchy of Lancaster, and providing for Application of Purchase Money, §§ 59, 60.
Tolls for Bridge over Mersey, § 61.
The Company to purchase from the Marquis of Cholmondeley his Interest in the Runcorn Ferry, § 62.
The Company to purchase the Interest of the Lessees therein, § 63.
The Company to construct a Footbridge for the Use of the Public, §§ 64, 65.
Toll to be taken for Passage over the Bridge, § 66.
Power to raise additional Capital, 1,000,000*l.*, by ordinary Shares, §§ 67 to 71.
Power to borrow 333,000*l.*, §§ 72 to 74.
Saving Rights of the Crown and the Duchy of Lancaster, §§ 77, 78.
Schedule (Form).

Cap. cxxix.

"The Downpatrick and Newry Railway Act, 1861."

Proposes to incorporate a Company for making a Railway from the Belfast and County Down Railway at Downpatrick to Newry, and a Railway therefrom to join the Newry and Armagh Railway, and to authorize certain other Companies to subscribe.
Capital, 265,000*l.*, §§ 4, 5.
Power to borrow 88,300*l.*, § 6.

7. It shall be lawful for the Belfast and County Down Railway Company and the Newry, Warrenpoint, and Rostrevor Railway Company to subscribe towards and become Shareholders in the Undertaking, *each* to the Extent of 20,000*l.*; and the said Companies may, with the Authority of Three Fifths of their Shareholders present, personally or by Proxy, at a General Meeting specially convened for the Purpose, respectively contribute and apply in Payment of their said respective Subscriptions any Monies which they are already respectively authorized to raise, and which may not be required by them for the Purposes for which those Monies were authorized to be raised, and also any Monies which they are by this Act respectively authorized to raise; and the said Companies shall, in respect of the said Sums to be subscribed and the corresponding Shares in the Company to be held by them respectively, have all the Powers, Rights, and Privileges, (except in regard to voting at General Meetings, which shall be regulated by the special Provisions herein-after contained,) and be subject to all the Obligations and Liabilities of Proprietors of Shares in the Company: Provided always, that until the Railways by this Act authorized shall have been completed and opened for the public Conveyance of Passengers, it shall not be lawful for either of the said Companies to transfer any of the Shares in the Company held by them respectively of which the full nominal Amount shall not have been paid up.

8. Provided always, That the Company and either of the contributing Companies may contract that the Contribution of the contracting Company shall be devoted to the Construction

and Maintenance of some particular Portion of the Railways, and that in consideration of the Monies advanced for that Purpose the contracting Company shall have Control, or a Share to be agreed on in the Control, over the Construction and Maintenance, Management and working of that Portion of the Railways, and that the Dividends or Interest which shall be payable on the Shares taken or Money advanced by them shall be derived only from the Profits of the said Portion of Railway.

Meetings; Directors, §§ 9 to 14.

Power to contributing Companies to raise Money by the Creation of Shares, with or without a Preference not exceeding 5*l.* per Cent., § 15.

Power to make Railways, §§ 16 to 18.

Protecting Land of Dublin and Belfast Junction Railway Company, § 24.

Saving Rights of the Marquis of Downshire, § 25.

As to Branch to Goragh Wood, § 26.

As to Construction of Railway at Dundrum Bay, § 27.

As to crossing of Newry River, § 28.

Lands to be bought by Compulsion in Three Years, § 31.

Five Years for Completion of Railways, § 32.

Communication with other Railways to be made under the Direction of the Engineer of those Railways, §§ 33 to 35.

Protecting Property of Bann Reservoir Company, § 36.

Tolls, §§ 38 to 46.

Power to enter into Traffic Arrangements with other Railway Companies, §§ 47 to 54.

Saving Rights of the Crown, § 55.

Cap. cxxx.

"The London and North-western Railway (Eccles, Tyldesley, and Wigan) Act, 1861."

Proposes to make new Railways from Eccles through Tyldesley to Wigan, with a Branch to Bedford and Leigh, all in the County of Lancaster.

Incorporation of Consolidation Acts, § 2.

Power to take Lands and to make Railways, §§ 4, 5.

Power to alter Engineering Works, § 6.

Three Years for compulsory Purchase of Lands, § 8.

Five Years for Completion of Railways, &c., §§ 9, 10.

Indemnifying North Union Fund, § 11.

For Protection of the Corporation of Liverpool, § 12.

Bridge over the Bridgewater Canal, § 13.

Company to erect Passenger Station at Worsley, § 14.

Protecting Supply of Water to Worsley Hall, § 15.

No Deviation to be made on certain Lands, § 16.

Saving Rights of the Duke of Bridgewater's Trustees and of the Earl of Ellesmere, § 17.

Provisions for Protection of Lord Lilford's Estate in Atherton and the Tunnel at Leigh, § 18.

Provision as to Highway at Ince-in-Mackerfield, § 19.

Power to raise additional Capital of 350,000*l.*, to be subject to same Incidents as ordinary Capital, §§ 20 to 24.

Power to borrow 115,000*l.*, §§ 25 to 27.

Cap. cxxxi.

"The Fife and Kinross Railway Amendment Act, 1861."

Recites that the Fife and Kinross Railway Company were incorporated in 1855, and further Powers were conferred on the Company by "The Fife and Kinross Railway (Diversion and Extension) Act, 1857," and "The Fife and Kinross and Kinross-shire Railways Junction and Joint Station Act, 1858;" that they were by the first and second recited Acts authorized to raise the Sum of 82,000*l.* by Shares, and to borrow 27,000*l.*; that they have issued 5,615 Shares of the Capital authorized to be raised by the first and second recited Acts, and 2,585 Shares authorized to be raised by the first-recited Act have not been issued; that 43,754*l.* has been received by the Company on account of Shares, and the Sum of 27,000*l.* has been borrowed by them; that the Company have expended the Sum of 115,104*l.* in the Construction of the Railways and Works authorized by the recited Acts, and in carrying the same into effect; and in order to meet their Engagements it is necessary that they should be authorized to raise additional Capital for the general Purposes of their Undertaking.

Incorporation of Provisions of Companies Clauses Act, § 3.

4. It shall not be lawful for the Company to create or issue any Part of the 2,585 unissued Shares of the Capital authorized to be raised by the first-recited Act: Provided that nothing in this Act contained shall prejudice or affect the Right of the Company to sue for and recover any Calls remaining unpaid on the Shares created and issued under the Authority of the first and second recited Acts, or either of them, or to forfeit such Shares in case of Nonpayment of Calls.

5. In addition to the Capital authorized by the first and second recited Acts, as restricted by this Act, it shall be lawful for the Company to raise for the general Purposes of their Undertaking any Sum not exceeding 53,850*l.* by the Creation and Issue of new Shares in their Undertaking.

6. The Capital of the Company raised and to be raised by the Creation and Issue of Shares in their Undertaking under the Authority of the first and second recited Acts and this Act shall not exceed in the whole the Sum of 110,000*l.*

Power to confer on new Shares Right to preferential Dividend not exceeding 5*l.* per Cent., §§ 7 to 11.

Power to borrow 9,600*l.* more, or to raise that Sum or Part thereof by new Preference Shares at 5*l.* per Cent., §§ 12 to 16.

Cap. cxxxii.

"The North London Railway (Widening) Act, 1861."

Proposes to empower the North London Railway Company to widen a Portion of their Railway and to raise further Monies.

Incorporation of Consolidation Acts, § 3.

Power to purchase Land for widening Railway, § 5.

Power to construct additional Works, § 6.

Bridges in Islington Parish to be widened, § 7.

Regulating Crossings under the Metropolis Roads, § 8.

For Protection of Sewers of Metropolitan and other Boards, § 9.

Local Rates to be made good, § 10.

Tolls and Charges, § 11.

Power to raise additional Capital of 100,000*l.* by Shares, with or without a Preference not exceeding 5*l.* per Cent., §§ 12 to 17.

Power to borrow 33,300*l.*, and to convert into Stock the borrowed Capital to be raised under this Act, §§ 18 to 24.

Power to London and North-western Railway Company to take their proportionate Amount of the new Share Capital, § 25.

Power for London and North-western Railway Company to raise additional Capital, § 26.
Regulations of such new Capital, §§ 28 to 30.

Cap. cxxxiii.

"The Metropolitan Railway Act, 1861."

Preamble recites that by "The Metropolitan Railway Act, 1854," the Metropolitan Railway Company were incorporated, and were empowered to make a Railway from the Great Western Railway at Paddington to the General Post Office in St. Martin's-le-Grand; and whereas by various other Acts Deviations were authorized in the Line of the Metropolitan Railway, and the Company were authorized to construct a Branch to the Great Northern Railway, and the Termination of the Railway in the City of London was altered from the General Post Office to the Eastern Side of Victoria Street; and by "The Metropolitan Railway Act, 1860," they were authorized to purchase additional Lands; that the Time for making the Railway was extended by the Act of 1859 for Three Years from the passing of that Act, and by the Act of 1860 for a further Period of One Year; that the Company are proceeding with the Execution of the recited Acts, and have expended large Sums of Money in the Purchase of Lands and Construction of Works; and the Company have fulfilled the Obligations imposed upon them by the said Acts of paying up One Half of their Share Capital, and expending for the Purposes of the said Acts a Sum equal thereto; that the Company find that they will require extended Powers for the Purchase of Lands and the Construction of Works, and also to purchase or take certain additional Lands; that it is expedient that the Company should be authorized to make a Branch or Curve in the Parishes of Saint Mary Islington and Saint Pancras, for the Purpose of improving the Communication with the Great Northern Railway, and also a Line of Railway to improve the Means of Communication with the intended Meat and Poultry Market at Smithfield; that there are several Courts and Passages which it is expedient should be stopped up, and it is also expedient that the Company should be authorized to raise or alter the Level of the new Street from Charles Street to Cow Cross Street; that it is expedient to extend the Time for the Completion of the Main Line of Railway and the Works connected therewith; and that the Company should be authorized to raise further Sums of Money, and that certain Alterations should be made in the Provisions of the recited Acts as regards the Mode of Proceeding with the Works, and the Times for their Completion, and that certain further Powers with respect to the Railway and Works should be granted to the Mayor and Commonalty and Citizens of the City of London, and to certain Railway Companies.
Incorporation of Consolidation Acts, § 4.
Power to make Works according to deposited Plans, § 5.
Describing the Lands and Works, § 6, 7.
Power to stop up Passages and to alter certain Streets, §§ 8 to 10.
Five Years for Completion of new Works, §§ 11, 12.
One additional Year for completing Railway, §§ 13, 14.
Certain Sections of the Metropolitan Railway Acts to apply to Works authorized by this Act, § 15.
Arrangements with Grand Junction Canal Campany as to setting back Houses, § 16.
Power to agree with Vestries, &c. as to Restoration of Streets, § 17.
Restoration of Roads in Six Months, § 18.
Chief Surveyor of Saint Pancras substituted for Vestry Clerk, &c., § 19.
Notwithstanding no Notice given by Vestry within Time limited by Act of 1854, Company to reinstate Sewers after Notice, § 20.
Modification of Clause 155 of the Act of 1854, § 21.
Vestry of Saint Pancras may employ Persons to direct Traffic, § 22.
Company to pay to Vestry of Saint Pancras Proportion of extra Costs incurred, § 23.
As to certain Local Rates, § 24.
As to certain Streets, &c. in Holborn District, §§ 25, 26.
For Protection of Sewers of Metropolitan and other Boards, § 27.
For Protection of Sewers in City of London, § 28.
Company to restore Streets, § 29.
For Protection of Lord Northampton's Lands, § 30.
Certain Streets to be kept open for Traffic, § 31.
Agreements with Great Northern and Great Western Railway Companies, § 32.
Power to Companies to agree for Use of under Surface of Metropolitan Meat Market, § 33.
No Land belonging to the Corporation to be taken without their Consent except for the Purpose of tunnelling, § 34.
Company may apply their Funds towards Purposes of Act, § 35.
Power to Company to raise additional Capital of 300,000*l.*, § 36.
Regulations of new Capital, §§ 37 to 39.
Power to borrow 100,000*l.*, §§ 40 to 43.
Incorporation of Parts of Companies Clauses Act, § 44.
Provisions of Metropolitan Railway Acts to remain in force, § 45.

Cap. cxxxiv.

"The Birkenhead Railway (Vesting) Act, 1861."

Preamble recites that by "The Birkenhead, Lancashire, and Cheshire Junction Railway Act, 1852," the Birkenhead, Lancashire, and Cheshire Junction Railway Company were dissolved, and were re-incorporated with a Capital of 2,550,000*l.*, and with Power to borrow 600,000*l.*, and were authorized to complete and maintain the Birkenhead, Lancashire, and Cheshire Junction Railway; that by "The Birkenhead Railway Act, 1859," the Birkenhead Company were authorized to make and maintain additional Railways, with a Provision that if those Railways were not completed and opened for public Traffic within Five Years after the passing of the reciting Act, the Birkenhead Company should not pay any Dividends on their ordinary Capital until those Railways should be completed and opened for public Traffic, and their Name was changed to the Name "The Birkenhead Railway Company," and the Birkenhead Company on the one Part, and the London and North-western Railway Company and the Great Western Railway Company on the other Part, were authorized, at any Time before the 1st Day of November 1864, to enter into and carry into effect Agreements for the Working and User, Management, Maintenance, and Repair by the North-western Company and the Great Western Company, or either of them, with the Consent of the other, of the Undertaking of the Birkenhead Company and the Traffic thereon, and otherwise relating thereto; that by "The Shrewsbury and Chester Railway (Birkenhead Station) Act, 1851," Provision was made for the User by the Shrewsbury

and Chester Railway Company of the Lines of Railway, Stations, and Conveniences of the Birkenhead Company, and for the User by the Birkenhead Company of the Shrewsbury and Chester Railway, and the Stations and Conveniences thereof, and for facilitating the Interchange of Traffic between the respective Railways of the Shrewsbury and Chester Railway Company and the Birkenhead Company respectively; that by "The Shrewsbury and Chester Railway Act, 1854," Provision was made for the settling by Arbitration of Differences with respect to the Consideration to be paid by each of the Shrewsbury and Chester Railway Company and the Birkenhead Company to the other of them for the User by them respectively of each other's Railways; that the Shrewsbury and Chester Railway Company have become amalgamated with the Great Western Company; that by "The Birkenhead Railway Act, 1859," the Provisions of "The Shrewsbury and Chester Railway (Birkenhead Station) Act, 1851," and "The Shrewsbury and Chester Railway Act, 1854," respectively, with respect to the User by the Great Western Company (representing the Shrewsbury and Chester Railway Company) of the Birkenhead Railway, were extended to the Birkenhead Company's Railway to their Basin at Tranmere Pool, authorized by "The Birkenhead Railway Act, 1859;" that the Birkenhead Company have a Share with the North-western Company and the Chester and Holyhead Railway Company and the Great Western Company of the Joint Station at Chester; that by "The Warrington and Altrincham Junction Railway Act, 1853," Provision was made for the User by the Company then called the Warrington and Altrincham Junction Railway Company, but now called the Warrington and Stockport Railway Company, of the Railway of the Birkenhead Company, and the Stations and Conveniences belonging exclusively to the Birkenhead Company, and for the User by the Birkenhead Company of the Warrington and Stockport Railway, and the Stations and Conveniences belonging exclusively to the Warrington and Stockport Railway Company; that by "The Warrington and Stockport Railway (Leasing) Act, 1859," the Warrington and Stockport Railway was vested in the North-western Company and the Saint Helen's Canal and Railway Company as Lessees thereof for a Term of 999 Years, and Provision was made for the Purchase by the North-western Company of the Warrington and Stockport Railway, and Provision was made with respect to the User of the Railway of the Birkenhead Company by the Lessees of the Warrington and Stockport Railway and by the North-western Company as Purchasers thereof, and also with respect to the Use by the Birkenhead Company of the Manchester South Junction and Altrincham Railway; that by "The Mersey Docks and Harbour (Works) Act, 1858," Provision was made for a Lease to the Birkenhead Company of a Part of the Land at Birkenhead called the South Reserve; that the Capital and Debenture Debt of the Birkenhead Company now stand as follows; (that is to say,)

	£	s.	d.
Debenture Stock bearing preferential Dividends at the Rate of 4*l.* per Centum per Annum	6,170	0	0
Ordinary Stock	1,941,505	10	0
Total Capital	£1,947,675	10	0
Mortgage and Bond Debt	490,673	9	9
Total Capital and Debt	£2,438,348	19	9

And that the Birkenhead Company have Power to raise the following Sums; (that is to say,)

	£	s.	d.
By Shares or Stock	608,494	10	0
Less received on forfeited Shares	134,316	0	0
	£474,178	10	0
By borrowing	103,156	10	3
Total	£577,335	0	3

that an Agreement (set out at length), dated the 11th Day of August 1859, was entered into between the Birkenhead Company and the North-western Company and the Great Western Company; that a supplemental Agreement (also set out at length), dated the 20th Day of November 1860, was entered into between the Birkenhead Company and the Two above-mentioned Companies respectively; that an Agreement (also set out at length), dated July 19th, 1860, was entered into between the London and North-western and the Great Western Railway Companies for working and for a Lease of the Birkenhead Railway; that it is expedient that the said Agreements be confirmed, and that the Undertaking, Railways, Works, Property, Powers, and Privileges of the Birkenhead Company be vested in the Two Companies as from the 1st Day of January 1860 inclusive, and that further Provision be made with respect to the Maintenance, Management, Working, and User by the Two Companies of the Railways, Works, and Property of the Birkenhead Company, and the Traffic on those Railways; that other Agreements, dated respectively the 22d Day of June 1859, the 10th Day of August 1859, and the 17th Day of August 1860, have been entered into between the Three Companies in relation to the Birkenhead Railway, but inasmuch as on the passing of this Act the Provisions of those Agreements will become unnecessary, it has been agreed between the Companies that such Agreements shall be annulled.

Confirming Agreements between the Companies, § 2.
Annulling other Agreements, § 3.
Birkenhead Railway vested in North-western and Great Western Railway Companies jointly, but for separate Use of each Company, §§ 4, 5.
Powers and Duties of Birkenhead Company as to Birkenhead Railway transferred to the Two Companies, § 6.
Provisions of other Acts to apply to the Two Companies, § 8.
The Two Companies to complete Railways authorized by Act of 1859, § 10.
The Two Companies to perform Duties of Birkenhead Company as to Birkenhead Railway, § 11.
The Two Companies to indemnify Birkenhead Company against Duties as to Birkenhead Railway, and against their Debts and other Liabilities on account of Capital, §§ 12, 13.
The Two Companies may recoup themselves Monies paid on account of the Company, § 14.
The Two Companies to pay to Birkenhead Company Dividends on their ordinary Capital, § 15.
Provision for increased Dividends, §§ 16, 17.
Payment of the Dividends, § 18.
Remedy by Action for Recovery of Dividend, §§ 19, 20.
The Two Companies to keep Registers of Birkenhead Holders of Stock, and pay Dividends to them, § 21.
The Two Companies may raise Capital of the Company not yet raised, § 22.

Saving existing Preference Shares of the Two Companies, § 23.
The Two Companies may exercise the borrowing Powers of the Birkenhead Company, § 24.
Birkenhead Company not to be liable in respect thereof, § 25.
Application of Monies by the Two Companies, § 26.
The Two Companies authorized to apply Corporate Funds to Purposes of Act, § 27.
Priority of existing Mortgages of Birkenhead Company, § 28.
If Railways authorized by Birkenhead Railway Act, 1859, not completed within limited Period, Dividends on ordinary Capital of Two Companies suspended, § 31.
Liabilities of the Two Companies under this Act, § 32.
Either of the Two Companies paying more than their rateable Share of joint Liabilities may recover from the other of the Two Companies, § 33.
Tolls on Birkenhead Railway, §§ 34 to 37.
Joint Committee, §§ 38 to 48.
Appointment of Special Chairman by Joint Committee, § 49.
Appointment of Special Chairman by Board of Trade, § 50.
Authority of Special Chairman, § 51.
Salary of Special Chairman, § 52.
Accounts of Joint Committee, §§ 53, 54.
Actions, &c. by and against the Two Companies and Joint Committee, § 55.
Expenses of Joint Committee to be paid by the Two Companies, § 56.
Arrears to bear Interest, § 57.
User of Birkenhead Railway by the Two Companies, § 58.
Expenses of the Two Companies on the Birkenhead Railway, § 59.
Agreements with reference to Appropriation, Use, &c. of Lands, Quays, &c. may be made by the Two Companies, § 60.
Securing to certain other Companies Facilities for Traffic, &c., § 61.
Existing Contracts between the Birkenhead Commissioners and Railway Companies rescinded, § 63.
Two Companies may convey their Railway Traffic over River Mersey, § 64.
Birkenhead Commissioners and Railway Companies may enter into Contracts, § 65.
Saving Rights of Woodside Ferry, § 66.

Cap. cxxxv.

"The North-eastern Railway Company's (Grosmont and Whitby Branches) Act, 1861."

Proposes to enable the North-eastern Railway Company to construct a Branch Railway between the North Yorkshire and Cleveland Railway at Castleton, and the Whitby and Pickering Railway; to make a Deviation in and abandon Part of the last-mentioned Railway; to extend the Time limited by "The North-eastern Railway Company's (Bedale and Leyburn and Rosedale Railways Amalgamation) Act, 1859," for the Completion of the Guisbrough Branch Railways, being the Branch and Junction Lines of Railway first, secondly, and thirdly authorized to be constructed by "The North Yorkshire and Cleveland Railway Act, 1855," and to raise further Monies.
Incorporates Consolidation Acts, §§ 2, 3.
Power to make Railways and Works and acquire additional Lands, § 4.
Power to acquire Interests in Lands at Whitby, § 5.
Company to abandon Portion of Whitby and Pickering Railway, and sell the Site thereof, §§ 6, 7.
Provision as to Roads crossed by abandoned Railway; Compensation, §§ 8, 9.
Power to alter the Rates of Inclination of certain Roads, § 10.
Lands not to be purchased compulsorily after Three Years, § 12.
Works to be completed within Five Years, §§ 13, 14.
Extension of Time for Completion of Guisbrough Branch Railways, § 15.
180,000*l.* additional Capital may be raised, §§ 16, 17.
Power to borrow 60,000*l.*, § 18.
Power to assign Preference of 5*l.* per Cent. to new Shares or Stock, §§ 19 to 24.
Tolls of "The North-eastern Railway Company's Act, 1854," to be taken, § 25.
Power to apply Monies raised under existing Acts to the Purposes of this Act, § 26.
Authorizing Sale of Lands belonging to the Duchy of Lancaster, and providing for Application of Purchase Money, § 30.
Concerning the Sale and Working of Mines belonging to the Duchy of Lancaster, § 31.
For the Conveyance of Waste Lands belonging to the Duchy of Lancaster, § 32.
For Enrolment of all Deeds of Conveyance of Land belonging to the Duchy of Lancaster, § 33.
Saving Rights of the Crown and the Duchy of Lancaster, § 34.
Transfers of Debenture Stock to be stamped, § 35.
Schedule (Form).

Cap. cxxxvi.

"South Staffordshire Railway Act, 1861."

Preamble recites that by "The South Staffordshire *Junction* Railway Act, 1846," and by "The Trent Valley, Midlands, and Grand Junction Railway Act, 1846," Two Companies were incorporated, but under the Provisions of those Acts such Two Companies became amalgamated under the Title of "The South Staffordshire Railway Company;" that by "The South Staffordshire Railway (Leasing) Act, 1850," the Company were authorized to lease their Railway; that by the South Staffordshire Railway Acts, 1847 and 1851, further Powers were conferred upon the Company, and by "The South Staffordshire Railway Act, 1854," the Company were authorized to make Two Branch Railways, called respectively the Cannock Branch and the Norton Branch; that by "The South Staffordshire Railway Act, 1855," the Company were authorized to make other Branches, and the Powers of "The South Staffordshire Railway (Leasing) Act, 1850," were extended to all Parts of the Undertaking of the Company; that by "The South Staffordshire Railway Act, 1859," the Company were authorized to raise further Sums of Money; that the Share Capital which the Company are authorized to raise amounts in the whole to 1,097,000*l.*, and they are authorized to borrow 363,000*l.*, nearly the whole of which Sums have been subscribed for and borrowed; and that the Company require further Sums of Money for the Construction of the authorized Branches, for purchasing Mines under and adjoining the Railway, and for other Purposes of their Undertaking,

and it is expedient that the Company should be authorized to raise such further Sums of Money by Shares and by borrowing, and also to convert their Debenture Debt into Debenture Stock.
Power to Company to raise additional Capital of 105,000*l.*, § 2.
Company may issue Shares as fully paid-up Shares, § 4.
Certain Sections of Act of 1859 to apply to new Capital, § 5.
Power to borrow 35,000*l.*, §§ 6, 7.
Application of Sums raised under this Act, § 8.
Company may raise the Money to be raised on Mortgage, &c. by the Issue of Debenture Stock, § 9.
Terms and Conditions of Debenture Stock, §§ 10 to 17.

Cap. cxxxvii.

"South Essex Waterworks Act, 1861."

Preamble recites the Expediency of more effectually supplying with Water certain Towns and Parishes in the Southern Part of the County of Essex.
Incorporation of Consolidation Acts, § 2.
Subscribers incorporated, with a Capital of 80,000*l.*, and Power to borrow 20,000*l.*, §§ 3 to 7.
Meetings; Directors, §§ 8 to 12.
Power to take Lands for Works, § 13.
Position of Aqueducts and Reservoir in Aveley to be deviated, § 14.
Works which the Company may execute, § 15.
Limiting the Power of taking Land belonging to Her Majesty, § 16.
Five Years for Completion of Works, § 17.
Limits of the Act, § 18.
Water need not be laid on under Pressure, § 19.
For preventing Accidents from Reservoir, §§ 20 to 29.
Rates at which Water is to be supplied for domestic Purposes, §§ 31 to 33.
As to Construction of Cisterns, Closets, and Baths, § 34.
Company to supply Water to Secretary of State in Council at a given Price, § 35.
Pipe to be laid down as Compensation to Sir T. B. Lennard for Power to use his Lands, § 36.
Company to supply Pipe with Water, § 37.

Cap. cxxxviii.

"The Enniskillen and Bundoran Railway Act, 1861."

Proposes to make a Railway from a Point on the Londonderry and Enniskillen Railway near the Lowtherstown Road Station thereon in the County of Tyrone to the Town of Bundoran in the County of Donegal; recites that by virtue of "The Dundalk and Enniskillen Railway Act, 1859," the Londonderry and Enniskillen Railway has been or may be leased to and is now worked and managed by the Dundalk and Enniskillen Railway Company; and it is expedient to authorize the Company now to be incorporated and the Dundalk and Enniskillen Railway Company to make and carry out Working and other Arrangements with respect to the said intended Railway; and that the Dundalk and Enniskillen Railway Company should be empowered to contribute towards the Expense of the Undertaking hereby authorized.
Incorporation of Consolidation Acts, §§ 1, 2.
Subscribers incorporated, with a Capital of 200,000*l.* in Shares of 10*l.*, and Power to borrow 66,600*l.*, §§ 4 to 10.
Meetings; Directors, §§ 12 to 21.
Power to make Railway, §§ 22, 23.
Portion of Railway to be made according to amended Plan, § 24.
Board of Trade Provisions as to Roads to be crossed on a Level, §§ 26 to 28.
Works affecting Navigation not to be deviated without Consent of Admiralty, §§ 30 to 34.
Three Years for compulsory Purchase of Lands, § 36.
Five Years for Completion of Railway, §§ 37, 41.
Junction with the Londonderry and Enniskillen Railway, §§ 38 to 40.
Tolls, §§ 42 to 50.
Dundalk and Enniskillen Railway Company may subscribe and apply existing Funds towards Subscription, not exceeding 50,000*l.*, § 51.
Power to Dundalk and Enniskillen Railway Company to raise Money by Shares or Stock, with or without a Preference not exceeding 5*l.* per Cent., §§ 52 to 57.
Traffic Arrangements with Dundalk and Enniskillen Railway Company, §§ 58 to 63.

Cap. cxxxix.

"The Midland Railway (Otley and Ilkley Extension) Act, 1861."

Preamble recites that it is expedient to enable the Midland Railway Company to make Railways from the Leeds and Bradford Line of their Railway to Otley and Ilkley in the West Riding of the County of York.
Incorporation of Consolidation Acts, § 2.
Power to take Lands and make Railways, §§ 4, 5.
Rails to be laid on longitudinal Sleepers through Esholt Hall Estate, § 6.
How Railway to be made through Belmont Wood, § 7.
Limiting Deviation in Lands of Bertie Markland, § 8.
Regulating Inclination of certain Roads, § 9.
Power to alter Engineering Works, § 10.
Three Years for compulsory Purchase of Lands, § 12.
Five Years for Completion of Railways, § 13.
Provisions of Railways Clauses Consolidation Act relating to Water Companies to apply to Works, &c. for supplying Otley with Water, § 15.
Company not to divert certain Streams, § 16.
Equal Facilities to be afforded to Passengers to or from Bradford as to Passengers to or from Leeds, § 17.
Provision as to Construction of Joint Line between Otley and Ilkley, § 18.
Appointment, Powers, &c. of Joint Committee, §§ 20 to 28.
As to Expense of constructing Joint Line, § 29.
Joint Committee may make Calls on the Two Companies, § 30.
Net Profits of Joint Line to be carried to a Common Fund, &c., § 34.
As to the Expenses of Management, § 35.
Actions, &c. by and against the Two Companies and Joint Committee, §§ 36 to 38.
Arbitrator to be appointed, §§ 39 to 41.
As to Settlement of Disputes, § 42.
Parts of Companies Clauses Act incorporated, § 43.
Power to create new Capital not exceeding 185,000*l.*, §§ 44, 45.
Privileges may be attached to new Shares; Disposal of Shares, §§ 46 to 52.
Power to raise Capital under any other Act of this Session and this Act by new Shares of One Class, § 53.
Power to borrow on Mortgage One Third of Share Capital authorized by this Act, §§ 56, 57.

Cap. cxl.

"The New Ross Port and Harbour Amendment Act, 1861."

Preamble recites the Acts of 11 & 12 Vict. c. cxxxix. and 12 & 13 Vict. c. xiv. relating to the Harbour of New Ross in the County of Wexford; that the Commissioners have put the same into execution, and have improved and maintained the said Port and Harbour, and have raised several Sums of Money on Mortgage of the Rates as by the said Acts authorized, amounting in all to the Sum of 4,100*l.*, which Sum they have expended in the Improvement of the said Port and Harbour and in carrying the Purposes of the said Acts into execution, and that the said Sum of 4,100*l.* still remains undischarged and a Burden on the said Rates; that the Provisions in the said first-recited Act contained have been found defective, inasmuch as no elective Body is constituted in whom is vested the Election of Commissioners in the Room of those who have died or may die, or have become or may become disqualified or incapable of acting as Commissioners under the said Acts; that in consequence of the said defective Provisions, Doubts have arisen whether among the Sums raised on Mortgage as aforesaid a certain Mortgage granted by the Commissioners upon the Rates in favour of "the Governors, Guardians, and Managers of the New Ross Haughton Fever Hospital," has been executed by a sufficient Number of Commissioners and is a valid Mortgage, and also whether certain other Acts of the Commissioners in regard to the levying of Rates and otherwise in the Execution of the said Acts have been legally and formally done and executed, and it is expedient that such Doubts be removed and that such Mortgage and other Acts be ratified and confirmed; and that it further becomes necessary to provide for the future Election of Commissioners, and for the better Maintenance and Management of the said Port and Harbour, and for the Levy of Tolls, Rates, and Dues in respect of Goods and Vessels resorting thereto, and it is expedient to repeal the Provisions of the said recited Acts and to re-enact other Provisions in lieu thereof.

Incorporation of Consolidation Acts, § 3.
Land not to be taken without Consent, § 4.
Part of "The Harbours, Docks, and Piers Clauses Act, 1847," incorporated herewith, §§ 5, 6.
Repeal of former Acts, § 7.
Vesting of Works, Powers, &c. of former Commissioners in Commissioners under this Act, § 8.
Saving of Rights under former Acts, §§ 9 to 13.
Appointment of Commissioners, § 15.
Mortgage by former Commissioners in favour of Haughton Fever Hospital confirmed, § 16.
Other Acts and Deeds of former Commissioners confirmed, § 17.
Appointment, Rotation, and Powers of Commissioners, §§ 18 to 23.
Meetings of Commissioners, §§ 24, 25.
Qualification of Electors, § 26.
Scale of Votes for registered Shipowners, §§ 27, 28.
Limits of the Port and Harbour, § 29.
Power to maintain and regulate the Port and Harbour of New Ross, § 30.
Power to provide Quays, Beacons, Buoys, and Mooring Posts, &c., § 31.
Power to appoint a Harbour Master, § 32.
Approval of Admiralty for Works on Sea-shore, §§ 33 to 36.
Rates for using the Harbour, § 37.
Collector of Customs may withhold a Clearance to any Vessel until Rates paid, § 38.
Meters and Weighers, § 39.
Rates for the use of Cranes and Weighing Machines, § 40.
Owners of Lighters, &c. to pay an annual Sum for the same, § 41.
Limiting Amount of Toll for certain Steam Vessels, § 42.
Power to purchase Vessels for towing, &c., § 43.
Byelaws and Regulations as to Ballast, §§ 44 to 57.
Rights of Owners of private Quays not interfered with, § 58.
Appointment of Pilots, &c., §§ 59 to 65.
Stage and Plankage Rates, § 66.
Power to lease Rates, §§ 67, 68.
Power to borrow Money on Credit of the Rates, § 69.
Sinking Fund to be established, § 70.
Regulations as to Mortgages, §§ 71 to 74.
Application of Monies raised under this Act, § 75.
Commissioners to publish an Abstract of their Accounts annually, § 76.
Board of Trade may appoint an Auditor to examine, § 77.
Saving Rights of the Crown, § 78.
Saving Rights of the Corporation for preserving and improving the Port of Dublin, § 79.

Cap. cxli.

"The North-eastern Railway Company's (Otley and Ilkley Branches) Act, 1861."

Preamble recites that it is expedient to enable the North-eastern Railway Company to construct Branch Railways between Arthington, Otley, and Ilkley, and to raise further Money.
Incorporation of Consolidation Acts, § 2.
Power to make Railways and Works, § 4.
Power to alter the Rates of Inclination of certain Roads, § 5.
Bridge under the Leeds and Otley Turnpike Road, § 6.
Lands not to be purchased compulsorily after Three Years, § 8.
Works to be completed within Five Years, §§ 9, 10.
Provisions of Railways Clauses Act with respect to Waterworks to apply to Owners of Otley Waterworks, § 11.
Company not to divert certain Streams, § 12.
Provision as to Construction of Joint Line between Otley and Ilkley, § 13.
Appointment, Powers, &c. of Joint Committee, §§ 15 to 23.
As to Expense of constructing Joint Line, § 24.
Joint Committee may make Calls on the Two Companies, § 25.
Net Profits of Joint Line to be carried to a Common Fund, &c., § 29.
As to the Expenses of Management, § 30.
Actions, &c. by and against the Two Companies and Joint Committee, §§ 31 to 33.
Arbitrator for Settlement of Disputes, §§ 34 to 37.
Additional Capital may be raised not exceeding 135,000*l.*, §§ 38, 39.
Power to borrow One Third of Share Capital authorized by this Act, § 40.
Certain Provisions of "The Companies Clauses Consolidation Act" extended to this Act, § 41.
Power to assign Preference to new Shares or Stock, §§ 43, 44.
Dividends to be a Charge against Joint Revenue, § 45.
Tolls of "The North-eastern Railway Company's Act, 1854," to be taken, § 48.
Power to apply Monies raised under existing or future Acts to the Purposes of this Act, § 49.

Cap. cxlii.

"The Parsonstown and Portumna Bridge Railway Act, 1861."

Proposes the Construction of a Railway from a Point on the Great Southern and Western Railway near to the Parsonstown Station on that Railway in King's County, to Portumna Bridge on the East Bank of the River Shannon in the County of Tipperary; and to authorize the Company and the Great Southern and Western Railway Company to make and carry out Working and other Arrangements; recites that there is now considerable Traffic between Portumna and Killaloe, and other Ports on the River Shannon, which the Formation of the said Railway may reasonably be expected to increase, and it would be for the public Advantage if the Company were authorized to provide a Steamboat or Steamboats to ply in connexion with their Railway for the Accommodation of such Traffic.
Incorporation of Consolidation Acts, §§ 1, 3.
Subscribers incorporated, with a Capital of 65,000*l.*, and Power to borrow 21,600*l.*, §§ 4 to 10.
Meetings; Directors, §§ 12 to 18.
Power to make Railway, §§ 19 to 22.
Board of Trade Provisions as to Road to be crossed on the Level, §§ 23 to 25.
Junction with the Great Southern and Western Railway, §§ 26 to 28.
Saving Rights as to the Shannon Property, § 29.
Works affecting Navigation not to be deviated without Consent of Admiralty, §§ 30 to 33.
Three Years for compulsory Purchase of Land, § 35.
Five Years for Completion of Railway, §§ 36, 37.
Tolls, §§ 38 to 47.
Company may provide and use Steam Vessels, and take reasonable Charges, §§ 48, 49.
Company empowered to make Byelaws, §§ 50, 51.
Rates to be charged equally, § 52.
Power to enter into Working Agreements with Great Southern and Western Railway Company, §§ 53 to 57.

Cap. cxliii.

"The West Cheshire Railways Act, 1861."

Preamble recites that it is expedient to incorporate a Company with Powers to make Railways from Northwich to join the Birkenhead Railway near Helsby, and to empower certain other Companies to subscribe to the Capital and to enter into Working Agreements.
Incorporation of Consolidation Acts, § 2.
Incorporation of Company, § 4.
Capital 200,000*l.*, in 10*l.* Shares, with Power to borrow 66,600*l.*, §§ 5 to 9.
Meetings; Directors, &c., §§ 10 to 16.
Power to take Lands for Works authorized by Act, § 17.
Four Years for compulsory Purchase of Lands, § 18.
Works authorized, § 20.
Power to alter Engineering Works, § 21.
For Protection of the River Weaver; saving Rights of the River Weaver Trustees, § 22.
For Protection of Road No. 79 in Helsby, § 23.
For Protection of Turnpike Road No. 7 in Parish of Tarvin, § 24.
Junctions with Cheshire Midland Railway and the Birkenhead Railway, §§ 26 to 29.
Five Years for Completion of Railways, § 30.
Running Powers and Facilities to London and North-western Railway Company, §§ 32, 33.
Same to Great Western Railway Company, §§ 34, 35.
Court of Chancery to order Transfer to Company of Monies in respect of reduced Estimate, § 36.
Tolls, §§ 38 to 45.
Line to be efficiently worked by the Sheffield Company, § 46.
Power for Company and other Companies to enter into Agreements, §§ 47 to 53.
Application of Clauses of Companies Clauses Act to Companies, § 54.
Power for Companies to contribute towards Funds of Company, guarantee Dividend, &c., § 55.
Power for Companies to raise and apply Monies for Contributions towards Funds of Company, § 56.
Appropriation of new Capital, §§ 61 to 66.
Power for Companies to nominate Persons to vote at Meetings of Company, § 67.
Directors to be appointed by contributing Companies, §§ 68 to 73.

Cap. cxliv.

"Rhymney Railway (Capital and Branch) Act, 1861."

Recites that by their Act of 1857 the Rhymney Railway Company were authorized to make and maintain the Main Line of the Rhymney Railway and the Bargoed Rhymney Branch, and the Extension Line, and the Ystrad Junction Line, and the Bute Dock Branch, and the Caerphilly Branch Railways respectively, which Main Line, Branches, Extension Line, and Junction Line respectively were together the Company's authorized Railway, and the Company were thereby authorized to raise a Capital of 300,000*l.* by Shares, and to borrow not exceeding 100,000*l.*; proposes to revive and extend the respective Periods by the recited Act limited for the compulsory Purchase of Lands and the Execution of Works for the Bargoed Rhymney Branch Railway; recites that the Capital of the Company consists of 90,000*l.* guaranteed Capital, bearing 5*l.* per Centum per Annum guaranteed Dividend, and 210,000*l.* ordinary Capital, making the Company's total Capital 300,000*l.*; that the aggregate Amount of the Debenture Debt of the Company is 100,000*l.*, and they have no Debenture Stock; that some of the Shares of the Company are liable to Forfeiture; proposes to raise further Monies.
Incorporation of Lands, Railways, and of Parts of Companies Clauses Acts, §§ 2 to 4.
Power to take and use Lands for Works authorized by Act, § 5.
Three Years for the compulsory Purchase of Lands, § 6.
Power to make Works authorized by Act, §§ 7, 8.
Power to alter Engineering Works, § 11.
Four Years for the Completion of Railway, §§ 12 to 15.

16. And whereas a Bill to enable the Brecon and Merthyr Tydfil Junction Railway Company to make certain new Lines of Railway and for other Purposes has been introduced into Parliament in the present Session, and One of the intended new Lines of Railway is described in the said Bill as terminating by a Junction with the Railway of the Rhymney Railway Company, at or near the Pontaber Bargoed Station thereon: And whereas such intended Railway is, as to Part thereof, identical or nearly identical with the Bargoed Rhymney Branch Railway: And whereas in and by the said Bill it is provided, that the Powers of the Brecon and Merthyr Tydfil Junction Railway Company, with respect to that Part of their said intended Railway, shall cease if within Three Months after the passing of that Bill into an Act that Company do not declare their Election to make that Part of their said intended Railway: Therefore, if that Bill shall pass into a Law

during the present Session of Parliament, and as passed shall authorize the Construction of the said intended Railway, and if that Company declare their Intention to make that Part of the said intended Railway, as provided in and by the said Bill, then the Company shall not proceed under the Powers of this Act for the Period of Two Years from the passing of this Act with the Construction of that Part of the Bargoed Rhymney Branch Railway which lies between the Junction of that Branch Railway with the Main Line of the Rhymney Railway and the Field numbered 163 a, in the Parish of Gelligaer, unless with the Consent of the Brecon and Merthyr Tydfil Junction Railway Company, under their Common Seal; but if that Company shall not within the aforesaid Period of Three Months have declared such Election as aforesaid, or within the aforesaid Period of Two Years shall not have completed and opened for public Traffic the said intended Railway, then and in either of such Cases the Company may proceed with the Purchase of Land for and the Construction of the Bargoed Rhymney Branch Railway in the same Manner in all respects as if their Powers in that Behalf had not been restricted or postponed: Provided always, that the Completion and opening for Traffic of their said intended Railway by the Brecon and Merthyr Tydfil Junction Railway Company shall discharge the Company from all Liability to complete the Bargoed Rhymney Branch Railway, and from all Suspension of Dividends in relation thereto.

Railway authorized by Act to be Part of Company's Railway, § 17.
Tolls on Railway, § 18.
Extending Powers of taking Leases from Lord Bute's Trustees, § 19.
Power to raise additional Capital of 141,000*l.* by Shares, with or without a Preference not exceeding 6*l.* per Cent., §§ 20, 30 to 41.
Cancelling and Surrender of Shares, §§ 21 to 29.
Power to borrow 47,000*l.*, §§ 42 to 45; or to raise that Sum or Part thereof by Debenture Stock, § 46.
Schedule (Form).

Cap. cxlv.

"The City of Glasgow Life Assurance Company's Act, 1861."

Preamble recites that in 1839, by Contract of Copartnery, a Company was formed under the Name of "The City of Glasgow Life Assurance and Reversionary Company," for the Purpose of making Assurances on Lives or Survivorships, of making all other Kinds of Assurance connected with Life, of granting or selling Annuities either for Lives or otherwise, and on Survivorships, of purchasing Annuities for Lives or otherwise, of granting Endowments for Children or other Persons, of receiving Investments of Money for Accumulation, and of purchasing contingent Rights, whether of Reversion, Remainder, Annuities, Life Policies, or otherwise; that by 5 & 6 Vict. c. lxv. the Capital Stock of the Company was restricted and fixed at 600,000*l.*, divided into 24,000 Shares of 25*l.* each, and certain Powers and Privileges were conferred upon the said Company; that the Company have carried on and now carry on Business in Glasgow, and have appointed Local Boards in London and Edinburgh, and Agencies in various Parts of Great Britain and Ireland, and Her Majesty's Colonies and Dependencies abroad, and Shares of the Company have been sold and Policies granted to Persons resident in England and elsewhere out of Scotland; and that it would be advantageous to the Company and beneficial to the Public, if the Company were incorporated by the Name of "The City of Glasgow Life Assurance Company," with Power to sue and be sued, to invest Monies and Funds, to take, hold, and transfer Property and Securities in Great Britain and Ireland, the East Indies, and Her Majesty's Colonies and Dependencies abroad, and it is expedient also that some of the Provisions of the said Contract of Copartnery should be extended or amended; and that the Act before recited should be repealed, and some of the Provisions thereof re-enacted, with such other Powers and Privileges as may be necessary for enabling the Company more effectually to carry on Business.
Repeal of Act 5 & 6 Vict. c. lxv.,—§ 2.
Incorporation of Company, § 4.
Liability of Company and Shareholders to continue, § 5.
Property transferred to and vested in the Company, § 6.
Policies, Bonds, and Obligations to remain valid, § 7.
Actions not to abate, § 8.
Business of the Company, § 9.
Company may sue and be sued and issue Policies, § 10.
Capital Stock of Company to consist of 600,000*l.* in 25*l.* Shares, § 11.
Register of Shareholders and Transfer of Shares, §§ 12 to 15.
Stock to be Personal Estate, § 17.
Assurances by Shareholders dispensed with, § 18.
Extending Time for Payment of Premiums, § 19.
Memorial of the Shareholders to be registered, § 20.
Closing of Transfer Book, § 21.
Principal Office and Meetings of the Company, § 22.
Annual General Meetings, § 23.
Chairman of General Meetings, § 24.
Proxies, § 25.
Directors, §§ 26 to 30.
Appointment of Manager, Secretary, &c., § 31.
Byelaws and Proceedings to be recorded and to be Evidence, § 33.
Liability and Indemnity of Directors and Members of Local Boards, § 34.
Books and Accounts to be kept, § 35.
Powers for Directors or Trustees to execute Powers of Attorney to recover Foreign Debts, § 36.
As to the Investment of the Funds of the Company, § 37.
Company may foreclose Mortgages or purchase Equity of Redemption, § 38.
Sale of Lands acquired by Foreclosure not to be delayed beyond Ten Years, § 39.
Company may hold Land without Licence in Mortmain, § 40.
Service of Arrestments, Summonses, &c. on the Company, § 41.
Shareholders and Policy Holders may sue and be sued, § 42.
Company subject to Jurisdiction of Superior Courts in England and Ireland, § 43.
Representation of the Company in Matters of Bankruptcy, § 44.
Execution of Policies and Deeds, §§ 45, 46.
Discharge of Sums payable under Policies, § 48.
Company not bound to regard Trusts, § 49.
Disputes to be submitted to Arbitration, § 50.
Contract of Copartnery and Byelaws to remain valid, § 51.

Cap. cxlvi.

"The Staffordshire Potteries Waterworks Amendment Act, 1861."

Recites that by their Act of 1853 the Staffordshire Potteries Waterworks Company were re-incorporated for the Purpose of supplying with Water the District included within the Limits of the said Act, and certain Provisions were made for affording Protection or Compensation to the Owners and

Occupiers for the Time being of certain Mills and Canals specified in the said Act, and situate on or contiguous to the River Churnet; that under the recited Act the Capital of the Company was increased to 105,000*l.*, the whole of which has been called up, and they were authorized to borrow 30,000*l.*, the whole of which has been borrowed; that it would be for the public Benefit of the District which the Company are authorized to supply with Water, that they should be empowered to take and use, for the Purposes of such Supply, certain other Springs and Streams now flowing into the said River, and to construct additional Works, and to raise additional Capital, and to borrow a further Sum of Money; that they have constructed at or near Tittesworth, in the Parish of Leek in the County of Stafford, a Reservoir intended to constitute and be used as an additional Compensation Reservoir, for the Use and Benefit of the Owners and Occupiers of the Churnet Mills as required by the recited Act, but such Reservoir has not been certified, as required by the recited Act, and it is expedient that the same should be constituted a Compensation Reservoir as herein-after provided.

Incorporation of Lands Clauses Act, of Parts of Companies' Clauses Act, and of Waterworks Clauses Act, §§ 3 to 5.
Power to raise additional Capital of 35,000*l.*, § 6.
Power to issue Stock instead of Shares, §§ 7 to 14.
Power to borrow to the Extent of One Fourth of paid-up Capital; §§ 15, 16.
Power to Company to take certain Springs, &c., § 17.
Power to make Works, § 18.
Extension of Powers to grant Lands and Easements, § 19.
Grant by Persons under Disability, § 20.
Annual Rent to enure to the same Uses as Land, &c. conveyed, § 21.
Rents to be charged on Water Rates, § 22.
Limits of Deviation from Line and Levels, § 23.
Three Years for compulsory Purchase of Lands, § 24.
Five Years for Completion of Works, § 25.

26. The Provisoes to Section 26, and the whole of Sections 53 to 61, both inclusive, Sections 63, 64, and 70, of the recited Act, are by this Act repealed; provided that the Repeal thereof shall not have any retrospective Operation.

27. The present Deep Hayes and Tittesworth Reservoirs shall from and after the passing of this Act be Compensation Reservoirs, and the same, and the Gauges and other Works connected with the same respectively, shall for ever be maintained by the Company for the Protection and Benefit of the Owners of the Canals referred to in Section 52 of the recited Act, and the Owners and Occupiers from Time to Time of the Churnet Mills, being the several Mills specified in Section 52 and referred to in Section 68 of the recited Act, and the Dove Mills, being the following Mills, that is to say, a Cotton Mill at Tutbury of which Thomas Webb is Owner and Occupier, a Corn Mill at Tutbury of which Thomas Webb is Owner and Walter Bassett Bullock is Occupier, a Forge Mill at Clay Mills of which Edward Thornewill is Owner and Occupier, a Corn Mill at Doveridge of which Lord Waterpark is Owner, and a Corn Mill at Sudbury of which Lord Vernon is Owner and John Bakewell is Occupier.

28. In consideration of the Provisions of this Act with respect to the Deep Hayes Reservoir and the Tittesworth Reservoir (in this Act referred to as the present Compensation Reservoirs), the Company from Time to Time may abstract and take from the Springs or Streams by the recited Act and this Act respectively authorized to be taken and used by them for the Purposes of their Water Supply, the Quantity of 1,500,000 Gallons in any One Day of 24 Hours, but, except as is by this Act otherwise provided, not any greater Quantity.

29. From and after the passing of this Act, the Power and Obligation of regulating and managing, in a proper Manner, for the Benefit of the said Canals and Churnet and Dove Mills, the Storage of Water in and the Discharge of Water from the present Compensation Reservoirs, and the Gauges thereof respectively, shall, subject to the Provisions in that Behalf of this Act, be vested in the Owners and Occupiers from Time to Time of the Churnet Mills and the Dove Mills respectively.

30. From and after the passing of this Act, the Powers by this Act conferred upon the Owners of the said Canals and the Owners and Occupiers of the Churnet and Dove Mills, in relation to the present Compensation Reservoirs, shall operate in substitution for or satisfaction of all present Obligation otherwise binding upon the Company for causing or regulating or otherwise in relation to the actual Storage and the Flow into the River Churnet of Compensation Water.

31. In addition to the Owners and Occupiers from Time to Time of the Churnet Mills, the Owners and Occupiers from Time to Time of the Dove Mills shall after the passing of this Act be entitled to attend and vote at the Meetings mentioned in Section 68 of the recited Act, and shall have such other Rights and be subject to such Provisions as they would have and be subject to by the combined Operation of the recited Act and this Act if the Dove Mills had been included in that Section amongst the Mills therein mentioned, and the Provisions of the recited Act had been made applicable to the Owners and Occupiers from Time to Time of the Dove Mills as well as to the Owners and Occupiers from Time to Time of the Churnet Mills.

32. The Powers and Authorities by the recited Act and this Act conferred upon the Owners and Occupiers of the Churnet Mills and the Dove Mills shall be exercised at and by means and under the Authority of Resolutions of Meetings of the Owners and Occupiers of those Mills, which Meetings are in this Act referred to as Mill Owners Meetings; and those Meetings shall be convened and held, and the Proceedings and Votes thereat regulated, pursuant to the Provisions of Section 68 of the recited Act, and as if the Dove Mills had been included in that Section amongst the Mills therein mentioned.

33. The Mill Owners Engineer shall be from Time to Time appointed or removed by a Resolution of a Mill Owners Meeting, and the Meetings may from Time to Time, by Resolution, delegate to him such of their Authorities and Discretions for the Purposes of this Act as they think fit.

34. The Company may draw and let off the Water of either of the present Compensation Reservoirs, when and as often as it shall be requisite for the Purpose of repairing or cleansing the same or any Part thereof, or for any other necessary Purpose, the Company thereby doing as little Damage as possible, and using all reasonable Despatch in reinstating the Reservoir, and during the Work permitting the Stream to flow freely down the Churnet; provided that, unless in case of absolute Necessity, the Water shall not be drawn off by the Company from more than One Compensation Reservoir at the same Time.

35. The Company shall constantly employ, at their own Expense, a proper Person or proper Persons, to be approved by the Canal Owners and Mill Owners, who shall manage and regulate the Discharge of the Water from the present Compensation Reservoirs respectively for the Use of the said Canals and Churnet and Dove Mills, in accordance with the Provisions of this Act, and who shall keep in a Book, to be provided by the Company for that Purpose, and in such Form as shall be approved by the Canal Owners and Mill Owners, an accurate daily Register showing the Height of Water in those Reservoirs respectively and the Discharge of Water therefrom;

and every such Register shall be open at all reasonable Times to the Inspection of the Agents in that Behalf of the Canal Owners and of the Mill Owners, and the Company shall, when thereunto reasonably required by the Canal Owners or Mill Owners, furnish to them a Copy of the Register certified by the Company's Secretary by Writing under his Hand; provided that the Canal Owners and Mill Owners, by Resolution at any Meeting held after Seven Days Notice in Writing of the Meeting and the Object thereof given to the Company, may require the Company to remove any such Person.

36. The Mill Owners shall have the Control of, and their Agents in that Behalf may from Time to Time examine the Counters affixed on the Beams of the Pumping Engines of the Company, so as to ascertain the Quantity of Water abstracted; and the Company shall keep in a Book, provided by them for the Purpose, a proper and sufficient Register of the Quantity of Water abstracted, which Register shall be open to the Inspection and Transcription of the Agents in that Behalf of the Mill Owners, and also of the Agents appointed in that Behalf by the Canal Owners.

37. In consideration of the Provisions of this Act with respect to further Storage Works, the Company from Time to Time may, in accordance with the Provisions in that Behalf of this Act, but not otherwise, abstract and take from the Springs or Streams by the recited Act and this Act respectively authorized to be taken and used by them for the Purposes of their Water Supply, and in addition to the daily Quantity of 1,500,000 Gallons by this Act provided for, any further Quantity not exceeding 2,500,000 Gallons in any One Day.

38. If and when the Company provide for the further Protection and Benefit of the Mill Owners, (either by the Enlargement or Extension of the present or then existing Compensation Reservoirs, or further Storage Works, or by new Storage Works, or by both these Means), further Storage Works upon or contiguous to the Churnet or any Stream tributary thereto, and proper and sufficient for the regulated Discharge of Water therefrom into the Churnet above the Churnet Mills, then the Company may give to the Mill Owners Notice in Writing thereof, specifying the Capacity of the then completed further Storage Works, and requiring that the same shall be inspected by the Mill Owners Engineer, and within One Month thereafter he shall inspect and examine the same.

39. On the Mill Owners Engineer being satisfied that the further Storage Works are proper and sufficient for the Purposes of this Act, he shall certify the same and the Capacity thereof to the Mill Owners and the Company respectively; and the Certificates shall be in Writing signed by him, and shall specify the Quantity of Water which the further Storage Works are capable of containing, and he shall deliver the Certificates within 42 Days after the Day on which the Company delivered their Notice and Requisition to the Mill Owners.

40. If the Mill Owners Engineer fail to deliver his Certificate to the Company within the 42 Days, or the Company are dissatisfied with his Certificate, the Question as to the Propriety, Sufficiency, and Capacity of the further Storage Works shall be determined between the Company on the one hand and the Mill Owners on the other hand, by the Arbitration pursuant to the Provisions as to Arbitration of "The Lands Clauses Consolidation Act, 1845," of a single Arbitrator, being a Civil Engineer, to be agreed on between the Company and the Mill Owners, or, failing their Agreement, to be on their or either of their Application appointed by the Board of Trade.

41. In every Case, after the Propriety, Sufficiency, and Capacity of any further Storage Works are certified by the Mill Owners Engineer or determined by the Arbitrator, and if that Capacity be not less than 60,000,000 Gallons, the Company may abstract and take, in respect of the respective further Storage Works, from the Springs or Streams by the recited Act and this Act respectively authorized to be taken and used by them for the Purposes of their Water Supply, and in addition to the daily Quantity which they may then take and use, any further daily Quantity not exceeding $\frac{1}{120}$th Part of the Quantity of Water which the respective further Storage Works shall be certified to be capable of holding.

42. From and after the Time when the Company, in accordance with this Act, begin to take and use any additional Quantity of Water, in respect of any further Storage Works, all the Powers and Provisions of this Act with respect to the present Compensation Reservoirs, and the Canal Owners and the Mill Owners and the Company respectively in respect of the same, shall extend and apply to the respective further Storage Works and the Canal Owners and the Mill Owners and the Company respectively in respect of the same.

43. All Notices given by the Company to the Mill Owners for the Purposes of this Act may be given to them by leaving the same at each of the Churnet and Dove Mills for the Owner and Occupier of the same.

44. The Company shall pay the reasonable Charges of the Mill Owners Engineers, and of the Arbitrator, if any, with respect to the inspecting, examining, and certifying of the further Storage Works.

45. This Act shall not authorize the Company to take, otherwise than by Agreement, any Lands or Springs belonging to John Nixon, unless the Company shall give Notice to him to treat and agree for the Purchase of such Lands and Springs within Six Months after the passing of this Act.

Protection of North Staffordshire Railway Works, § 46.
Saving Rights of Leek Improvement Commissioners, § 47.

Cap. cxlvii.

"The Great Southern and Western Railway Extension Act, 1861."

Preamble recites that it is expedient to enable the Great Southern and Western Railway Company to make a Railway from Roscrea in the County of Tipperary to Birdhill in the same County.
Incorporation of Consolidation Acts, § 2.
Power to make Railway, § 3.
Three Years for compulsory Purchase of Lands, § 7.
Five Years for Completion of Works, § 8.
Mode of effecting Communication with the Killaloe Extension, §§ 10, 11.
Saving Rights of Limerick and Castle Connell Company, § 13.
Tolls, §§ 14, 15.
Power to raise additional Capital of 210,000*l.*, § 17.
New Shares created under this Act may be preferential Shares, § 19.
Power to borrow 70,000*l.*, § 24.

Cap. cxlviii.

"The Great Southern and Western Railway (Capital, &c.) Act, 1861."

Preamble recites the various Acts relating to the Company, and that their authorized Capital consists of the following Amounts, namely, ordinary Stock, 3,511,535*l.*, of which

3,438,609*l.* have been paid up, and Four per Centum Preference Stock 1,329,100*l.*, of which 1,328,924*l.* have been paid up; and that their authorized Mortgage Debt amounts to 332,965*l.*; and that it is expedient that the Company should be authorized to raise further Sums; also that various Matters of Difference between the Company and the Midland Great Western Railway of Ireland Company were in the Year 1859 submitted to Arbitration, and an Award has been made in pursuance of such Submission, and by such Award it is amongst other Things directed that the Company shall acquire and take certain Shares now held by the Midland Company in the Capital created by the Limerick and Castle Connell Railway Company under the Authority of the "Limerick and Castle Connell Railway (Killaloe Extension) Act, 1858," and it is expedient to enable the said Companies to carry out the said Portion of the said Award; also that the Company require additional Lands for the Purpose of enlarging their Station at Mallow and their Works at Inchicore, and it is expedient that the Company should be enabled to acquire additional Lands for those Purposes.

Certain Provisions of the Companies Clauses Consolidation Act, 1845, extended to this Act, § 2.
Power for Company to raise additional Capital of 280,000*l.*, § 3.
New Shares created under this Act may be issued with a Preference, § 4.
Power to borrow 50,000*l.*, § 9.
Restrictions on Transfer of Stock of Company, § 13.
Power to the Midland Company to transfer to the Company the Extension Shares or Stock held by them in the Undertaking of the Limerick and Castle Connell Railway, §§ 14, 15.
Incorporation of Railways Act, Ireland, 1851, &c., § 16.
Power to take Lands, § 17.

Cap. cxlix.

"The Greetwell District Drainage Act, 1861."

Preamble recites that the Low Lands or Fens of the Parishes of Greetwell, Cherry Willingham, Barlings, and Fiskerton in the County of Lincoln, and in the Liberty of the Monks adjoining the City of Lincoln, are insufficiently drained, by reason whereof the Value of those Lands is much diminished; that the Lands lie on the Northern Side of the River Witham, which is under the Jurisdiction of the General Commissioners of Drainage by the River Witham; that they might be effectually drained if the Waters thereof were conveyed to the lowest Level in Fiskerton, and thence through or over the Northern Bank of the River Witham into that River; that it would be of public Benefit as well as of great Advantage to the Owners and Occupiers of the Lands if Provision were made for the Drainage thereof accordingly under Commissioners, and they were authorized to levy Drainage Rates and raise Monies for the Purpose, and to exercise other Powers usually vested in Drainage Commissioners.
Incorporation of Lands Clauses Acts and Part of Commissioners Clauses Act, § 2.
Limits of Act; "the District," § 4.
The Greetwell District Drainage Commissioners incorporated, § 5.
Qualification of Commissioners, § 6.
Copyhold and Leasehold to qualify, § 7.
Only One of several Joint Owners, &c. to be qualified, § 8.
Meetings of Commissioners, Auditors, &c., §§ 9 to 21.
Power for Commissioners to purchase Lands by Agreement and to make Works, §§ 22, 23.
Commissioners not to interfere with Bank of River Witham without Consent, § 24.
Commissioners to contribute towards Expense of maintaining certain Portion of the River Witham, § 25.
Commissioners to maintain North Delph, § 26.
Saving Rights of the Great Northern Railway Company, § 27.
Drainage by the River Witham not to be hindered or obstructed, § 28.
General Drainage Works in the District, § 29.
Width of new Cuts at Bottom, § 30.
Commissioners to have Management of all Drainage in District, § 31.
Commissioners to make Compensation for Damage, § 32.
Works of internal Drainage to be kept open by Owners or Occupiers of Land, § 33.
Or by Commissioners in default of Owners or Occupiers, § 34.
When new Drains completed, Rights of Drainage through old Channels to close, § 35.
Power to destroy Vermin, § 36.
Byelaws of Commissioners, §§ 37 to 45.
Penalty on throwing Rubbish into the Drains, § 46.
Commissioners to appoint Valuer to value probable Improvement of Lands by Drainage, § 48.
Valuer may classify Lands, § 49.
Valuer to prepare Office Plan showing Main Drains, § 50.
Valuer to have regard to existing Liabilities, &c., § 51.
Valuer's Statement and Office Plan to be delivered to Clerk, and Notice thereof advertised, § 52.
Owners, &c. may object on giving Notice, and Valuer to hear and determine Objections, § 53.
Appeal from Valuer to Commissioners, § 54.
Appeal from Commissioners to Quarter Sessions, § 55.
Appeal from Valuer to Quarter Sessions, § 56.
Quarter Sessions to hear Appeals and decide, § 57.
Validity of Determination of Valuer, Commissioners, and Quarter Sessions, § 58.
Validity of Valuer's Statement and Office Plan, § 59.
Maps, Plans, &c., §§ 60 to 67.
Power for Commissioners to rate Lands in District, § 68.
Regulations as to Assessment and Recovery of Rates, §§ 69 to 84.
Power for Commissioners to borrow on Mortgage of Rates, and re-borrow; Regulations as to Mortgages, §§ 85 to 91.
Application of Monies borrowed, § 92.
Application of Revenue, § 93.
Procedure; Notices, &c., §§ 94 to 99.
Lands in District exempt from Jurisdiction of Commissioners of Sewers, § 100.
Saving Rights of other Drainage Commissioners, § 101.
Act not to affect Liability of other Persons to cleanse Drains, &c., § 102.
Schedules (Forms).

Cap. cl.

"The Manchester and Milford Railway (Aberystwith Branch) Act, 1861."

Preamble recites that it is expedient to enable the Manchester and Milford Railway Company to construct a Branch Railway from the Devil's Bridge to Aberystwith; and that the Company, and the London and North-western, the Great Western, and the Llanidloes and Newtown Railway Companies should be enabled to enter into Working and Traffic and Station Arrangements.
Incorporation of Consolidation Acts, § 2.
Three Years for completing Purchase of Lands, § 5.
Five Years for completing Railway, § 6.

Railway and Works authorized; Power to make Traffic Arrangements and Working Agreements with above-mentioned Companies, §§ 9 to 14.
Power to Company to increase their Share Capital by 111,000*l.*, § 16.
Power to borrow 37,000*l.*, § 17.
Power to Llanidloes and Newtown Railway Company to subscribe and hold Shares in Undertaking and raise Capital for the Purpose, §§ 21 to 23.

Cap. cli.

"The Grand Junction Waterworks Act, 1861."

Preamble recites that it is expedient to extend the Limits of the Company's Supply of Water.

2. The Limits within which the Company may supply Water are by this Act extended so as to comprise the following Parishes or Places in addition to the Company's present District; that is to say, Chiswick, Acton, Isleworth, Twickenham, Teddington, Hampton, Hampton Wick, Hampton Court, Bushy Park, Whitton, and Hanworth, all in the County of Middlesex, provided that those Limits do not comprise the following Parts of the following Parishes; that is to say,

So much of the Parish of Isleworth as lies within 100 Yards South of the Hounslow Road, between the East Boundary of Feltham and the River Brent; and all that Part of the Parish of Isleworth which lies North of the Hounslow Road:

So much of the Parish of Ealing as lies North of Little Ealing in a straight Line between Boston House and Fordhook House.

Company may lay down, &c. Mains, &c., § 3.
Provisions of Metropolis Water Act, 1852, extended to this Act, § 4.
Provisions of Act of 1852 for the Metropolis Roads extended to this Act, § 5.
Water Rates for Supply under this Act, § 6.
Day for General Meeting, § 7.
Saving Rights of West Middlesex Waterworks Company, § 8.

Cap. clii.

"The Wolverhampton New Waterworks Act, 1861."

Preamble recites that by "The Wolverhampton Waterworks Act, 1845," and "The Wolverhampton Waterworks Amendment Act, 1850," the Wolverhampton Waterworks Company, herein-after called the old Company, was incorporated, and authorized to make and maintain Works for supplying with Water the Inhabitants of the Town of Wolverhampton and certain other adjacent Townships in the Parish of Wolverhampton, and certain other Parishes in the County of Stafford; and that by "The Wolverhampton Waterworks Act, 1855," the Wolverhampton New Waterworks Company was incorporated, with Power to make and maintain Works for the Supply of Water to the Town and Parish of Wolverhampton and the Suburbs thereof, and to certain other Parishes in the Counties of Stafford and Salop therein mentioned; and that by "The Wolverhampton Waterworks Transfer Act, 1856," the Undertaking of the old Company was, in pursuance of certain Agreements therein mentioned to have been made between the old Company and the new Company, transferred to the new Company, subject to a Debenture Debt of 17,300*l.*, from which the new Company agreed to indemnify the old Company, the Consideration for such Transfer being, that the new Company should pay to the old Company, by way of yearly Rents, a Sum varying from 3*l.* per Centum to 5*l.* per Centum on 46,246*l.*; and that the Share Capital of the new Company, amounting to 100,000*l.*, has all been paid up, with the Exception of 500*l.* thereof, and the Sum authorized to be borrowed by them has been taken up on Mortgage, and the whole of such Sums have been expended in the Objects and for the Purposes of the Acts by which they are incorporated and regulated; and it is expedient that further Power should be given to them, for raising Monies for the Purposes of the recited Acts and of this Act.

Power to raise 30,000*l.* by new Shares, § 2.
Creation and Appropriation of Shares, §§ 3 to 9.
Power to borrow 7,500*l.*, §§ 12, 13.
Provisions of Companies Clauses Act incorporated, § 15.
Constant Supply of Water under Pressure within the Municipal Borough of Wolverhampton, except the Part Eastward of the Mining Fault, § 16.
As to Supply of Water to Corporation, Local Board of Health, &c.; Expenses of Fireplugs; Corporation to pay 400*l.* a Year until Company's Profits amount to 6 per Cent., § 17.
Costs of Fireplugs in new Situations to be borne by Corporation, § 18.
Continuing Provisions for Purchase by the Corporation, § 19.
Corporation liable to Penalties, &c. for Waste, § 20.
Saving Rights of old Company, § 21.

Cap. cliii.

"The Great North of Scotland Railway Amendment Act, 1861."

Preamble recites that in 1859 the Provisions of the former Acts relating to the Great North of Scotland Railway Company were amended and consolidated; that Part of the Undertaking of the Company consists of a Branch Railway called the Dock Branch, which joins the Main Line at Kittybrewster, and terminates in Aberdeen at the Victoria Docks, and at the Passenger and Goods Station of the Company there, called "the Waterloo Station;" that the said Main Line of Railway is for the most Part a single Line only, and the said Dock Branch is entirely so, but the Company have recently doubled their Main Line between Dyce and Kittybrewster, and it is necessary for the proper Accommodation of their Traffic that a Double Line of Rails should also be laid down on the said Branch Railway, and that its Gradients should be improved; that the Accommodation which the Company's Kittybrewster Station and Waterloo Station afford is insufficient to meet the Requirements of the Traffic, and it is expedient that the Company should have Power to enlarge those Stations, and for that Purpose to purchase additional Property near to the said respective Stations.

Incorporation of Consolidation Acts, § 2.
Power to construct Works, §§ 3, 4.
Soil of Roads vested in Company, § 5.
Works to form Part of Company's Undertaking, § 6.
Lands to be bought by Compulsion in Three Years, § 7.
As to Lands of Mr. Leslie, § 8.
Confirmation of Agreement with Messieurs Robinson, Crum, and Company, § 9.
Five Years for Completion of Works, § 10.

Cap. cliv.

"Fylde Waterworks Act, 1861."

Preamble recites that the Inhabitants of Kirkham, Lytham, Blackpool, Fleetwood, Poulton, Rossall, Garstang, Southshore, and Bispham, in the County Palatine of Lancaster, are insufficiently supplied with Water; and that the Means of supplying Water to Shipping resorting to Fleetwood and

Lytham respectively are insufficient; and whereas the Persons in this Act named, with others, are willing, at their own Expense, to provide the requisite Supply of Water, and to make and maintain Waterworks for the Purpose.
Incorporation of Consolidation Acts, § 2.
Limits of Act for Supply of Water, § 4.
Fylde Waterworks Company incorporated, with Capital of 60,000*l.*, and Power to borrow 15,000*l.*, §§ 5, 6, and 8.
Application of Monies, § 10.
Meetings; Directors; Advertisements, &c., §§ 11 to 14.
Power to take Lands and Waters for Purposes of Act, § 15.
Four Years for compulsory Purchase of Lands, § 16.
Power to take Water from Grizedale Brook, § 17.
Lands for extraordinary Purposes and Streams and Waters may be taken by Agreement, § 18.
Owners may grant Easements, § 19.
Power to make Waterworks, §§ 20 to 22.
Execution of Works affecting Railways and Docks, § 23.
Restrictions upon breaking up Streets, § 24.
For Protection of the Preston and Wyre Railway, Harbour, or Dock, § 25.
For Protection of the Nether Wyersdale Estate, § 26.
Six Years for Completion of Works, § 27.
Power of Justices to order Inquiry into State of Reservoirs, §§ 28 to 36.
Supply of Water under Pressure, § 38.
Supply of Water to Tenements in a Row, § 39.
Rates for Supply of Water for domestic Purposes, §§ 40 to 42.
Rates for Supply to Shipping, § 44.
Water for other than domestic Purposes and Shipping to be supplied by Agreement, § 45.
Regulations for Supply of Water, §§ 46 to 48.
Recovery of Sums not exceeding 50*l.*, §§ 49 to 52.

Cap. clv.

"The Blackburn Waterworks Act, 1861."

Preamble recites that by "The Blackburn Waterworks Act, 1845," the Blackburn Waterworks Company were incorporated and authorized to construct Waterworks for supplying the Inhabitants of the Town and Neighbourhood of Blackburn with Water; that they have constructed a Reservoir at Daisy Green, another at Pickup Bank, another at Guide, Two others at or near Audley, and another at Hoddlesden, in the Parishes of Blackburn and Whalley, and by means of such Reservoirs and of the Conduits and Works in connexion therewith have supplied Water to the said Town and Neighbourhood, and provided Compensation to Mill Owners and others; that the Water which by means of the said Reservoirs the Company can impound and make available for the Purposes of the Town and Neighbourhood is greatly insufficient for the increasing Wants of the Town and Neighbourhood, and it is expedient that the said Company should be authorized to construct additional Reservoirs near the Guide and Hoddlesden Reservoirs, and connecting Aqueducts with the Hoddlesden and Pickup Bank Reservoirs and other Works, and increase their Supply; that the additional Quantity of Water procurable by such Means would enable the said Company to supply with Water not only the Town and Neighbourhood of Blackburn, but also the Townships of Lower Darwen, Livesay, Witton, Oswaldtwistle, and Little Harwood, or Parts thereof respectively, and it is expedient that the said Company should be authorized to supply Water within those Townships; that by the recited Act and by "The Blackburn Waterworks Act, 1849," the said Company were authorized to raise 60,000*l.* by the Creation of Shares, and 19,666*l.* by Mortgage, with Power to convert their Loans into Share Capital; that they raised the 60,000*l.* by the Creation and Issue of 6,000 Shares of 10*l.* each, and exercised their Powers of borrowing to the Extent of 19,400*l.* or thereabouts; that for the Purpose of converting their Loans into Capital they created 3,000*l.* Shares of 6*l.* 10*s.* each, whereof 33 Shares were never issued, and the other 2,967 Shares, representing Capital to the Amount of 19,285*l.* 10*s.*, were issued at a Premium of 2*l.* 12*s.* each, and there remains due to the Company, in respect of Capital and Premium upon such Shares, 2*l.* 2*s.* per Share, and Mortgages of the said Company remain undischarged to the Amount of 12,250*l.*; that the said Company have expended upon their Undertaking, and chargeable to Capital Account, the full Amount of Money which they were authorized to raise under the recited Acts, and have moreover incurred Liabilities chargeable to Capital Account, besides the Sums due from them on Mortgage, and it is expedient that they should be authorized to raise more Money, as well for paying off such Liabilities as other Purposes, and that they should be empowered to create Debenture Stock, and that the Provisions of the said Acts should be consolidated and amended.
Incorporation of Consolidation Acts, § 1.
Repeal of Acts, § 3.
Company re-incorporated, § 4.
Waterworks, &c. vested in Company, § 5.
Saving Rights and Liabilities of Company under repealed Acts, §§ 7 to 11.
Capital, § 13.
Saving Rights, &c. in respect of old Shares, § 14.
Providing for uncalled Part of Shares and Premium, § 15.
Power to create new Shares and to attach Preference, § 16.
Dividends on new Preference Shares how to be paid, § 17.
Power to borrow Money on Mortgage, 25,000*l.*, § 20.
Application of Money raised by Shares or Mortgages, § 22.
Power to raise Money by Debenture Stock, § 23.
Preference on Debenture Stock, § 24.
Transfer of Debenture Stock, §§ 25, 26.
Mortgages may be taken in exchange for Stock, § 27.
Application of Monies raised, § 28.
Mortgaging Powers to cease to the Extent of Sums raised by Debenture Stock, § 29.
When the Books of the Company are made up a Copy of the Balance Sheet to be sent to the Corporation, § 30.
Meetings; Directors; Advertisements, &c., §§ 31 to 38.
Power for Company to make new Waterworks and take Lands for the Purpose, §§ 40, 41.
Limits of Deviation, § 42.
Grants of Easements, § 43.
Five Years for compulsory Purchase of Lands, § 44.
Power of Justices to order Inquiry into State of Reservoirs, §§ 45 to 54.
Quantity of Water to be discharged for Compensation; Regulations, §§ 55 to 68.
For Protection of certain Property in the Township of Over-Darwen, § 69.
Works to be constructed for intercepting noxious Fluid Matter from Vale Rock Mill and Houses, § 70.
For protecting the Supply of Water to Blackburn Old Mill, § 71.
Penalty for Refusal to act, § 72.
Limits of Act for Water Supply, § 73.
Rents for domestic Supply, § 74.
Valuation to be according to the Assessment to the Poor's Rate, § 75.
Definition of domestic Purposes, § 76.
Charge for Waterclosets, &c., 77.

For preventing the fouling of Water, § 78.
Supply of Water for other than domestic Purposes, § 79.
Penalty for using Water for other than domestic Purposes without Agreement, § 80.
Recovery of Rents, §§ 81, 82.
Power to lease the Water Rates, § 83.
Regulations against Contamination by Gas Pipes, §§ 84 to 88.
For Protection of the Blackburn Gaslight Company, § 89.
Notice to Gas Company before opening Trenches, § 90.
Saving the Rights of the Blackburn Gaslight Company and Corporation of Blackburn, § 91.

Cap. clvi.

"The Trent, Ancholme, and Grimsby Railway Act, 1861."

Preamble recites that a Railway from the River Trent, near Keadby, across the River Ancholme, and joining the Manchester, Sheffield, and Lincolnshire Railway at Barnetby-le-Wold, would be very beneficial to the Mineral District which it would traverse, and would be of public Advantage by effecting a Communication between the said District and the Trent on the one hand and the Port of Grimsby on the other hand; that great Progress has been made in the Construction upon the Land of Charles Winn, Esquire, and at the Expense of his Lessees, Messieurs William Henry Dawes and George Dawes, of so much of the said Railway as will lie between the Rivers Trent and Ancholme; and that it is expedient that the South Yorkshire Railway Company, with whose Undertaking the said Railway is intended to be connected at its Western End, and the Manchester, Sheffield, and Lincolnshire Railway Company, whose Undertaking the intended Railway will join at its Eastern End, should be authorized to enter into Arrangements with respect to the working and Management of the intended Railway.
Incorporation of Consolidation Acts, § 1.
Subscribers incorporated, with Capital of 120,000*l.*, and Power to borrow 40,000*l.*, §§ 2, 3, and 8.
As to Allotment of Shares to Mr. Winn, § 4.
As to Expenditure by Messrs. Dawes, § 5.
As to Allotment of Shares to them, § 6.
Meetings; Directors, §§ 9 to 14.
Power to make Railway, §§ 15 to 18.
Lands to be bought by Compulsion within Two Years, § 19.
Four Years for Completion of Works, §§ 20, 21.
Communication with Manchester, Sheffield, and Lincolnshire Railway, §§ 22 to 25.
Level Crossings, §§ 26 to 29.
Saving Jurisdiction of Commissioners of Sewers for the Wapentakes of Manley, Corringham, and Aslacoe, § 30.
Company required to repair any specific Damage, § 31.
Company to keep Works in repair, and make good any Damage hereafter, § 32.
Saving Rights of the Ancholme Commissioners, § 33.
Height and Width of the Bridge over the Ancholme, § 34.
Penalty for obstructing Ancholme Navigation during building of Bridge, § 35.
Protection of Ancholme Drainage Works, §§ 36 to 41.
Reserving Powers of Warping, § 42.
Tolls, §§ 43 to 51.
Tolls may be taken by other Companies subject to Working Agreement, § 52.
As to Agreements with Mr. Winn, § 53.
Power to enter into Traffic Arrangements with Manchester, Sheffield, and Lincolnshire, and South Yorkshire Railway Companies, § 54.
Conditions of such Agreements, § 55.

Cap. clvii.

"The Stockton and Darlington Railway (Capital) Act, 1861."

Preamble recites the 1 & 2 Geo. 4. c. xliv. and other Acts relating to the Company; and that by "The Stockton and Darlington Railway (Amalgamation) Act, 1858," several Acts relating to the Stockton and Darlington Company were repealed, and the Company were re-incorporated by their original Name of Incorporation; and the respective Shareholders of the Wear Valley Railway Company, the Middlesbrough and Redcar Railway Company, the Middlesbrough and Guisbrough Railway Company, the Darlington and Barnard Castle Railway Company, and the Stockton and Darlington Company respectively, were made Members of the Stockton and Darlington Company; and the several Railways, Docks, Works, and Property of the Five Companies respectively were vested in the Stockton and Darlington Company as their original Undertaking; and the Debts of the Five Companies respectively were made payable by the Stockton and Darlington Company; and the Capital of the Stockton and Darlington Company was declared to be the aggregate of the following Amounts; that is to say,

	£
1st.—Class A. Preferential Share Capital - -	450,000
2dly.—Class B. Preferential Share Capital, consisting of - - - - - -	849,950
And any Capital created by the Conversion into Capital of the Wear Valley Company's Debt of 40,000*l.*	
And the Redcar Company's Debt of 22,000*l.*	
3dly.—Class C. Preferential Share Capital -	178,000
And any Capital created by the Conversion into Capital of the Barnard Castle Company's Debt of 68,000*l.*	
4thly.—Any other Preferential Share Capital, created under the reciting Act or any other Act of the same Session.	
5thly.—Ordinary Share Capital - - -	1,000,000
And any other Ordinary Share Capital created under the reciting Act or any other Act of the same Session.	

And it was enacted that 8,000 Shares, Part of the Stockton and Darlington Company's Ordinary Share Capital of 1,000,000*l.*, should be deemed paid up to the Extent of 16*l.* 5*s.* a Share; and the Stockton and Darlington Company were authorized to agree for Surrenders of Preferential Shares; and to create Ordinary Shares and exchange them for Preferential Shares; and to create Ordinary Shares for Reduction or Extinction of Debt; and Provision was made for borrowing and reborrowing by the Stockton and Darlington Company, and for paying off Portions of their Debt of 572,592*l.*, and for borrowing and reborrowing, for paying off the several Debts of the Wear Valley Company, the Redcar Company, and the Barnard Castle Company respectively, amounting together to the aggregate Sum of 130,000*l.*, and for the Application by the Stockton and Darlington Company of Monies for discharging their own Debts; also that by "The Stockton and Darlington Railway (North Riding Lines) Act, 1858," the Stockton and Darlington Company were authorized to make additional Lines of Railway, and to raise by Shares 45,000*l.*; and by "The Stockton and Darlington Railway (Durham Line, &c.) Act, 1858," the Company were authorized to make another Line of Railway and other Works, and to raise by Shares the aggregate Sum of 335,000*l.*; and by "The Stockton and

Darlington Railway Act, 1859," the Company were authorized to make another Line of Railway; and by "The Stockton and Darlington Railway Act, 1860," to raise by Shares 250,000*l.*, and to borrow 83,000*l.*; and that the Company's Class A. Preferential Share Capital of 450,000*l.* is fully paid up; and the Company have created 50*l.* of Class B. Preferential Share Capital, making the total Amount of that Preferential Share Capital 850,000*l.*, which is fully paid up; and they have created 22,000*l.* Class C. Preferential Share Capital, making the total Amount of that Preferential Share Capital 200,000*l.*, which is fully paid up; and that the Company's Wear Valley Debt of 40,000*l.* has been reduced to 15,849*l.*, and their Redcar Debt of 22,000*l.* has been reduced to 11,630*l.*, and their Barnard Castle Debt of 68,000*l.* has been reduced to 26,748*l.*; and that the 8,000 Shares of the Company's Ordinary Share Capital of 1,000,000*l.*, deemed paid up to the Extent of 16*l.* 5*s.* a Share, have been fully paid up; and that none of the Preferential Shares of the Capital of the Stockton and Darlington Company have been surrendered, and they have not created any Ordinary Share to be exchanged for a Preferential Share; nor have they applied any Ordinary Shares to the Reduction or Extinction of Debt; and that the Company's Debt of 572,592*l.* has been reduced to 518,119*l.*; also that under the Authority of the North Riding Lines Act, 1858, the Stockton and Darlington Company have created ordinary Capital to the Amount of 45,000*l.*; and under the Authority of the Durham Line, &c. Act, 1858, they have created ordinary Capital to the Amount of 335,000*l.*; and under the Act of 1860 they have created ordinary Capital to the Amount of 250,000*l.*, and ordinary Capital to the Amount of 83,000*l.*, by way of Conversion of Loan into Capital; and that the Stockton and Darlington Company's authorized Capital stood on the 1st Day of December 1860 as follows: that is to say,

Preferential Capital.	£	*s.*	*d.*
Class A. Preferential Share Capital -	450,000	0	0
Class B. Preferential Share Capital -	850,000	0	0
Class C. Preferential Share Capital -	200,000	0	0
Total - - - -	1,500,000	0	0

Which is all fully paid up.

Ordinary Capital.	£	*s.*	*d.*
Under "the Amalgamation Act of 1858" - - - - - -	1,000,000	0	0
Under "the North Riding Lines Act of 1858" - - - - - -	45,000	0	0
Under "the Durham Line, &c. Act of 1858" - - - - - -	335,000	0	0
Under the Act of 1860 - - -	333,000	0	0
Total - - - -	1,713,000	0	0
Which is paid up to the Amount of -	1,034,418	4	10
Leaving unpaid - -	£678,581	15	2

Total Capital.	£	*s.*	*d.*
Preferential Capital - - - -	1,500,000	0	0
Ordinary Capital - - - -	1,713,000	0	0
Total - - - -	3,213,000	0	0
Paid up - - - - - -	2,534,418	4	10
To be paid up - - -	£678,581	15	2

and that the Stockton and Darlington Company's Debenture Debts stood on the 1st Day of December 1860 as follows; that is to say,

	£
Wear Valley - - - - - - -	15,849
Redcar - - - - - - - -	11,630
Barnard Castle - - - - -	26,748
Stockton and Darlington - - - -	518,119
Total - - - - -	£572,346

and that it is expedient that, for the Purpose of enabling the Company to lay down additional Lines of Rails on Parts of their Railway, and to provide additional Rolling Stock, Sidings, Stations, and other Conveniences in connexion with their Undertaking, and for the general Objects of their Undertaking, they should be empowered to raise further Monies.

Incorporation of Part of Companies Clauses Act, § 2.
Power to create additional Capital of 220,000*l.*, § 4.
New Capital to be subject to same Incidents as ordinary Capital, § 5.
Calls, § 6.
Restrictions as to Votes for newly-acquired Shares, § 7.
Power to borrow an additional Sum of 67,000*l.*, § 8.
Priority of existing Mortgages, § 9.

Cap. clviii.

"The Leven and East of Fife Railway Act, 1861."

Preamble recites that the Leven Railway Company were, by "The Leven Railway Act, 1852," incorporated for the Purpose of making a Railway from the Edinburgh, Perth, and Dundee Railway at Thornton Junction to the Town of Leven, with certain Branch Railways, and were by the said Act authorized to raise 23,000*l.* by creating 2,300 Shares of 10*l.* each, and to raise 5,000*l.* by borrowing on Bond or Mortgage; that the East of Fife Railway Company, were by "The East of Fife Railway Act, 1855," incorporated for the Purpose of making a Railway from the Leven Railway at the Town of Leven to the Town of Kilconquhar, and were authorized to raise 32,000*l.* by creating 3,200 Shares of 10*l.* each, and to raise 10,600*l.* by borrowing on Bond or Mortgage, and by the "East of Fife Railway Deviation Act, 1856," were authorized to deviate the Line authorized by their Act; that the Leven Railway and the East of Fife Railways have been constructed and opened to the Public, and form One continuous Railway, and are worked together under an Agreement between the Companies; that a Bill had been brought into Parliament to authorize the said Companies jointly to extend the East of Fife Railway to Anstruther, and to raise the necessary Capital for that Purpose; that the Lines of Railway of the Leven Company and the East of Fife Company already constructed and the intended Extension of the East of Fife Railway together form One continuous Railway from the Thornton Junction of the Edinburgh, Perth, and Dundee Railway Company to Anstruther in the East of the County of Fife; that it would be for the public Advantage, and the Advantage of the Companies, that the said Railways, and the intended Extension of the East of Fife Railway to Anstruther, should be permanently united under One Management, and the said Companies have agreed that their Undertakings should be amalgamated on the Terms and Conditions herein-after specified, and in order thereto it is expedient that the Leven Company and the East of Fife Company be amalgamated into One Company; that the Leven Company have issued all the 2,300 Shares of 10*l.* each authorized to be raised

by them, and the same have been paid up; that the Leven Company have borrowed on Bond or Mortgage the Sum of 5,000*l.*; that the East of Fife Company have issued all the 3,200 Shares of 10*l.* each authorized to be raised by them, and the same have been paid up, and the East of Fife Company have borrowed on Bond or Mortgage the Sum of 10,600*l.*; that the Leven Company in constructing their said Railway have contracted Debts and Liabilities to the Extent of 14,000*l.*, and the East of Fife Company have contracted Debts and Liabilities to the Extent of 3,000*l.*, over and above the Sums they were respectively authorized to raise by their said Acts, and it is expedient that the united Company should be authorized to create additional Capital for the Purpose of defraying the same; and it is expedient that the Capital of the Company to be formed by the Amalgamation should be regulated.

Incorporation of Consolidation Acts, § 2.
Dissolution of the Two Companies, § 5.
Property and Rights of Two Companies vested in Company, § 6.
Re-incorporating the Shareholders of the Leven Company and of the East of Fife Company, § 7.
Dissolved Companies to subsist for Payment of Dividends for Half Year, § 8.
Acts relating to dissolved Companies to apply to united Company, § 9.
Rights and Liabilities of dissolved Companies reserved, §§ 10 to 24.
General Meetings; Directors, &c., §§ 25 to 34.
Proprietors of Shares in the Two Companies to be Proprietors of Shares in the Company, § 35.
Capital of the Company defined, but the Capital of the Two Companies to be kept separate, § 36.
Loan Capital of united Company, § 37.
Power to raise Money to pay off Leven Debts, § 38.
Power to raise Money to pay off East of Fife Debts, § 39.
How Capital to be issued, § 40.
Appropriation of Profits, and ranking of Parties entitled to participate therein, § 41.
Division and Appropriation of Revenue of united Company, § 42.
Dividends to be declared out of Profits appropriated to each Class of Proprietors, § 43.
The Mortgage and other Debt of each Company to be kept distinct, § 44.
Powers of existing Companies to raise further Share and Loan Capital vested in united Company, § 45.
Mortgages and Bonds of separate Companies to be a Charge on united Undertaking, § 46.
Dividends for the Half Year ending 31st July 1861 to be declared and paid by the Companies as if this Act had not passed, § 47.
Certificate of Shares in separate Companies to be exchanged for Certificates of Shares in united Company, § 48.
Working Agreement between Companies to terminate on 31st July 1861, § 49.
Tolls, § 50.

Cap. clix.

"The Leven and East of Fife Railway (Extension) Act, 1861."

Preamble recites that by "The Leven Railway Act, 1852," the Leven Railway Company were incorporated for the Purpose of making a Railway from the Edinburgh, Perth, and Dundee Railway at Thornton Junction to the Town of Leven, with certain Branch Railways; and by "The East of Fife Railway Act, 1855," and "The East of Fife Railway (Deviation) Act, 1856," the East of Fife Railway Company were authorized to make a Railway from the Leven Railway at the Town of Leven to Broomlees Tilework in the Parish of Kilconquhar, to be called "The East of Fife Railway;" that the Main Line authorized by "The Leven Railway Act, 1852," and the East of Fife Railway have been completed and opened to the Public, and they form a continuous Line of Railway, and it would be of great local and public Advantage if the said Companies were jointly authorized to extend the East of Fife Railway to Anstruther, and for that Purpose to raise additional Capital in their Undertakings by means of Shares, with or without Preference or Guarantee of Payment of Dividend, and by borrowing.

Incorporation of Consolidation Acts, § 3.
Power to the Companies to execute Works, § 4.
Contracts made by Joint Committee to bind Companies, § 5.
Regulations as to Joint Committees, §§ 6 to 11.
Power to execute Works, § 12.
Line of Railway, § 13.
Part of Main Line not to be constructed, § 14.
Diversion of Railway may be made with Consent of Owners and Occupiers of Lands, § 15.
Admiralty Provisions, §§ 16 to 21.
Two Years for compulsory Purchase of Lands, § 23.
Four Years for Completion of Works, § 24.
Tolls, § 26.
Money to be raised for Purposes of Act, § 27.
Extension to belong equally to the Companies, § 28.
Power to Leven and East of Fife Companies to raise Money for the above Purposes, § 29.
Dividends on new Shares in Companies how to be paid, § 30.
Power to each Company to borrow 6,600*l.*, § 33.
Provisions of Companies Clauses Act applicable to both Companies, § 35.
Arrangements as to Dues with Magistrates of Royal Burghs, § 38.
If Companies amalgamated, Powers vested in amalgamated Companies, § 39.

Cap. clx.

"The Airedale Drainage Act, 1861."

Preamble recites that the Drainage of divers Lands in Airedale, adjoining and near to the River Aire in the West Riding of the County of York is defective, and thereby the Value thereof is much diminished, and the Health of the Inhabitants of the adjacent Places and Districts is thereby prejudicially affected; and that it would be of public Benefit, as well as of great Advantage to the Owners and Occupiers of the Lands, if Provision were made for the Drainage thereof, under the Management of Commissioners, and the Commissioners were authorized to levy Drainage Rates and raise Monies for the Purpose, and exercise other Powers usually vested in Drainage Commissioners.

Incorporation of Lands Clauses, § 2.

4. The Limits of this Act comprise such of the Lands in the several Parishes, Townships, or Places of Bingley, Keighley, Kildwick, Carleton otherwise Carlton in Craven, Skipton, Broughton in Craven, Thornton in Craven, Morton, Morton East and West, Morton Banks, Thwaites, Riddlesden, High Utley, Low Utley, Holden Park, Steeton, Steeton with Eastburn, Eastburn, Brunthwaite, Silsden, Sutton, Cross-Hills, Glusburn, Farnhill, Low Farnhill, High Farnhill, Cononley, Bradleys Both, Low Bradley, High Bradley, Bradley Manor, Bradley Ings, Stirton, Thorlby, and Stirton with Thorlby, all in the West Riding of the County of York, as are shown on

the deposited Plans: Provided always, and except, that the Limits of this Act do not comprise any Lands within the District of the Local Board of Health for the District of Keighley, except such of the same Lands as are shown and numbered on the deposited Plans and specified in the deposited Book of Reference.
Commissioners, § 5.
The Airedale Drainage Commissioners incorporated; Election and Qualification of Commissioners, §§ 6 to 11.
Power to appoint Deputies, § 12.
Declaration of Commissioners, § 13.
Declaration of Deputies, § 14.
False Declaration a Misdemeanor, § 15.
First Meeting of Commissioners, § 16.
General Meetings of Commissioners, §§ 18 to 20.
A Committee of Management; Proceedings and Meetings, §§ 21 to 28.
Auditors, § 29.
First Engineers, Valuers, and Assessors, § 30.
Power to take and use Lands shown on Works Plan, § 31.
Five Years for compulsory Purchase of Lands, § 32.
Purchase by Agreement of Lands, § 33.
Lands vested in Commissioners for Purposes of Act, § 34.
Power to make Cuts and Works authorized by Act, § 35.
Works authorized, § 36.
No Part of Railway or Works of Midland Railway Company to be taken without Consent of that Company, § 37.
Limits of Deviation, § 38.
Power for Commissioners to divert Waters of River Aire, &c., § 39.
General Drainage Works within the District, § 40.
New Cuts not to exceed 11 Feet in Width at Bottom, § 41.
Commissioners to have Management of all Drainage in District, § 42.
Commissioners to compensate for Damage, § 43.
For Protection of Riddlesden Hall Estate, § 44.
For the Protection of the Estates of William Farrand, Esquire, § 45.
Saving Rights of Keighley Local Board of Health, §§ 46, 47.
Proportionate Compensation where Lands benefited, § 48.
If no Compensation awarded, Claimant to pay Costs, § 49.
Compensation in Land or Works, § 50.
Power to make Agreements as to severed Lands, § 51.
And for Exchanges of such Lands, § 52.
For Protection of Bridges, § 53.
Works of interior Drainage to be kept open by Owners or Occupiers of Lands, § 54.
Or by Commissioners in default of Owners or Occupiers, § 55.
Provision as to public Drains, &c., awarded under 29 Geo. 3. c. 1., to be maintained by Owners and Occupiers of Allotments, § 56.
When new Drains completed, Rights of Drainage through old Channels to cease, § 57.
Valuers and Assessors may class the Lands, § 58.
Commissioners may determine which are public Drains, § 59.
Power to destroy Vermin, § 60.
The Airedale Drainage District Plan, showing Main Drains, to be kept in the Office of Commissioners, §§ 61 to 63.
Powers for Commissioners to rate Lands within Limits of Act, § 64.
Power of Appeal, § 65.
No Part of Railway or Works of the Midland Railway Company shall be rateable, § 66.
Regulations as to levying and Payment of Rates, §§ 67 to 78.
Powers to borrow on Mortgage of Rates and reborrow, §§ 79 to 86.
Application of Revenue, § 87.
Byelaws, §§ 88 to 96.
Penalties on Persons committing Offences, §§ 98, 99.

Cap. clxi.

"The Lough Swilly Railway (Buncrana Extension) Act, 1861."

Preamble recites the 16 & 17 Vict. c. liv. and 22 & 23 Vict. c. l. relating to the Lough Swilly Railway, and that the making of a Railway from the authorized Line of the Railway to Buncrana in the County of Donegal, with a Branch or Spur therefrom, and a Pier or Jetty in the Channel of Lough Swilly, would be of great local and public Advantage, and the Londonderry and Lough Swilly Railway Company are desirous of constructing such Railway and Works if authorized so to do.
Incorporation of Consolidation Acts, § 2.
Power to make Railway, § 3.
Two Years for compulsory Purchase of Lands, § 7.
Three Years for the Completion of Works, § 8.
Admiralty Provisions, §§ 10 to 16.
Application of original Capital, § 18.
Power to Company to increase their Share Capital by 20,000*l.*, § 19.
Power to borrow 6,600*l.*, §§ 20, 21.
Saving Rights of the Crown, § 23.
Saving the Rights of the Irish Society, § 24.

Cap. clxii.

"The Swansea Vale Railway Extension Act, 1861."

Preamble recites the 18 & 19 Vict. c. lx., 19 & 20 Vict. c. xcv., and 22 Vict. c. ii., relating to the Swansea Vale Railway, and that the Company have constructed and now maintain by virtue of the said Acts a Railway from the Port of Swansea to Pontardawe, and are now constructing other Extension and Branch Railways, in those Acts particularly set forth and described; and that it is expedient to construct a Railway to form a Junction between their authorized Palleg or Cwm Twrch Branch Railway and the Railway of the Llanelly Railway and Dock Company leading to the Bryn Amman Iron Works, together with the Branch Railway herein-after described; and that the Company and the Llanelly Railway and Dock Company be authorized to enter into Working, Traffic, and other Arrangements.
Incorporation of Lands and Railways Clauses Acts, § 2.
Power to make Railways, §§ 4 to 6.
As to Construction of Junctions with Lines of Llanelly Railway and Dock Company, §§ 7, 8.
Company not to take Property or interfere with Works of Llanelly Railway and Dock Company, § 9.
Power to stop up Palleg Railroad, § 10.
On Purchase of Palleg Railroad, Rentcharges thereon to attach on new Lines unless bought up, § 11.
Lands are to be purchased within Three Years from passing of Act, § 12.
Railways to be completed by 1st January 1865, § 13.
Diversion of Road with Bridge in lieu of level Crossing in Llansamlet, § 14.
Tolls, § 19.
Working Arrangements between Company and Llanelly Railway and Dock Company, §§ 20 to 26.
Application of existing Capital, § 27.
Power to create new Shares, § 28.

Power to cancel unissued Shares, § 29.
Preference may be attached to new Shares, §§ 30, 31.
Disposition of new Shares, § 33.
Qualifications of new Shareholders, § 34.
Power to borrow 11,000*l.*, §§ 35, 36.
Application of Sums raised under this Act, § 37.
Incorporating certain Provisions of Companies Clauses Consolidation Act, § 38.
Applying Provisions of recited Acts as to Surrenders, &c., § 39.

Cap. clxiii.

"The Dumfries, Lochmaben, and Lockerby Junction Railway Deviation Act, 1861."

Preamble recites that by "The Dumfries, Lochmaben, and Lockerby Junction Railway Act, 1860," the Dumfries, Lochmaben, and Lockerby Junction Railway Company were authorized to construct a Railway from the Glasgow and South-western Railway at Dumfries to the Caledonian Railway at Lockerby; and that by the said Act it was enacted that none of the Powers thereby granted to the Company for the Purchase of Lands or Construction of the Railway should, as regards so much thereof as would be situate on Lands belonging to Major General Thomas Henry Johnston, of Carnsalloch in the County of Dumfries, between the Properties numbered respectively 45 and 91, both inclusive, in the Parish of Dumfries, on the Plans deposited with reference to that Act, be exercised by the Company before the 30th Day of August 1861, except as therein mentioned, without the Consent in Writing of the said Major General Thomas Henry Johnston; and that it was further enacted, that if the Company or the said Major General Thomas Henry Johnston, acting either jointly or severally, should in the next Session of Parliament obtain an Act for authorizing a Deviation in the Railway which should not interfere with the Properties lying between the said Properties numbered respectively 45 and 91, both inclusive, in the Parish of Dumfries, on the said deposited Plans, then and in such Case all the Powers by the said Act conferred for making the Railway between such last-mentioned Properties should cease and determine; and it was further enacted, that in that Case the said Major General Thomas Henry Johnston should sell to the Company all such Lands lying to the South of the Turnpike Road leading from Dumfries to Moffat as belong to him, and the Company might require for the Purposes of such Deviation, at a Price to be agreed upon between him and the Company, or if they could not agree then at a Price to be fixed by John Dickson, Saughton Mains, or, failing him, James Horne, Land Valuator, Edinburgh, such Price to be the agricultural Value of the Land, without intersectional Damage; and that it was further enacted by the said Act, that if the Company or the said Major General Thomas Henry Johnston should, either jointly or severally, promote a Bill in the next Session of Parliament for authorizing a Deviation as aforesaid, and such Bill should be rejected by either House of Parliament, or be withdrawn, with the Consent of the said Major General Thomas Henry Johnston, then the Powers by the said Act conferred for purchasing the Lands, and making the Railway between the Properties aforesaid, should revive upon the Day of such Rejection or Withdrawal, as if such Day were the 30th Day of August 1861; and that it is expedient that the Company should be authorized to deviate their Line so as to avoid the taking of the said Lands referred to in the said Section of the said recited Act; and also that the Dumfries, Lochmaben, and Lockerby Junction Railway will communicate at the Town of Dumfries with the Glasgow and South-western Railway, and that Provision should be made for the Accommodation of the Traffic of the Company at the Station at Dumfries of the Glasgow and South-western Railway Company, and an Agreement for this Purpose has been entered into by the said Companies, and it is expedient that the same should be confirmed, and that the Company should be authorized to raise additional Capital.
Incorporation of General Acts, § 2.
Power to make Railway, §§ 4, 5.
Part of the Dumfries, Lochmaben and Lockerby Junction Railway to be abandoned, § 6.
Compensation, § 7.
Lands to be purchased and Works completed within Time specified by former Acts, §§ 9, 10.
Power to apply existing Capital to the Purposes of this Act, § 11.
Power to raise 5,000*l.* by Creation of Shares, § 12.
Incorporation of Portion of Companies Clauses Act, § 13.
Tolls, §§ 14, 15.
Agreements with Glasgow and South-western and Caledonian Railway Companies for working Railway, § 16.
Confirming Agreement with the Glasgow and South-western Railway Company, § 17.
Traffic of Dumfries, Lochmaben, and Lockerby Railway, § 18.
Provisions with regard to Money deposited as Security for Completion of Railway, §§ 20 to 22.
Saving Rights of the Glasgow and South-western Railway and the Caledonian Railway Companies, § 24.

Cap. clxiv.

"The Hammersmith and City Railway Act. 1861."

Recites that the making of a Railway from the Great Western Railway to Hammersmith, and of Branch Railways therefrom to form Junctions with the West London Railway, would be of great public Advantage.
Incorporation of Consolidation Acts, § 1.
Capital 180,000*l.*, § 4.
Power to borrow on Mortgage 60,000*l.*, § 7.
Directors; Meetings, §§ 11 to 18.
Power to make Works, § 19.
Gauge of Railway, § 20.
Three Years for compulsory Purchase of Lands, § 22.
Five Years for Completion of Railway, § 23.
Company not to take certain Lands of George Bridge, Esquire, § 24.
Restricting Use of certain Lands in the Parish of Paddington, § 25.
Mode of effecting Communication with Great Western Railway, §§ 26 to 29.
As to Junction with West London Railway if more than Two Lines on that Railway, §§ 30 to 33.
Mode of executing Works in Parish of Kensington, §§ 35 to 45.
Regulating the Crossing over the Metropolis Roads, §§ 46 to 53.
For Protection of Sewers of Metropolitan and other Boards, § 54.
For Protection of the Estate of Colonel Saint Quintin, § 55.
Tolls, §§ 56 to 63.
Power to enter into Agreements with Great Western and Metropolitan Companies, §§ 64 to 70.

Cap. clxv.

"The Barnsley Coal Railway Act, 1861."

Preamble recites that the making of a Railway in the West Riding of Yorkshire, from the South Yorkshire Railway in the Parish of Darfield to the Township of Notton in the Parish of Royston, would be attended with great local and public Advantage; and that it is expedient that the South Yorkshire Railway and River Dun Company should be authorized to enter into the Arrangements with respect to the Working and Management of the Railway, and to subscribe towards the Cost of its Construction.

Incorporation of Consolidation Acts, § 1.

Subscribers incorporated, with Capital of 40,000*l.*, and Power to borrow 13,300*l.*, §§ 3 to 6.

Meetings; Directors, §§ 8 to 13.

Power to South Yorkshire Railway Company to subscribe; and to apply the Funds for that Purpose, § 14.

Power to make Railway, §§ 16, 17.

Communication with South Yorkshire Railway, § 18.

For Protection of Barnsley Canal, §§ 22, 23.

Lands to be bought by Compulsion in Three Years, § 25.

Five Years for Completion of Railway, §§ 26, 27.

Tolls, §§ 29 to 36.

Power to enter into Traffic Arrangements with South Yorkshire Company, § 37.

Conditions of such Agreements, § 39.

As to Tolls during Agreement, § 44.

Cap. clxvi.

"The Carlisle Citadel Station Act, 1861."

Preamble recites the Acts incorporating the Lancaster and Carlisle Railway Company and the Caledonian Railway Company; that by the Caledonian Railway (Carlisle Deviation) Act, 1846, the Caledonian Company were authorized to make a Deviation of the Caledonian Railway from the River Eden to a Point at or near to Crown Street in Carlisle; and by the Lancaster and Carlisle Act of 1846, the Powers and Provisions of the Lancaster and Carlisle Act of 1844 were extended to the reciting Act, and the Lancaster and Carlisle Company were authorized to provide a Station at Carlisle, and to alter, extend, and enlarge the Railway and Station and Works there then belonging to them, and to make and maintain a Railway, with all necessary Works and Conveniences connected therewith, commencing from the Line of the Lancaster and Carlisle Railway at or near to the Point of Junction thereof with the Newcastle and Carlisle and the Maryport and Carlisle Railways at or near to Carlisle, and terminating at Borough Street in Carlisle; that the Lancaster and Carlisle Company made the Lancaster and Carlisle Railway, and several Branches therefrom, and, under divers Acts of Parliament, acquired divers Railways and Works made by other Railway Companies, and which Branches, Railways, and Works accordingly became Part of the Undertaking and Works of the Lancaster and Carlisle Company; that the Caledonian Company made the Caledonian Railway, with divers Branch Railways communicating therewith, and they acquired the Railways and Works of divers other Railway Companies, which accordingly became Part of their Undertaking, Railway, and Works; that under the Authority of the Carlisle Deviation Act, 1846, the Caledonian Company made the Line of their Railway so that it terminated South-eastwardly at Crown Street by a Junction there with the Lancaster and Carlisle Railway, and, under the Authority of the Lancaster and Carlisle Act of 1846, the Lancaster and Carlisle Company made the Line of their Railway so that it terminated North-westwardly at Borough Street by a Junction there with the Caledonian Railway; that the Traffic at Carlisle on the Lancaster and Carlisle Railway and the Caledonian Railway being very considerable, and it being requisite that much of the Traffic there should be interchanged between the Two Railways, the Lancaster and Carlisle Company and the Caledonian Company made for their joint Use a Station there between Borough Street to the North-westward and Crown Street to the South-eastward, and from Time to Time made Additions thereto, and that Station is called the Citadel Station; that the South-eastern Extremity between Borough Street and Crown Street of the Caledonian Railway and the North-western Extremity between Crown Street and Borough Street of the Lancaster and Carlisle Railway, and divers Lines of Rails, Sidings, Works, and Conveniences connected with the same respectively, are included within the Limits of the Citadel Station; that the Maryport and Carlisle Railway has a Junction immediately to the South-eastward of Crown Street with the Lancaster and Carlisle Railway, and the Glasgow and South-western Railway has a Junction at or near to Gretna with the Caledonian Railway; and the Carlisle Extension of the North British Railway has a Junction North-westward of and near to Carlisle with the Port Carlisle Railway, and by means thereof with the Caledonian Railway; that the Citadel Station was originally made and has from Time to Time been enlarged, and the Lands on which the same is situate and various adjoining Lands have been from Time to Time acquired, all at the joint and equal Expense of the Two Companies; that for the better Regulation and Management of the Citadel Station, and the several Lines of Railway, Sidings, Works and Conveniences, and Lands of the Two Companies respectively, in and immediately connected with the Citadel Station, and for the Prevention of Accidents and Inconveniences and for other Purposes relating to the Citadel Station, the Two Companies found it necessary to appoint and accordingly resolved on the Appointment of a Joint Committee, composed of Directors of the Two Companies respectively, and from Time to Time passed divers Resolutions for the Guidance of the Joint Committee; that by Agreement with the Two Companies the Maryport and Carlisle Railway Company were admitted by the Two Companies to the User, jointly with them, of the Citadel Station, for the Passenger and Coaching Traffic of the Maryport Company, and the Two Companies agreed to grant and the Maryport Company agreed to take a Lease for 999 Years of a Portion of the Citadel Station, for the Purposes of the Mineral and Goods Traffic of the Maryport Company; that by Agreement with the Two Companies the Glasgow and South-western Railway Company were afterwards admitted by the Two Companies to the User, jointly with them and the Maryport Company, of the Citadel Station, for the Passenger and Coaching Traffic of the South-western Company; and that the Terms and Conditions agreed on for the User by the South-western Company of the Citadel Station are expressed in a Memorandum of Agreement dated the 1st Day of March 1851, between the Two Companies of the First Part and the South-western Company of the Second Part; and the Terms and Conditions eventually agreed on for the User by the Maryport Company of the Citadel Station are expressed in a Memorandum of Agreement dated the 2d Day of April 1851, between the Maryport Company of the First Part, the Lancaster and Carlisle Company of the Second Part, and the Caledonian Company of the Third Part; that by Articles of Agreement dated the 10th Day of May 1857,

between the Lancaster and Carlisle Company of the one Part, and the Caledonian Company of the other Part, the Two Companies entered into an Agreement between themselves, whereby they provided for the Appointment and Regulation of a Joint Committee, consisting of Directors of the Two Companies, and called "the Citadel Station Committee;" and also provided that the Committee should have the entire Management, Regulation, and Control of the Citadel Station and the Works and Conveniences thereof, and all Enlargements of the Citadel Station and all Extensions of the Works and Conveniences thereof, in all respects as if the Committee were a Board of Directors of a Railway Company entitled thereto; and also provided for the Enlargement from Time to Time (when required by the Committee) of the Citadel Station and the Works and Conveniences thereof by the Two Companies at their joint Expense; and also provided that the Authority of the Committee should not extend to the Railways of the Two Companies respectively beyond the Limits of the Lands coloured Red on the Plan annexed to the Agreement, except only that for securing the Safety of the Public using the Railways of the Two Companies respectively the Regulations of the Committee should be in force and observed by the Two Companies respectively with respect to all Parts of their respective Railways shown on the Plan; and also that the several Tolls and yearly and other Sums from Time to Time thereafter payable by the South-western Company and the Maryport Company respectively to the Two Companies, under the recited Agreements, and all Tolls and yearly and other Sums from Time to Time by any future Agreements between the Two Companies and any other Railway Companies and other Parties respectively made payable to the Two Companies for or in any way relating to the User or Enjoyment by such other Railway Companies and other Parties respectively of the Citadel Station or any Part thereof should from Time to Time be paid to the Credit of a Joint Fund for the Purposes of the reciting Agreement, and that all other Tolls and yearly and other Sums from Time to Time payable to the Two Companies respectively for or in any way relating to the User or Enjoyment of the Citadel Station or any Part thereof should from Time to Time be paid to the Credit of the Joint Fund; and also provided for the Application of the Joint Fund for the Payment thereout of Taxes, Rates, and current and other Expenditure with respect to the Citadel Station, and for the Division of the Surplus of the Joint Fund equally between the Two Companies; and also made Provision with respect to Tolls and Charges for the User of and Interchange of Traffic in the Joint Station, and with respect to other Matters relating to the Citadel Station, and the Interests of the Two Companies therein and relating thereto; and it was thereby agreed between the Two Companies that inasmuch as the Duties of the Committee might be better performed and the reciting Agreement might be more easily carried into effect if additional Parliamentary Powers in that Behalf were obtained, the Two Companies respectively would use their best Endeavours to procure all such Enactments as might be expedient; that by Agreement between the Two Companies the North British Railway Company were afterwards admitted to the User jointly with the Two Companies and the Maryport Company and the South-western Company respectively of the Citadel Station for the Passenger and Coaching Traffic of the North British Company; that the Terms and Conditions agreed on for the User by the North British Company of the Citadel Station are expressed in an Agreement made the 8th Day of January 1861, between the Caledonian Company and the Lancaster and Carlisle Company of the First Part, and the North British Company of the Second Part; that by the Admission of the Maryport Company and the South-western Company respectively to the User of the Citadel Station the Traffic thereat has greatly increased, and the Admission of the North British Company to the User of the Station will still further increase the same, and it is expedient that the Two Companies be authorized, at their joint and equal Expense, to enlarge and improve the Citadel Station and the Works and Conveniences thereof, and in connexion with or consequent on the Enlargement of the Citadel Station, and for the Convenience of Passenger and other Traffic to and from and within and through the Citadel Station, and the Safety of the Public, to lay down additional Rails in and near to the Citadel Station, and to stop up, widen, divert, and alter Streets and Bridges near thereto, and to make a new Street there; that the Regulation and Management of the Citadel Station by the Citadel Station Committee, in accordance with the Terms and Conditions in that Behalf agreed on between the Two Companies, has been productive of great Advantage, in securing, to a far greater Extent than could be secured under a divided Management, the Safety and Convenience of the Public, and the Convenience of the several Companies from Time to Time using the Citadel Station, and it is expedient that, subject to the Provisions of this Act, the Citadel Station Committee be continued, and the several recited Agreements be confirmed and carried into effect; also that further Provision be made with respect to the Citadel Station, and the Lands, Railways, and Works of the Two Companies respectively near thereto, and that the North British Company be authorized to contribute towards the Expense of making, altering, enlarging, maintaining, and working the Citadel Station and the Works in connexion therewith; that the Lancaster and Carlisle Company, claiming to be entitled, under the Authority of divers Acts of Parliament relating to them and to divers other Railway Companies, of whose Railways, Works, and Property the Lancaster and Carlisle Company were then in possession, to make, and the North-western Company, claiming under divers Acts of Parliament relating to them, to be entitled to accept, a Lease of the Undertakings, Railways, Works, and Property which were made by or belonged to or were authorized to be made or were worked by the Lancaster and Carlisle Company, by an Indenture of Lease dated the 22d Day of December 1859, and made between the Lancaster and Carlisle Company of the one Part, and the North-western Company of the other Part, the Lancaster and Carlisle Company demised and leased all those the Undertaking, Railways, Property, and Effects of the Lancaster and Carlisle Company, including all Branch and other Railways, Works, and Conveniences from Time to Time made by the Lancaster and Carlisle Company, in pursuance of any Acts relating to them, and also including all Undertakings, Railways, Property, and Effects then vested in the Lancaster and Carlisle Company by force of any Amalgamation, and also including the Undertaking, Railway, Property, and Effects of the Kendal and Windermere Railway Company, demised to the Lancaster and Carlisle Company, and also all Sidings, Stations, Works, and Property, including all Lands, Tenements, and Hereditaments whatsoever, of or to which the Lancaster and Carlisle Company were then seised, possessed, or entitled, and also all the Tolls, Fares, Rates, Charges, Rents, Issues, and Profits which the Lancaster and Carlisle Company might, or but for those Presents might, from Time to Time demand or receive, and also all the Powers, Authorities, Rights, Privileges, Indemnities, and Immunities whatsoever

of the Lancaster and Carlisle Company, their Directors, Officers, Agents, or Servants, and also the Benefit of all Contracts, Agreements, and Arrangements whatsoever of or with the Lancaster and Carlisle Company relating to the Premises or any Part thereof, and also all the Rolling Stock, Plant, and Stores of the Lancaster and Carlisle Company, and also the Trade of the Lancaster and Carlisle Company of a Common Carrier on Railways, and the Goodwill and Benefit thereof, together with full Liberty and Power for the North-western Company from Time to Time to alter, by Removal, Addition, and otherwise, all or any of the Railways, Stations, Buildings, or Works thereby demised, or which might from Time to Time be on the Lands or connected with the Railways thereby demised, and to remove any of the Works or Buildings which might be useless, and convert the Materials thereof to their own Use, and generally to make any Alterations of or Additions to the Railways and Premises which should from Time to Time be considered expedient by the North-western Company, and all the Estate, Right, Title, Interest, and Property whatsoever of the Lancaster and Carlisle Company therein and thereto, unto the North-western Company, from the 1st Day of August 1859, for the Term of 900 Years, at the several yearly Sums by way of Rent, and subject to the Covenants, Conditions, and Provisions in and by the reciting Indenture respectively reserved and contained, and to be respectively paid, performed, and observed by the North-western Company; and that the North-western Company now have the Possession of the several Undertakings, Railways, Works, and Property respectively described in the Lease as Lessees thereof under the Lease, and are maintaining, managing, completing, working, and using the same accordingly; and that it is expedient that during the Continuance of the Lease the Powers and Duties of the Lancaster and Carlisle Company with respect to the Citadel Station and the Matters connected therewith be exercised and performed by the North-western Company; and also that the Caledonian Company be authorized to raise further Monies for the Purposes of this Act.

8 & 9 Vict. cc. 18. and 20. and 23 & 24 Vict. c. 106. incorporated, § 2.

Parts of 8 & 9 Vict. c. 16. incorporated, § 3.

6. The Maryport Company's Agreement, and the South-western Company's Agreement, and the North British Company's Agreement, are by this Act respectively confirmed, and, in accordance with the Provisions of this Act, may and shall be carried into effect according to the true Intent thereof respectively; and, in accordance with those Three Agreements respectively, and subject to the Provisions of this Act, the Citadel Station Agreement is by this Act confirmed, and may and shall be carried into effect according to the true Intent thereof.

7. Provided, That all Arbitrations under the Four several Agreements respectively shall be in accordance with the "Railway Companies Arbitration Act, 1859," instead of being in accordance with the Provisions for Arbitration of "The Companies Clauses Consolidation Act, 1845:" Provided also, that all Awards on Arbitration under the North British Company's Agreement shall be made in accordance with the Principle of Arbitrations under "The Lands Clauses Consolidation Act, 1845."

8. Provided, That for the Purposes of this Act, during the Continuance of the Lease, the Citadel Station Agreement shall be read and have effect as if the North-western Company were Party thereto, and named and referred to therein, instead of the Lancaster and Carlisle Company.

9. In accordance with the Citadel Station Agreement, but subject to the Provisions of this Act, the Two Companies from Time to Time may appoint a Joint Committee, to be called "the Citadel Station Committee."

10. During the Continuance of the Lease the Qualification of a Member of the Citadel Station Committee, from Time to Time appointed by the North-western Company, shall be his being a Director of the North-western Company, or a Director of the Lancaster and Carlisle Company; and the Qualification of a Member of the Committee appointed by the Caledonian Company shall be his being a Director of that Company.

11. Subject to the Provisions of this Act, the Citadel Station Committee from Time to Time shall have and exercise all Rights, Powers, Authorities, Duties, Privileges, and Immunities with respect to the Citadel Station, and such Parts of the Railways, Works, and Conveniences of the Two Companies respectively as from Time to Time are subject to the Regulation and Management of the Committee, as if the Committee were the Directors of a Railway Company to which the same belonged as their Undertaking, Railway, Works, and Property, and as if the Name of the Citadel Station Committee were the Name of the Railway Company; save only that, where it would be requisite to use the Common Seal of the Railway Company, the Signatures of Three or (if and when the Two Companies so agree) a greater Number of the Members of the Committee shall be substituted for the Common Seal: Provided that during the Continuance of the Lease nothing in this Act shall enable the Citadel Station Committee, without the Assent of the Lancaster and Carlisle Company, under their Common Seal, to make any Alteration of the Citadel Station Agreement, or of any of the other recited Agreements, or to make any new Agreement for the Admission, directly or indirectly, of any other Railway Company or Person into the Citadel Station, or the User thereof, which Alteration or new Agreement shall have effect after the Determination of the Lease, unless such Determination take place, by the mutual Consent and Agreement of the Parties thereto, before the Expiration of the Lease by Effluxion of Time.

12. Subject to the Provisions of this Act, the Lands which from Time to Time form the Site of the Citadel Station, and the Lands which from Time to Time are acquired for the Alteration or Enlargement thereof, are by this Act vested in the Two Companies as their joint and equal Property; and the several Offices, Buildings, Sheds, Sidings, Turn-tables, Switches, Works, and Conveniences from Time to Time within the Limits of the Citadel Station, and not being Parts of the Lancaster and Carlisle Railway and the Caledonian Railway respectively, and also all the Signals within the Limits of the Citadel Station, and the Apparatus connected therewith, are by this Act also vested in the Two Companies as their joint and equal Property, but respectively subject to the Regulation and Management, in accordance with this Act, of the same and the Traffic thereon, by the Citadel Station Committee.

13. The Main Lines of Rails, and the Points and Switches thereof, from Time to Time within the Citadel Station, and lying South-eastward of an imaginary Line drawn across the Citadel Station at, as nearly as conveniently may be, Right Angles to the Main Lines of Railway therein, at a Point as nearly as conveniently may be equidistant between the South-eastern Side of Borough Street and the North-western Side of Crown Street, shall from Time to Time form Part of the Lancaster and Carlisle Railway, and shall, for all Purposes of Tolls, Fares, Rates, and Charges, and all other Purposes whatsoever, be (to the Exclusion of the Caledonian Company) vested in the Lancaster and Carlisle Company as Part of their Undertaking, Railway, Works, and Property, but subject to

the Regulation and Management, in accordance with this Act, of the same and the Traffic thereon, by the Citadel Station Committee.

14. Provided, That, during the Continuance of the Lease, the undivided Estate and Interest of the Lancaster and Carlisle Company of and in the Site of the Citadel Station, and of and in the Offices, Sheds, and Buildings therein, and of and in the Rails, Turn-tables, Switches, Signals, Apparatus, and other Works and Conveniences within the Citadel Station, which by this Act are vested in the Two Companies jointly, and also such of the Rails, Turn-tables, Switches, Works, and Conveniences which by this Act are (to the Exclusion of the Caledonian Company) vested in the Lancaster and Carlisle Company, are by this Act vested in the North-western Company as Lessees thereof under the Lease, and in the Lancaster and Carlisle Company as Lessors thereof accordingly, and the Lease shall be read and have effect accordingly as if the same had been originally comprised therein and demised thereby.

15. During the Continuance of the Lease, all the Rights, Powers, Authorities, and Privileges of the Lancaster and Carlisle Company, with respect to the Citadel Station, and the Lands, Railways, Works, and Conveniences connected therewith, and with respect to the Tolls, Fares, Rates, and Charges in respect of the same, are by this Act vested in and may and shall accordingly be exercised and enjoyed by the North-western Company as Lessees under the Lease.

16. The Main Lines of Rails and the Points and Switches thereof from Time to Time within the Citadel Station, and lying North-westward of an imaginary Line drawn across the Citadel Station at, as nearly as conveniently may be, Right Angles to the Main Lines of Railway therein, at a Point as nearly as conveniently may be equidistant between the North-western Side of Crown Street and the South-eastern Side of Borough Street, shall from Time to Time form Part of the Caledonian Railway, and shall, for all Purposes of Tolls, Fares, Rates, and Charges, and all other Purposes whatsoever, be vested exclusively in the Caledonian Company as Part of their Undertaking, Railway, Works, and Property, but subject to the Regulation and Management, in accordance with this Act, of the same and the Traffic thereon, by the Citadel Station Committee.

17. If and whenever any Question arises as to which or which Parts of the Rails, Turn-tables, Switches, and other Works and Conveniences within the Citadel Station belong exclusively to the North-western Company as Lessees, and the Lancaster and Carlisle Company as Lessors, as Part of the Undertaking, Railway, Works, and Property comprised in the recited Lease, and which or which Parts thereof belong exclusively to the Caledonian Company as Part of their Undertaking, Railway, Works, and Property, and which or which Parts thereof are by this Act vested in the Two Companies jointly, every such Question, when and as it from Time to Time arises, shall be determined by the Citadel Station Committee; provided that by any subsequent Determination on any such Question the Citadel Station Committee may revoke or alter any prior Determination by them on any such Question.

18. The Citadel Station Committee shall within Twelve Months after the passing of this Act make a Plan of the Citadel Station and any adjoining Lands which they think it expedient for any of the Purposes of this Act to include in the Plan, on a Scale of not less than Ten Feet to a Mile, and shall show thereon distinctly the then Limits of the Citadel Station, and from Time to Time, when any Alteration of the Limits of the Station is made, shall revise the Plan accordingly, so that at all Times the Limits of the Citadel Station may be accurately ascertained by Reference to the Plan, and the Date of every Revision of the Plan shall be expressed thereon.

19. When the Plan of the Citadel Station or any Revision thereof is made, the Citadel Station Committee shall authenticate a Copy of the Plan by the Signature of Five or more Members of the Committee, and the Copies so from Time to Time authenticated shall be deposited at their Office in the Citadel Station.

20. A Copy or Extract of the Plan of the Citadel Station, from Time to Time authenticated as is by this Act required, shall, for the several Purposes of this Act and of the several Acts from Time to Time in force with respect to the several Companies from Time to Time using the Citadel Station, be primâ facie Evidence of the Limits from Time to Time of the Citadel Station, and shall be admitted in Evidence in all Courts and elsewhere accordingly.

21. The Plan shall at all reasonable Times in the Day be open gratis to the Inspection of all Persons interested; and the Citadel Station Committee shall furnish to every such Person requiring the same Copies and Extracts thereof, on Payment of such reasonable Sums as the Committee appoint.

Power to take Lands, § 22.
Powers for compulsory Purchases limited to Three Years, § 23.
Power to use Lands for Purposes of Act, § 24.
Lands for extraordinary Purposes, § 25.
Vesting of Lands in Two Companies jointly and severally, § 26.
Power to make Works authorized by Act, § 27.

28. The several Works which the Two Companies are by this Act authorized to execute comprise the following Works; (that is to say,)

First, the altering and enlarging, within the Limits defined on the deposited Plans, of the Citadel Station, and the making and maintaining within those Limits of such Lines of Rails, Sidings, and other Works and Conveniences as the Two Companies find necessary or expedient in connexion with the Citadel Station, and the Alteration and Enlargement thereof, and for making better Approaches thereto:

In connexion with and as Part of the Alteration and Enlargement of the Citadel Station the following Works, or some of them, or Parts thereof, and all proper Works and Conveniences in connexion therewith respectively; (that is to say,)

Secondly, a Railway (No. 1) commencing by a Junction with the Caledonian Railway at or near to a Point about 300 Yards Westward from the North-western Extremity of the Passenger Shed, and terminating by a Junction with the Lines of Railway belonging to the Two Companies, or to One of them, at or near to a Point about 50 Yards South-eastward from the Railway Bridge over Crown Street:

Thirdly, a Railway (No. 2) commencing by a Junction with the Lancaster and Carlisle Railway at or near to a Point about 80 Yards South-eastward from the Railway Bridge over Crown Street, and terminating at or near to a Point on the North-eastern Side of the Passenger Shed about 20 Yards Southward from the Southern Corner of the County Hotel:

Fourthly, the shutting up of the Lane or Street which passes under the Lines of Railway belonging to the Two Companies or to One of them near to the South-eastern Extremity of the Passenger Shed, and which extends from Collier Lane to the Junction of South George Street, Forster Street, and Cross Street:

Fifthly, the widening of the present Line, and the altering of the Levels of Collier Lane from the Point where it is joined by the Lane or Street proposed to be shut up to Crown Street:

Sixthly, a new Street from the Junction of Cross Street and John Street to Crown Street at a Point near to and on the South-western Side of the Railway Bridge over Crown Street:

Seventhly, the diverting of so much of Water Street as extends from a Point at or near to the Southern Side of the Bridge under the Lines of Railway belonging to the Two Companies or to One of them near to the North-western Extremity of the Passenger Shed, to a Point at or near to the Junction of Water Street with Wood Street:

Eighthly, the lowering of the Level of Part of the Street or Road leading from under that Bridge to the Nelson Bridge over the River Caldew:

Ninthly, the widening or Extension of the Bridge near to the North-western Extremity of the Passenger Shed, provided such Extension shall not, without the previous Consent in Writing of the Mayor, Aldermen, and Citizens of Carlisle, under the Hand of the Mayor or of the Town Clerk, exceed 68 Feet, and that the Pillars between the Footpaths and Carriageway of the Road under such Extension shall be of Cast Iron:

Tenthly, the widening or Extension of the Railway Bridge over Crown Street, provided such Extension shall not, without such Consent as aforesaid, exceed 50 Feet:

Which several Works will be situate within the following Places or some of them; (that is to say,) the Parish of Saint Cuthbert, Carlisle, and the Townships of Saint Cuthbert-Within and Saint Cuthbert-Without in Carlisle, all in the County of Cumberland: Provided always, that it shall not be lawful for the Two Companies, without such Consent as aforesaid, to shut up the Lane or Street near to the South-eastern Extremity of the Passenger Shed, as fourthly herein-before authorized, until they have widened and altered Collier Lane, and constructed the new Street, as fifthly and sixthly herein-before authorized.

Regulating the Inclinations of certain Streets, § 29.
Regulating the Dimensions of certain Bridges, § 30.
Borough Street under Railway Bridge to be lighted with Gas, § 31.
Lateral Deviation, § 32.
Power to alter Engineering Works, § 33.
Vertical Deviation, § 34.
No Works to be erected within Ten Yards of County Gaol at Carlisle, § 35.
User of Rails for making Railways in Citadel Station, § 36.

37. The several Powers of the Two Companies under this Act, with respect to the taking and using of Lands, and the making and maintaining of Works, and all incidental Matters, shall be exercised by the Two Companies subject to the Regulation and Management, in accordance with this Act, of the Citadel Station Committee.

38. Subject to the Provisions of this Act, and to the Approval of the Board of Trade, the Two Companies, from Time to Time, by Agreement between themselves, may modify any of the Terms and Conditions of the Citadel Station Agreement, and make and carry into effect any Agreements with respect to any of the Purposes of this Act in which they are mutually interested.

39. The North-western Company and the Lancaster and Carlisle Company, or either of them, according to their respective Interests, on the one hand, and the Caledonian Company on the other hand, from Time to Time may enter into and carry into effect such mutual Agreements, with respect to their respective Interests in and User of the Citadel Station and the Works and Conveniences connected therewith, and the North-western Company and the Lancaster and Carlisle Company, or either of them, and the Caledonian Company, according to their respective Interests, on the one hand, and the Maryport Company, the South-western Company, and the North British Company, or any of them, on the other hand, from Time to Time may enter into such Agreements with respect to the User by those Companies respectively of the Citadel Station, and the Works and Conveniences connected therewith, and any Part thereof respectively, and the Tolls, Fares, Rates, Charges, or Payments to be levied or made in respect of the User, as the respective contracting Companies from Time to Time think fit; and every such Agreement may be on such Terms and Conditions as the contracting Companies think fit.

40. The North-western Company and the Lancaster and Carlisle Company, or either of them, and the Caledonian Company, according to their respective Interests, on the one hand, and the Carlisle Corporation on the other hand, from Time to Time may enter into and carry into effect all such Agreements with respect to the paving, metalling, lighting, and sewering the several Streets by this Act authorized to be interfered with or made, and the Works affecting the same, as the contracting Parties think fit; and every such Agreement may be in perpetuity, or for such Period and on such Terms and Conditions as the Parties thereto think fit.

41. No Agreement made under the Authority of this Act shall take effect without the Sanction of at least Three Fifths of the Votes of the respective Shareholders of every Railway Company Party thereto present, in Person or by Proxy, at a General Meeting of the respective Railway Company specially convened for the Purpose.

42. The Two Companies respectively from Time to Time may apply for the Acquisition of Lands and the Execution of Works for the Purposes of this Act, and for other Purposes of the Citadel Station, and the North British Company may from Time to Time apply, in contributing towards the Expense of making, altering, enlarging, maintaining, and working the Citadel Station, any Monies which those several Companies respectively are authorized to raise by Shares or Stock or by borrowing, and which are not required for the special Purposes (if any) to which by any of the Acts relating to those Companies respectively the same are made applicable, or any Monies which those Companies respectively otherwise receive.

43. Nothing in this Act contained shall be held or construed either as giving Validity to or as prejudicing the said recited Lease.

44. It shall be lawful for the Caledonian Company, with the Consent of Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at any Extraordinary Meeting to be convened for the Purpose, from Time to Time to raise, in addition to the Sums which they are or may be authorized to raise by any other Act of Parliament, any further Sums of Money, not exceeding in the whole the Sum of 25,000*l.*, by the Creation and Issue of new Shares or Stock, bearing, if the Company shall at such Meeting so resolve, a preferential Dividend of such Amount as the Company may then appoint, not exceeding Five Pounds per Centum per Annum, which Sum shall be applied only to the Objects and Purposes by this Act authorized, and shall be raised subject to the like Conditions and Restrictions, as to the maximum Amount of each Call, and the Interval between the successive Calls, as are prescribed by "The Caledonian Railway Act, 1845," in relation to the Capital thereby authorized to be raised; and the new

Shares or Stock created by the Caledonian Company by virtue of this Act shall become Part of the general Capital of that Company, and each Holder of any of such new Shares or Stock shall be entitled to the same Number of Votes in respect thereof which the Possession of an equal nominal Amount of the Capital authorized by "The Caledonian Railway Act, 1845," would have conferred upon him: Provided always, that any Priority of Dividend which may be granted in respect of such new Shares or Stock in pursuance hereof shall not prejudice or affect any Guarantee, Preference, or Priority in the Payment of Interest or Dividend on any other Shares or Stock which may have been granted by the Caledonian Company in pursuance of or which may have been created or confirmed by any previous Act of Parliament, or which may be otherwise lawfully subsisting.

45. The said new Shares or Stock shall be entitled to the preferential Dividend, if any, which may have been appointed by the Caledonian Company as aforesaid, out of the Profits of each Year, commencing on the 1st Day of February, in priority to the ordinary Shares in the Company; but if in any such Year there shall not be Profits available for the Payment of the full Amount of such preferential Dividend for that Year, the Deficiency or any Part thereof shall not be made good out of the Profits of any subsequent Year, or out of any other Funds of the Company.

Conditions of Preference Shares to be stated on Certificates thereof, § 46.

47. When and so soon as the said additional Capital of 25,000*l.* shall have been subscribed for, and One Half thereof shall have been paid up, it shall be lawful for the Caledonian Company from Time to Time to borrow on Mortgage, and if paid off again to borrow, any Sum or Sums of Money not exceeding in the whole 8,300*l.*, in addition to the Amount which they are or may be authorized to borrow by any other Act of Parliament: Provided always, that no Part of such Sums shall be borrowed until the Caledonian Company shall have proved to the Sheriff who is to certify, under the Provisions contained in the 42d Section of "The Companies Clauses Consolidation (Scotland) Act, 1845," that the whole of such additional Capital has been subscribed for bonâ fide, and is held by the Subscribers, or their Executors, Administrators, or Assignees, and for which such Subscribers, or their Executors, Administrators, or Assignees, are legally liable: Provided also, that the Sums so to be borrowed under the Powers of this Act shall be applied only to the Objects and Purposes by this Act authorized; provided further, that all Mortgages, Bonds, and Debenture Stock for which or for the Interest whereof the Caledonian Company are lawfully liable, and which shall be in force at the Time of the passing of this Act, shall during their Subsistence have Priority over any Mortgage to be granted by that Company under the Powers of this Act.

Cap. clxvii.

"The Marlborough Railway Act, 1861."

Preamble recites that it is expedient to authorize the Construction of a Railway from the Berks and Hants Extension Railway to Marlborough in Wiltshire, and to empower the Great Western Railway Company to work the Railway when made and to subscribe to the Undertaking.

Incorporation of Consolidation Acts, § 1.

Subscribers incorporated, with Capital of 45,000*l.*, and Power to borrow 15,000*l.*, §§ 3 to 6.

Meetings; Directors, &c., §§ 7 to 11.

Quorum, § 12.

Power to Great Western Railway Company to subscribe, and to apply the Funds for that Purpose, § 13.

Power to make Railway, §§ 15, 16.

As to Bridge over Road in Wootton Rivers, § 17.

Regulating Inclination of certain Roads, § 18.

Communication with Berks and Hants Extension Railway, §§ 19 to 22.

Lands to be bought by Compulsion within Three Years, § 24.

Four Years for Completion of Railway, §§ 25, 26.

Tolls, §§ 27 to 35.

Power to enter into Traffic Arrangements with Great Western Company, § 36.

Conditions of such Agreements, § 38.

Schedule.—Agreement with Great Western Railway Company.

Cap. clxviii.

"The Rathkeale and Newcastle Junction Railway Act, 1861."

Preamble recites that the making of a Railway from the Limerick and Foynes Railway to the Town of Newcastle in the County of Limerick would be of great public Advantage; and that it is expedient to enable the Limerick and Foynes Railway Company and the Cork and Limerick Direct Railway Company to subscribe towards and hold Shares in the Undertaking of the Company; and to enable the Company and the Limerick Company to enter into Agreements for the working by the Limerick Company of the Traffic upon the Undertaking of the Company.

Incorporation of Consolidation Acts, § 2.

Subscribers incorporated, with Capital of 50,000*l.*, and Power to borrow 16,600*l.*, §§ 3 to 7.

Meetings; Directors, &c., §§ 11 to 20.

Power to make Railways, § 21.

Three Years for Lands to be purchased by Compulsion, § 25.

Five Years for Completion of Railway, § 26.

Level Crossings, §§ 27 to 29.

As to Communication with the Limerick and Foynes Railway, §§ 30 to 32.

Tolls, §§ 33 to 42.

Power to enter into Working Arrangements, §§ 43 to 47.

Power for Limerick Company to contribute towards Funds of Company, § 48.

Power for Cork Company to contribute towards Funds of Company, § 49.

Power for contributing Company to raise and apply Monies for Contribution towards Funds of Company, § 50.

Shares created by Limerick Company may be ordinary or preferential, but Shares created by the Cork Company are to be ordinary Shares only, § 51.

Sanction of Shareholders for Contribution by Limerick and Cork Companies towards Funds of Company, § 52.

Nominees of Two Companies to vote at Meetings of Company, § 53.

Instruments of Appointment and Removal of Directors and of Appointment and Revocation of Nominees, §§ 54, 55.

Cap. clxix.

"The South Yorkshire Railway Amendment Act, 1861."

Preamble recites that the Railway of "The South Yorkshire Railway and River Dun Company" now terminates on the Left Bank of the River Trent in the Parish of Keadby; that a Railway is now in course of Construction in the Parts of Lindsey in Lincolnshire, from the Right Bank of the

Trent, and across the River Ancholme, to join the Manchester, Sheffield, and Lincolnshire Railway at Barnetby-le-Wold, and that a Bill is pending in Parliament to authorize the said Undertaking under the Name of "The Trent, Ancholme, and Grimsby Railway;" that it is expedient that the Company should have Power to extend the South Yorkshire Railway across the Trent to join the Trent, Ancholme, and Grimsby Railway, and that they should have Power to use the same Railway, and also to purchase for the Purposes of their Undertaking certain Lands; and that whereas the Capital of the Company, formed as well by the original Subscriptions as by the Amalgamation of the Companies of the River Dun Navigation, the Sheffield Canal, the Dearne and Dove Canal, and the Stainforth and Keadby Canal, now consists of 741,020*l.* Consolidated Stock and Shares, being the ordinary Share Capital of the Company, also of 448,980*l.* Consolidated Stock and Shares, bearing 4 per Cent. Preference Dividend, and of 500,000*l.* in 20*l.* Shares, bearing a 5 per Cent. Preference Dividend now in course of Issue, and the Company have also borrowed, under the Powers of the Company and of the Navigation and Canal Acts amalgamated therewith, and on the 30th of September 1860 stood indebted in the Sum of 1,104,303*l.* 17*s.* 2*d.*, it is necessary that the Company should be authorized to raise further Capital; and that the Company and the Manchester, Sheffield, and Lincolnshire Railway Company should be authorized to enter into certain Arrangements.

Incorporation of Consolidation Acts, § 1.
Power to make Railway, §§ 3 to 5.
Power to take Toll for Bridge and Railway, to form Part of Company's Undertaking, § 6.
Level Crossings, §§ 8 to 11.
Communication with Trent, Ancholme, and Grimsby Railway how to be made, §§ 12 to 14.
Saving Jurisdiction of Commissioners of Sewers for the Wapentakes of Manley, Corringham, and Aslacoe, § 15.
As to Bridge over Trent, § 16.
Plans to be laid before Admiralty, § 17.
Lights to be shown at Bridge, § 18.
Company to clear away Deposits, &c. before commencing, § 19.
Vessels not to be detained, § 20.
Admiralty may order local Survey, § 21.
Works directed to be removed, § 22.
Reserving Powers of Warping, § 23.
Lands to be bought by Compulsion in Two Years, § 24.
Five Years for Completion of Railway, §§ 25, 26.
Power to use Trent, Ancholme, and Grimsby Railway, and Barnetby Station of the Manchester, Sheffield, and Lincolnshire Railway, §§ 27 to 29.
Company may apply their Funds towards Purposes of Act, § 30.
Power to Company to raise additional Capital, § 31.
Appropriation and Conditions of new Shares, §§ 32 to 37.
Power to borrow 33,000*l.*, § 38.
Incorporation of Parts of Companies Clauses Act, § 40.
Power to enter into Traffic Arrangements with Manchester, Sheffield, and Lincolnshire Railway Company, §§ 41 to 45.

Cap. clxx.

"The Wigan Gas Act, 1861."

Preamble recites the 3 Geo. 4. c. xxxi., by which the Wigan Gaslight Company were incorporated for the Purpose of lighting with Gas the said Town and Borough of Wigan, and authorized to raise for that Purpose a Capital not exceeding 10,000*l.*, with Power, in case the same should be found insufficient, to raise any further Sum or Sums of Money not exceeding 2,500*l.*, either by way of Loan or by creating new and additional Shares; and that the said Company raised the Sum of 10,000*l.* upon 1,000 Shares of 10*l.* each, and afterwards, in the Year 1850, finding the same insufficient, raised the further Sum of 2,500*l.* upon 250 new Shares of 10*l.* each; and that the said Company have constructed Gasworks, and for many Years supplied the Borough of Wigan with Gas, and also partially supplied with Gas some of the Places adjoining such Borough; and that by a Deed of Settlement dated the 18th Day of February 1855 a Company was formed, under the Name and Style of the Wigan Gas Meter and Fitting Company, for the Purchase of Gas Lamps, Brackets, Meters, and other Gas Fittings, and to sell and dispose of or to let or hire out the same, and generally to carry on the Business of Gas Fitters, and to do and furnish all other Matters and Things required intermediately between the Manufacturers and Consumers of Gas, at the Fitting Warehouse or Office situate in Chapel Lane in Wigan aforesaid, then or lately used by the Wigan Gaslight Company, or such other Place in the Borough of Wigan aforesaid as the Directors for the Time being of the intended Company should determine; and that the Capital of the said Wigan Gas Meter and Fitting Company was 3,125*l.*, in 1,250 Shares of 2*l.* 10*s.* each, with Power to increase such Capital to 10,000*l.*; and that the said Capital of 3,125*l.* was in the Year 1860 increased by the Issue of 1,250 new and additional Shares of 2*l.* 10*s.* each, and that the present Capital of the Wigan Gas Meter and Fitting Company is 6,250*l.*, all of which has been subscribed for and paid up; and that the Population and House Property of Wigan and the Neighbourhood thereof, within the Limits herein-after described, have of late Years greatly increased and are still increasing; and the Powers of the Wigan Gaslight Company under the recited Act extend only to the Borough of Wigan, and the Capital of the same Company is insufficient for the efficient lighting with Gas the said Borough and the Places adjoining; and also that the Wigan Gaslight Company since their Incorporation have expended from Time to Time considerable Sums of Money out of their annual Profits in the Enlargement and Extension of their Works, and in laying down additional Mains and Pipes, in lieu of dividing such Sums amongst the Shareholders in the Company, and the several Sums so expended amount to 12,500*l.* and upwards; and it has been arranged that the Wigan Gas Meter and Fitting Company should apply to be incorporated under this Act by the Name of the "Wigan Gas Company," and that the Wigan Gaslight Company should be dissolved, and that all its Powers, Manufactory, Gasworks, Buildings, Pipes, Plant, and Undertaking should be transferred to and vest in the Wigan Gas Meter and Fitting Company by its new Name of the Wigan Gas Company, the Consideration being that each Shareholder of the Wigan Gaslight Company should receive Two Shares of 10*l.* each in the Wigan Gas Company in exchange for every Share held by him in the Wigan Gaslight Company; and that it is expedient that the Wigan Gas Meter and Fitting Company should be incorporated by such Name as aforesaid, and that the recited Act should be repealed, and that the Wigan Gaslight Company should be dissolved, and that the Works, Plant, and Undertaking of that Company should be vested in the Wigan Gas Meter and Fitting Company by its new Name, and that Powers should be given to such last-mentioned Company to raise additional Capital, to erect additional Gasworks, and to manufacture and light with Gas as well the said Borough of Wigan as

also the Places adjoining or near thereto herein-after mentioned.
Incorporation of Companies, Lands, and Gasworks Clauses Acts, § 2.
Limits of Act, § 4.
Restricting Limits of Company in Township of Hindley, § 5.
Incorporation of Company, § 6.
Repeal of Act, § 7.
10 & 11 Vict. c. 15. to apply to existing Works, § 8.
Present Property vested in Company incorporated by this Act, § 9.
Saving previous Rights and Liabilities, §§ 10 to 12.
Liabilities of Shareholders, §§ 13 to 15.
Capital, § 20.
Appropriation of Shares to Wigan Gaslight Company, § 21.
Appropriation of Shares to the Joint Stock Company, § 22.
Existing Trusts, &c. attached to new Shares, § 23.
Company to call in and cancel existing Share Certificates and issue new Certificates in lieu thereof, § 25.
Creation and Issue of new Shares, § 28.
Power to borrow on Mortgage, § 29.
Meetings; Directors, &c., §§ 31 to 37.
Power to purchase Lands, § 38.
Describing Lands, § 39.
Powers as to present Works, and as to the Construction of Gasworks, &c., § 40.
Limiting the Price of Gas, § 41.
Customers may be required to consume Gas by Meter, § 43.
Penalty for tampering with Meters, § 44.
Quality of Company's Gas, §§ 47 to 50.
Company not to interfere with Sewers of Local Board, § 51.
Company to light Streets, § 52.
Company to light Premises, &c. on Requisition; Penalty on not furnishing Supply of Gas for 14 Days, §§ 53, 54.
Company to cause Map to be made, §§ 56 to 58.
For the Protection of Water Pipes, § 59.
To prevent Contamination of Water by Gas, §§ 60 to 63.
Recovery of Sums due to Company, §§ 64 to 68.
Power to Company to sell Undertaking to Local Board, § 69.
Power to Local Board to borrow upon General Rate, or to raise Special Rate for Purposes of purchasing Works of Company, § 70.
Local Board empowered to manufacture and sell Gas, &c. on Purchase, § 71.
Application of Purchase Money, § 72.
Dissolution of the Company on Sale, § 73.

Cap. clxxi.

"The Waveney Valley Railway Act, 1861."

Preamble recites that by virtue of the Acts relating to them the Waveney Valley Railway Company have completed the Construction of their Railway between the Tivetshall Station of the Eastern Counties Railway and the Town of Bungay, a Distance exceeding Thirteen Miles, and the greater Part of that Portion of the Railway has long been opened for public Traffic, and the Company have made considerable Progress towards the Construction of the Remainder of their Undertaking between Bungay and Beccles; that the present Share Capital of the Company consists of 80,000*l.*, authorized by the Waveney Valley Railway Act, 1851, and of 40,000*l.* authorized by the Waveney Valley Railway Act, 1853, making a Total of 120,000*l.*; and the Amounts which the Company are authorized to borrow are 26,666*l.* by the first-mentioned Act, and 9,000*l.* by the said Act of 1853, making a Total of 35,666*l.*; and it is expedient that the Company should have Power to borrow to the Extent of 40,000*l.*, being One Third of the Share Capital of the Company, and also that they should have Power to attach a Preference to such Shares in their Capital as may from Time to Time be forfeited for Nonpayment of Calls and be re-issued, and that they should likewise be enabled to convert their Mortgage Debt from Time to Time into an irredeemable Debenture Stock upon the Conditions herein-after contained; and that there are no Shares of the Company entitled to any Preference or Priority of Dividend.
Power to borrow 4,334*l.*, § 1.
Power to cancel Shares for Nonpayment of Calls, § 4.
Power to issue forfeited Shares with preferential Dividend, § 5.
Limiting Dividends to Profits of Year, § 6.
Application of Money raised under this Act, § 8.
Authorizing Creation of Debenture Stock, § 9.
Saving Mortgages and Bonds; Debenture Stock to extinguish Debt, § 10.
Application of Debenture Stock, § 11.
As to Votes of Holders of Debenture Stock, and Transfer and Registry of Stock, § 12.

Cap. clxxii.

"The Dublin Corporation Waterworks Act, 1861."

Preamble recites the Acts 6 Geo. 1. c. xvi. (I.), 13 & 14 Geo. 3. c. 22. (I.), 15 & 16 Geo. 3. c. 24. (I.), 19 & 20 Geo. 3. c. 13. (I.), 28 Geo. 3. c. 50. (I.), 30 Geo. 3. c. 42. (I.), 33 Geo. 3. c. 56. (I.), 42 Geo. 3. c. xcii., 49 Geo. 3. c. lxxx., 6 & 7 Vict. c. cii., 8 & 9 Vict. c. cxciii.; and that by Letters Patent bearing Date the 31st Day of July in the 24th Year of Her Majesty's Reign, Her Majesty did authorize and appoint John Hawkshaw, Civil Engineer, to be Her Majesty's Commissioner for the Purpose of inquiring into the State of the present Supply of Water to the City of Dublin, the Necessity which exists for an improved Supply, and also as to the best Source from whence such improved Supply could be obtained; and that the said Commissioner, having duly inquired into the said Matters, made his Report thereon bearing Date the 20th of October 1860; and that the said Commissioner has reported; 1, that the State of the present Supply of Water to the City of Dublin is bad; 2, that there is urgent Need of an improved Supply; and 3, that the best Source from which an improved Supply can be obtained is the River Vartry; and it is expedient that the Right Honourable the Lord Mayor, Aldermen, and Burgesses of Dublin should be empowered to take Water from the said River, situate in the County of Wicklow, and to construct Works for conveying, collecting, and storing of Water, and supplying the same to the Inhabitants of the Borough of Dublin and its Vicinity, and the several Towns and Places herein-after mentioned, and to levy and receive Rates, Rents, Remunerations, and Charges in respect of the present and future Supply of Water within the Limits of this Act; that under the recited Acts or some of them, the Corporation have borrowed the Sum of 72,000*l.* or thereabout on Mortgages or Debentures which are now outstanding, and it is expedient that the Corporation should make further and better Arrangements relative to such Debentures or Mortgages, and that the Powers of the said Acts or some or One of them should be altered, amended, or repealed; and that the Corporation should be empowered to raise further Sums of Money for the Purpose of constructing the said Works and for other Purposes.
Lands Clauses and Waterworks Clauses Acts incorporated with this Act, §§ 3, 4.

Council to carry Act into execution, § 5.
Council to call Special Meeting for that Purpose, § 6.
Committee to be appointed, § 7.
Proceedings of Committee, § 8.
Minute Book of Proceedings of Committee to be kept and to be open to Inspection, § 9.

10. The Limits of this Act shall comprise and include the Borough of Dublin in the County of the City of Dublin and also the several Parishes, Townships, and Extra-parochial and other Places; (that is to say,) Saint Peter, Donnybrook, Saint Mark, Booterstown, Taney, Monkstown, Rathfarnham, Saint Nicholas Without, Saint James, Saint Catherine, Saint George, Glasnevin, Grangegorman, Clonturk, Clontarf, Killester, Stillorgan, Kill, Kilmacud, Crumlin, Dalkey, Killiney, Tully, Rathmichael, Old Connaught, Rathmines, Kingstown, Blackrock, and Bray, all in the County of Dublin; and Bray, Powerscourt, Kilmacanoge, Delgany, Kilcoole, Calary, Lower Newcastle, Upper Newcastle, Derrylossary, and Killiskey, all in the County of Wicklow; and the Limits above described shall be and are herein termed the Limits of this Act, and the said Parishes, Townships, and Extra-parochial and other Places within the said Limits, other than the Borough of Dublin, are herein-after designated and referred to as the Extra-municipal Districts.

Power to construct Works according to deposited Plans, § 11.
Certain Persons may grant Leases of Lands, § 12.
Limiting compulsory Power to purchase Land or Easements, § 13.
Limits of Deviation, § 14.
Regulations of Railways Clauses Consolidation Act applied to Roads, &c. interfered with, § 15.
Additional Land for Waterworks, § 16.
Four Years for purchasing Lands by Compulsion, § 17.
Seven Years for Completion of Works, § 18.
Works not required may be disposed of, § 19.
Power for a Judge to order Inquiry into State of any Reservoir, §§ 20 to 29.
Corporation may draw off Water from Reservoirs for the Purpose of Repairs and cleansing, § 30.
Any Act to be done before Justices under this Act may be done before Divisional Justice of Police District, § 31.
Corporation to make Compensation to Earl of Meath for his Rights before supplying Water within his Liberty, § 32.
As to Trinity College, Dublin, § 33.
Exemption of Kilmainham Hospital from Rates, § 34.
For Protection of Earl Fitzwilliam, § 35.
For Protection of Owners of Mount Kennedy Estate, § 36.
For Protection of C. J. Tottenham, Esq., § 37.
Corporation to erect and maintain Six Fountains for Use of Poor in Kingstown, § 38.
On passing of Act, Survey to be made of Wicklow Harbour, &c., § 39.
If Waters in Wicklow Harbour lowered by Dublin Corporation Waterworks, the Corporation shall for ever after, at their Expense, maintain the Depth arrived at by last Standard, § 40.
Corporation to repair Damage or Deterioration within Ten Days, or forfeit 20*l.* a Day, § 41.
Cost of Surveys to be paid to the Admiralty, § 42.
Corporation to provide Water at High Pressure, § 43.
Limit of Pressure in Extra-municipal Districts, § 44.
Regulations for preventing Waste, &c. of Water, § 45.
Conditions of Supply, § 46.
Repair of Pipes, &c. by Corporation, § 47.
Penalty for Waste of Water by Nonrepair of Pipes, &c., § 48.
Corporation may let Meters for Hire, § 49.
Penalty on wrongful User of Water, §§ 50, 51.
Water may be cut off in certain Cases, § 52.
Pipe-water Rates to continue until Rates are struck under the Act, § 53.
Corporation to make an annual Estimate, § 54.
Domestic Water Rate to be levied, § 55.
Public Water Rate to be levied, § 56.
Rates to be collected on Extra-municipal District, § 57.
What shall be deemed domestic Purposes, § 58.
Corporation may contract for Supply of Water for other than domestic Uses, § 59.
Council may take Deposit for Contract Rate, § 60.
The Rates payable by Persons with whom Corporation contract to be called "the Contract Water Rate," and need not be under Seal, § 61.
No Contract entered into shall disqualify Persons from acting as Lord Mayor, &c., § 62.
Corporation to make out annually a List of the Contracts entered into for the Supply of Water, and transmit same to Collector General for Collection, § 63.
If Property unoccupied, the same is to be included in Rates to be struck, and next Occupier to pay a Proportion of the same, § 64.
Collector General to collect all Rates levied under this Act, § 65.
All Rates under this Act to be liable to the same Regulations as Rates collected under the Collection of Rates Act, § 66.
Collector General to make Return of Arrears yearly, § 67.

68. For the Purposes of this Act the Corporation may from Time to Time borrow on Mortgage, and in addition to the Debenture Debt existing at the Time of the passing of this Act, such further Sum or Sums of Money not exceeding in the whole the Sum of 300,000*l.*, on the Security of the Rates leviable under the Authority of this Act as the Corporation may from Time to Time think requisite, and may grant Mortgages charged on such Rates or any of them: Provided always, that the Interest payable on the existing Debentures granted before the passing of this Act under the said recited Acts or any of them shall be Charges upon the Rates leviable under this Act in the same Manner and to the same Extent as such existing Debentures were charged on the Water Rates upon which the same were heretofore charged, and that the Interest on such existing Debentures shall be payable in priority to the Interest on any Monies borrowed under this Act; and the Corporation may from Time to Time extend their distributory and other Works and Pipes within the Borough of Dublin and the Extra-municipal Districts when and as Occasion may require, and for such Purposes may take up at Interest any further Sums of Money, but any Sums of Money which may from Time to Time be required for the Purpose of making and extending the distributory and other Works and Pipes for the Supply of the Extra-municipal Districts or any Part thereof shall be raised only on the Security of the Income arising or to arise from the Supply of Water in the said Extra-municipal Districts: Provided also, that the Sums of Money to be taken up at Interest for the Extension of the distributory and other Works and Pipes within the City shall not exceed in the whole 24,000*l.*, and the Sums of Money to be taken up at Interest for the Extension of the distributory and other Works and Pipes in the Extra-municipal Districts shall not exceed in the whole 75,000*l.*

Incorporating Provisions of Commissioners Clauses Act as to borrowing, § 69.
Corporation to apply Proceeds solely to Purposes of Act, § 72.

Sinking Fund, § 73.
Purchase of Property, &c. belonging to Kingstown Waterworks Company, § 74.
On Completion of Purchase, the Waterworks to be vested in Corporation, § 75.
Application of Purchase Money, § 77.

Cap. clxxiii.

"The Bolton Improvement Act, 1861."

Preamble recites that by the "Bolton Improvement Act, 1854," the Corporation of the Borough of Bolton were authorized to make and maintain Waterworks and to supply Water within the Borough of Bolton and in the Neighbourhood thereof, and to make and maintain new Streets and Improvements of Streets in Bolton, and in other respects to improve Bolton; and that it is expedient that the Corporation be authorized to sell and dispose of their Bolton Moor Reservoirs, and to improve several Streets in Bolton, and to raise Money for those Purposes.
Incorporation of Lands Clauses and Gasworks Clauses and Parts of Commissioners Clauses Acts, § 2.
Act to be executed by Corporation, § 4.
Corporation may sell, &c. Bolton Moor Reservoirs, § 5.
Power for Corporation to take Lands for Purposes of Act, §§ 6, 7.
Three Years for compulsory Purchase of Land, § 8.
Power to make and maintain new Streets and Improvements of Streets, § 9.
Streets to be improved, § 10.
Power to borrow on Bond or on Mortgage, &c. of Borough Fund, &c., § 11.
Limit of Amount borrowed, § 12.
Priority of Mortgages, § 14.
Priority of existing Securities generally, § 15.
Sinking Fund, § 16.
Application of Purchase Monies for Bolton Moor Reservoirs, § 17.
Application of Monies borrowed under Act, § 18.
Accounts, §§ 20, 21.
Auditors, § 22.

Cap. clxxiv.

"The Brighton, Uckfield, and Tunbridge Wells Railway Act, 1861."

Preamble recites that the Construction of a Railway from the Uckfield Branch of the London, Brighton, and South Coast Railway at Uckfield in the Parish of Uckfield in the County of Sussex to the Town of Tunbridge Wells in the County of Kent would be of great public and local Advantage.
Incorporation of Consolidation Acts, § 1.
Subscribers incorporated, with Capital of 200,000*l.*, and Power to borrow 65,000*l.*, §§ 3 to 7.
Directors, §§ 8 to 10.
Power to make Railway, §§ 11, 12.
Junctions with the London, Brighton, and South Coast Railway Company and South-eastern Railway Company, §§ 13 to 17.
Company not to interfere with Waterworks of Sir Charles Locock, Baronet, § 18.
Company to erect Station at Hamswell Bridge, § 19.
Level Crossings, §§ 20 to 22.
Width of Bridge in the Parish of Frant, § 24.
Three Years for compulsory Purchase of Lands, § 26.
Four Years for Completion of Works, § 27.
Tolls, §§ 29 to 37.
Power to other Companies to subscribe to Undertaking, § 38.
Power to raise Funds for these Purposes, § 39.
Power for the Company and the London, Brighton, and South Coast Railway Company or the South-eastern Railway Company to enter into Working Arrangements, §§ 40 to 46.

Cap. clxxv.

"The Stockport, Timperley, and Altrincham Junction Railway Act, 1861."

Preamble recites that the making and maintaining of a Railway commencing by a Junction with the authorized Line of the Stockport and Woodley Junction Railway, and terminating by a Junction with the Warrington and Stockport Railway, with Two Branches therefrom terminating by Junctions with the Manchester South Junction and Altrincham Railway, and another Branch therefrom terminating at a Point near to the Broad Heath Canal Bridge, and the making and maintaining of Access to the Railway by means of a Road commencing by a Junction with the Manchester and Wilmslow Turnpike Road, and terminating by a Junction with the Road leading from Northenden to Baguley Sale and Altrincham, would be of public and local Advantage; and that whereas on the deposited Plans and Sections a Branch Railway is laid down and shown as intended to commence in the Township of Timperley in the Parish of Bowdon, and to terminate by a Junction with the authorized Line of the Cheshire Midland Railway in the Township of Altrincham in the same Parish, and so much of the said Line of Railway delineated on the said Plans as is situate between a Point opposite the Northerly End of the Gatekeeper's Lodge on the Manchester South Junction and Altrincham Railway, numbered 94 on the said Plans in the Township of Timperley, and the Junction with the Cheshire Midland Railway at the Terminus of the said proposed Railway in the Township of Altrincham, as shown on the said Plans, runs parallel or nearly so with the Line of the Manchester South Junction and Altrincham Railway, and inasmuch as it is inexpedient that a Second Line of Railway should be made between the Points aforesaid, it has been agreed between the Company and the Manchester South Junction and Altrincham Railway Company that the said proposed Railway shall terminate by a Junction with the Manchester South Junction and Altrincham Railway at or near the said Point in the Township of Timperley numbered 94 on the said Plans, and that Provision shall be made for effecting such Junction between the said proposed Railway and the Manchester South Junction and Altrincham Railway, and for the working over and Use by the Company and certain other Companies of such Portion of the Manchester South Junction and Altrincham Railway as intervenes between the Junction therewith of the said proposed Railway in the Township of Timperley and the Junction therewith of the Cheshire Midland Railway, as authorized by "The Cheshire Midland Railway Act, 1860," at Altrincham in the Parish of Bowdon, and also for the Use by the said Company and certain other Companies of the Station at Altrincham, and Part of the Works and Conveniences of the Manchester South Junction and Altrincham Railway Company; and also that it is expedient that the Manchester, Sheffield, and Lincolnshire Railway Company and the Great Northern Railway Company, and the Owners for the Time being of the Bridgewater Canal, respectively, or some of them, be authorized to contribute towards the Funds of the Company, and to appoint Directors of the Company; and that the Company and all Persons lawfully using the Railways of the Company be authorized to work over and

use the Railways, Stations, Works, and Conveniences of the Stockport and Woodley Junction Railway Company and the Cheshire Midland Railway Company; and also that Provision be made for facilitating the Interchange and Transmission of Traffic using the Railways by this Act authorized and the Railways of the Stockport and Woodley and Cheshire Midland Railway Companies respectively.
Incorporation of Companies, Lands, and Railways Clauses Acts, § 2.
The Stockport, Timperley, and Altrincham Junction Railway Company incorporated, with a Capital of 150,000*l.*, and Power to borrow 50,000*l.*, §§ 4 to 8.
Directors, §§ 11 to 15.
Three Years for compulsory Purchase of Lands, § 18.
Power to make Works, §§ 20 to 23.
Power to alter Engineering Works, § 24.
Junctions how to be made, §§ 25 to 27.
Five Years for Completion of Railways and Works, § 29.
Period for Completion of Road, § 31.
Tolls, §§ 32 to 40.
Power for Company to work over Railways of the Stockport and Woodley and Cheshire Midland Railway Companies, §§ 41, 42.
Fares and Rates on other Railways used by Company, § 43.
Power to Earl of Ellesmere on contributing Capital for Third Branch Railway to use Railway and Works, § 44.
The Company, the other Railway Companies, and Owners of Bridgewater Canal to afford Traffic Facilities to each other, §§ 45, 46.
Bridge over the Manchester South Junction and Altrincham Railway, § 47.
Manchester South Junction and Altrincham Railway Company to permit a Junction to be made with their Railway in the Township of Timperley, §§ 48 to 51.
Running Power over Part of the Manchester South Junction and Altrincham Railway, § 52.
Arbitration, § 53.
Reservation of Rights of the Manchester South Junction and Altrincham Railway Company, § 54.
The Sheffield and Great Northern Companies may subscribe for Shares, §§ 55, 56.
Directors of Company for the Sheffield and the Great Northern Companies, § 57.
Line to be efficiently worked by the Sheffield Company, § 58.
Power to London and North-western to use Portion of Stockport and Altrincham Railway, § 59.
If Line not so worked by the Sheffield Company, the Company may work over Portion of Railway between Timperley, Garston, &c., § 60.
Disputes between the Company and the London and North-western Company to be settled by Arbitration, § 61.
Director of Company for Owners of Bridgewater Canal, § 62.
Directors for contributing Parties, §§ 63 to 67.
Power for Company, and the other Companies, and Owners of the Bridgewater Canal to agree for Purposes authorized, § 69.
Purposes for which the Agreement may be made, § 70.
Agreement not to extend to Companies or Trustees not Parties thereto, § 71.
Restrictions as to Agreement between the Company and the respective Companies and the Owners of the Bridgewater Canal, § 72.
Approval by the Board of Trade, § 73.
Agreements between Company and respective Companies and the Owners of the Bridgewater Canal may be modified by Board of Trade, § 74.
Power for contributing Companies to raise Monies for Contribution to Funds of Company, § 75.
Regulations as to new Shares, §§ 76 to 84.

Cap. clxxvi.

"The Hawick Municipal Police and Improvement Act, 1861."

Preamble recites that the existing Burgh of Hawick, lying in the Parish of Hawick and County of Roxburgh, was, by Charter of James Douglas of Drumlanrig, Baron of the Barony of Hawick, dated the 11th Day of October 1537, constituted and incorporated into a free Burgh of Barony, with Power to create and ordain annually Bailies and other necessary Officers for the Government of said Burgh, and with other Rights and Privileges, which Charter was confirmed in all Points by a Royal Charter of Confirmation of Date the 12th Day of May 1545, and the Constitution and Property of the said Burgh have been further regulated and modified by sundry judicial and other Decrees and Writings; that the Burgh has been managed and its Affairs administered by a Body of Councillors and Bailies, under the said Charters and Writings; and that the Town and Neighbourhood of Hawick have of late Years greatly increased in Population, and become the Seat of large Works and Establishments in Manufactures and other Branches of Industry; and that the existing Constitution of the Burgh has become antiquated, and incapable of meeting the present Wants and Requirements of the Town and Neighbourhood; recites 3 & 4 W. 4. c. 46., 3 & 4 W. 4. c. 76., and 13 & 14 Vict. c. 33.; and that it is expedient that Provision should be made for altering the Constitution of and for regulating the Burgh of Hawick, and for extending the Boundaries thereof, and for transferring to the new Council and Magistrates the Property of the old Corporation and of the said Commissioners of Police, and also for regulating the Police, and the Jurisdiction and Powers of the Magistrates, and for draining, cleansing, lighting, watching, and improving the said extended Burgh, and for repairing and maintaining the Streets and Roads within the Burgh, and for keeping up and increasing the Supply of Water to the Inhabitants, and for other Purposes bearing on the good Government and Improvement of the Burgh.
Boundaries of Burgh of Hawick, § 3.
Certified Copies of Map of Burgh to be Evidence, § 4.
Limits of Act, § 5.
Number of Councillors and Magistrates, § 6.
Qualification of Councillors, § 7.
Qualification of Electors of Councillors, § 8.
Division into Wards, § 9.
First List of Electors how to be made out, § 10.
First Election of Councillors, § 11.
List of Electors to be made up annually, § 12.
Election of Provost, Magistrates, and Treasurer, § 13.
Portions of the Act 3 & 4 Will. 4. c. 76., adopted and incorporated, § 14.
Disputes regarding Elections how to be settled, § 15.
The Chief Magistrate or Senior Magistrate to preside at first Election, § 16.
Council may act though not full, § 17.
Appointment of Town Clerk, § 18.
Existing Magistrates, Councillors, &c. to go out of Office, § 19.
Repeal of all Laws, Customs, Charters, &c. inconsistent with this Act, § 20.

Property of old Corporation vested in new, § 21.
Water Annuity, § 22.
Monies, Books, &c. of old Corporation to be paid and delivered to new Corporation, § 23.
Magistrates elected under this Act to administer the Affairs of the Burgh and exercise Jurisdiction, § 24.
Provost to be Trustee, &c. in place of eldest Bailie, § 25.
Parochial Arrangements not to be affected, § 26.
Tenures and Records preserved, § 27.
Police Accounts, how to be kept, § 28.
Debts of old Corporation to be paid by new Corporation, § 29.
Subsisting Contracts may be enforced against new Corporation, § 30.
Actions not to abate, § 31.
Present and future Rights and Liabilities saved, § 32.
Incorporation of 3 Geo. 4. c. 91., § 33.
13 & 14 Vict. c. 33., with certain Exceptions, incorporated with this Act, § 34.
Broker to include Dealer in Rags, &c., § 35.
Assessment of Land used as arable Ground, &c., or as Railways, § 36.
Magistrates and Council to be Commissioners, § 37.
Meetings of Commissioners and their Committees, § 38.
Superintendent of Police, § 39.
New Streets, &c., § 40.
Byelaws, § 41.
General Assessments, § 42.
Proprietors of Premises under 4*l.* to be chargeable with Assessments, § 43.
Assessment to be apportioned, and Party not benefited entitled to Relief, § 44.
Recovery of Rates, § 45.
Nuisances Removal Act applied, § 46.
Smoke Nuisance Act applied, § 47.
Agreements with Trustees of Turnpike and Statute Labour Roads within the Burgh, § 48.
Commissioners may improve Market Places, &c., § 49.
Charges for Use of Market Places, &c., § 50.
Stalls, &c. may be let, § 51.
Certain Provisions of "The Waterworks Clauses Act" incorporated with this Act, § 52.
Reservoirs, &c. to be maintained by Commissioners, § 53.
Rate for private Supply of Water, § 54.
Domestic Supply of Water, § 55.
Commissioners may give Supply of Water for Purposes other than domestic, § 56.
Owners Water Rate, § 57.
Lands Clauses Consolidation (Scotland) Act in part incorporated with this Act, § 58.
Procedure under Act, §§ 59 to 61.
Mode of ascertaining Rackrent or annual Value, § 62.
SCHEDULE (A.) Description of intended Boundaries.
SCHEDULE (B.) Division of Burgh into Wards.

Cap. clxxvii.

"The Kinross-shire Railway (Branches) Act, 1861."

Preamble recites that by "The Kinross-shire Railway Act, 1857," the Kinross-shire Railway Company were incorporated, and empowered to make a Railway from the Dunfermline Branch of the Edinburgh, Perth, and Dundee Railway to Kinross, with a Branch to Kingseat; and by "The Fife and Kinross and Kinross-shire Railway Junction and Joint Station Act, 1858," the Kinross-shire Railway Company were authorized to divert Part of their said Railway; to make an Extension thereof, and construct a Joint Station along with the Fife and Kinross Railway Company at Kinross; that the Company have constructed the Main Line of Railway from the Dunfermline Branch of the Edinburgh, Perth, and Dundee Railway to Kinross, as also the Extension thereof authorized as aforesaid, and the same have been opened for Traffic; that the West of Fife Mineral Railway Company have obtained Power to construct a Railway over Part of the Line included in the said Branch to Kingseat, and it is expedient that the Company should be authorized to relinquish the Construction of the said Branch; and to construct a short connecting Branch from their said Main Line at or near the Kelty Station to the intended Terminus of the Railway authorized to be made by the West of Fife Mineral Railway Company, by "The West of Fife Mineral Railway (Kingseat Extension) Act, 1860," in lieu of the Kingseat Branch authorized by "The Kinross-shire Railway Act, 1857," and another short connecting Branch from their Main Line at Kinross to join the Devon Valley Railway; and also that it is expedient that reciprocal Running Power should be given to the West of Fife Mineral Railway Company and the Company, or the Edinburgh, Perth, and Dundee Railway Company, over certain Parts of the West of Fife Mineral Railway and of the Kinross-shire Railway; and that the Company and the Edinburgh, Perth, and Dundee, and Devon Valley Railway Companies should be enabled to enter into Working Agreements.
Incorporation of General Consolidation Acts, § 3.
Power to make Railway, §§ 4, 5.
Junction with the West of Fife Mineral Railway, § 6.
Reciprocal Running Powers to West of Fife Mineral Railway Company and Company, § 7.
Junction with Devon Valley Railway, § 8.
Lands and Works of Devon Valley Railway not to be interfered with except with Consent, § 9.
Relinquishment of Kingseat Branch, § 11.
Power to apply Funds for Construction of new Railways, § 12.
Two Years for compulsory Purchases limited, § 13.
Three Years for Completion of Works, § 14.
Working Agreements with Edinburgh, Perth, and Dundee Railway Company, § 17.
Working Agreements with Edinburgh, Perth, and Dundee Railway Company and Devon Valley Railway Company, § 18.

Cap. clxxviii.

"The Saffron Walden Railway Act, 1861."

Preamble recites that the making of a Railway from the Eastern Counties Railway to Saffron Walden in the County of Essex would be of public Advantage.
Incorporation of Consolidation Acts, § 1.
Subscribers incorporated, with Capital of 25,000*l.*, and Power to borrow 8,000*l.*, §§ 3 to 6.
Meetings; Directors, &c., §§ 7 to 12.
Power to Eastern Counties Railway Company to subscribe, and to apply their Funds for that Purpose, § 13.
Power to make Railway according to deposited Plans, § 15.
Communication with Eastern Counties Railway how to be made, §§ 17 to 20.
Confirmation of Agreement entered into by Directors on behalf of the Company, § 21.
Lands to be bought by Compulsion within One Year and a Half, § 22.
Three Years for Completion of Works, § 23.
Tolls, §§ 25 to 33.
Power to enter into Traffic Arrangements with Eastern Counties Railway, §§ 34 to 40.

Cap. clxxix.

"The Conway and Llanrwst Railway Act, 1861."

Preamble recites that by "The Conway and Llanrwst Railway Act, 1860," the Conway and Llanrwst Railway Company were incorporated, for the Purpose of constructing a Railway from the Chester and Holyhead Railway near Conway to Llanrwst; and that it is expedient that the Company should be empowered to alter the Line and Levels of Portions of their Railway as authorized by the recited Act; and to raise a further Sum of Money.

Incorporation of Consolidation Acts, § 2.

Power to make Railways, &c., § 5.

Where Railway extends into River Conway, no Deviation to be made riverward from Centre Line, § 6.

If Deviation made without Consent, Admiralty may abate same, § 7.

Where Centre Line of Railway cuts off Access between Land and Water, Company to make Communications, § 8.

Admiralty may require Works abandoned, &c. to be removed, § 9.

Admiralty may order local Survey, § 10.

Power to cross certain Road on the Level, §§ 11 to 13.

Power to alter Engineering Works, § 15.

Company to abandon Portion of authorized Line of Railway, § 16.

Compensation, § 17.

Two Years for the compulsory Purchase of Lands, § 19.

Three Years for Completion of Railway, § 20.

Deposit in Court of Chancery to be forfeited to the Crown in a certain Event, § 21.

Court of Chancery to order Transfer to Company of Monies in respect of reduced Estimates, § 22.

Treasury Solicitor to cancel Bond given under recited Act, § 23.

Power to raise additional Capital, § 24.

Regulations as to new Capital, §§ 26 to 28.

Power to borrow on Mortgage 3,300*l.*, §§ 29, 30.

Cap. clxxx.

"The East Suffolk Railway Act, 1861."

Preamble recites that by "The East Suffolk Railway Companies Amalgamation Act, 1858," the Undertakings of the Yarmouth and Haddiscoe Railway Company, of the Lowestoft and Beccles Railway Company, and the East Suffolk Railway Company became united and consolidated into One Undertaking, and the Yarmouth and Haddiscoe and Lowestoft and Beccles Railway Companies were dissolved; and by "The East Suffolk Railway (Branch and Capital) Act, 1858," and "The East Suffolk Railway Act, 1859," further Powers were conferred upon the East Suffolk Railway Company; that the Share Capital which the Company are authorized to raise by the said Acts is the Sum of 1,020,000*l.*, and they are authorized to borrow 340,000*l.*; that they have opened for public Traffic all the Railways and Branches authorized to be made by the Acts relating to the Company, and have entered into certain Agreements for a Lease of the Undertaking of the Company to Sir Samuel Morton Peto, Baronet, and into certain Working Arrangements with the Eastern Counties and Norfolk and Eastern Union Railway Companies; that on the 1st Day of December 1860, 93,724 Shares of 10*l.* each were registered in the Books of the Company, upon which Shares the Sum of 729,390*l.* had been paid, and the Sum of 340,000*l.* had been borrowed, and all Shares fully paid up had been converted into Stock, to the Amount of 528,430*l.*; that certain of the Shares authorized to be created by the Company have become forfeited, or have been surrendered to the Company, and other Shares have not been fully paid up; and the Company have not issued any Preference Shares; that by "the Amalgamation Act" Provision is made for the Determination of the Lease authorized by that Act, by a Majority of Three Fourths of the Votes present at a Special Meeting of the Company, subject to a Power of Appeal by the Lessee to the Board of Trade, and to the Condition that the Company should pay off any dissentient Shareholder at Par within a limited Period, but no Funds are appropriated or authorized to be raised for paying off such dissentient Shareholders, nor for the Purpose of enabling the Company to provide Rolling Stock in the event of the Determination of the Lease or of the Agreements for a Lease herein-before mentioned, and also of the Working Agreement with the Eastern Counties, Norfolk, and Eastern Union Railway Companies, and it is expedient that the Powers herein-after contained should be conferred upon the Company; and whereas the Lessee contracted for the Construction of the Railway, and for the Lease thereof when completed, and for the Deposit of Securities to the Extent of 100,000*l.* for ensuring the due Performance of the Covenants of the Lease under the Expectation that the Landowners of the District through which the Railway passes and the Public would subscribe for and provide the requisite Share Capital, but less than One Fourth of the authorized Share Capital was subscribed for and taken by the Landowners and the Public, and upwards of Three Fourths of the paid-up Shares and Stock now standing registered in the Books of the Company are held by the Lessee and Parties acting in concert with him, such Shares or Stock having been accepted in lieu of Cash Payments for the Construction of the Railway; that the Lessee is desirous that the Agreement for the Lease of the Railway should not be carried into effect, and the Company at a General Meeting have approved of the Proposal for that Object, subject to the Conditions in this Act contained for the paying off at Par, or retaining as Preference Shares or Stock, the Shares or Stock of those Proprietors who may desire either to be paid off or have their Shares or Stock converted into Preference Shares or Stock; that the several Persons whose Names are set forth in the Schedule holding the Shares or Stock mentioned in such Schedule, and representing more than Three Fourth Parts of the Capital on the Register of the Company, are willing and have consented to such Capital remaining as ordinary Shares or Stock of the Company.

Incorporation of Parts of Companies Clauses Consolidation Act, § 2.

Directors may accept Surrenders of Shares issued, and re-issue same, § 4.

Company may cancel forfeited Shares and create new Shares in lieu thereof, §§ 5, 6.

In the event of Lease or Agreement being rescinded, Arrangements with Shareholders, §§ 7 to 10.

Amount of ordinary Stock extinguished to Extent of Conversion, § 12.

Shares specified in Schedule to remain ordinary Shares, § 13.

Preference Shares to be issued for certain Purposes, § 14.

Borrowing Powers to be extinguished to Extent of Preference Shares created, § 15.

Saving existing Preference Shares, § 16.

Company may issue certain other Shares as Preference Shares, § 17.

Preferential Dividends not to carry Arrears beyond One Year, § 18.

Agreement with Eastern Counties Company not to be prejudiced, § 19.

Cap. clxxxi.

"The Aberystwith and Welsh Coast Railway Act, 1861."

Preamble recites that the making of Railways from Aberystwith to Towyn, Barmouth, Portmadoc, and Machynlleth would be of great local and public Advantage; and that it is expedient that the Oswestry and Newtown Railway Company and the Llanidloes and Newtown Railway Company or either of those Companies should be authorized to contribute towards the Funds of the Company by this Act incorporated, and to vote at Meetings thereof; and that the Oswestry Company, the Llanidloes Company, the Mid-Wales Railway Company, and the Shrewsbury and Welchpool Railway Company or any of those Companies, on the one hand, and the Company on the other hand, should be authorized to enter into certain Agreements.

Incorporation of Consolidation Acts, § 2.

Company incorporated, with a Capital of 400,000*l.*, and Power to borrow 133,000*l.*, §§ 3 to 7.

Meetings; Directors; Advertisements, &c., §§ 11 to 17.

Power to make and maintain Railways, § 18.

Admiralty Provisions, §§ 19 to 26.

Three Years for compulsory Purchase of Lands, § 29.

Four Years for Completion of Railways Number 1, 2, 3, and 5, § 30.

Five Years for Completion of Railway Number 4, § 31.

If Railway Number 5 be not completed within the prescribed Period Company not to oppose another Bill for authorizing that Railway, § 32.

As to Construction of Railway Number 5 between certain Points, § 33.

As to Works over the River Dysyni, § 34.

Any Land reclaimed by the Works not to be taken without the Consent of the Commissioners of Woods, &c., § 35.

Junction with other Railway to be made in manner most approved, §§ 36 to 38.

Land not to be entered upon except for forming Junction without the Consent of the Machynlleth Company, § 39.

Saving Rights of the Newtown and Machynlleth Railway Company, § 40.

Station to be erected at Bow Street, § 41.

Level Crossings, §§ 42 to 45.

Tolls, §§ 47 to 54.

Power for Oswestry Company to contribute towards Funds of Company, § 55.

Power for Llanidloes Company to contribute towards Funds of Company, § 56.

Power for contributing Company to raise and apply Monies for Contribution towards Funds of Company, § 57.

Payment of preferential Dividend by Company, § 58.

Sanction of Shareholders for Contribution by other Companies towards Funds of Company, § 61.

Nominees of subscribing Companies to vote at Meetings of Company, § 62.

Power for Company and other Companies to agree for Purposes authorized, §§ 66, 67.

Restrictions on Agreements between Companies, §§ 68 to 75.

Saving Rights of the Crown, § 76.

Cap. clxxxii.

"The Bishop Stortford, Dunmow, and Braintree Railway Act, 1861."

Preamble recites that the Establishment of a Railway from the Northern and Eastern Railway at Bishop Stortford, through Dunmow, to the Braintree Branch of the Eastern Counties Railway at Braintree, with a Branch to join the authorized Line of the Dunmow Extension of the Epping Railways at Dunmow, would be of public and local Advantage; and it is expedient that the Eastern Counties Railway Company be authorized to contribute towards the Funds of the Company, and that the Company and the Eastern Counties Company be authorized to make Working and Traffic Arrangements.

Incorporation of Consolidation Acts, § 2.

Incorporation of Company, with Capital of 120,000*l.*, and Power to borrow 40,000*l.*, §§ 4 to 8.

Meetings; Directors; Advertisements, &c., §§ 10 to 15.

Power to make Railway, §§ 16, 17.

Power to alter Engineering Works, § 18.

Five Years for Completion of Works, § 21.

Junctions with Eastern Counties Railway, how to be made, §§ 22 to 24.

Level Crossing, §§ 25 to 27.

Tolls, §§ 30 to 37.

Provisions for Agreements with Eastern Counties Company, §§ 38 to 46.

Application of Clauses of certain Parts of 8 & 9 Vict. c. 16. to Eastern Counties Company, § 47.

Power for Eastern Counties Company to contribute towards Company's Undertaking, § 48.

Power to raise Monies to be contributed, § 49.

Payment of preferential Dividend, § 51.

Saving existing Preference Shares, § 53.

Subscription by Eastern Counties Company included in Agreement of 1854 for Amalgamation with Eastern Union and other Companies, § 54.

Nature and Amount of Sums to be deducted by Eastern Counties Company under Agreement, § 55.

Votes for Eastern Counties Company at Meeting of Company, § 56.

Power to Eastern Counties Company to appoint Director, §§ 57 to 63.

Cap. clxxxiii.

"The Cleveland Railway Act, 1861."

Preamble recites that by "The Cleveland Railway Act, 1858," the Cleveland Railway Company were incorporated and empowered to construct a Line of Railway from the Middlesbrough and Guisbrough Railway in the North Riding of the County of York to Skinningrove in the said North Riding, with Railways and Works connected therewith, and were authorized to raise by Shares 120,000*l.*, and by borrowing 40,000*l.*; that the Company have proceeded to put the Powers of the Act into execution, but have not opened any Part of the Railway for public Traffic; that it is expedient that the Company should be empowered to extend their Railway and Works; to make Deviations from the Line of Railway as authorized; and to raise additional Capital for carrying the Purposes aforesaid into effect, and to borrow a further Sum of Money.

Incorporation of Consolidation Acts, §§ 3, 4.

Power to construct Railway and Works, § 5.

Power to abandon Parts of the Railway rendered unnecessary by the Deviations; Compensation, §§ 8, 9.

Admiralty Provisions, §§ 11 to 14.

If Shipping Place become an Obstruction, Conservancy Commissioners may remove it, § 15.

Commissioners may allow Variations in Works, § 16.

Tees Conservancy Commissioners to dredge and preserve the Access to the Shipping Places, § 17.

Power for the Company to make Arrangements with the Tees Conservancy Commissioners as to Works below High-water Mark, § 18.

Company to remove Materials falling into River from Company's Works, § 19.
Tees Conservancy Commissioners may remove Works abandoned, § 20.
Commissioners may remedy Injury to the Navigation at the Expense of the Company, § 21.
Saving Rights of the Tees Conservancy Commissioners, § 22.
Two Years for compulsory Purchase of Lands, § 25.
Four Years for Completion of Works, § 26.
Power to raise additional Capital of 90,000*l.*, § 28.
Power to cancel unissued Shares, §§ 29, 30.
Votes and Qualifications in respect of new Shares, § 33.
Power to borrow 30,000*l.*, §§ 36, 37.
Tolls on Railway, §§ 38, 39.
Limiting Charge for Shipping Places, § 40.
The Company and the West Hartlepool Harbour and Railway Company may enter into Traffic Arrangements, § 41.
Reserving Right of crossing Railway to Messrs. Bolckow and Vaughan, § 42.

Cap. clxxxiv.

"The Forest of Dean Central Railway Act, 1861."

Preamble recites that by "The Forest of Dean Central Railway Act, 1856," the Forest of Dean Central Railway Company were incorporated, and were authorized to construct the Forest of Dean Central Railway, with Branches, and for that Purpose to raise a Share Capital of 65,000*l.*, in 6,500 Shares of 10*l.* each, and to borrow on Mortgage any Sum not exceeding 21,660*l.*; that by "The Forest of Dean Central Railway Act, 1860," the Company were authorized to construct further Works, and to raise a further Sum of 1,000*l.* by Shares; that they have acquired the Land necessary for the Construction of the Railway, but the same has not yet been completely constructed; that they have received 38,875*l.* by Calls on their Share Capital, and they expect to receive a futher Sum of 1,100*l.* on Calls over due, and they are unable to raise the Remainder of their Share Capital unless by assigning to the Persons who may subscribe for the same a Priority in the Payment of Dividend; that there are at present no Preference Shares in the Capital of the Company; that it is expedient that the Company should be authorized to obtain a Lease of certain Lands, Part of the Hagloe Estate, and also certain Foreshore belonging to Her Majesty at or near Brimspill on the River Severn near the Terminus of the said Forest of Dean Central Railway, and to erect Staithes, Cranes, and Works on the Lands to be so leased to them; and should be authorized to raise Money for constructing the said new Works, and to attach thereto a Preference or Priority in Payment of Dividends.
Incorporates Harbours Clauses Act, § 2.
Commissioners of Woods may demise Lands to the Company, § 3.
Company may erect Staithes, &c. thereon, § 4.
Rights of Crown and of South Wales Railway saved, §§ 5, 6.
Tolls for Vessels, § 7.
For Staithes, &c., § 8.
Forfeited Shares may be cancelled and new Shares issued, §§ 10 to 14.
Terms and Conditions of new Shares; Votes of Proprietors, §§ 15 to 21.
Power to borrow 5,000*l.*, § 22.
Part of Companies Clauses Act incorporated, § 23.
Application of Monies, § 24.
Admiralty Provisions, §§ 26 to 29.

Cap. clxxxv.

"The Hatfield Chase Warping and Improvement Act, 1861."

Preamble recites an Act was passed in the Year 1854 "to "warp and improve certain Lands in the Level of Hatfield "Chase," whereby a Company was incorporated, and was authorized to purchase of the Participants of the Level of Hatfield Chase the Snow Sewer, and to widen and improve the same for the Purpose of conveying through it, upon certain of the Waste Lands of Hatfield Chase, the Waters of the River Trent, and thereby warping the said Waste Lands and rendering them productive; that the Company have proceeded in the Execution of the said Act, and have purchased and enlarged Snow Sewer, and commenced the said Works of warping, but they have found that, in consequence of the great Outlay of the Company in enlarging and so increasing the Efficiency of their Warping Drain, the Price of warping prescribed in the said Act is inadequate, and that it would be more advantageous, both to the Owners of the said Low Lands and to the Company, if the said Act were amended.
Certain Provisions of recited Act repealed, § 1.
Provisions as to Second Warping, § 2.
Extending Notice before Entry on Lands, § 3.
Certain Trustees enabled to purchase Lands, § 4.
Company may purchase Lands near their Works, § 5.
Power to hold Land extended, § 6.
Provision for special Agreements, § 7.
Saving Provisions of recited Act, § 8.

Cap. clxxxvi.

"The Inverness and Perth Junction Railway Act, 1861."

Preamble recites that the making of a Railway from the Town of Forres in the County of Elgin, and communicating there with the Inverness and Aberdeen Junction Railway, to the Village of Birnam near Dunkeld in the County of Perth, there to communicate with the Perth and Dunkeld Railway, with a Branch diverging therefrom near the Village of Ballinluig to Aberfeldy, will be of great local and public Advantage; that the estimated Cost of constructing the said Railway and Branch Railway is 654,000*l.*; that it is expedient that the Inverness and Aberdeen Junction Railway, Company, the Inverness and Nairn Railway Company, the Inverness and Ross-shire Railway Company, the Perth and Dunkeld Railway Company, the Scottish Central Railway Company, and the Edinburgh and Glasgow Railway Company respectively should be empowered to subscribe to and hold Shares in the said Undertaking as herein-after provided; and that the Company herein-after incorporated and the Inverness and Aberdeen Junction Railway Company, the Perth and Dunkeld Railway Company, the Scottish North-eastern Railway Company, the Scottish Central Railway Company, and the Edinburgh and Glasgow Railway Company should be empowered to make and enter into Agreements and Arrangements with respect to the working and Use of the said intended Railway and Branch Railway; that the said intended Railway will communicate at Birnam with the Perth and Dunkeld Railway, which is at present worked under an Agreement for a limited Term of Years by the Scottish North-eastern Railway Company, and will, in connexion with that Railway and the Scottish North-eastern Railway, from the Junction thereof with the Perth and Dunkeld Railway, form the shortest and most convenient Line of Railway Communication between the City of

Perth and the Counties of Elgin or Moray, Nairn, and Inverness, and all the more Northern Counties of Scotland; and it is expedient that Facilities should be afforded for the free and uninterrupted Passage of all the Traffic of the said Counties seeking to pass by Railway to and from and beyond the City of Perth, and for the Passage and Accommodation of the Engines, Carriages, and Waggons passing to and from the said intended Railway and Branch Railway over and upon the Perth and Dunkeld Railway, the Scottish North-eastern Railway, and the Scottish Central Railway, from and to the general Station at Perth after mentioned, and Agreements for some of the before-mentioned Purposes have been entered into by or on behalf of the said Companies, which Agreements the respective Companies are desirous should be confirmed; and that it is also expedient that Arrangements and Agreements between the Company and the Scottish North-eastern Railway Company, the Scottish Central Railway Company, and the Edinburgh, Perth, and Dundee Railway Company, in respect to the joint Use and Occupation by them, together with the said Companies, of the general Station at Perth belonging to the said Three Companies or some of them, and the Watering Places, Sidings, and other Buildings and Conveniences connected therewith, should be authorized; that the said intended Main Line of Railway will communicate at the Town of Forres with the Inverness and Aberdeen Junction Railway, and it is expedient that Provision should be made for the joint Accommodation of the Traffic of the Company hereby incorporated at the Station at Forres belonging to the said Inverness and Aberdeen Junction Railway Company, and also at the Station at Inverness belonging to the Inverness and Nairn and Inverness and Aberdeen Junction Railway Companies, or One of them, and that the Company should be authorized to enter into Arrangements and Agreements with the said other Companies, or One of them, for the Maintenance, working, Use, and Apportionment of the said Stations respectively.

Incorporation of Consolidation Acts, § 1.
Subscribers incorporated, with a Capital of 654,000*l.*, §§ 5 to 7.
Power to the Inverness and Aberdeen Junction and other Railway Companies to contribute to the Undertaking, § 8.
Mode in which new Shares are to be allotted; Saving Rights of existing Preference Shares, § 9.
Power to borrow 218,000*l.*, §§ 14 to 19.
General Meetings, § 20.
Domicile of the Company, § 21.
Directors, §§ 24 to 29.
Line of Railway, § 30.
Level Crossing, §§ 31 to 33.
Power to make Railway, § 34.
Lands to be purchased within Four Years, § 37.
Six Years for Completion of Works, § 38.
As to Communication with the Inverness and Aberdeen Junction and Perth and Dunkeld Railways, §§ 39 to 41.
Tolls, §§ 42 to 50.
Power to agree as to Petty Customs with Magistrates and Town Council of Forres, § 51.
Power to Company to run over and use Perth and Dunkeld Railway, § 52.
Powers of Arbitrators or Umpire, § 53.
Local Traffic not to be interfered with, § 54.
Confirming Agreement with the Scottish North-eastern Railway Company, § 55.
Confirming Agreement with the Scottish Central Railway Company, § 56.
Byelaws of Perth and Dunkeld, Scottish North-eastern, and Scottish Central Railway Companies to be observed, § 57.
Provision in regard to the Use of the General Railway Station at Perth, § 58.
Power to enter into other Agreements with the Scottish North-eastern Company and other Companies as to Stations, &c., § 59.
Power to enter into Agreements with Inverness and Nairn and Inverness and Aberdeen Junction Railway Companies as to Stations at Inverness and Forres, § 60.
Arbitration in regard to Joint Stations, § 61.
Power to make Traffic Arrangements with other Railway Companies, § 62.
Duration of Contract, § 63.
Sanction of Extraordinary Meeting to Traffic Arrangements, §§ 64 to 66.
Joint Committee for Purposes of Traffic; Arbitration, §§ 67 to 69.
Saving Rights of the Crown, § 72.
SCHEDULES A. and B. Agreements between the respective Companies.

Cap. clxxxvii.

"The Ludlow and Clee Hill Railway Act, 1861."

Preamble recites that a Railway from Ludlow in the County of Salop to a Point in the Parish of Corley in the same County would be of advantage; and that it is expedient that the Shrewsbury and Hereford Railway Company should be authorized to contribute to the said Undertaking, and to make Working and Traffic Agreements with the Company.
Incorporation of Consolidation Acts, § 1.
Subscribers incorporated, with a Capital of 30,000*l.*, and Power to borrow 10,000*l.*, §§ 3 to 7.
Power to the Shrewsbury and Hereford Railway Company to contribute 5,000*l.* to the Undertaking, § 11.
Meetings; Directors; Advertisements, &c., §§ 12 to 20.
Line of Railway, § 21.
Communications with the Shrewsbury and Hereford Railway, §§ 23 to 26.
Three Years for the compulsory Purchase of Lands, § 28.
Four Years for Completion of Works, § 29.
Power to Company to use Portion of Shrewsbury and Hereford Railway, § 31.
Tolls, §§ 33 to 43.
Provisions as to Traffic Arrangements with the Shrewsbury and Hereford Railway Company, §§ 44 to 52.

Cap. clxxxviii.

"The Mersey Docks (Corporation Purchase) Act, 1861."

Preamble recites that by "The Mersey Docks and Harbour Act, 1857," being an Act for consolidating the Docks at Liverpool and Birkenhead into One Estate, and for vesting the Control and Management of them in One Public Trust, and for other Purposes, the Mersey Docks and Harbour Board were incorporated for the Purposes therein mentioned; and that "The Mersey Docks and Harbour (Works) Act, 1858," "The Mersey Dock Acts Consolidation Act, 1858," "The Mersey Docks (Money) Act, 1859," and "The Mersey Docks (Ferry Accommodation) Act, 1860," have also been passed in relation to the Mersey Docks and Harbour Board; and that by "The Mersey Docks and Harbour (Works) Act, 1858," the Board were authorized to purchase, by Agreement, from the Corporation of Liverpool, the Reversion then vested in them of certain Lands originally demised to the Birkenhead Dock Company, and of so much and such Parts of certain other Lands agreed to be demised to William Adamson and Alexander Adamson, as comprised certain Land, with Buildings thereon, at Birkenhead, known

as the Dockyard, and of Lands (if any) on the South Side of the Great Float, and adjoining or near thereto, of Leasehold Tenure, which then were or might thereafter become vested in the Board, and of which the Reversion then was or might thereafter become vested in the Corporation, upon such Terms and Conditions as might be mutually agreed upon between the Board and the Corporation; that the Board and the Corporation have, by an Indenture dated the 27th Day of April 1861, agreed upon the Terms upon which such Purchase shall be effected, but the same cannot be carried into effect without the Authority of Parliament; also that it is expedient that the Period for completing some of the Works authorized to be constructed at Birkenhead by "The Mersey Docks and Harbour (Works) Act, 1858," should be altered, and also that certain additional Powers should be vested in the Board for the Purpose of improving the working of the Docks, and keeping the Quays from being encumbered with Goods, and for enabling Certificates to be issued for Shipowners, Merchants, Underwriters, and others, with respect to the Stowage of Goods, and the Nature and Extent of the Damage in certain Cases incurred by Vessels or their Cargoes, and that the said several Acts should be amended and altered.

3. The Agreement between the Corporation and the Board for the Purchase of such Reversion, set forth in the Schedule to this Act annexed, except so far as any of the Provisions therein contained may be inconsistent with the Provisions of this Act, shall be and the same is hereby confirmed.

4. All the Estate and Interest of the Corporation in the Lands described in the Agreement, and in the Map or Plan delineated thereon or attached thereto, and also comprised in the Plan deposited with the Clerk of the Peace of the County of Chester, and in the Book of Reference to both in the Agreement mentioned, shall, immediately on the Delivery to the Corporation of the Bond or Bonds of the Board, herein-after mentioned, absolutely vest in the Board as Part of the Mersey Dock Estate, free from all Charges, Liens, and Incumbrances whatsoever of the Corporation, and of all Persons claiming by, from, through, under, or in trust for them.

5. The Board shall on or before the 1st Day of January 1862 deliver to the Corporation, or to such Person as they shall appoint to receive the same, a Bond or Bonds under the Seal of the Board for the Sum of 200,000*l.* in the whole, to be payable on the 31st Day of October which will be in the Year of our Lord 1923, with Interest thereon in the meantime at the Rate of 3*l.* 5*s.* per Centum per Annum, to be paid on the Days and in the Manner specified in the said Indenture; and of the due Delivery of such Bond or Bonds a Declaration or Certificate in Writing under the Hand of the Town Clerk of the Borough of Liverpool shall be sufficient Evidence.

6. The Interest from Time to Time accruing on the said Bond or Bonds shall be paid to the Treasurer of the Borough for the Time being, to be by him placed to the Credit of the Borough Fund, and the Principal Sum payable by virtue of such Bond or Bonds shall also be paid to such Treasurer as Part of the Capital and Estate of the Corporation; and the Receipts of such Treasurer, or of the Person or Persons for the Time being entitled to the Principal Money and Interest secured by such Bond or Bonds, for such Interest and Principal respectively, shall be a full Discharge to the Board.

7. The Lands, and all Estates and Interest therein, by this Act vested in the Board, shall, for the Purpose of authorizing the Board to borrow and take up the said Sum of 200,000*l.* at Interest, be deemed and taken to be Part of the Birkenhead Docks and Works referred to in the 57th Section of "The Mersey Docks and Harbour Act, 1857," for the Completion whereof the Board were authorized to borrow and take up Money at Interest; and any Rate or Rates or any Dues now forming Part of their general Receipts shall be the Security on which such Money may be borrowed.

8. The Period for Completion of the whole of the Works sixthly mentioned in Section Six of "The Mersey Docks and Harbour (Works) Act, 1858," shall be extended to the 12th Day of July 1864; and such Act shall for all Purposes whatever be construed as if such latter Date had been expressly mentioned therein as the Period for the Completion of the Works sixthly therein described.

9. The Board shall complete the whole of the Works thirdly mentioned in Section Six of "The Mersey Docks and Harbour (Works) Act, 1858," on or before the 1st Day of August 1863, instead of on or before the 1st Day of October 1863, the Period prescribed for that Purpose by such Act, and the Board shall proceed with all practicable Diligence and Despatch in the Execution of the whole of the Works first mentioned in the said Section, together with such Portion of the Works on the South Reserve adjoining the same, and the Formation of the Land in connexion therewith, as is not dependent on the Completion of the Works secondly mentioned in such Section, so as to afford Accommodation for the Railway Traffic of the London and North-western and Great Western Railway Companies and of either of them, and shall complete the Works firstly mentioned in such Section, together with the said Portion of the Works on the South Reserve, and the Formation of such Land as aforesaid, on or before the 31st Day of March 1862, and the Board shall also proceed with all practicable Diligence and Despatch in the Execution of the Works secondly mentioned in the said Section Six of such Act, but shall not be required to complete the same till the 31st Day of March 1864, and such Act shall be read and construed accordingly: Provided always, that nothing in this present Section contained shall have the Effect of extending the Period limited by such Act for the compulsory Purchase of Lands (if any) necessary for the Purposes of any of such Works; provided also, that if the Engineer for the Time being of the Board shall at any Time before the 31st Day of March 1862 certify in Writing to the Board that he has found it impracticable to complete the Low Water Basin comprised amongst the Works first mentioned in the said Sixth Section by the said 31st Day of March, by reason of the Nature of the Foundations on which the South Wall of the said Basin is to be constructed, then the said Board shall be released from the Obligation by this Act imposed upon them to complete the said Low Water Basin on or before the said 31st Day of March, but nevertheless shall proceed with all practicable Despatch in the Execution of the same, and so that it shall be completed at the earliest possible Period after the said 31st Day of March.

10. Under the Power now vested in the Board to appoint, remove, and pay Officers and Servants, they shall be deemed to have Power to appoint and from Time to Time to remove such and so many Surveyors of Cargoes and Goods as they may think fit; and it shall also be lawful for the Board from Time to Time to license such and so many Persons as they may deem expedient to be employed in the Shipment, Stowage, and Unshipment of Cargoes (commonly called Stevedores and Lumpers), to be termed Master Stevedores and Master Lumpers: Provided always, that it shall not be in any way obligatory on the Board to appoint any Person to act as a Master Porter or Surveyor of Cargoes and Goods, or to license any Person to act as a Master Stevedore or Master Lumper, of whose Competency or Fitness for the Office he may be desirous of filling the Board may not be satisfied.

11. The Sections numbered 38 and 39 of "The Mersey Dock Acts Consolidation Act, 1858," having reference to

Bonds given by Master Porters, shall be and the same are hereby repealed.

Bonds entered into by Master Porter to be increased from 200*l.* to 500*l.*, § 12.

Persons licensed as Master Stevedores and Master Lumpers to give Bonds with Sureties in 200*l.*, § 13.

If such Persons be also appointed Master Porters Bonds to be increased to 500*l.*, § 14.

15. The bringing of any Action upon any such Bond by any such Owner, or the Pendency of such Action, or the Recovery of any Judgment in any such Action, shall not prevent such Owner or any other Owner from bringing any other Action upon such Bond for any Loss or Injury which may be sustained by him, so that no more than the Sum of 200*l.* in the whole or the Sum of 500*l.* in the whole, according to the Amount of the Penalty named in such Bond, shall be recovered from any such Master Stevedore or Master Lumper, or his Sureties, upon any One and the same Bond: Provided always, that the full Amount of the Penalty named in the Bond of any Master Porter, Master Stevedore, or Master Lumper shall always be deemed to be and remain wholly due, notwithstanding any prior Recovery in any Action thereon, unless within 14 Days next after any Sum shall have been so recovered Notice in Writing of such Recovery, and stating the Amount thereof, shall be given to the Solicitor of the Board by any One or more of the Obligors, in which Case the Amount so recovered, and stated in such Notice or in any Two or more of such Notices, shall be deemed and taken to be in Discharge or in Part Discharge, as the Case may be, of the Penalty of such Bond.

16. It shall be lawful for the Board, at any Time when they may deem it expedient so to do, to require any Master Porter, Master Stevedore, or Master Lumper to give a new Bond, with Two sufficient Sureties, to be approved of by the Board; and whenever a Sum equal in the whole to Three Fourths of the Amount of the Penalty of his Bond shall have been recovered in Actions brought on such Bond, the Master Porter, Master Stevedore, or Master Lumper against whom or against whose Sureties, or any of them, such Actions shall have been brought, and also every Master Porter, Master Stevedore, or Master Lumper who shall become bankrupt or insolvent, or in any Manner compound with his Creditors, before he shall be again capable of acting as a Master Porter, Master Stevedore, or as a Master Lumper, as the Case may be, shall enter into a new Bond to the Board in the same Manner as on his original Appointment.

17. If any Person shall act either as a Master Stevedore or a Master Lumper, in shipping, stowing, unstowing or unshipping, or in employing or directing any Porter or Labourer to ship, stow, unstow, or unship any Goods without having been duly appointed by the Board, or without having given to the Board such Bond, with Two sufficient Sureties, as hereinbefore directed, or, as the Case may be, without having given a new Bond to the Board, as herein-before directed, or after having had his Licence rescinded or suspended by the Board, or if any Person shall act as a Master Porter after having been removed or dismissed from his Office, or while prohibited from acting therein, every Person so offending shall forfeit and pay a Sum not exceeding 50*l.* for every such Offence.

18. Provided always, That nothing herein contained shall prevent the Owner or Master of any Vessel from employing her Crew in shipping, stowing, unstowing, unshipping, or discharging all or any Portion of the Cargo thereof, or shall render such Owner or Master, or any of such Crew, liable to any Penalty for so doing.

19. The Board may at any Time rescind or suspend the Licence of any Master Stevedore or Master Lumper, either totally or for any Period that they may think proper, and for any Cause which in their Judgment shall render such Proceeding necessary or expedient: Provided always, that in any Case in which any Licence to any Master Porter, Master Stevedore, or Master Lumper shall be rescinded or suspended, the Party whose Licence shall have been so rescinded or suspended shall be at liberty to appeal thereon to the Board of Trade, and they shall entertain such Appeal, and decide thereon; and the Board shall forthwith, if and when the said Board of Trade shall so decide, restore such Licence.

20. Every Surveyor of Cargoes and Goods appointed by the Board shall, with respect to any Vessel which may be unloaded or discharged within the Dock or District to which he may be appointed by the Board, when required by or on behalf of any One or more of the Owners or Consignees of any such Vessel or their Cargo, or their authorized Representatives, carefully examine the Stowage of the Cargo of such Vessel, and fully investigate the Nature and Extent of the Damage (if any) which such Cargo or any Part thereof may have sustained, and shall also, when required by any One or more of such Owners or Consignees of any such Vessel or her Cargo, or their authorized Representatives, report upon and certify to him or them the State of such Cargo in respect of its Stowage, and of the Damage (if any) which such Cargo or any Part thereof may have sustained; and for every such Report or Certificate the Board shall be entitled to receive from the Person to whom any such Report or Certificate may be given a reasonable Fee, the Amount of which shall be determined by the Board.

21. All such Surveyors of Cargoes and Goods shall have full Power at all Times during the Discharge of the Cargo of any Vessel within their respective Docks or Districts to go on board and to enter and inspect any Part of such Vessel and her Cargo; and if any Person shall in any way obstruct or prevent, or aid or abet any other Person in obstructing or preventing, any such Surveyor from entering or inspecting any such Vessel or her Cargo or any Part of such Vessel, every Person so offending shall for every such Offence be liable to a Penalty of not exceeding 10*l.*: Provided always, that if on any such Inspection any such Surveyor shall be of opinion that any Part of the Cargo shall have sustained Damage by reason of improper Stowage, he shall, before leaving the Vessel, give Notice in Writing that there is in his Judgment improper Stowage in respect of the Goods mentioned in such Notice, to the Master, Mate, or other Officer then in charge of such Vessel.

22. Provided also, That such Surveyor shall have no Power to delay the loading or Discharge of any Portion of any Cargo of a Vessel, except and for such Time only as shall be necessary for the Purpose of investigating the Nature and Extent of the Damage (if any) or alleged Damage which such Cargo or any Part thereof may have sustained.

23. Every Master Porter shall be responsible, not only to the Board but also to each Consignee, for any Goods committed to his Care, and also to the Owner of the Vessel by which such Goods may have been imported, for the correct weighing, taring, scribing, marking, and measuring, as the Case may be, of such Goods, and he shall in every Case in which such Goods shall have been required to be weighed or measured, and as soon as conveniently may be, furnish, if required, to each such Consignee and to such Owner as aforesaid, a correct Account in detail of the Weight, Measurement, and Marks of such Goods, and he shall also, if required, at the same Time furnish to the Board an Abstract of such Account, showing the total Number of Packages, and the gross and net Weight or Measurement, as the Case may be, of each Mark or Consignment of such Goods, and he shall also at the

same Time furnish to the Collector or other proper Officer of the Customs at Liverpool a Duplicate of such Abstract.

24. Every Master Porter, previously to receiving on the Quay any Portion of the Cargo of any Vessel in respect of which he may have been appointed the Master Porter, shall appoint some fit, competent, and intelligent Person to act as a Landing Clerk, whose Duty shall be to be present at all Times when any Portion of such Cargo shall be in course of being discharged; and every such Landing Clerk shall record, in Books to be approved of by the Board, the Marks, Numbers, Weights, and Measurements of all Goods discharged from such Vessel, and the Day when the same shall be respectively discharged, and the Day and Hour when the same shall respectively be delivered; and in case the Board consider that the Master Porters are entitled to any additional Remuneration for the Duties imposed on them by this and the preceding Section, they shall regulate the Charges of the Master Porters accordingly.

25. Provided always, notwithstanding anything in this or the recited Acts contained, That the Great Western Railway Company, the London and North-western Railway Company, and the Birkenhead Railway Company respectively, may employ such Persons as they may from Time to Time respectively think fit, without Licence from the Board, in and about the Shipment, Stowage, and Unshipment of Cargoes into or from any Vessel which may be loading or unloading at the Quays of the Birkenhead Railway Station on the Great Float; and no Traffic Manager appointed by the Board shall be entitled to interfere with or exercise any Control over any Traffic lying at or upon the said Quays of the Birkenhead Railway Station on the Great Float, but the said Railway Companies respectively shall furnish to the Board an Account, similar to the Account to be furnished to the Board by the Master Porter or his Landing Clerk, under this Act, of all Goods shipped or unshipped or landed Foreign or Coastwise at the Quays of the said Birkenhead Railway Station.

26. The Sections numbered respectively 88 and 89 and 204 and 205 of "The Mersey Dock Acts Consolidation Act, 1858," having reference to the undue Occupation with Goods of the Dock Quays, shall be and the same are hereby repealed, but without Prejudice to the Recovery of any Penalty which may previously have been incurred.

27. Any Goods (except Timber or other Wood Goods which are herein-after otherwise provided for) landed or deposited on any Quay or Pier may remain on such Quay or Pier without Payment of any Quay Rent until Four o'Clock in the Afternoon on the Second Day next after the Day on which the same may have been landed or deposited; but if any of such Goods shall remain on such Quay or Pier beyond Four o'Clock in the Afternoon on such Second Day, a Rent (to be called a Quay Rent, and applied as Part of the general Receipts of the Board,) of 5*s.* for each and every Hour during the 24 Hours then next ensuing that such Goods or any Portion thereof may remain on such Quay or Pier shall be payable to the Board in respect of such Goods; and if any such Goods or any Portion thereof shall remain on any Quay or Pier beyond Four o'Clock in the Afternoon on the Third Day after the Day on which such Goods or any of them may have been landed or deposited, then and in such Case the Quay Rent payable to the Board shall be increased to 10*s.* for each and every Hour after the said Period of 24 Hours that such Goods or any Portion thereof shall remain upon such Quay or Pier; and such Quay Rent shall in all Cases be paid to the Board by the Owner of the Goods in respect of which the same may have become payable; and if any Person shall suffer any such Goods to remain on such Quay or Pier so as to cause, in the Judgment of any Harbour-master, Dock-master, or Traffic Manager, an Obstruction to Business for a longer Period than shall be necessary for the removing thereof, notwithstanding any Quay Rent may have become payable or would otherwise become payable in respect of such Goods or any of them, he shall be liable to a Penalty of not exceeding 5*l.*, and without Prejudice to the Right of the Board to receive and compel Payment of all Quay Rent which may have become payable previously to the actual Removal of such Goods or any of them.

28. All Timber deposited on any Quay, or on any Land appropriated by the Board as a Timber Depôt for the Purpose of being measured and passed by the proper Officers of Her Majesty's Revenue, shall be wholly removed therefrom within the Space of 72 Hours, or within such shorter Period, not being less than 48 Hours from the Day on which the same shall have been so measured or passed as aforesaid, as may be appointed by any Byelaw of the Board; and if such Timber or any Part thereof shall remain on such Quay or in any such Depôt as aforesaid beyond the Period aforesaid, a Quay Rent of 5*s.* for each and every Hour during the 24 Hours then next ensuing that such Timber or any Part thereof may remain on such Quay or in such Depôt shall be payable to the Board in respect of such Timber; and if any such Timber or any Part thereof shall remain on such Quay or in such Depôt beyond 24 Hours next immediately succeeding such Period of 72 Hours, or such shorter Period before specified, then and in such Case the Quay Rent payable to the Board shall be increased to 10*s.* for each and every Hour after the said Period of 24 Hours that such Timber or any Part thereof shall remain on such Quay or in such Depôt, and such Quay Rent shall in all Cases be paid to the Board by the Owner of the Timber in respect of which the same may have become payable: Provided always, that the Board shall not in any Case be entitled to recover any larger Amount of Quay Rent than the Value of the Timber in respect of which the same may have been incurred.

29. The 72 Hours or other Time during which Timber may so remain on such Quays or in any such Depôt as aforesaid shall be calculated from the Hour of Sunset on the Day on which such Timber shall have been measured and passed by the Officers of Her Majesty's Revenue.

30. Any Quay Rent which may become payable to the Board may be recovered by them in the same Manner as any other Rents or Rates or as any Penalties are by "The Mersey Dock Acts Consolidation Act, 1858," authorized to be recovered: Provided always, that, subject and according to such General Rules and Regulations as shall have been previously approved and sanctioned by the Board of Trade, the whole or any Part of any Quay Rent which may have become payable may be remitted or returned by the Board.

31. The Board may, whenever they shall think fit so to do, require that the Quay Rent which may have accrued in respect of any Goods shall be paid by the Owner thereof to the Treasurer of the Board previously to the Removal or Commencement of the Removal of all or any of such Goods, and in case any further Quay Rent shall have accrued previously to the Removal of the whole of such Goods, may, if they shall think fit, require that such additional Quay Rent shall be paid by the Owner of such Goods to such Treasurer previously to the Removal of any further Portion of such Goods.

32. The Board may, subject and according to such General Rules and Regulations, so approved and sanctioned by the Board of Trade as aforesaid, in any Case where the same can in their Opinion be allowed without Prejudice to the working of any Dock or Docks, permit Goods to remain on any Quay or Pier for a Period to be fixed by them, upon the Payment of such Rent, if any, or upon such other Terms and Conditions as the Board may prescribe, and without incurring Quay Rent during such Period; and if the whole of such Goods be not removed previously to the Expiration of the Period for which

such Permission may have been given, the Owner thereof shall thereupon become liable to the Payment of the same Amount of Quay Rent as he would have been liable to pay if such Permission had not been granted.

33. The Board shall and they are hereby required, out of their General Revenues, to pay to the Treasurer of the Borough the annual Sum of 1,000*l.*, by Two equal half-yearly Payments on the Fifth Day of April and the Fifth Day of October in every Year, the First Payment of the whole or a proportionate Part, as the Case may be, to be made on the First of those Days which shall happen next after the Commencement of this Act; and the said Treasurer shall apply the Monies so from Time to Time received by him as follows, that is to say, the Sum of 700*l.* towards the Maintenance of the Police Superannuation Fund of the Borough, and the Residue towards the other Expenses now borne by the Corporation in connexion with the Docks.

34. In addition to any other Duties (if any) which may be imposed upon all or any of the Persons appointed by the Board to act as Traffic Managers, such Traffic Managers shall exercise a general Superintendence over the whole Traffic on the Quays and Piers within their respective Docks or Districts, and make a periodical Report thereon to the Board, and superintend the various Master Porters, Master Stevedores, and Master Lumpers acting or employed therein, and shall report to the Board from Time to Time any Neglect of Duty on the Part of any such Persons, and also shall keep a correct Account of all Fines and Penalties which shall have been incurred and all Quay Rents which shall have become payable to the Board; and for better enabling such Traffic Managers to perform their several Duties, they shall at all Times have free Access to all Books, Writings, and Documents kept or made, as well by such Persons as by the Landing Clerks, Porters, Servants, and other Persons employed by them or any of them, relating to their several Duties of Master Porters, Master Stevedores, Master Lumpers, Landing Clerks, Porters, or other Persons, with full Power to make Copies thereof or Extracts therefrom; and if any Master Porter, Master Stevedore, Master Lumper, Landing Clerk, or other Person shall in any Manner prevent or endeavour to prevent any such Traffic Managers from having such Access or from making any such Copy or Extract as aforesaid, he shall for every such Offence be liable to a Penalty of not exceeding 50*l.*

35. If the Owner of any Goods landed or deposited on any Quay or Pier shall not wholly remove the same from off such Quay or Pier before the Hour of Four o'Clock in the Afternoon on the Second Day next after the Day on which such Goods or any of them may have been landed or deposited, or if any Person shall suffer any such Goods to remain on any such Quay or Pier so as to cause an Obstruction for a longer Period than shall be necessary for the removing thereof, although such Period may not have expired, then and in any of such Cases the Board or any of their Officers may remove such Goods to some Warehouse of the Board or other Place of Safety, but such Removal shall not in any Manner excuse such Owner or other Person from the Payment of any Quay Rent which may have accrued, or from any Penalty which may have been incurred; and the said Goods may be detained at such Warehouse or other Place until the Charges of taking and removing, detaining, warehousing, and storing the same, together with the full Amount of the Quay Rent (if any) which may have accrued in respect of such Goods or any of them, and the lawful Charges of the Master Porter in respect of such Goods, shall have been paid; and in case such Charges and Quay Rent (if any) shall not be paid within Ten Days after the Removal of such Goods, the same may be sold by Public Auction, and out of the Proceeds of such Sale all Charges (including Quay and other Rent) incidental to such Removal, Sale, and Detention, and such other Charges as aforesaid, and also the Freight thereof, in case Notice to detain the same for the Payment of such Freight shall have been served upon the Board, may be retained by them; and the Overplus (if any) shall be rendered to the Owner of such Goods; and in case any Person shall wilfully obstruct or hinder any Officer of the Board in the Removal of the said Goods or any of them, he shall for every such Offence be liable to a Penalty of not exceeding 10*l.*

36. Section 359 of "The Mersey Dock Acts Consolidation Act, 1858," shall be incorporated with and form Part of this Act; and whenever by this Act or any Byelaw made under the Authority of this Act, or of any Provisions herein contained, any Act, Matter, or Thing is authorized or required to be done or is prohibited from being done, or any Rent is declared to become due or payable before, at, or after the Period of Four o'Clock in the Afternoon on any Day, such Period shall, in the event of any other Hour, whether earlier or later, being sanctioned or recognized by the Board as the closing Hour for Business on any Day, be deemed and construed for all Intents and Purposes whatsoever to mean on such Day the Hour so authorized or sanctioned by the Board as aforesaid, instead of the said Hour of Four o'Clock in the Afternoon.

37. The Board may from Time to Time make such Byelaws as they may deem expedient for defining the Duties and for the Regulation and good Government of the Persons for the Time being appointed, authorized, or licensed by the Board to act as Master Porters, Surveyors of Cargoes and Goods, Traffic Managers, Master Stevedores, and Master Lumpers, or in any of such Capacities, and of all Porters and other Persons employed by them or any of them, and for regulating the Amount of the Charges to be made by such Surveyors or to be received by the Board for or on account of Work done or Certificates given by them or any of them; and all Byelaws so made by the Board shall for all Purposes whatsoever be deemed and taken to be Byelaws made by the Board, in pursuance of Provisions contained in "The Mersey Dock Acts Consolidation Act, 1858."

As to Recovery of Penalties, § 38.

Warehouses may be let, § 39.

40. Whereas various Leases were granted by the Birkenhead Dock Company to several Persons of Portions of the Land and Wharf Walls adjoining the Great Float at Birkenhead for Terms of 14 Years, at large annual Rents, which Terms have not yet expired: And whereas during the Progress of the Works commenced by the Corporation for the Completion of the Birkenhead Docks the Exclusion of the Water from the Great Float was rendered necessary, whereby Water Access from the River Mersey was cut off from the said Lands, in consequence whereof, and the Injury alleged by them to be thereby sustained, some of such Persons claim to be entitled to have new Leases granted to them for various Terms not exceeding the Term of 14 Years from the Day on which Water should be re-admitted into the Great Float, under the same Rent, and with and subject to the same or the like Covenants, Conditions, Declarations, and Provisions as were reserved, contained, and declared in and by the aforesaid Leases respectively, which Claims were admitted by the Corporation, who agreed to grant such Leases accordingly, such new Leases being accepted in full Compensation for the Injury so alleged to have been sustained as aforesaid: And whereas "The Mersey Docks and Harbour Act, 1857," Section 26, vested the Birkenhead Docks in the Board, on and after the 1st Day of January 1858, subject to all Charges and Liabilities affecting the same: And whereas on the 1st Day of March 1861 the Works in the Great Float were completed, and Water Access was restored thereto from the River Mersey: And whereas in consequence of Provisions contained in "The

Mersey Dock Acts Consolidation Act, 1858," Doubts are entertained whether the Board is able fully to perform the Agreement so entered into by the Corporation for the granting of new Leases; for the Removal of which Doubts be it enacted, That it shall be lawful for the Board, in each Case in which they shall be satisfied that the Corporation had so agreed with the Person entitled to the Benefit of any such Lease as aforesaid, to make and execute to the Person now entitled to any such Lease so granted by the Birkenhead Dock Company as aforesaid a new Lease of the Land and Premises, Rights and Privileges expressed to be demised by such former Lease, for such Term as the Board may think fit to grant, not exceeding the Term agreed to be granted by the Corporation, and not exceeding in any Case the Term of 14 Years, to be computed from the said 1st Day of March 1861, under the same or the like Rent, payable at such or the like Times, and subject to the same or the like Covenants, Conditions, Declarations, and Provisions as were reserved, contained, and declared in and by the Lease granted by the Birkenhead Dock Company, with such Alterations only with regard to the Time of Payment of the Rent or Rents reserved and the Description of the demised Premises as Change of Time and Circumstances may render necessary, any Provisions in "The Mersey Dock Acts Consolidation Act, 1858," to the contrary notwithstanding; and every such new Lease shall be in full Satisfaction for all Compensation to which the Lessees might have otherwise been entitled on account of the Water having been excluded from the Great Float, or by reason of any of the Works executed by the Corporation or by the Board.

41. Provided always, That, notwithstanding the vesting in the Board by this Act of the Lands described in the Agreement set forth in the Schedule to this Act annexed, all Leases and Agreements for Leases for 14 Years, or for any less Term, of any Portions of such Lands at any Time heretofore granted, made, or entered into either by the Birkenhead Dock Company, or by the Corporation, or by the Board, and still subsisting, shall be and continue as valid and binding as if this Act had not been passed.

42. And whereas by Articles of Agreement entered into on the 20th Day of April 1861, between the Mersey Docks and Harbour Board of the one Part and Her Majesty's Principal Secretary of State for the War Department of the other Part, the Board have entered into an Engagement with the said Secretary of State (provided the Sanction of Parliament can be obtained) to demise and assure at a nominal Rent, unto him and his Successors, for the Term of 1,000 Years from the Date of such Agreement, in trust for Her Majesty, Her Heirs and Successors, Two several Pieces of Land, Part of the Mersey Dock Estate on the Lancashire Side of the River Mersey, and formerly Part of the Strand of the said River, One of such Parcels of Land (intended as and for the Site of a Battery) being a triangular Piece of Land, West of the Bootle Land Marks, and situate at the extreme North-west Corner of the Mersey Dock Estate, and containing by Admeasurement 4,500 Square Yards or thereabouts, as the same is more particularly delineated in the Plan annexed to the said Articles of Agreement, and the other of such Parcels of Land (also intended as and for the Site of a Battery) being a Piece of Land situate on the Salisbury Dock Pier, and containing in the whole by Admeasurement 800 Square Yards or thereabouts, as the same is also particularly delineated in the said Plan: And whereas it is expedient that the said Agreement should be confirmed, and that the Board should be enabled to complete and fully carry out the same: Be it therefore enacted, That the said recited Articles of Agreement shall be and the same are hereby confirmed, and that it shall be lawful for the Board to grant unto Her Majesty's Principal Secretary of State for the War Department, and his Successors, at a nominal Rent, for the Term of 1,000 Years, to be computed from the Date thereof, in trust for Her Majesty, Her Heirs and Successors, the said Two several Parcels of Land, and generally to carry out all the several Matters, Articles, and Agreements comprised in the said recited Articles of Agreement, as fully and effectually, to all Intents and Purposes, and in the same Manner in all respects, as if such Agreement had been expressly authorized by and had been entered into by the Board in pursuance of the Provisions for that Purpose contained in this Act.

43. Whereas by Section 231 of "The Mersey Dock Acts Consolidation Act, 1858," Vessels remaining in the Docks more than Three Months are liable to an additional Rate of 2*d.* per Ton per Month: And whereas owing to the increasing Trade of the Port of Liverpool and the crowded State of the Docks it is expedient that such additional Rate should be increased: Be it enacted, That from and after the Commencement of this present Provision all Vessels which may then or which shall at any Time thereafter have remained in the Docks for the Space of Three Months, and which would, if this Act had not been passed, thereby have become liable to the said additional Rate of 2*d.* per Ton per Month, shall, in lieu of such additional Rate of 2*d.* per Ton per Month, be liable to the additional Rate of 2*d.* per Ton per Week during the Time which such Vessels shall remain in any of the Docks beyond the said Period of Three Months, but so that such increased Rate shall not be calculated in respect of any Week or Portion of a Week which shall have elapsed prior to the passing of this Act: Provided always, that nothing in this present Provision contained shall in anywise exonerate any Vessel from the Payment of any Sum of Money which she may have actually become liable to pay in respect of the aforesaid Rate of 2*d.* per Ton per Month previously to the passing of this Act; provided further, that the Board may from Time to Time, at their Discretion, require a less Amount than the said additional Rate of 2*d.* per Ton per Week to be paid by Vessels lying in any Dock or Docks which the Board may for the Time being expressly authorize to be used by Vessels lying up or unemployed.

44. The Time at which a Court shall be held for the Revision of the List of Dock Electors shall be some Time in the Months of September or October in every Year, instead of between the 1st Day of August and the 1st Day of September, as required by the 19th Section of "The Mersey Docks and Harbour Act, 1857."

Bonds to be Personal Estate, § 45.

Schedule. (Agreement of 27th April 1861, between Corporation of Liverpool and Mersey Docks and Harbour Board.)

Cap. clxxxix.

"The Wenlock Railway Act, 1861."

Preamble proposes the making of a Railway from Much Wenlock in the County of Salop, in extension of the Much Wenlock and Severn Junction Railway, to join the Shrewsbury and Hereford Railway in the Parish of Wistanstow in the said County, and also of a Railway from the Much Wenlock and Severn Junction Railway to Coalbrookdale in the said County, with a Line of Railway to connect the Severn Valley Railway therewith.

Incorporation of Consolidation Acts, § 1.

Subscribers incorporated, with a Capital of 125,000*l.*, and Power to borrow 41,500*l.*, §§ 4 to 8.

Meetings; Directors, &c., §§ 11 to 18.

Power to make Railway, § 19.

Power to alter Engineering Works, § 21.

Level Crossings, §§ 22 to 25.

Communications with other Railways, § 27.

Power to agree as to Construction of Joint Station at Coalbrookdale, § 30.
Five Years for Completion of Works, § 31.
Tolls, §§ 36 to 43.
Power to certain Railway Companies to subscribe, § 44.
Joint Committee, § 46.
Joint Committee for Coalbrookdale Extension, § 47.
Umpirage, § 48.
Joint Committee to exercise Powers of Company with respect to Coalbrookdale Extension, § 49.
And to vote at General Meetings, § 50.
Power to subscribing Companies to raise Money by the Creation of Shares, § 51.
Power to use certain Railways and Portions of Railways, § 52.
Terms of such Use, § 53.
For protecting Local Traffic, § 54.
Subscribing Companies may run over Portion of Coalbrookdale Extension, § 55.
Terms and Conditions of such User, § 56.
Power to enter into Traffic Arrangements with certain other Companies, §§ 57 to 64.
Tolls may be taken by the contracting Companies, subject to Working Agreement, § 65.
Appointment of Joint Committee for carrying Arrangements into effect, § 66.

Cap. cxc.

"The Salisbury and Dorset Junction Railway Act, 1861."

Preamble recites that the making of a Railway from the Bishopstoke Branch of the London and South-western Railway Company in the Parish of Alderbury in the County of Wilts, to join the Southampton and Dorchester Branch of that Company in the Parish of West Parley in the County of Dorset, would be of public Advantage; and that the Company and the London and South-western Railway Company should be empowered to enter into Arrangements with respect to the Railway.
Incorporation of Companies, Lands, and Railways Clauses Consolidation Acts, § 1.
Incorporation of Company, with a Capital of 160,000*l.*, §§ 4, 5.
Power to borrow 53,300*l.*, § 10.
Meetings; Directors, &c., §§ 12, 13.
Power to make Railway and Works according to deposited Plans, § 17.
Line of Railway, § 18.
Power to alter Engineering Works, § 19.
Communications with the London and South-western Railway, §§ 20 to 23.
Three Years for compulsory Purchase of Lands, § 25.
Five Years for Exercise of other Powers, § 26.
Tolls, §§ 29 to 39.
Provisions as to Traffic Arrangements with London and South-western Railway Company, §§ 40 to 44.

Cap. cxci.

"The South-eastern Railway Amendment Act, 1861."

Preamble recites the Acts relating to the South-eastern Railway Company; that by 16 & 17 Vict. c. clvi., the Company were empowered to provide, maintain, and use, and do accordingly maintain and use, Steam Vessels in connexion with their Railway for Traffic between the Ports of Folkestone or Dover and the Ports of Calais and Boulogne, and it is expedient that further Powers with respect to Steam Vessels should be granted to the Company, and that they should be empowered to provide and maintain Steam Vessels and to use them in connexion with their Railway between Folkestone or Dover, and the Ports of Boulogne or Calais or Ostend; that they also work and hold the London and Greenwich Railway under a Lease for 999 Years granted by the London and Greenwich Railway Company under the Authority of the Act (Local) of 8 & 9 Vict. c. lxxx., but the Company have no Power to make Byelaws for regulating the London and Greenwich Railway, and it is expedient that such Powers should be granted to them; that by 6 & 7 Will. 4. c. lxxv., the Company were incorporated and were authorized to make and maintain the South-eastern Railway, and to be Carriers thereon, and by Section 189 of the reciting Act it was enacted, that in all Cases in which the Company should carry for their own Profit any Passengers, Cattle, or other Animals, Goods, Wares, or Merchandise, Articles, Matters, or Things, a separate Account should be duly kept, showing the Amount of Rates or Tolls which would have been received by the Company, or which would have been received by them for the Use of the Railway in respect of such Passengers, Cattle, or other Animals, Goods, Wares, or Merchandise, Articles, Matters, or Things, if carried by any other Party or Parties, and that the Overseers of the Poor of the several Parishes and Townships through which the Railway should pass should have free Access to and Liberty to inspect the same at any Time during the first 14 Days in the Months of April and October in each Year; that by 7 Will. 4. & 1 Vict. c. xciii. it was enacted, that in all Cases in which the Company should carry for their own Profit any Passengers, Cattle, or other Animals, Goods, Wares, or Merchandise, Articles, Matters, or Things, a separate Account should be duly kept, showing the Amount of Rates or Tolls which would have been received by the Company for the Use of the Railway in respect of such Passengers, Cattle, or other Animals, Goods, Wares, or Merchandise, Articles, Matters, or Things, if carried by any other Party or Parties, and that the Company should also keep an Account of all Tolls and Rates which should be actually received by them for the Carriage of the same; and that the Overseers of the Poor of the several Parishes and Townships through which the Railway should pass should have free Access to and Liberty to inspect such Accounts at any Time during the first 14 Days in the Months of April and October in each Year; and that if the Company should neglect or refuse to keep such Accounts or to permit such Inspection thereof as aforesaid, they should forfeit and pay for every such Neglect or Refusal the Sum of 300*l.*, and the further Sum of 50*l.* for every Day during which such Neglect or Refusal might continue; that by 2 & 3 Vict. c. xlii. it was enacted, that the Company should and they were thereby required in each and every Year to cause an annual Account in abstract to be prepared, showing the total Receipts and Expenditure of all Funds levied under or by virtue of that or the recited Acts for the Year ending on the 1st Day of October, or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, duly audited and certified by the Secretary or Clerk for the Time being of the Company, and should transmit a Copy of the said Account free of Charge to the Clerks of the Peace for the Counties of Kent and Surrey on or before the 1st Day of January then next, which Account should be open to the Inspection of the Public at all seasonable Hours, on Payment of the Sum of 1*s.* for every such Inspection; provided always, that if the Company should omit or neglect to prepare and transmit, or cause to be prepared and transmitted, such Account as aforesaid, they should forfeit and pay for every such Omission or Neglect the Sum of 20*l.*; that by 6 & 7 Vict. c. li. it was recited, that it was by the first-recited Act enacted that in all Cases in which the Company

should carry for their own Profit any Passengers, Cattle, or other Animals, Goods, Wares, or Merchandise, Articles, Matters, or Things, a separate Account should be duly kept, showing the Amount of Rates or Tolls which had been received by the Company, or which would have been received by them for the Use of the Railway in respect of such Passengers, Cattle, or other Animals, Goods, Wares, or Merchandise, Articles, Matters, or Things, if carried by any other Party or Parties, and that the Overseers of the Poor of the several Parishes and Townships through which the Railway should pass should have free Access to and Liberty to inspect the same at any Time during the first 14 Days in the Months of April and October in each Year, and that it was expedient that that Enactment should be repealed and other Provisions enacted in lieu thereof, and it was therefore enacted that the same should be and the same was accordingly thereby repealed; and for the Purpose of providing for the proper rating of the Railway to the Relief of the Poor it was enacted, that the Company should keep an Account of the whole Tolls received by them, and rateable for the Relief of the Poor, showing the gross Amount of the monthly Receipts in respect of such Tolls received in every Year, and the Amount and Particulars of the Expenditure in every such Year, on account of any Expenses, the probable annual average Cost of which was to be taken into account in ascertaining the net annual Value of the Railway for the Purpose of rating the same for the Relief of the Poor; and that if the Company should carry for their own Benefit any Passengers, Cattle, or other Animals, Goods, or other Matters, they should keep a separate Account, showing the Amount of Tolls or Sums which would have been received by the Company in every such Year for the Use of the Railway in respect of such Passengers, Cattle, Goods, or other Matters, if the same had been carried by any other Party, and the Amount of Tolls or Sums which should have been actually received by the Company for the Carriage of the same; that by "The Railways Clauses Consolidation Act, 1845," (Section 107,) it was enacted, that the Company should every Year cause an annual Account in abstract to be prepared, showing the total Receipts and Expenditure of all Funds levied by virtue of that or the Special Act for the Year ending on the 31st Day of December, or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account duly audited and certified by the Directors or some of them, and by the Auditors, and should, if required, transmit a Copy of the said Account free of Charge to the Overseers of the Poor of the several Parishes through which the Railway should pass, and also to the Clerks of the Peace for the Counties through which the Railway should pass, on or before the 31st Day of January then next, which last-mentioned Account should be open to the Inspection of the Public at all seasonable Hours on Payment of the Sum of 1*s.* for every such Inspection; provided always, that if the Company should omit to prepare or transmit such Account as aforesaid, if required so to do by any such Clerk of the Peace or Overseers of the Poor, they should forfeit for every such Omission the Sum of 20*l.*; and whereas "The Railways Clauses Consolidation Act, 1845," is wholly or partly incorporated with several of the South-eastern Acts passed in and subsequently to the Year 1845; and whereas Doubts have arisen whether the recited Section 38 of the recited Act (1 Vict. c. xciii.), and the recited Section 18 of the recited Act (2 & 3 Vict. c. xlii.), and the recited Section 49 of the recited Act (6 & 7 Vict. c. li.) are in force, so as to render it obligatory on the Company to keep the several Accounts which by those Sections respectively were required to be kept, as well as the Accounts which by the recited Section 107 of "The Railways Clauses Consolidation Act, 1845," are required to be kept, and which since the passing of the last-mentioned Act the Company have kept; and it is expedient that those Doubts should be removed.

Certain Sections of 16 & 17 Vict. c. clvi. as to Steam Vessels repealed, § 2.
Power to South-eastern Company to provide and use Steam Vessels, § 3.
Power to charge Rates for Use of Steam Vessels, § 4.
For securing Equality of Treatment, § 5.
Byelaws relating to Steam Vessels, § 6.
Provision for Cesser of Powers as to Steam Vessels, § 10.
Power to make Byelaws for regulating the London and Greenwich Railway, § 11.
Certain Sections of recited Acts repealed, § 12.
Part of Railways Clauses Act incorporated, § 13.

Cap. cxcii.

"The Vale of Clwyd Railway Act, 1861."

Preamble recites that by "The Vale of Clwyd Railway Act, 1856," the Vale of Clwyd Railway Company was incorporated for the Purpose of making a Railway commencing by a Junction with the Chester and Holyhead Railway, on the West Side of and near to the Railway Bridge which crosses the River Clwyd at Foryd in the Parish of Abergele in the County of Denbigh, and terminating at or near the Town of Denbigh in the same County, which Railway has for some Time been completed and opened for Traffic; that the Company was by the recited Act empowered to raise 60,000*l.* by the Creation of Shares, and 20,000*l.* by borrowing on Mortgage or Bond, but such Capital having been found insufficient for the Completion of the Railway by that Act authorized, the Directors advanced and became liable for such Sums as were necessary to complete and open the same for public Traffic, and it is expedient that such Advances and Liabilities should be repaid and discharged; and also that the Company should lay down another Line of Rails, and provide additional Rolling Stock and Plant for the Accommodation of their increased Traffic.

Certain Provisions of 8 & 9 Vict. c. 16. extended to this Act, § 2.
Power to raise additional Capital of 50,000*l.* by new Shares, § 3.
Regulations as to new Shares, Dividend, &c., §§ 4 to 7.
Application of 30,000*l.* to Payment of Debts incurred, § 8.

Cap. cxciii.

"The Ware, Hadham, and Buntingford Railway (Deviation) Act, 1861."

Preamble recites that by the Ware, Hadham, and Buntingford Railway Act, 1858, the Ware, Hadham, and Buntingford Railway Company were incorporated, with Power to make and maintain a Railway, commencing by a Junction with the Hertford and Ware Branch of the Eastern Counties Railway in the Parish of Great Amwell in the County of Hertford, and terminating in the Parish of Laystone in that County; that they are proceeding with the Construction of the Ware Railway by that Act authorized; and it is expedient that they be authorized to make a Deviation from the said authorized Line of the Ware Railway, and to abandon the Portion of the said authorized Line which will by reason of such Deviation be rendered needless; and also that the Eastern Counties Railway Company be authorized to contribute towards the Funds of the Company, and to appoint Directors of the Company, and to vote at Meetings thereof; and that the Company and the Eastern Counties Company be authorized to make Traffic and Working Arrangements.

Incorporation of Lands and Railways Clauses Acts, § 2.
Power for Company to make Deviation Line, and to take Lands for Works authorized, §§ 4, 5.
Power to alter Engineering Works, § 6.
Company to abandon Part of Line, § 7.
Compensation, § 8.
Three Years for compulsory Purchases, § 10.
Five Years for Completion of Works, § 11.
Deposit made to apply to Railway as diverted, § 12.
Powers to agree with Eastern Counties Company, § 13.
Joint Committee for Purposes of Agreements, § 14.
Regulations as to Agreements, §§ 15 to 21.
Application of Clauses of certain Parts of 8 & 9 Vict. c. 16. to Eastern Counties Company, § 22.
Power for Eastern Counties Company to contribute towards Company's Undertaking, § 23.
Power for Eastern Counties Company to raise Monies to be contributed, § 24.
Authority of Shareholders for Contributions, § 25.
Payment of preferential Dividend, § 26.
Saving existing Preference Shares, § 28.
Subscription by Eastern Counties Company included in Agreement of 1854 for Amalgamation with Eastern Union and other Companies, § 29.
Nature and Amount of Sums to be deducted by Eastern Counties Company under Agreement, § 30.
Votes for Eastern Counties Company at Meeting of Company, § 31.
Power to Eastern Counties Company to appoint Directors, 32 to 38.

Cap. cxciv.

"The Ramsey Railway Act, 1861."

Proposes to authorize the Construction of a Railway from Holme to Ramsey in the County of Huntingdon.
Incorporation of Consolidation Acts, § 1.
Subscribers incorporated, with a Capital of 30,000*l.*, and Power to borrow 8,000*l.*, §§ 4 to 8.
First and other Meetings; Directors, &c., §§ 13 to 17.
Power to make Railway, §§ 18, 19.
Level Crossings, §§ 20 to 23.
Two Years for compulsory Purchase of Lands, § 25.
Three Years for Completion of Works, § 26.
For Protection of the Drainage and Navigation of Bedford Level, § 28.
Mode of executing Work across Banks, § 29.
Before Works commenced Company to widen Banks if required, § 30.
Works of Company not to unite Drainage of Districts, § 31.
Land taken by the Company to be subject to Drainage Taxes, § 32.
Preserving Right to alter or divert Works of Drainage; as to Expense of new or altered Drainage Works, § 33.
As to the Construction of particular Bridges, § 34.
General Directions for crossing Rivers, &c. in the Bedford Level, § 35.
Company to uphold Works erected by them, § 36.
Company to make good unforeseen Injuries to Drainage or Navigation, § 37.
Company to keep certain Parts of Banks and Towing-paths in repair, § 38.
As to Alterations in Towing-paths or Droves, § 39.
Works in Bedford Level to be executed under the Superintendence of the Engineer of the Parties interested if required, § 40.
Penalty on Default of Company as to Works for Protection of Bedford Level; Special Damages, § 41.
Reservation of Rights of the Bedford Level Corporation, § 42.
Reservation of the Rights of the Middle Level Drainage Commissioners, § 43.
Reserving the Rights of District Commissioners, § 44.
Reserving Rights of the River Nene Navigation Commissioners, § 45.
Passenger, Merchandise, and other Tolls, §§ 46 to 54.

Cap. cxcv.

"The Alva Railway Act, 1861."

Proposes to make a Railway from the Stirling and Dunfermline Railway at or near to the Cambus Station to Alva.
8 & 9 Vict. cc. 17., 19., and 33. incorporated, § 1.
Subscribers incorporated, with a Capital of 15,000*l.* in Shares of 10*l.*, §§ 3 to 6.
Power to borrow 5,000*l.*, §§ 9, 10.
Meetings; Directors, §§ 11 to 20.
Power to make Railway, §§ 21, 22.
Junction with the Stirling and Dunfermline Railway, §§ 23, 24.
Two Years for compulsory Purchase of Lands, § 26.
Three Years for Completion of Works, §§ 27, 28.
Tolls, §§ 29 to 37.
Power for the Edinburgh and Glasgow Railway Company and the Company, to enter into Working and Traffic Arrangements, §§ 38 to 42.

Cap. cxcvi.

"The North London Railway (City Branch) Act, 1861."

Preamble recites that the Construction of a Railway between the North London Railway and Liverpool Street in the City of London, together with a Terminal Station at Liverpool Street, would be of great Advantage to the Public; that the North London Railway Company are willing to construct the said proposed Line of Railway at their own Expense; and that the London and North-western Railway Company are the Holders of a considerable Number of Shares in the Undertaking of the North London Railway, and it is expedient that Provision be made for the Appropriation to the sole and exclusive Use of that Company, and for vesting absolutely in them, a Part of the proposed Terminal Station near Liverpool Street, and that the North London Railway Company and the London and North-western Railway Company be empowered to enter into Arrangements and Agreements in reference thereto and to the Undertaking of the North London Railway; and also that the North London Railway Company and the London and North-western Railway Company respectively should be empowered to raise and apply further Capital for the Construction of the said Railway and Station, and the Works connected therewith.
Incorporation of Consolidation Acts, § 2.
Power to take Lands and to make Railways, §§ 5, 6.
Power to stop up certain Streets, § 7.
Soil of Streets permanently closed vested in the Company, § 8.
Questions of disputed Compensation in London to be heard in the Lord Mayor's Court of the City of London, § 9.
Liverpool Street to be widened to Sixty Feet, § 10.
Access to be provided from Sun Street to Liverpool Street Station, § 11.
A new Passenger Station to be constructed at Kingsland, § 12.
Regulating Stoppages at or Mode of passing such Station, § 13.
Prescribing Manner of crossing Streets in the City of London, § 14.
Streets under Bridges to be lighted by Day and Night, § 15.

Company to restore Streets, § 16.
Company to restore Sewers, Drains, &c., § 17.
Drainage Works to be subject to Commissioners, Vestry, or District Board, and their Rights, § 18.
Local Rates to be made good, § 19.
Company to make good Deficiencies in Poor and other Parochial Rates in the Parish of Saint Leonard, Shoreditch, § 20.
Penalties and Rates to be recovered, § 21.
For Protection of Sewers of Metropolitan and other Boards, § 22.
Regulating the Crossings under the Metropolis Roads, §§ 23 to 29.
Regulating Mode of crossing Worship Street, § 30.
Regulating Mode of crossing Moore's Gardens, § 31.
Prescribing Manner of crossing Streets in the Parish of Saint Leonard, Shoreditch, § 32.
Railway not to be deviated Eastward of the Centre Line at Nichols Square, § 33.
Property to be purchased at the West End of Nichols Square, § 34.
Wall to be built at the End of Nichols Square, § 35.
No Erection to be made at the End of Nichols Square, § 36.
Saving the Rights and protecting the Works of the Regent's Canal Company, § 37.
Company to construct and keep in repair the Bridge across the Regent's Canal, § 38.
Bridge to be completed in Twelve Months; Penalty on Railway Company for causing Loss of Water or Obstruction in the Navigation of the Regent's Canal, § 39.
Regent's Canal Company, and others, not to be precluded from recovering Special Damage, § 40.
Four Years for compulsory Purchase of Lands, § 41.
Five Years for Completion of Railway and Works, § 42.
Tolls and Charges, § 44.
Trains for Labouring Classes, § 45.
Providing for the continued Working of the North London Railway in connexion with the Blackwall Railway, § 46.
Power to London and North-western Railway Company to construct Station at City Terminus, § 47.
Power to sell or lease Goods Station so constructed by the Company to the London and North-western Railway Company, § 48.
Power to sell or lease to the London and North-western Railway Company the Lands required for a Goods Station to be constructed by them, § 49.
Power to London and North-western Railway Company to appropriate Funds for Purchase or Lease, § 50.
Power to make Agreements with the London and North-western Company relating to the Goods Station, § 51.
Power to make Agreement with the London and North-western Railway Company for working and other Purposes, § 52.
Conditions of Agreements, §§ 53 to 55.
Power of Company to create new Shares, § 56.
Proprietors of existing Stock to have an Option of subscribing for new Capital, § 58.
As to Votes of Holders of new Capital, § 59.
Power to borrow 233,000*l.* on Mortgage, §§ 63 to 68.
Application of Money raised under this Act, § 69.
Power to London and North-western Company to take their proportionate Amount of the new Share Capital, § 70.
Power for London and North-western Railway Company to raise additional Capital, § 71.
Regulations as to new Shares created by London and North-western Railway Company, §§ 72 to 75.
Saving Rights of City of London, § 76.
Saving the Rights of the Parish of Saint Leonard, Shoreditch, § 77.

Cap. cxcvii.

"The Coleford, Monmouth, Usk, and Pontypool (Lease, &c.) Act, 1861."

Preamble recites that by "The Coleford, Monmouth, Usk, and Pontypool Railway Act, 1853," the Company were incorporated, and so much of the Railway thereby authorized as extends from the Junction of the same with the Railway now called the West Midland Railway in the Parish of Llanvihangel Pontymoyle to Monmouth has been constructed and opened for Traffic; that the said Railway is connected and communicates with a Portion of the Railway formerly belonging to the Newport, Abergavenny, and Hereford Railway Company, now amalgamated with and forming a Portion of the Undertaking of the West Midland Railway Company, and it would be conducive to the Convenience of the Public, as well as the safe and economical working of the said Railways, that the Railway and Undertaking of the Company should be leased or sold to or be amalgamated with the Undertaking of the West Midland Railway Company.
Lease of the Undertaking of the Company to the West Midland Railway Company, § 1.
Terms, &c. of Lease, § 2.
Effect of Lease, § 3.
Evidence of Consent of Companies to Lease, § 4.
Lease of Railway not to affect Third Parties, § 5.
Schedule. (Heads of Agreement between the Coleford Company and the West Midland Railway Company, dated 31st January 1861.)

Cap. cxcviii.

"The Glasgow and Milngavie Junction Railway Act, 1861."

Proposes the making of a Railway from the Glasgow, Dumbarton, and Helensburgh Railway to Milngavie in the Counties of Dumbarton and Stirling, so as to connect the City of Glasgow with Milngavie; and to provide for the working of the proposed Railway by the Edinburgh and Glasgow Railway Company.
Incorporation of Consolidation Acts, § 2.
Subscribers incorporated with a Capital of 30,000*l.*, §§ 3 to 8.
Power to borrow 10,000*l.*, §§ 9, 10.
Meetings; Directors, §§ 11 to 20.
Power to make Railway, §§ 21, 22.
Regulating Junction with Glasgow, Dumbarton, and Helensburgh Railway, §§ 23, 24.
A certain Road may be stopped up, § 25.
Two Years for compulsory Purchase of Lands, § 27.
Four Years for Completion of Works, §§ 28, 47.
Tolls, §§ 29 to 37.
Agreement for working of Traffic, &c. confirmed, § 38.
While worked under Agreement, Parts of Edinburgh and Glasgow Railway and Glasgow, Dumbarton, and Helensburgh Railway used to be deemed Part of the Railway, § 39.
As to crossing Glasgow Waterworks Pipes at Ferguston and Kayston, § 40.
Regulating Construction of Bridge over Pipes, § 41.
Water Commissioners may repair Accidents to Pipes, § 42.
Water Commissioners not to be responsible for Damage arising from such Accidents, § 43.
Company to be responsible for Damage to Pipes, § 44.
Commissioners may lay additional Pipes, § 45.
Schedule. (Agreement.)

Cap. excix.

" Lynn and Hunstanton Railway Act, 1861."

Recites that the Construction of a Railway from the East Anglian Railways in the Borough of King's Lynn to Hunstanton, all in the County of Norfolk, would be attended with great local and public Advantage; and that the Line of the East Anglian Railways is now worked by the Eastern Counties Railway Company under the Provisions of an Agreement bearing Date the 2d Day of February 1852.
Incorporation of General Acts, §§ 2, 3.
Subscribers incorporated, with a Capital of 60,000*l.* in Shares of 10*l.*, and with Power to borrow 20,000*l.*, §§ 4 to 12.
Meetings; Directors, §§ 13 to 19.
Power to make Railway, §§ 20, 21.
Level Crossings, §§ 22, 26 to 28.
Protection of Gaywood Hall Estate, §§ 23 to 25.
Regulating the Junction with the East Anglian Railways, §§ 29 to 32.
Lands to be bought by Compulsion in Three Years, § 34.
Four Years for Completion of Railway, §§ 35, 36.
Tolls, §§ 37 to 43.
East Anglian Railways Company may hold Shares amounting to 20,000*l.* in Capital of Company, may apply Monies for Contribution towards Funds of Company, and may appoint Two Directors, §§ 44 to 47.
Company may contract with other Companies as to Use of Railway, §§ 48 to 54.
Company may use Portions of East Anglian Railways, §§ 55 to 57.
Saving Rights of Crown, § 59.

Cap. cc.

" The Devon Valley Railway Act, 1861."

Recites Incorporation of Company in 1858; proposes to extend the Time for Completion of Works, and to authorize certain Deviatoins.
Incorporation of Consolidation Acts, §§ 2, 3.
Extending Powers of recited Act to this Act, § 4.
Power to make new Lines of Railway, §§ 5, 6.
Power to alter Levels of a Portion of the Devon Valley Railway, § 7.
Power to Company to abandon the Formation of Part of the Line, §§ 8, 9.
Power to cross a certain Road on the Level, §§ 10 to 12.
Regulating Inclinations of certain Roads, § 13.
Two Years for compulsory Purchase of Lands, § 15.
Three Years for Completion of Works, §§ 16, 26.
Tolls, §§ 17, 18.
Application of existing Capital, § 19.
Extending Time for Completion of Devon Valley Railway for Three Years from passing of this Act, § 20.
Contracts, Notices, and Actions not to be affected, §§ 21 to 23.
Provisions of recited Act as to Capital, &c. applicable to this Act, § 24.
Place of Meeting of the Company changed to Clackmannan, § 25.

Cap. cci.

" The Caledonian and Symington, Biggar, and Broughton Railways Amalgamation Act, 1861."

Preamble recites the Act incorporating the Caledonian Railway Company, and that by "The Symington, Biggar, and Broughton Railway Act, 1858," the Symington Company were incorporated, and authorized to make a Railway from the Caledonian Railway near the Symington Station in the County of Lanark, by Biggar, to Broughton in the County of Peebles, and for that Purpose to raise Share Capital to the Extent of 36,000*l.*, and to borrow the Sum of 12,000*l.*; and the Caledonian Company were required to take and hold Shares in the Capital of the Symington Company to the Extent of 7,500*l.*, and were empowered to work the Traffic on the Railway by the said Act authorized; that by "The Symington, Biggar, and Broughton Railway (Extension) Act, 1860," the Symington Company were authorized to make an Extension of their Railway from Broughton to the Town of Peebles, and for that Purpose to raise additional Share Capital to the Extent of 75,000*l.*, and to borrow the further Sum of 24,900*l.*; and the Caledonian Company were required to take and hold additional Shares in the Capital of the Symington Company to the Extent of 15,000*l.*, and were authorized to take and hold Shares in the said Capital to the further Extent of 30,000*l.*, and were likewise empowered to work the Traffic of the said Extension; that the Caledonian Company have accordingly taken and now hold Shares in the Capital of the Symington Company to the Extent of 52,500*l.*; and the Symington Company have, in addition to the Shares so held by the Company, issued Shares in their Undertaking to the Extent of 18,950*l.*, which have been fully paid up, and have borrowed the Sum of 12,000*l.*; that the Caledonian Company have, under Powers contained in the said secondly and thirdly recited Acts, raised the said Sum of 52,500*l.* by the Creation and Issue of Preference Shares in their own Undertaking; that the Symington Company have completed the Portion of their Line from the Caledonian Railway near Symington to Broughton, and the same was opened for public Traffic on the 6th November 1860, and the Traffic thereon is now being worked by the Company, and it would be attended with Advantage and Convenience if the Undertaking of the Symington Company were amalgamated with the Undertaking of the Caledonian Company; that it has been agreed that the Shares described and numbered in the Schedule to this Act, being the Shares issued by the Symington Company other than those held by the Caledonian Company, shall be exchanged for an equal nominal Amount of Share Capital of the latter Company, entitled to the same Rate of Dividend as that payable upon the ordinary Shares or Stock of the Company, from and after the Date at which the Line from the Caledonian Railway to Broughton was opened for public Traffic, but that the Company shall have Power to redeem at par, at any Time within Five Years from and after the 13th April 1860, the Shares so given in exchange; that the Symington Company are now proceeding with the Extension of the said Line from Broughton to Peebles, and it is expedient that for the Purpose of completing the same the Caledonian Company should be authorized to raise, by means of ordinary or Preference Shares in their own Undertaking, the Portion still unissued of the Share Capital authorized by the secondly and thirdly recited Acts to be raised by the Symington Company, and to borrow such additional Monies as, together with the Sum already borrowed by that Company, will be equal to the Amount which that Company were authorized to borrow.
Companies amalgamated, and certain Provisions of Symington Company's Acts repealed, § 3.
Acts, so far as unrepealed, to apply to Caledonian Company, § 4.
Estate and Effects of Symington Company vested in Caledonian, § 5.

Debts, Liabilities, Conveyances, &c., transferred to Caledonian Company, §§ 6 to 10.
Symington Company's Shares extinguished, § 11.
Caledonian Shares to be issued to Holders of Symington Shares extinguished, § 12.
Dividend, § 13.
Caledonian Company may redeem Shares issued by them, § 15.
Caledonian Company may raise by new Shares 39,550*l.*, §§ 17 to 19.
May borrow 24,900*l.* on certain Conditions, § 20.
Certain Provisions of Companies Clauses Act (Scotland) incorporated, § 21.
Tolls, § 22.
SCHEDULE. (Description and Number of Shares in the Symington, Biggar, and Broughton Railway Company held by Persons other than the Caledonian Railway Company.)

Cap. ccii.

"The Caledonian Railway (Rutherglen and Coatbridge Branches) Act, 1861."

Proposes to enable the Caledonian Railway Company to make a Branch Railway from Rutherglen to Coatbridge, with a Branch to Whifflat.
Incorporates Consolidation Acts, § 3.
Power to execute Works, § 4.
Description of Branch Railways, § 5.
Power to alter Engineering Works, § 9.
Admiralty Provisions as to Bridge over the Clyde, §§ 10 to 12.
Three Years for compulsory Purchase of Lands, § 14.
Five Years for Completion of Works, § 15.
Tolls, § 16.
When Railway made a double Line, Monkland Railways Company may use the same, and certain other Portions of Company's Lines, on Payment of limited Tolls, § 17.
Limiting Rates on Monkland Railways Company's Traffic until double Line made, § 18.
If Rates reduced on Traffic from Wishaw or Coltness Estates, a corresponding Reduction to be made on Rates from Monkland Railways, § 19.
Such Traffic to be put on same Footing at Mineral Depôts as any other similar Traffic, § 20.
Regulating Tolls on Mineral Traffic of the Company of Proprietors of Forth and Clyde Navigation, § 21.
Power to raise Money by Creation of Shares not exceeding 180,000*l.*, § 22.
Power to borrow 60,000*l.* on Mortgage, § 25.
Certain Parts of Companies Clauses Act (Scotland) incorporated, § 26.

Cap. cciii.

"Cockermouth, Keswick, and Penrith Railway Act, 1861."

Proposes the making of a Railway commencing by a Junction with the Cockermouth and Workington Railway at or near Cockermouth, and terminating at or near Penrith in the County of Cumberland, and also a Branch Railway commencing by a Junction with the Lancaster and Carlisle Railway at or near the Penrith Station, and terminating by a Junction with the Main Line in a Field near Penrith.
Incorporation of General Acts, §§ 2, 3.
Subscribers incorporated, with a Capital of 200,000*l.*, in Shares of 20*l.*, §§ 4 to 9.
Power to borrow 66,000*l.*, § 10.
Directors; Meetings, §§ 12 to 19.
Power to make Railways, §§ 20, 21.
Company not to deviate Line without Consent, § 22.
Three Years for Lands to be purchased by Compulsion, § 24.
Five Years for Completion of Works, §§ 25, 27.
Company to construct Railway simultaneously, § 26.
Power to cross certain Roads on a Level, §§ 28 to 31.
Regulating Inclinations of certain Roads, and Width of certain Bridges, and Height of certain Arches, §§ 32, 33.
Land of Lancaster and Carlisle Railway and Cockermouth and Workington Railway Companies not to be taken without Consent, § 34.
Mode of effecting Communication with Lancaster and Carlisle and Cockermouth Railways, §§ 35 to 37.
Company and Cockermouth and Workington Railway Company may enter into Agreements for Use of Stations, § 38.
Saving Rights of these Companies, § 39.
Tolls, §§ 40 to 47.
Power for the Cockermouth and Workington Railway Company and the Company to enter into Traffic Arrangements, §§ 48 to 56.
Power to lay down Electric Telegraph, § 57.

Cap. cciv.

"The Great Western Railway (Lightmoor to Coalbrookdale) Act, 1861."

Proposes to enable the Great Western Railway Company to construct a Railway from the Terminus of the Madeley Branch of the Great Western Railway (Shrewsbury and Birmingham Section) to Coalbrookdale; and also a Branch Railway at Wednesbury, and also to acquire, for the Purposes of their Undertaking, certain Lands at Wolverhampton, and to lease the Undertaking of the Wellington and Severn Junction Railway Company; recites that the Railway from Lightmoor to Coalbrookdale will communicate with the Much Wenlock and Severn Junction Railway; and it is expedient that the Company should be empowered to enter into Arrangements and Agreements with that Company with respect to the Working and Traffic of their respective Railways, and also with respect to the Use and Management of a Station at the proposed Junction of the intended Line with the Wenlock Railway; that Powers were granted to the Company and the Vale of Llangollen Railway Company, and to the Company and the Llangollen and Corwen Railway Company, by "The Vale of Llangollen Railway Act, 1859," and "The Llangollen and Corwen Railway Act, 1860," respectively, to make and carry into effect Contracts with respect to the Working, Use, and Maintenance by the Company of the Undertakings of the said Two Companies respectively, provided always, that any such Contract should not be for more than Ten Years; and the Company, and the said other Companies respectively, have, in pursuance of the Powers so granted, made and entered into Contracts for the Working, Use, Maintenance, and Management by the Company of the respective Undertakings of the said Two Companies; but it is expedient that the Company and the said other Companies should be authorized to make and carry into effect Agreements in regard to the Matters aforesaid, without Restriction as to the Term of Endurance of the same.
Incorporation of Consolidation Acts, § 2.
Power to make Railway and Branch, § 4.
Regulations as to the Bridge over Birmingham Canal, §§ 6 to 13.
Tolls of Shrewsbury and Birmingham Railway to apply, § 14.
Power to take Lands at Wolverhampton, § 15.
Two Years for compulsory Purchase of Lands, § 16.
Four Years for Completion of Works, § 18.

Leasing Powers as to Wellington and Severn Junction Railway, §§ 20 to 26.
The Great Western Company and the West Midland Company empowered to make Agreements, § 27.
Power to make Traffic Agreements with Much Wenlock and Severn Junction Company, § 28.
Power to enter into Working Agreements with same, § 29.
Conditions of such Agreements; Joint Committee, §§ 30 to 36.
Power to make Agreements with Wenlock Company as to Stations, §§ 37 to 39.
Provision as to Working Agreements with Vale of Llangollen and Llangollen and Corwen Railway Companies, § 40.
Period for Sale of superfluous Lands extended, § 41.
Power to apply Corporate Funds, § 42.

Cap. ccv.

"The Kirkcudbright Railway Act, 1861."

Proposes the making of a Railway from the Royal Burgh of Kirkcudbright to the Town of Castle Douglas, and of a connecting Line therefrom to the Port Patrick Railway at that Town; recites that the proposed Railways might be beneficially worked in connexion with the Railways of the Glasgow and South-western Railway Company, the Castle Douglas and Dumfries Railway Company, or the Port Patrick Railway Company; and it is expedient that the said Companies should be respectively authorized, if they think fit, to contribute towards the proposed Undertaking, and take and hold Shares therein and to enter into Contracts for working the Railways, and for the Interchange of Traffic, and the Use of their respective Railways and Stations; that the Magistrates and Town Council of the Royal Burgh of Kirkcudbright are possessed of Farms, Building Land, Houses, and other Real Property adjoining and within the said Royal Burgh, and the Revenue arising therefrom for the past Year amounted to 1,200*l.*, and for the current Year is estimated at 1,400*l.*; that it is calculated that the annual surplus Revenue of the said Royal Burgh will amount to 270*l.*; that the Main Line of the proposed Railways will traverse the Lands of the said Royal Burgh for a Distance of upwards of a Mile, and a considerable Sum will be payable by the proposed Company for the Land required for the Construction of the said Main Line; and it is expedient that the said Sum should be converted into an annual Feu Duty or Ground Annual, pursuant to the Provisions of the Lands Clauses Consolidation Acts; that the Railways would materially increase the Value of the Property of the said Royal Burgh, and promote the Trade and Prosperity of the Town; that the Harbour of Kirkcudbright is vested in the said Magistrates and Town Council, and the Revenue thereof would be largely increased by the proposed Railways; and it has been proposed that in the event of the said Royal Burgh not being speedily connected by Railway with the existing Railways in the Stewartry of Kirkcudbright, the Local Courts and the official Business of the said Stewartry should be removed from the said Royal Burgh to Castle Douglas, which Removal would be highly prejudicial to the said Royal Burgh and the Inhabitants thereof, and would seriously depreciate the Value of the Real Property belonging to the said Royal Burgh, and render useless and unremunerative some of the Public Buildings, upon the Erection of which large Sums have been expended; and that for the Reasons above stated it is expedient that the said Magistrates and Town Council should be authorized to contribute towards the Undertaking.

Incorporation of General Acts, § 1.
Company incorporated, with a Capital of 60,000*l.*, and Power to borrow 20,000*l.*, §§ 3 to 10.

11. It shall be lawful for any One or more of the following Companies; (that is to say,) the Glasgow and South-western Railway Company, the Castle Douglas and Dumfries Railway Company, and the Port Patrick Railway Company, who shall so think fit, to contribute and apply their respective Funds towards the Undertaking, to such an Extent as shall be agreed upon with the Company, not exceeding the following Sums respectively; (that is to say), the Glasgow and South-western Railway Company the Sum of 20,000*l.*, the Castle Douglas and Dumfries Railway Company the Sum of 5,000*l.*, and the Port Patrick Railway Company the Sum of 5,000*l.*, and to take and hold Shares in the Company to an Extent corresponding to the Amount so agreed to be contributed by such Companies or Company respectively; and, except as hereinafter expressly provided, the said Companies or Company shall, in respect of the Shares held by them respectively, have all the Powers, Rights, and Privileges, and be subject to all the Obligations and Liabilities of Proprietors of Shares in the Company: Provided always, that any Company so contributing shall not vote in respect of such Shares in relation to the Company's Approval of or Assent to any Agreement, Contract, or Arrangement which, pursuant to the Provisions hereinafter contained, may be entered into with any of the above-named Companies.

Power to those Companies to raise Money for that Purpose by the Creation of Shares, with or without a Preference not exceeding 5*l.* per Cent., §§ 12, 13.

14. It shall be lawful for the Provost, Magistrates, and Town Council of the Royal Burgh of Kirkcudbright, hereinafter called "the Town Council," if they shall think fit, to contribute towards the Undertaking to an Extent not exceeding 3,000*l.*, and to take and hold Shares in the Company to an Extent corresponding to the Amount so to be contributed, and to apply towards such Contribution the Corporate Funds of the Burgh, and any of the Monies which the Town Council are by this Act authorized to raise; and the Town Council, in respect of the Shares so taken and held by them, shall have all the Powers, Rights, and Privileges, and be subject to all the Obligations and Liabilities of Proprietors of Shares in the Company.

15. It shall be lawful for the Town Council, for the Purpose of the said Contribution, from Time to Time to borrow, and, if paid off, again to borrow, on the Security of the Common Good, and Lands, Heritages, and other Property, of the said Burgh, any Sum or Sums not exceeding in the whole the Sum of 3,000*l.* Sterling; and the Deeds of Security to be granted for any Sum or Sums so borrowed may be either, as nearly as may be, in the Form contained in Schedule B. to "The Commissioners Clauses Act, 1847," or in such other Form as may be appropriate to the Subject and Nature of the Security, and in accordance with the Law of Scotland at the Time; and every such Deed of Security shall be sealed with the Common Seal of the Town Council, and subscribed by at least Four Members of the Town Council at One of their Meetings: Provided always, that the Sums so to be borrowed by the Town Council shall be applied solely to the Purpose of the said Contribution.

Incorporation of Portion of "The Commissioners Clauses Act, 1847," § 16.
Providing for paying off Money borrowed, by means of a Sinking Fund, § 17.
Arrears on Mortgages may be enforced by Appointment of a Receiver, § 18.
Compensation for Lands taken from Magistrates and Town Council, to be payable by way of annual Feu Duty, § 19.
General Meetings; Directors, &c., §§ 20 to 27.

Power to make Railways, § 28.
Power to alter Engineering Works on obtaining Certificate of Board of Trade, § 29.
As to Junctions with Port Patrick Railway, § 30.
Lands and Works of Castle Douglas and Dumfries and of Port Patrick Railway Companies not to be interfered with, except by Consent, § 31.
Power to use Portions of Port Patrick Railway, § 33.
Saving Rights of Port Patrick and Castle Douglas and Dumfries Railway Company, § 34.
Rails may be laid on Level of a certain Street, § 35.
Road or Path may be stopped up, § 36.
Certain Footpaths may be crossed on the Level, § 37.
Regulating the Inclinations of a certain Road, § 38.
Confirming Agreement with Proprietor of Kelton Estate, § 39.
Bridge across River Dee how to be constructed; Admiralty Provisions, §§ 40 to 45.
Three Years for compulsory Purchase of Lands, § 47.
Five Years for Completion of Works, §§ 48, 65.
Tolls, §§ 49 to 56.
Power to the Company and certain other Companies to enter into Contracts for working the Railway, &c., §§ 57 to 64.
Saving Rights of Crown, § 67.

Cap. ccvi.

"*The Birmingham Improvement Act, 1861.*"

Proposes to amend the Birmingham Improvement Act, 1851.
This Act and the Birmingham Improvement Act, 1851, to be read as One Act, § 2.
Power to Council to take Lands, &c. in Book of Reference, §§ 4, 5.
Power to Council to construct Works, § 6.
Protection of London and North-western Railway Company, §§ 7 to 11.
The Provisions of the Birmingham Improvement Act, 1851, as to the Purchase and taking of Lands, to extend to the Purchase and taking of Lands under this Act, §§ 12 to 14.
Bridge in Cross Road, § 15.
Powers of compulsory Purchase of Lands not to be exercised after the Expiration of Five Years, § 16.
Sites and Land appropriated for new Streets to form Part of Highways within Borough, § 17.
Power to purchase Lands by Agreement, § 18.
The 31st Section of the Towns Improvement Act extended, § 19.
Power to widen, cleanse, and improve the Rivers Rea and Cole, and Hockley Brook, § 20.
Repeal of 33d Section of recited Act, § 21.
Approval necessary to new Houses, § 22.
Waste Land to be fenced, § 23.
Paths dedicated to the Public to be repaired, § 24.
Paths open but not dedicated to the Public to be repaired or closed, § 25.
Powers of 55th Section of Towns Improvement Act may be exercised without the Application of the neighbouring Owners, § 26.
Plans of new Streets to be deposited, § 27.
Right of Appeal from the Determination of the Council, § 28.
The 44th Section of the recited Act repealed, § 29.
Future Buildings to be set back Seven Yards from the Centre of Street or Road, § 30.
Penalty for suffering Roads to be in a dangerous Condition, § 31.
Council on Application of Owners to pave Streets, the Owners paying One Half of the Expenses, § 32.
67th Section of Towns Improvement Act incorporated, § 33.
Power to prescribe the Line of new Buildings, § 34.
Power to pull down Houses and bring them to the Line of the Street, § 35.
Repeal of Part of Section 36 of recited Act, § 36.
Repeal of 37th Section of recited Act, § 37.
Council may declare that Streets not being Highways are urban or suburban, § 38.
Urban and suburban Streets when sewered, &c. to be declared Highways upon Application of Owners, &c., § 39.
Council may declare urban and suburban Streets to be Highways when sewered, guttered, kerbed, &c., § 40.
Streets to be Highways when so declared by the Council, § 41.
Service of Orders to pave Footways, § 42.
Council may complete Footways upon Neglect of Owners to do so after Notice, § 43.
Power to Council to superintend and to make Drains, &c., § 44.
Power to Council to order Streets to be completed. Part of a Street not a Highway, but crossed by a Highway, shall be deemed Part of the Highway, § 45.
In default Council may complete Streets, § 46.
Bridge may be erected at Hobmoor Lane, § 47.
To be maintained as if a County Bridge, § 48.
Clauses in Towns Improvement Act as to ruinous Buildings to apply to dangerous Balconies, § 49.
Penalty for throwing Dirt into Streets, § 50.
External Walls to be Nine Inches thick, § 51.
Council may construct Slaughter-houses, § 52.
Council may enter upon Lands for surveying and other Purposes, § 53.
Incorporation of the Lands Clauses Consolidation Acts Amendment Act, 1860, § 54.
Repeal of Part of the 76th Section of the recited Act, § 55.
Meaning of the Words "Collector" and "Clerk," § 56.
Tolls to be payable on first coming into the Market, § 57.
Animals, &c. to be speedily removed, § 58.
Stalls may be let for Three Years, § 59.
No Assignment to be executed without the Consent of the Council, § 60.
Council may establish new Markets and Fairs, § 61.
Horses, Cattle, &c. not to be sold except in the Market, or with Licence of the Council; Proviso saving Rights of Licensed Hawkers and Horse Dealers, § 62.
Infected Cattle to be seized, § 63.
Constables may arrest Persons guilty of Offences specified in last Two Clauses without Warrant, § 64.
Council may fix Stands of Carriages by Resolution, § 65.
Licences to Proprietors and Drivers of Hackney Carriages to be made out by Clerk of Council or other Person appointed, § 66.
Part of 46th Section of Towns Police Clauses Act, 1847, repealed, § 67.
Drivers Licences to be in force for One Year, subject to Powers of Suspension and Revocation, § 68.
Provisions of recited Act as to Constables to apply to Constables appointed under Municipal Corporations Act, § 69.
Collectors may be appointed Constables, § 70.
Penalty for bringing Spirits, &c. into Police Station, § 71.
Hawkers of Coal to carry Scales and Weights, § 72.
Provision for regulating Places for Dancing, Music, and other Public Entertainments; Appeal to Court of Queen's Bench, § 73.
Barricades may be erected at the Time of Processions, § 74.
Costs may be awarded in Applications under Clauses 96, 97, and 101 of the recited Act, § 75.

Repeal of Section 106 of the recited Act, § 76.
Gas Companies not to allow offensive Matters to flow into any Sewer, § 77.
Expenses of Improvements to be charged upon Street Improvement Rate, § 78.
All other Expenses of carrying this Act into execution to be borne by the Borough Improvement Fund, § 79.
Costs may be recovered on Proceedings for the recovering of Rates, § 80.
Council may make Byelaws, § 81.
As to Construction of Steam Engines within the Borough, § 82.
Owners liable for Penalties on Drivers of Carts where Drivers cannot be found, § 84.

85. In addition to the Sums which the Council is authorized to borrow under or by virtue of the recited Act, the Council may from Time to Time borrow the further Sums following; (that is to say,)

First, upon Mortgage of the said Street Improvement Rate such further Sum or Sums of Money, not exceeding in the whole the Sum of 50,000*l.*, as the Council may think proper, for the Purposes for which the said Street Improvement Rate is applicable:

Second, upon Mortgage of any of the other Rates to be levied under the Powers of the recited Act and of this Act (except the Water Rate), or upon Mortgage of the Lands, Properties, Rents, and Revenues of the Mayor, Aldermen, and Burgesses of the Borough, all such Sums of Money as may be necessary for paying off all or any of the Bonds, Debts, Mortgages, Annuities, Monies, and Securities for Money, respectively specified or mentioned or referred to in the 7th Section of the recited Act, and herein-after referred to as the "Commissioners Bonds," which Sums, so to be raised as last aforesaid, shall be accordingly applied in the Payment of the Monies due upon the Commissioners Bonds in such Manner as the Council shall think fit:

Third, upon Mortgage of all or any of the Rates to be levied under the Powers of the recited Act and of this Act (other than and except the Water Rate and the Street Improvement Rate), or upon Mortgage of the Lands, Properties, Rents, and Revenues of the said Mayor, Aldermen, and Burgesses, or otherwise as the Council shall approve, such further Sum or Sums of Money, not exceeding in the whole the Sum of 150,000*l.*, as the Council shall from Time to Time think fit, for the Purposes of the Sewerage, Foot Pavement, and other permanent structural Works to be made under the Provisions of the recited Act and of this Act, except the Purchase of the Works and Reservoirs of the Birmingham Waterworks Company.

86. All Monies borrowed under the Authority of this Act for the Purposes of the Sewerage, Foot Pavement, and other permanent structural Works, shall be appropriated and applied in the following Manner; (that is to say,) 100,000*l.*, Part thereof, shall be applied (subject to the Provisions herein-after contained) for the Purpose of the Sewerage of the Borough, and the Works incident thereto, and to the Repayment of the Monies now due in respect of such Works, and to no other Purpose whatsoever; and of such Sum of 100,000*l.*, 40,000*l.*, or so much of that Sum as shall be requisite, shall be applied within Two Years after the passing of this Act in constructing, improving, and completing the Main Sewers of the Borough: Provided always, that if after the Main Sewers of the said Borough and the Branch Main Sewers in Streets being public Highways at the passing of this Act shall have been constructed, any Part of the said Sum of 100,000*l.* shall remain unexpended, it shall be lawful for the Council to apply and appropriate the same in the same Manner as the Sum of 50,000*l.*, Residue of the said Sum of 150,000*l.*, is herein-after directed to be applied and appropriated; and the Sum of 50,000*l.*, Residue of the said Sum of 150,000*l.*, shall be applied and appropriated for the Purpose of the Sewerage, Foot Pavement, and other permanent structural Works under the Provisions of the recited Act and of this Act, except the Purchase of the Works and Reservoirs of the Birmingham Waterworks Company.

Persons advancing Money not bound to see to Application thereof, § 87.

88. The whole of the Sum or Sums borrowed under this Act, and the Interest accruing due thereon from Time to Time, shall be repaid within 50 Years from the Time of borrowing the same, except the said Sum of 50,000*l.* herein-before authorized to be borrowed upon Mortgage of the said Street Improvement Rate, which shall be repaid within 30 Years from the Time of borrowing the same; and for the Purposes aforesaid the recited Act shall be read and construed as if this present Section were incorporated with the 141st Section of the recited Act, immediately after the Words "which shall be repaid within 50 Years from the Time of borrowing the same," and the Sections in the recited Act applicable to the respective Sums thereby authorized to be borrowed shall be applicable, mutatis mutandis, to the Sums hereby authorized to be borrowed: Provided also, that if, after having borrowed all or any Part of the Money hereby authorized to be borrowed, the Council shall pay off the same, except by means of the Sinking Fund, it shall be lawful for them again to borrow the Amount so paid off, and so from Time to Time: Provided also, that every Sum of Money so borrowed in the Place of any Money paid off, shall itself be paid off within the Period of 50 Years or 30 Years, as the Case may be, within which the Money originally borrowed would have been payable.

Mortgagee in possession may recover Monies paid by them for Sewering, &c., in the same Way as their Principal and Interest, § 89.
Tenants for Life, &c. authorized to charge a Portion of Expenses on Property, § 90.
Application of Sinking Fund, § 91.
Annual Accounts to be made up in October, § 92.
Power to Council to lay down Tramways, § 93.
Schedule. (Tolls).

Cap. ccvii.

"The Cork and Macroom Direct Railway Act, 1861."

Proposes the making of a Railway, commencing by a Junction with the Cork and Bandon Railway near the City of Cork, and terminating at the Town of Macroom, and to enable the Cork and Bandon Railway Company and the Company incorporated by this Act, to make Agreements with respect to the Interchange of Traffic, and to the Use and Working of the proposed Railway.
Incorporation of Consolidation Acts, § 1.
Incorporation of Company, with a Capital of 120,000*l.*, and Power to borrow 40,000*l.*, §§ 3 to 10.
Meetings; Directors, §§ 11 to 16.
Power to make Railways and Works, §§ 17 to 19.
Certain Roads may be crossed on the Level, §§ 20 to 23.
Communications with Cork and Bandon Railway, §§ 25 to 27.
Three Years for compulsory Purchase of Lands, § 29.
Five Years for Completion of Railway, §§ 30, 31.
Tolls, §§ 32 to 40.

Power to enter into Traffic Arrangements with Cork and Bandon Railway Company, §§ 41 to 47.
Power for Company to work over Cork and Bandon Railway, § 48.
As to User of Station and Railway of Cork and Bandon Company, § 49.
Cork and Bandon Company to lay down on Part of their Railway an additional Line of Rails, § 50.
Appointment of Arbitrators, § 51.
Saving Rights of the Crown, § 52.
For preserving Dues payable to the Corporation of Cork, § 53.
For further Protection of the Corporation of Cork, § 54.

Cap. ccviii.

"The London and North-western Railway (Additional Powers) Act, 1861."

Proposes to enable the London and North-western Railway Company to construct Railways in the Parish of Burton-upon-Trent in the County of Stafford; to provide for the Use by the Company, for certain Purposes, of the Railways, Sidings, and Junctions of the Midland Railway Company within the Parish of Burton-upon-Trent, and to enable them to enter into Agreements in relation to the Construction and Ownership of the proposed new Railways, and the Traffic thereon; recites that by "The Midland Railway and Burton-upon-Trent Bridge Act, 1859," the Agreement set forth in the Schedule to that Act, and having relation to the Use by the Company of certain Portions of the Railways and Works at Burton of the Midland Railway Company, including Portions of the Railways which that Company were by that Act authorized to construct was confirmed; that by "The Midland Railway (Burton Branches) Act, 1860," the Midland Railway Company were empowered to make Railways in substitution for Parts of the Railways authorized by "The Midland Railway and Burton-upon-Trent Bridge Act, 1859," and it is expedient that the Provisions of Section 21 of the last-mentioned Act, and the Agreement in the Schedule to that Act should be extended and made applicable to such substituted Railways; that it is expedient that the Company be empowered to make the Alteration or Deviation hereinafter defined in the public Highway leading from Wylde Green to the Turnpike Road called "The Old Chester Road," from Stonnall to Stone Bridge in the Parish of Sutton Coldfield in the County of Warwick, and to stop up, discontinue, and appropriate the Site of so much of the existing Highway as will become unnecessary; that it is expedient that the Company and the Great Western Railway Company, or either of them, be empowered to make an Alteration in the Levels of the Turnpike Road from Kensington to Hammersmith; also that the Company be empowered to purchase, for the Purposes of their Undertaking, Lands and Houses in various Parishes and Places lying contiguous to their Railway or Stations; that under the Powers of "The Shropshire Union Railways and Canal Lease Act, 1847," a Lease has been granted by the Shropshire Union Railways and Canal Company to the Company of that Undertaking; that it is expedient that an Agreement, dated 25th March 1857, in relation to the leasing of the Undertaking of the Shropshire Company to the Company, be ratified and confirmed; that the Company on the one hand, and the South Leicestershire Railway Company and the Midland Railway Company, or either of them, on the other hand, be empowered to enter into and carry into effect Arrangements and Agreements with respect to the Railway, Stations, and Works of the South Leicestershire Railway Company, and the User thereof by the Company, and with respect to the Traffic passing over the same; that the Company and the Midland Railway Company, and the Stockport, Disley, and Whaleybridge Railway Company be empowered to make and carry into effect Arrangements and Agreements with respect to the Construction of a Station at Buxton in the County of Derby, for the joint or separate Use of those Companies, or any of them, and with reference to the Appropriation to that Purpose of the Lands, or some of them, now or hereafter belonging to those Companies, or any of them, and with reference to the Working, User, Management, and Control of the said Station, and of the Traffic in, to, or from the same, and with reference to other Matters connected with the said Station; that the Company be empowered to abandon the Construction of so much of the Railway authorized by "The London and North-western Railway (Sutton Coldfield Branch) Act, 1859," as is in Section 3 of that Act called "The Spur;" and that the Company and the London, Brighton, and South Coast Railway Company, the London, Chatham, and Dover Railway Company, and the Great Western Railway Company, or any One or more of those Companies, should be empowered to enter into and carry into effect Arrangements and Agreements with respect to the Station at Pimlico, called the Victoria Station, and the Lines of Railway connected therewith, and with respect to the Traffic passing over the same.
Incorporation of Consolidation Acts, §§ 2, 3.
Power to take Lands, § 4.
Power to make Railways, &c., § 5.
Company to transfer Railways to Midland Railway Company, § 6.
Level Crossing, §§ 7, 8.
Power to alter Engineering Works, § 9.
Power to make an Alteration in Highway leading from "Wylde Green" to "Old Chester Road," § 11.
Alterations in Levels of Turnpike Road from Kensington to Hammersmith, § 12.
Provisions for Protection of West Middlesex Waterworks Company, §§ 13, 14.
Regulating the Crossing under the Metropolis Roads, §§ 15 to 21.
Notice to be given to Vestry of the Parish of Kensington before breaking up Roads, &c., §§ 22 to 25.
As to Restoration of Drains, Sewers, and Roads in Kensington, §§ 26 to 30.
Certain Land not to be taken without Consent of the West London Extension Railway Company, §§ 31, 32.
Lands acquired in Kensington, &c. to form Part of the Undertaking of the West London Railway, § 33.
Company not to take certain Part of Kensington Crescent, § 34.
Compensation to be made to Mr. Pennington's Trustee if his Property be injuriously affected, § 35.
Two Years for compulsory Purchase of Lands, § 36.
Time for Completion of Railways respectively, §§ 37, 38.
Power to Company and Midland Railway Company to enter into Agreements with respect to new Railways, § 39.
Extending Provisions of Section 21 of Midland Railway and Burton-upon-Trent Bridge Act, 1859, and Agreement referred to in that Act, to Railways constructed by Midland Company under Midland Railway (Burton Branches) Act, 1860, § 40.
Power to Company to use Portions of Midland Railway for certain Purposes, § 41.

Confirming Agreement with Shropshire Union Railways and Canal Company, § 42.
Power to make Agreements with reference to South Leicestershire Railway, § 43.
Arrangements with respect to Joint Station at Buxton, § 44.
Power to abandon Part of Sutton Coldfield Line, §§ 45, 46.
Power to enter into Agreements with respect to Victoria Station, §§ 47 to 52.
As to Footpath at Arpley Station, § 53.
Power to raise additional Capital of 100,000*l.*, §§ 54 to 58.
Power to borrow 33,000*l.*, §§ 59, 60.
Power to apply Corporate Funds to Purposes of this Act, § 61.

62. And whereas the Capital in Shares and Stock which the Company and the Buckinghamshire Railway Company have created under Acts of Parliament passed prior to the present Session, consists of the following Descriptions of Shares or Stock; that is to say,

	£
London and North-western ordinary Stock - - - -	25,710,666
Huddersfield and Manchester Shares, entitled to Seven Tenths of the ordinary Dividend - - -	1,041,570
Leeds, Dewsbury, and Manchester Shares, entitled to Seven Tenths of the ordinary Dividend - -	600,000
Coventry and Nuneaton Shares, entitled to a fixed Dividend of 5 per Centum per Annum - - - -	270,000
	£27,622,236
Buckinghamshire Shares - -	1,245,000
	£28,867,236
Permanent London and North-western Debenture Stock - - -	1,719,526
	£30,586,762

And whereas the Company had raised on Debenture Bonds, on the 30th Day of April 1861, the Sum of 10,488,324*l.*, including therein Monies which they were authorized to borrow under the Acts relating to the Buckinghamshire Railway: And whereas the Company claim to be entitled to raise under Acts passed prior to the present Session, including the Acts relating to the Buckinghamshire Railway, further Sums by Shares or Stock, and by borrowing, and it is expedient that such Power should be restricted: Therefore the total aggregate Amount in Shares or Stock which the Company shall raise under any Acts passed prior to the present Session of Parliament, shall not exceed the Sum of 27,622,236*l.*; and the Amount of the Debenture Stock and of the Debenture Bonds, including the Money raised for the Purposes of the Buckinghamshire Railway, shall not exceed the aggregate of the Sums of 1,719,526*l.* and 10,488,324*l.*

SCHEDULES:

1. Agreement with Shropshire Union Railway and Canal Company.
2. Agreement with Corporation of Warrington.

Cap. ccix.

"The Somerset Central Railway Act, 1861."

Recites that by "The Somerset Central Railway (Glastonbury to Bruton) Act, 1856," the Company were authorized to make a Railway from Glastonbury to a Junction near to Bruton with the Main Line of the Wilts, Somerset, and Weymouth Railway of the Great Western Railway Company, and the Period within which the Powers of the Company for the compulsory Purchase of Lands for the Purposes of the Act should be exercised, was limited to Two Years after the passing of the Act, and the Company were required to complete the Railway and Works by the reciting Act authorized within Four Years after the Commencement of the Act; that those Periods have expired, and it is expedient that the Powers of the Company for the Purchase of additional Lands and the Execution of Works, for the Purposes of their Act of 1856, be revived; and that the Company be authorized to alter and enlarge the Station Accommodation on their Lines of Railway, and to make additional Stations and other Works in connexion with their Lines of Railway; and to raise further Monies for the Purposes of their Undertaking.
Incorporation of Consolidation Acts, §§ 2, 3.
Power to take Lands, § 5.
Limit of Time for compulsory Purchases of Lands, § 6.
Power to execute Works, §§ 8, 9.
Certain Sections of 19 & 20 Vict. c. cii. extended to this Act, § 10.
Railway may be on the Broad or Narrow Gauge, § 11.
One Year for Completion of Works, §§ 12, 13.
Contracts under Act of 1856 not to be prejudiced, § 14.
Tolls, §§ 16, 17.
Power to raise further Capital of 85,000*l.*, §§ 19.
Disposal and Conditions of new Shares, §§ 22 to 33.
Power to borrow on Mortgage 173,000*l.* in the whole, §§ 34 to 36.
Saving Rights of the Crown and of other Parties, §§ 40, 41.

Cap. ccx.

"The South Wales Mineral Railway Act, 1861."

Recites that by "The South Wales Mineral Railway Act, 1853," the Company were incorporated for the making of a Railway from the South Wales Railway to Glyncorrwg, in Glamorganshire, with a Branch Railway to the Forchdwm Colliery, and a Portion of the Line is opened for Traffic, and considerable Progress has been made in the Construction of the Remainder; that by Agreement dated the 4th Day of January 1856, they have agreed to grant a Lease of their Undertaking to "The Glyncorrwg Coal Company" (now Limited) for 99 Years; and it is expedient that Power should be given to the said Glyncorrwg Coal Company (Limited) and to the Company to vary the Terms and Conditions of the said Lease, and that they should be empowered to connect their Railway with the Briton Ferry Docks by the Construction of the Railway after mentioned; that they require for the Purposes of their Undertaking certain Lands which they had Powers to purchase under their Act of Incorporation, but those Powers have expired by Effluxion of Time, and it is expedient that they should be revived; that the Company are by the said firstly-recited Act empowered to raise 85,000*l.* by the Creation of 8,500 Shares of 10*l.* each, and to borrow 28,000*l.*, and 6,275 of the said Shares have been issued, and 50,000*l.*, or thereabouts, have been paid thereon, and the Company have borrowed on Mortgage and now owe 28,000*l.*; that it is necessary that the Company should have Power to raise further Monies beyond those authorized by the firstly-recited Act, both for the Completion of the Railways already authorized and for making the Railway by this Act authorized; and to attach to their unissued Shares and to the Shares to be raised under this Act a Preference or Priority of Dividend.

Incorporation of Consolidation Acts, §§ 1, 2.
Power to construct new Line of Railway, §§ 3, 4.
Communication with Railway belonging to Briton Ferry Floating Dock Company to be made under the Direction of the Engineer of that Company, §§ 5 to 8.
Lands to be bought by Compulsion in Two Years, § 9.
Three Years for Completion of Railway, §§ 10, 11.
Revival of Powers for Purchase of certain Lands for One Year, §§ 13 to 15.
Company may cancel forfeited Shares; defining Conditions of Forfeiture and cancelling, § 16.
Company may accept Surrenders of Shares, § 17.
Power to issue new Shares instead of those cancelled or surrendered, § 19.
Power to Company to raise additional Capital of 30,000*l.*, with or without a Preference not exceeding 6*l.* per Cent., §§ 20 to 26.
Power to borrow 10,000*l.*, § 27.
Application of Sums raised under this Act, § 28.
Incorporation of Parts of "Companies Clauses Act," § 29.
Power to vary the Terms of Lease, § 30.

Cap. ccxi.

"Stockport District Waterworks Act, 1861."

Incorporation of General Acts, §§ 2, 3.
Limits of Act for Supply of Water, § 4.
Waterworks, &c. not to be made, or Water supplied, within certain Limits in the Township of Bredbury, § 5.
Incorporation of Company, with a Capital of 100,000*l.*, and Power to borrow 25,000*l.*, §§ 6 to 10.
Meetings; Directors, §§ 12 to 19.
Power to make Works, § 20.
Three Years for the compulsory Purchase of Land, § 22.
Waterworks to be made within Five Years, § 23.
As to the crossing of the Macclesfield Canal, § 26.
For Protection of the Owners of the Macclesfield Canal, § 27.
Works for Protection of Colonel Davenport, § 28.
For the Protection of the Manchester and Buxton Turnpike Road, § 29.
Appointment of Reservoir Keeper, § 30.
Rate at which Water is to be supplied for domestic Purposes, §§ 31, 32.
Company to supply Drinking Fountains free of Charge, § 33.
Supply to Tenements in a Row, § 34.
Water not necessarily under Pressure, § 37.
Penalties for Waste or Fraud, §§ 39, 40.
Power to Company to let Meters for Hire, §§ 41 to 43.
Contracts for supplying Water for public Purposes, § 45.
Recovery of Charges for Supply of Water, § 46.
Power for Justices to order Inquiry into State of Reservoir, §§ 51 to 59.
Saving the Rights of the Owners of the Macclesfield Canal, § 60.

Cap. ccxii.

"West Midland and Severn Valley Companies Act, 1861."

Preamble recites that the Severn Valley Railway Company was incorporated in 1853 for the Purpose of making a Railway from the Oxford, Worcester, and Wolverhampton Railway, near Hartlebury in Worcestershire, to Shrewsbury, with a Branch therefrom, which Act was repealed, and the Powers therein re-enacted by the Company's Act of 1855, and the Powers of the last-mentioned Act were varied and extended by their Acts of 1856 and 1858; that by "The West Midland Railway Act, 1860," the Name of the Oxford, Worcester, and Wolverhampton Railway Company was changed to that of the West Midland Railway Company; that under the Provisions of the Severn Valley Railway (Leasing) Act, 1860, the West Midland Company are authorized to take a Lease of the Severn Valley Railway; that the Severn Valley Railway is in the Course of Construction, but no Part thereof has yet been opened for public Traffic; that in 1853 the Wellington and Severn Junction Railway Company were incorporated, and authorized to make a Railway from Wellington to Coalbrookdale, and an Extension to the River Severn, and that such Railway is completed and opened for public Traffic; that the Construction of a Railway from the Severn Valley Railway, in the Foreign of Kidderminster, to the West Midland Railway, near the Kidderminster Station of that Railway, would facilitate the Communication between the North-western Part of the West Midland Railway and the Towns and Districts which will be accommodated by the Severn Valley Railway and the Railways with which the Severn Valley Railway will unite, and otherwise be of public and local Advantage; that it is expedient that such Powers of leasing the Undertaking of the Wellington and Severn Junction Railway Company be given as are herein-after contained; and that the Severn Valley Company be authorized to raise further Monies.
Incorporation of Lands and Railways Clauses Acts, and of Parts of Companies Clauses Consolidation Act, §§ 2 to 5.
Power to make Railway, §§ 6, 7.
Power to alter Engineering Works, § 8.
For protecting the Staffordshire and Worcestershire Canal, and the Erection and Maintenance of a Bridge over the same, § 9 to 20.
Railway to form Part of Severn Valley Railway, § 21.
Four Years for the Completion of Works, §§ 22, 23.
Release of Part of Money deposited, § 24.
Power to Severn Valley Company to raise additional Capital of 60,000*l.* by 5*l.* per Cent. Preference Shares, §§ 25 to 29.
Power to borrow 20,000*l.*, §§ 30 to 32.
Severn Valley Company may apply existing Funds, § 33.
Leasing Powers as to Wellington Company, §§ 34 to 38.
The West Midland Company and Great Western Railway Company may make Agreements; Conditions of such Agreements, §§ 39 to 45.
Power for the West Midland and Severn Valley Companies to enter into Traffic Arrangements, §§ 46 to 52.
Schedule. (Agreement between the Wellington Company, the West Midland Company, and the Great Western Company.)

Cap. ccxiii.

"Worcester, Bromyard, and Leominster Railway Act, 1861."

Proposes to make a Railway from the West Midland Railway at Bransford Bridge in the County of Worcester, to the Shrewsbury and Hereford Railway near Leominster in the County of Hereford.
Incorporation of General Acts, §§ 1, 3.
Subscribers incorporated, with a Capital of 200,000*l.* in Shares of 10*l.*, and with Power to borrow 66,500*l.*, §§ 4 to 10.
Meetings; Directors, §§ 11 to 18.
Power to make Railway, §§ 19, 20.

Communication with other Railways to be made under the Direction of the Engineer of that Railway, §§ 23, 24.
Five Years for Completion of Works, §§ 25, 26.
Release of Part of Money deposited, § 27.
Tolls, §§ 28 to 37.
Powers to use certain Railways and Portions of Railways, § 38.
Terms of such Use, § 39.
For protecting local Traffic, § 40.
For facilitating the Interchange of Traffic between the Railway and the Shrewsbury and Hereford Railway, § 41.
Power to enter into Traffic Arrangements with West Midland Railway Company, §§ 42 to 48.
Power to West Midland Railway Company to subscribe One Fourth of the Capital, and to apply their Funds for that Purpose, § 49.
And to vote at General Meetings, § 50.
Power to West Midland Railway Company to raise Money by the Creation of Shares, with a 5*l.* per Cent. Preference Dividend, §§ 51, 52.

Cap. ccxiv.

"The Edinburgh, Perth, and Dundee Railway Act, 1861."

Proposes to enable the Edinburgh, Perth, and Dundee Railway Company to make Byelaws for their Piers, Basins, and Works at Ferry-port-on-Craig and Broughty, and the Ferry between Ferry-port-on-Craig and Broughty; to vest the Burntisland and Granton Ferry in the Company; to construct Siding Accommodations and Branch Railway, as also Works for Supply of Water; to amalgamate the Kinross-shire Railway with their Undertaking; and to alter the Mode of Election of Directors of the Company.
Incorporation of General Acts, § 3.
Piers, Docks, &c. not to be used unless with Consent, § 4.
Power to make Byelaws for regulating Piers, &c. and Ferry at and between Ferry-port-on-Craig and Broughty, §§ 5 to 12.
Saving Rights of Proprietor of Estate of Scotscraig and of the Trustees of Dundee Harbour, §§ 13, 14.
Right of Ferry between Burntisland and Granton vested in Company in perpetuity, § 15.
Saving Rights of Magistrates and Town Council of Burntisland, § 16.
Agreement between the Duke of Buccleuch and the Company to continue in force, § 17.
Saving the Rights of the Duke of Buccleuch, § 18.
Power to make Sidings at Perth according to Plan, §§ 19 to 23.
Regulating Width and Height of certain Bridges, § 24.
Tolls to be taken on the Railway, § 25.
Power to make Waterworks according to deposited Plans, §§ 26, 27.
Water to be taken from Chisselbridge Burn only during certain Hours, § 28.
Certain Provisions of "The Waterworks Clauses Act, 1847," incorporated with this Act, § 29.
Company may supply Water to Vessels at Ferry-port-on-Craig, § 30.
Two Years for purchasing Lands, § 31.
Four Years for Completion of Works, § 32.
Company may re-borrow Monies paid off by them, § 33.
Provisions of "The Edinburgh, Perth, and Dundee Railway Company (Arrangements) Act, 1853," with regard to Directors and Auditors repealed, and Mode of Election of Directors and Auditors, §§ 34 to 41.
Amalgamation of Company with the Kinross-shire Railway Company, §§ 42 to 58.
Shares of the Kinross-shire Railway Company to be preferential on Revenues of Kinross-shire Railway; Payment of Dividends, &c., §§ 59 to 68.
Company may borrow Sum authorized to be borrowed by Kinross-shire Railway Company, §§ 69 to 73.
Saving Rights of Holders of Feu Duties, § 74.
Power to Company to create 40,000*l.* Preference Stock or Shares at not exceeding 7*l.* per Cent., §§ 75 to 78.
Tolls, §§ 79, 80.
Saving Rights of the Crown, § 84.

Cap. ccxv.

"The Cornwall Railway Act, 1861."

Recites that in 1846 the Company were incorporated, with Power to make the Railways following; (that is to say,)

1. A Railway commencing by a Junction with the South Devon Railway in the Parish of Saint Andrew, Plymouth, and County of Devon, and terminating at or near the Town of Falmouth in the Parish of Budock and County of Cornwall:
2. A Railway to connect the first-mentioned Railway with the Quays or Wharfs at Truro, diverging from such Railway in the Parish of Kenwyn and County of Cornwall, and terminating at or near Newham in the same Parish:
3. A Railway to connect the said first-mentioned intended Railway with the Quays or Wharfs at Penryn, diverging from such Railway in the Parish of Budock in the County of Cornwall, and terminating at or near the Exchequer Quay at Penryn:
4. A Railway to connect the said first-mentioned Railway with the Liskeard and Caradon Railway, diverging out of the first-mentioned Railway in the Parish of Liskeard, and terminating by a Junction with the Liskeard and Caradon Railway near Looe Mills in the same Parish;

that they were authorized by that Act to raise by Shares the Sum of 1,600,000*l.*, and by borrowing the Sum of 533,333*l.*; that by the Act of 1846 the Great Western Railway Company, the Bristol and Exeter Railway Company, and the South Devon Railway Company, were empowered to subscribe towards and become Shareholders in the Capital of the Company to the respective Amounts therein mentioned, and to raise the Amount of such Subscription by Guarantee thereof, or by the Creation of Capital in their own Undertakings, and to appoint Directors of the Company, and also to make Agreements for the leasing by the Associated Companies of the Railways of the Company; that by "The Cornwall Railway Act Amendment and Deviation, 1847," the Company were empowered to abandon a certain Portion of the Cornwall Railway as authorized by the Act of 1846, and to construct a new and altered Line of Railway in lieu thereof, and to purchase certain Portions therein defined of the South Devon Railway, which, upon the Completion of the Purchase were to become Part of the Undertaking of the Company, and such Purchase has been completed; and also to raise by Shares a further Sum of 100,000*l.*, and by borrowing a further Sum of 33,333*l.*; that by virtue of "The Abandonment of Railways Act, 1850," and of a Warrant of the Board of Trade, dated the 26th Day of March 1852, certain Portions of the Railways by the Act of 1846 authorized to be made were ordered to be abandoned, and the Portions so abandoned

were the Railways authorized by the Act of 1846, which are herein-before respectively numbered 2, 3, and 4, and so much and such Part of the Line of Railway by the same Act authorized to be made to connect the said Railway from Plymouth to Falmouth with the Town of Padstow, as was situate between the proposed Terminus of such Line at or near to the Town of Padstow, and a Point on such Line marked Two Miles One Furlong from the Junction thereof with the Line of the said Railway from Plymouth to Falmouth on the Plans of the said Railway referred to in the Act of 1846; and the Capital of the Company under the Act of 1846 was reduced, viz., the Capital in Shares to 1,125,060*l.*, divided into 56,253 Shares of 20*l.* each, and the borrowing Powers to the Sum of 375,020*l.*; that by "The Cornwall Railway (Share Arrangements) Act, 1854," certain Arrangements were authorized as to the Division of Shares into Two Classes respectively, designated as A. Shares and B. Shares, which Arrangement was carried partly into effect, and by the said Arrangement the half-yearly Dividend payable in respect of an original 20*l.* Share was to be apportioned, in the Case of such Share being divided into Two, in the following Manner; (that is to say,) in Payment to the Holder of the B. Share of a Dividend after the Rate of 6*l.* per Centum per Annum, and the Surplus or Remainder to the Holder of the A. Share, who was also to be entitled to all such other Privileges or Advantages as may at any Time be apportioned and applied to such Two Shares collectively; and Provision was also made as to the Cancelment of forfeited Shares, and as to the Creation and Issue in lieu thereof of new Shares to be respectively distinguished as "New A. Shares" and "New B. Shares," but no such Shares have been created; that by "The Cornwall Railway Act, 1855," the Time for the Completion of the Cornwall Railway (being the Railways authorized by the Act of 1846 and the Act of 1847 respectively, and not abandoned under the said Warrant of the Board of Trade), was further extended, and further Provision was made as to the Cancelment of Shares, and the Company were empowered to issue so many Shares of 20*l.* each as in the aggregate would represent 300,000*l.*, with a preferential Dividend, either in perpetuity or for a limited Period, and either with or without a Right of Redemption, and with such other Incidents and Qualities (if any), and under such Designation as the Company might determine, such preferential Dividend not to exceed the Rate of Six Pounds per Centum per Annum; and further Provision was made in respect to the leasing of the Railway of the Company to the Associated Companies; that by "The Cornwall Railway Act, 1857," the Period for the Completion of so much of the Cornwall Railway as is situate between Plymouth and Truro was further extended; and Arrangements between the Company and the Associated Companies were provided with reference to the Completion of the Cornwall Railway between Plymouth and Truro, and the Company was required, immediately after the passing thereof, to create and issue, under the Powers of the Act of 1855, Shares to represent 300,000*l.*, and empowered by Agreement between themselves and the Associated Companies to create and issue Shares in lieu of cancelled Shares to the further aggregate Amount of 100,000*l.*, and the Associated Companies were required to guarantee Interest at a Rate not exceeding 5*l.* per Centum per Annum on such of the Shares created and issued by the Company for raising the respective Sums of 300,000*l.* and 100,000*l.*, as should from Time to Time be created by the Company, and the Company have accordingly created and issued 20,000 Shares of 20*l.* each, representing an aggregate Capital of 400,000*l.*, and bearing a guaranteed or preferential Interest or Dividend at the Rate of 5*l.* per Centum per Annum, and redeemable by the Company, and the Associated Companies have guaranteed Interest or Dividend on the Shares so created and issued at the Rate of 5*l.* per Centum per Annum; that under the Act of 1857 the Company have also created 7,480 Shares of 20*l.* each, representing an aggregate Amount of 149,600*l.*, and bearing a preferential Dividend at the Rate of 6*l.* per Centum per Annum, and redeemable by the Company, but no Persons are inserted in the Register of Shareholders of the Company as the Holders thereof, but the said Shares are charged with the Repayment of Monies procured or provided by the Associated Companies by way of Advance on Loan to the Company, for the Purpose of enabling them to carry into effect the Objects of the Act of 1857, and the Associated Companies are willing that the Payment of the Dividend on the said Shares should be postponed until after Payment of the Dividend payable on the new Shares to be created by virtue of this Act, and that Provision be made for the Redemption of the said Shares; that by "The Cornwall Railway Act, 1858," the Time limited for the Completion of the Cornwall Railway between Truro and Falmouth was further extended, and Power was given to the Company to create and issue new Shares in lieu of cancelled Shares, with a preferential Dividend not exceeding 6*l.* per Centum per Annum, payable out of the Earnings of the Line between Truro and Falmouth, in preference to any Dividend on any other Shares in the Company, but no such Shares have been created; that the Company have raised by borrowing the whole of the said Sum of 375,020*l.*, and the Associated Companies have guaranteed the Interest from Time to Time payable in respect thereof, and are Holders of or have guaranteed Shares in the ordinary Capital of the Company to the following Extent (that is to say), the Great Western Railway Company 3,000 Shares representing 60,000*l.*, the Bristol and Exeter Railway Company 4,500 Shares representing 90,000*l.*, and the South Devon Railway Company 2,625 Shares representing 52,500*l.*; that under the Provisions of the said Acts divers Agreements were entered into between the Company and the Associated Companies in relation to the Construction and leasing of the Cornwall Railway between Plymouth and Truro, and other Matters, and it has been agreed that they shall, except so far as the same or the Provisions thereof are otherwise provided for by, or are inconsistent with the Provisions of this Act, be confirmed; that the Capital of the Company in Shares and by borrowing now stands as follows; (that is to say,)

	£
Ordinary Capital, consisting of—	
14,991 Ordinary Shares of 20*l.* each - Upon which there remains 3,836*l.* 0*s.* 10*d.* to be paid up.	299,820
13,782 A. Shares of 10*l.* each - - - Upon which there remains 20*l.* to be paid up.	137,820
13,782 B. Shares of 10*l.* each - - - Upon which there remains 1,384*l.* to be paid up.	137,820
Preferential Capital:	
20,000 5*l.* per Centum Preference Shares of 20*l.* each, guaranteed by the Associated Companies - - Fully paid up.	400,000
7,480 6*l.* per Centum Preference Shares of 20*l.* each - - - - -	149,600
Total existing Share Capital -	£1,125,060

Borrowed Capital:

	£
Borrowed under the Act of 1846, and Interest guaranteed by the Associated Companies - - - - - - -	375,020

that the Powers of the Company for raising Capital in addition to their actual existing Capital are as follows:

	£
5,000 Shares of 20*l.* each, under the Act of 1847 - - - - - -	100,000
Borrowing Powers under the Act of 1847	33,333
Total unexercised Power - -	£133,333

that it is expedient that the Company should not raise any further Monies under the Authority of the recited Acts in addition to the 14,991 ordinary Shares, the 13,782 A. Shares, the 13,782 B. Shares, the 20,000 5*l.* per Centum Preference Shares, the 7,480 6*l.* per Centum Preference Shares, and the Mortgage Debt of 375,020*l.*, but in lieu thereof, that the Company should be authorized to raise further Monies under the Authority of this Act by Shares and borrowing, and that the Associated Companies should be empowered to guarantee Interest or Dividend thereon, and to make Advances to the Company, and take and hold additional Shares in the Capital of the Company; and that the Company be empowered to make the Railway herein-after described in substitution for a Portion of the Railway authorized by the Act of 1846; that further Time beyond the Period limited by the Act of 1858 should be granted to the Company for the Construction of so much of the Cornwall Railway between Truro and Falmouth as will not be abandoned under the Provisions of this Act, and that the Company and the Falmouth Docks Company be empowered to enter into Agreements with reference to the mutual User of Portions of their respective Undertakings; that it is also expedient that the Company and the West Cornwall Railway Company be empowered to make Agreements with respect to the User of the Company's Station at Truro, and Portions of the Company's Railways near thereto.

2. Subject to the Provisions of this Act the recited Acts are hereby repealed.

3. Notwithstanding the Repeal of the recited Acts the several Sections and Provisions of those Acts which are set forth in the Schedule to this Act annexed shall, so far as the same are at the passing of this Act in force, remain in full force; and this Act and the several Powers and Provisions thereof shall in all respects be subject and without Prejudice to those scheduled Sections and Provisions respectively; and except only as by this Act is expressly provided, this Act, or anything therein contained, shall not alter or interpret the Meaning of or otherwise affect those scheduled Sections and Provisions or any of them.

Confirming Agreements, § 4.
Company to remain incorporated, § 5.
Incorporation of General Acts, § 6.
Saving of Rights and Liabilities, §§ 7, 10 to 18, 20.

19. Upon and after the passing of this Act the Capital of the Company shall be their present created Capital of 1,125,060*l.*, and shall consist of the following Shares; videlicet,

	£
Ordinary Capital, consisting of—	
14,991 ordinary Shares of 20*l.* each, representing the Sum of - - -	299,820
13,782 Class A. Shares of 10*l.* each, representing the Sum of - - -	137,820
13,782 Class B. Shares of 10*l.* each, representing the Sum of - - -	137,820
Preferential Capital:	
20,000 5*l.* per Centum Preference Shares of 20*l.* each, guaranteed by the Associated Companies, representing the Sum of -	400,000
7,480 6*l.* per Centum Preference Shares, representing the Sum of - -	149,600
	£1,125,060

But such Capital may from Time to Time be augmented by the Creation and Issue of new Shares as by this Act provided.

21. The Company shall, immediately after the passing of this Act, create 12,500 Shares of 20*l.* each, representing Capital of the aggregate nominal Amount of 250,000*l.*, and under such Name or Denomination as the Company think fit, and with a Right to a preferential Interest or Dividend payable either in perpetuity or for a limited Period or Periods attached thereto, at the Rate (unless otherwise agreed between the Company and the Associated Companies) of 5*l.* per Centum per Annum, and either with or without a Right of Redemption, and with such other Incidents or Qualities (if any) as may then be determined, and shall use their best Endeavours to issue the same as being Shares guaranteed by the Associated Companies; and the Associated Companies shall and they are hereby required to guarantee the Payment of such preferential Interest or Dividend on the Shares so to be created, not exceeding 5*l.* per Centum per Annum; provided that (except as herein-after provided) any Arrears of such preferential Interest or Dividend shall not in any Case be payable or enforceable so as to affect the Payment of Interest on the borrowed Capital for the Time being of the Company, or the Interest or Dividend on their existing Preference Shares.

Incidents and Privileges of new Shares, § 22.
Calls, § 23.
Power to borrow in the whole 458,000*l.* §§ 24 to 27.

28. The Company shall grant, and the Associated Companies shall accept, under the Powers in that Behalf of the recited Acts, a Lease of the Undertaking, Railway, Works, Lands, Tolls, and other Property and Powers of the Company, for such Term as may be agreed on, and the Lease shall be made and executed by all the Companies Parties thereto, in Four Parts, and the Company and each of the Associated Companies shall have the Custody of One Part thereof, and the same shall be made and executed within Six Months after the passing of this Act; provided, that if the Company and the Associated Companies shall fail to agree as to any of the Terms or Conditions of the Lease, or as to the Frame or Language thereof, the Lease shall be settled on behalf of all Parties by a single Arbitrator to be agreed on between them, or failing their Agreement, to be on their or any of their Application appointed by the Board of Trade.

29. The net Revenues of the Company, after Payment of Interest or Dividend on their Debenture Debt or Debenture Stock from Time to Time remaining applicable for Payment of Dividend on their Capital, exclusive of Debenture Stock, shall be applied as follows:

First, in Payment of the preferential Dividend of 5*l.* per Centum per Annum on the 20,000 5*l.* per Centum pre-

ferential Shares, or so many of the same as from Time to Time are not redeemed; and of the preferential Dividend, at a less Rate than 5*l.* per Centum per Annum on Shares or Stock, or both, from Time to Time created and issued under this Act for the Redemption of any of those 20,000 Shares:

Secondly, in Payment of the preferential Dividend not exceeding 5*l.* per Centum per Annum on so many of the 12,500 new Shares created under this Act as from Time to Time are issued and not redeemed, and of the preferential Dividend on Shares or Stock, or both, from Time to Time created and issued under this Act for the Redemption of any of those 12,500 Shares:

Thirdly, in Payment of the preferential Dividend of 6*l.* per Centum per Annum on the 7,486*l.* per Centum preferential Shares, or so many of the same as from Time to Time are not redeemed, and of the preferential Dividend at a less Rate than 6*l.* per Centum per Annum on Shares or Stock, or both, from Time to Time created and issued under this Act for the Redemption of any of those 7,480 Shares:

Fourthly, in Repayment to the Associated Companies of all Monies paid and Losses incurred by them respectively in respect of Loans and Guarantees and Liabilities to and for the Cornwall Company, and the working Expenses of the Cornwall Railway, and otherwise:

Fifthly, in Payment of Dividend on the ordinary Capital.

30. Provided always, That in apportioning the Interest or the Dividends which the Company may declare to be payable in each Half Year upon the ordinary Capital of the Company, the same Amount of Interest or Dividend shall be apportioned to any One Class A. Share, and any One Class B. Share, taken together, as shall be apportioned to One ordinary Share of 20*l.*; and any other Privileges or Advantages to which the Holders of ordinary Shares of 20*l.* may at any Time be rateably entitled shall be apportioned in respect of such Two Shares collectively in the like Manner; and any Preference or Guarantee upon the Class B. Shares shall only be a Preference or Guarantee as between the Class A. Shares and the Class B. Shares, and shall not interfere with or diminish the Preference or Priority of Payment to which any Holders of preferential Shares of the Company may be entitled.

31. As between the Class A. Share and the Class B. Share, into which any ordinary 20*l.* Share may have been divided, the whole Amount of Interest or declared Dividend accruing in any Half Year as aforesaid to the Two Shares collectively, shall be applied and go in the first place in or towards Payment of Interest or Dividend for such Half Year at the Rate of 6*l.* per Centum per Annum on the Amount from Time to Time paid up on such Class B. Share, so far as the same will extend, and all the Surplus or Remainder, if any, after the Payment of Interest or Dividend for such Half Year, at the said Rate, upon the said Class B. Share, shall be payable and paid as Interest or Dividend upon the said Class A. Share, and the Holder of such Class A. Share shall further be entitled to all such other Privileges or Advantages as may at any Time be apportioned and applied to such Two Shares collectively; and if in the First Half Year of the current Year the whole Amount of Interest or declared Dividend shall not be sufficient to pay Interest or Dividend at the Rate aforesaid upon the Class B. Share, the Holder of the Class B. Share shall be entitled to have such Deficiency made good in the subsequent Half Year, so far as the Interest or declared Dividend shall extend, but no further or otherwise: Provided always, that for the Purpose of such Application and Apportionment, the current Year shall be taken to commence on the 1st Day of January and to terminate on the 31st Day of December, and that the Holder of any such Class B. Share shall not be entitled to have any Deficiency arising on the whole Year made good in any subsequent Year.

Suspension of Dividends until Railways completed, § 32.

33. The Company from Time to Time may create and issue new Shares of the nominal Value of 20*l.* each, or Stock for the following Purposes and to the following Amounts; (that is to say,)

	£
For the Redemption of the 20,000 5*l.* per Centum preferential Shares, any new Shares or Stock not exceeding in the whole in nominal Amount	400,000
For the Redemption of the 12,500 new Shares created under this Act, any new Shares or Stock not exceeding in the whole in nominal Amount - - - - - -	250,000
For the Redemption of the 7,480 6*l.* per Centum preferential Shares, any new Shares or Stock not exceeding in the whole in nominal Amount	149,600
	£799,600

34. Provided always, That the total nominal Amount of the Company's Capital in Shares or Stock (exclusive of Capital created by the Conversion of Loan into Capital) shall not exceed 1,375,060*l.*, save only that the Company may create and issue new Shares or Stock for the Redemption of preferential Shares before the actual Redemption of the preferential Shares, and the Money raised by the new Shares or Stock so created and issued shall be applied by the Company exclusively in the Redemption of preferential Shares: Provided also, that whenever any preferential Share is redeemed, it shall thereupon be absolutely extinguished, and the Certificate thereof shall be cancelled by the Company, and an Entry thereof shall be made by them in their Registers.

35. The Company from Time to Time, with the Consent of Three Fourths of the Votes of the Shareholders present, personally or by Proxy, at any Meeting convened with special Notice of the Purpose, may issue all or any of the new Shares or Stock created for the Redemption of preferential Shares, with a Right to a preferential Dividend not exceeding 5*l.* per Centum per Annum, payable either in perpetuity or for a limited Period or limited Periods, and either with or without a Right of Redemption, and with such other Incidents or Qualities (if any), and under such Name or Denomination as the Company determine, and the preferential Dividend shall be payable in the Order in that Behalf expressed in this Act, but any Arrears thereof shall not in any Case be payable or enforceable so as to affect the Payment of Interest on the Debenture Debt or Debenture Stock of the Company, or the Dividend on any preferential Shares having Priority over the same.

Amounts of new Shares, Calls, &c., § 36.

As to Payment of Preference Dividends out of yearly Earnings, § 37.

Associated Companies may guarantee Dividends on further Capital, §§ 38, 39.

Saving Rights of Preference Shareholders in Associated Companies, § 40.

Associated Companies may accept Shares in satisfaction of Monies advanced by them, § 41.

Meetings; Directors, §§ 45 to 56.

Undertaking of Company defined, § 57.

Company to execute so much of the Line between Truro and Falmouth as is not abandoned under this Act, § 58.

Power to take Lands, § 59.
Power to make Railway authorized by Act, § 60.
New Works to be executed under Supervision of Joint Committee, § 61.
Admiralty and Board of Trade Provisions; Level Crossing, §§ 62 to 69.
Three Years for Purchase of Lands, § 71.
Works to be completed by 3d August 1864, § 72.
Compensation to be made where Contracts have been entered into or Notice given in respect of Portion of Railway between Truro and Falmouth, § 74.
Tolls, §§ 75 to 83.
Agreements between Company and Falmouth Docks Company, § 84.
Agreements between the Company and the West Cornwall Railway Company, § 85.
Saving Rights of Falmouth Docks Company, § 86.
Of the Duchy of Cornwall, and of Her Majesty's Principal Secretary of State for the War Department, §§ 87, 88.
Schedule. Clauses of repealed Acts continued, *i.e.*, Act of 1846, §§ 33 to 53 inclusive; and Act of 1847, §§ 11, 12, 22.

Cap. ccxvi.

"The Victoria Docks Gas Extension Act, 1861."

Recites that in 1857 the Victoria Docks Gas Company were incorporated and authorized to raise a Share Capital of 100,000l., and to borrow on Mortgage not exceeding 25,000l.; that the Company have put the recited Act into execution, and are manufacturing and supplying Gas within the Limits defined by that Act in that Behalf; proposes to extend their Works.
Recited Act to extend to this Act, §§ 2, 3.
Limits of Act, § 4.
Application of Monies, § 5.
Power to purchase Lands by Agreement, § 6.
Powers of Company, § 7.
Limits for Erection of Works, § 8.
Company may contract for lighting Streets, &c., § 9.
Power to lay Pipes against Buildings, § 10.
Examination of Meters, § 11.
Procedure and Penalties, §§ 12 to 20.

Cap. ccxvii.

"Llanelly Railway (New Lines) Act, 1861."

Recites that in 1853 divers Acts relating to the Llanelly Railway and Dock Company were repealed, and some of the Powers and Provisions thereof were amended, re-enacted, or continued, and the Company were authorized to maintain their then existing Railways and Dock, and to make and maintain Additions thereto; that in 1854 the Vale of Towy Railway Company were authorized to make a Railway, commencing at the Town of Llandovery and terminating at Llandilofawr by a Junction with the Company's Railway there; that in 1858 the Company were authorized to take a Lease for 10 Years, and in 1860 to take a Lease in perpetuity of the Vale of Towy Railway; that by the Burry Navigation and Llanelly Harbour Act, 1858, the Commissioners for executing that Act were authorized to purchase Docks and other Works of the Company, but no such Purchase has been made; that in 1860 the Company and the South Wales Railway Company were authorized to enter into Contracts with respect to a Branch Railway uniting the Company's Branch Railway, known as the Saint David's Railway with the Llanelly Station of the South Wales Railway, and with respect to the vesting of the same Branch Railway or Part thereof in the Company, and the Company and the Llanelly Local Board of Health were authorized to enter into Agreements for the selling or transferring to the Company of a Branch Railway made by the Lessees of the Local Board and extending to the Saint David's Railway; and the Company and the Burry Commissioners were authorized to enter into Agreements for a Licence to the Burry Commissioners for the exclusive User by them of Parts of the Wharfs of the Company; that in 1854 the Carmarthen and Cardigan Railway Company were authorized to make a Railway from Carmarthen to Newcastle Emlyn; and in 1855 and 1856 to make and maintain Deviations of their authorized Line of Railway; that the making of the following Lines of Railway, that is to say, a Railway from the Company's Railway at Llandilo Talybont to Swansea, with a Branch therefrom, and a Railway from the Company's Railway at Llandilofawr to the Carmarthen and Cardigan Railway, would afford additional Means of Railway Communication between divers Parts of South Wales and other Places; and it is expedient that the Company should make and maintain the same, and acquire for the Purposes thereof Lands occupied under the Local and Personal Act, 51 Geo. 3. c. 106.; that by the Company's Act of 1853 the total Capital of the Company was declared to be 264,000l., and was divided into 2,000 ordinary Shares of 100l. each, and 560 substituted Shares of 25l. each, and 2,000 new Shares of 25l. each, which substituted Shares and new Shares the Company were authorized to issue, either of One Class and with like Privileges or of several Classes and with different Privileges, and respectively, with any preferential Dividend not exceeding 6l. per Centum per Annum, and the Company were authorized to borrow on Mortgage or Bond any Sums not exceeding in the whole 66,000l.; that before the 31st Day of December 1859 the Company had issued and called up the whole of the Shares of their Capital, and had borrowed the whole Amount which they were authorized to borrow, and had converted the whole of their ordinary Shares into ordinary Stock of the Company, and had attached to the 2,000 new Shares a Preference of Dividend over the ordinary Stock of the Company to the Extent of 5l. per Centum per Annum, together with the Right to participate, pari passu, with the ordinary Stock in any Dividend beyond 5l. per Centum per Annum, and had attached to the 560 substituted Shares the Right to Interest at the Rate of 6l. per Centum per Annum up to the 30th Day of June 1860, and after that Day to Interest at the same Rate as the Dividend that should be payable on the 2,000 new Shares; that in 1860 the Company were authorized to raise by new Shares an additional Capital of 100,000l., and their Capital was declared to be the Sum of 364,000l., consisting of the aggregate Capital authorized by the Company's preceding Acts, and amounting to 264,000l., and the 100,000l. additional Capital created by the reciting Act, and the Company were authorized to issue the new Shares under the reciting Act, either of One Class and with like Privileges, or of several Classes and with different Privileges, and with any preferential Dividend, but not beyond the Rate of 6l. per Centum per Annum, and the Company were authorized to borrow on Mortgage any further Sums not exceeding in the whole 55,000l., and to create Debenture Stock to be substituted for Debenture Debt; that they issued the Shares of the additional Capital of 100,000l., authorized by their Act of 1860, as preferential Shares to bear 6l. per Centum per Annum preferential Dividend; that

their Capital now consists of the following Particulars; that is to say,

	£
1st. Preferential Capital bearing Dividend at the Rate of 5*l.* per Centum per Annum, and entitled to participate, pari passu, with the ordinary Stock in any Dividend beyond 5*l.* per Centum per Annum -	64,000
2d. Preferential Capital bearing 6*l.* per Centum per Annum Dividend - -	100,000
3d. Ordinary Capital - - -	200,000
	£364,000

proposes that they be authorized to raise further Monies.

Incorporation of Lands and Railways Clauses Acts and of Part of Companies Clauses Acts, §§ 2 to 4.

Power to take and use Lands for Works authorized by Act, § 5.

Three Years for compulsory Purchase, § 6.

Power for Company to make Works authorized by Act, §§ 8, 9.

Admiralty Provisions, §§ 10 to 16.

Five Years for Completion of Works, §§ 17, 18.

Prescribing Mode of treating the Road No. 11 in Llanegwad, § 19.

Power to alter Engineering Works, § 20.

Junctions with other Railways, §§ 21 to 23.

Protection of South Wales Company, §§ 24 to 26.

The Company not to take Property or interfere with Works of the Carmarthen and Cardigan Railway Company, §§ 27, 28.

As to Bridge over Oystermouth Railway, § 29.

Company to observe certain Conditions in respect to Railway No. 1, § 30.

Suspension of Powers of Act as regards Part of Carmarthen Line, § 31.

Tolls on Railways, §§ 32 to 34.

Company not to take Lands of the Swansea Harbour Trustees except by Agreement, § 35.

Company to extend Railway to Wharf belonging to Harbour Trustees, § 36.

Company to carry Ballast, Spoil, &c. at One Halfpenny per Ton per Mile, § 37.

38. The whole Undertaking of the Company shall comprise the Lands and Works from Time to Time vested in the Company under the Authority of this Act, and the several other Acts from Time to Time in force with respect to the Company respectively, and the several Railways, Docks, Wharfs, Buildings, Works, and Conveniences which by or under those Acts and this Act respectively are from Time to Time vested in the Company, and all other the Property from Time to Time of the Company.

39. Provided, That for the several Purposes in that Behalf of this Act, the whole Undertaking of the Company is by this Act divided into and shall consist of the following Three separate Undertakings; (that is to say,)

1st. The Company's original Undertaking, comprising the Lands and Works from Time to Time vested in the Company under the Authority of the Company's Acts, passed before the passing of this Act, and the several Railways, Docks, Wharfs, Buildings, Works, and Conveniences which by or under those Acts respectively are from Time to Time vested in the Company, and all other the Property from Time to Time of the Company under those Acts respectively:

2dly. The Company's Swansea Lines Undertaking, comprising the Swansea Lines, and the Lands, Works, and Property from Time to Time vested in the Company by or under this Act for the Purposes of the Swansea Lines:

3dly. The Company's Carmarthen Line Undertaking, comprising the Carmarthen Line, and the Lands, Works, and Property from Time to Time vested in the Company by or under this Act for the Purposes of the Carmarthen Line.

40. The Capital of the Company under their Acts is by this Act increased by the Addition thereto of the aggregate Sum of 270,000*l.*

41. The total Capital of the Company under this Act is the Sum of 634,000*l.*, consisting of the Company's present Capital authorized by the Company's Acts, and amounting to 364,000*l.*, and the 270,000*l.* additional Capital created by this Act.

42. Provided, That for the several Purposes of this Act with respect to the Company's Three separate Undertakings, the total Capital of the Company is by this Act divided into and shall consist of the following Three separate Capitals; (that is to say,)

First, with respect to the original Undertaking, the Company's present Capital of 364,000*l.*;

Secondly, with respect to the Swansea Lines Undertaking, the Swansea Lines Capital of 155,000*l.*, being Part of the additional Capital created by this Act;

Thirdly, with respect to the Company's Carmarthen Line Undertaking, the Carmarthen Line Capital of 115,000*l.*, being other Part of the additional Capital created by this Act.

43. Provided, with respect to each of the Swansea Lines Capital, and the Carmarthen Line Capital, that the respective separate Capital shall only be ordinary Capital.

44. The several Powers and Provisions of this Act with respect to the additional Capital by this Act created, and the Shares thereof, and the Holders of the Shares, shall, except as is by this Act otherwise provided, have a separate and distinct Operation with respect to each of the separate Capitals, and the Shares thereof, and the Holders of those Shares.

45. The Expression, "the prescribed Sanction of Shareholders," in this Act means the Sanction of at least Three Fifths of the Votes of the Shareholders entitled to vote in the Matter present, in Person or by Proxy, at a General Meeting of the Company specially convened for the respective Purpose for which their Sanction is prescribed.

46. The Company may raise the additional Capital by this Act created by the Issue of new Shares under this Act, and as the Case requires the new Shares shall be either Shares of the Swansea Lines Capital or Shares of the Carmarthen Line Capital.

Company may cancel unissued and forfeited Shares, and issue new Shares in lieu thereof, §§ 47 to 59.

60. In addition to the Sum of 121,000*l.* which the Company are already authorized to borrow, they from Time to Time may borrow on Mortgage any further Sums not exceeding the following; (that is to say,)

	£
With respect to the Swansea Lines Undertaking - - - - -	51,600
With respect to the Carmarthen Line Undertaking - - - - -	38,300
Total - -	£ 89,900

61. Provided, That the Company shall not borrow in respect of the Swansea Lines Undertaking any Part of the Sum of

51,600*l.*, until the whole of the Swansea Lines Capital of 155,000*l.* is subscribed for or taken, and One Half thereof is actually paid up; and shall not borrow in respect of the Carmarthen Line Undertaking any Part of that Sum of 38,300*l.* until the whole of the Carmarthen Line Capital of 115,000*l.* is subscribed for or taken, and One Half thereof is actually paid up: Provided also, that no Money shall be so borrowed by the Company in respect of either Undertaking until the Company shall prove to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that all the additional Capital by this Act authorized for the Purposes of that Undertaking is subscribed for or taken bonâ fide, and is held by the Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same, of which Proof having been given, the Certificate of such Justice under that Section shall be sufficient Evidence.

62. The several Mortgages which the Company issue under this Act for securing Monies borrowed with respect to those Two Undertakings respectively shall comprise only (as the Case requires) the Swansea Lines Undertaking, or the Carmarthen Line Undertaking, and the Tolls, Fares, Rates, and Charges to be demanded and taken by the Company in respect of the respective Undertaking, and if the Company so think fit, the Monies to be raised by future Calls on the Shares of (as the Case requires) the Swansea Lines Capital or the Carmarthen Line Capital.

Priority of existing Mortgages, § 63.

64. Provided, That no present or future Mortgagee of the Company shall have any Right or Remedy against the Company, or their Undertaking, Property, or Effects, or any Part thereof, except only with respect to such Part of the general Undertaking, Property, and Effects of the Company as is included in his respective Mortgage at the Time of the granting thereof; and the Liabilities of the Company to their several Mortgagees are by this Act limited accordingly.

Receiver of Mortgagees, § 65.

Directors for separate Shareholders, § 66.

67. The Holders of the Shares of any separate Capital shall not vote on any Matter touching any separate Undertaking in respect of which they are not Shareholders, or the separate Capital thereof, or the separate Mortgage Debt thereof, or the Receipts, Credits, Payments, or Liabilities of the Company with respect to that Undertaking, or in the Election of Directors in respect of that Undertaking.

68. The Principal and Interest secured by Mortgages granted by the Company in respect of any separate Undertaking, and the other Debts, Liabilities, and Engagements of the Company in respect of that separate Undertaking, and Dividends on Shares of the separate Capital raised in respect of that separate Undertaking, shall respectively be paid, satisfied, or discharged only out of the Assets of the Company in respect of that separate Undertaking; save only that the Company may apportion fairly between the several separate Undertakings, or any of them, the Management Expenses of the Company, and any other Expenses common to Two or more of the separate Undertakings.

69. So long as there are separate Undertakings the Company shall keep separate and distinct Accounts both of Capital and of Revenue for every separate Undertaking.

70. If and whenever the Profits applicable for Payment of Dividend on the Company's present Capital, or, as the Case may be, on the Company's present Capital increased by the Amalgamation therewith of any of the other separate Capitals, are sufficient for the Payment during any Three consecutive Years of Dividend, at the Rate of at least 5*l.* per Centum per Annum on the Amount paid up on the ordinary Shares thereof, and the Profits applicable forPayment of Dividend on any one or both of the Swansea Lines Capital and the Carmarthen Line Capital are sufficient for the Payment during the same Three consecutive Years of Dividend at the Rate of at least 5*l.* per Centum per Annum on the Amount paid up on the Shares thereof, then and in every such Case at the Expiration of the respective Third Year (the Year in every Case ending with the 31st Day of December) the several separate Undertakings in respect whereof the Profits are so sufficient, and the separate Capitals and Mortgage Debts of the same Undertakings respectively, shall be by this Act amalgamated into One Undertaking and One Capital and One Mortgage Debt.

71. On every such Amalgamation taking effect, the Holders of the ordinary Shares of the several Capitals so amalgamated shall be entitled to like Dividend, and like Rights of voting and Qualifications, and other Privileges proportioned to the Amount from Time to Time paid up on those Shares respectively.

72. On every such Amalgamation of separate Mortgage Debts taking effect, the several Mortgages granted by the Company for securing the amalgamated Mortgage Debts shall (but subject and without Prejudice to any other Mortgages of the Company, and the Rights and Remedies of the several Holders thereof respectively,) be extended so as to comprise the Undertaking, Tolls, Fares, Rates, and Charges and Effects of the Company not comprised in the Mortgages granted by the Company in respect of any other separate Mortgage Debt.

73. When the Swansea Lines Undertaking and the Carmarthen Line Undertaking respectively are so amalgamated, the Number of the Directors of the Company shall, on every such Amalgamation, be increased by One; and the Provisions of this Act with respect to the Election of a Director by the Holders of Shares of, as the Case may be, the Swansea Lines Capital or the Carmarthen Line Capital shall cease.

74. Except only as is by this Act otherwise provided, the additional Capital from Time to Time raised by the Company under this Act by new Shares shall be Part of the general Capital of the Company, and all such Rights of voting and Qualifications, and other Privileges, Liabilities, and Incidents shall attach to and be conferred by the additional Capital so raised, and Shares thereof as to and by the Company's present ordinary Capital and Shares of like Amount thereof.

Saving Rights of Duke of Beaufort, § 80.

Savings Rights of the Crown, § 81.

Cap. ccxviii.

"Monmouthshire Railway and Canal (Works) Act, 1861."

Recites Incorporation of the Company of Proprietors of the Monmouthshire Canal Navigation by an Act 32 Geo. 3. c. 102., and an Act 37 Geo. 3. c. 100., and an Act 42 Geo. 3. c. 115.; that by "The Newport and Pontypool Railway Act, 1845," the Company were authorized to make a Railway from Newport to Pontypool, with Branches therefrom; that by "The Newport and Pontypool Railway (Amendment) Act, 1848," the Name of the Company was changed to their present Name, "The Monmouthshire Railway and Canal Company;" that in 1852 and again in 1853 the Company were authorized to make additional Railways; that it is expedient that the Company be authorized to make the several Lines of Railway by this Act authorized; also to take on Lease the private Railway known as Messieurs Bailey's Nantyglo Railway, or some Part thereof, and to purchase the private Railway known as the Cwmtillery Branch Railway, or some Part thereof; that at the Time of

the passing of the Act of 1845 the Capital of the Company was 240,900*l.*, and their Mortgage Debt was 41,837*l.*, and by that Act they were authorized to raise the further Capital of 119,100*l.* by Shares, and to raise by Shares or by borrowing any Sums not exceeding (inclusive of their then Mortgage Debt) 120,000*l.*; that in 1848 the Company were authorized to raise a further Capital of 112,500*l.* by Shares, and to borrow a further Sum of 37,500*l.*; that in 1853 the Company were authorized to raise a further Capital of 150,000*l.* by Shares, and to borrow a further Sum not exceeding 50,000*l.*; that in 1855 the Company were authorized to raise a further Capital of 202,500*l.* by Shares, and to borrow a further Sum of 67,500*l.*; that the Capital of the Company (the whole of which is fully paid up) consists of the following Particulars, that is to say:—

	£
Preferential Capital, bearing 5*l.* per Centum per Annum preferential Dividend - -	315,000
Ordinary Capital - - - - -	510,000
Total Capital - -	£825,000

proposes to raise further Monies for the Purposes of this Act and other the Purposes of their Undertaking.

Lands and Railways Clauses Acts and Part of Companies Clauses Act incorporated, §§ 2, 3.

Repeal of existing Provisions as to Half-yearly Meetings, § 5.

Times for holding Ordinary Meetings, § 6.

Repeal of Provisions of Act of 1853 as to Carriages with combined Wheels, § 7.

Power to take and use Lands for Works authorized by Act, § 8.

Restricting compulsory Powers over certain Properties, § 9.

Two Years for compulsory Purchase of Lands, § 10.

Power for Company to take Lease of Messrs. Bailey's Nantyglo Railway, § 12.

Power for Company to purchase Cwmtillery Branch Railway, § 13.

Power to make Works authorized by Act, §§ 15 to 17.

Power to alter Engineering Works, § 18.

Restriction as to taking certain Lands, § 19.

As to Accommodation of Chapel Farm, § 20.

Three Years for Completion of Railways, §§ 21, 22.

Parts of existing Railways may be used for Siding Accommodation, &c., § 23.

As to Alteration of High Street, § 24.

Tolls for Use of Carriages, &c., § 25.

Maximum Tolls for Goods, § 26.

Definition of a terminal Station, § 27.

Power to raise 100,000*l.* by new Shares with or without a Preference not exceeding 5*l.* per Cent., §§ 28, 38 to 42.

Cancelling and Re-issue of Shares, §§ 30 to 37, 43 to 51.

Power to borrow 25,000*l*, §§ 52 to 54.

Saving Rights of Companies, § 57.

Saving Rights of the Crown, § 59.

Schedule (Form).

Cap. ccxix.

"The Saint George's Harbour Act, 1861."

Preamble recites that by "The Saint George's Harbour Act, 1853," the Saint George's Harbour Company were incorporated, and were authorized to make and maintain a Harbour, with a Pier and other Works, at Llandudno in the County of Carnarvon, and a Line of Railway to connect the same with the Chester and Holyhead Railway, and were authorized to raise a Capital of 150,000*l.* in 7,500 Shares of 20*l.* each, and to borrow on Mortgage or Bond not exceeding 50,000*l.*; and it was thereby provided that the first Harbour Work to be made should be the Pier; and whereas by "The Saint George's Harbour Act Amendment Act, 1855," the Company were prohibited from expending any Portion of their Capital in the making of the other Works authorized by the recited Act until they should have completed and opened for Traffic the Pier and the Line of Railway; and they were authorized to borrow on Mortgage or Bond not exceeding 16,666*l.*, Part of the 50,000*l.* by the recited Act authorized to be borrowed, so soon as the 50,000*l.*, Part of the Capital by the recited Act authorized to be raised by Shares, should be subscribed for, and One Half thereof should be actually paid up; that the Company have made the Pier and Railway by the recited Acts authorized, or the greater Part thereof, but although they have obtained possession of the Lands on which the same are made, they have not legally acquired some of those Lands; that the Undertaking of the Company now consists of so much of the Railway authorized by the first-recited Act as extends from its Junction with the Chester and Holyhead Railway to near Mostyn Street in the Town of Llandudno, and the Lands, Station, Works, and Conveniences connected therewith, and of the Pier constructed under the Powers of the said Act; but the Powers of the Company in relation to the Harbour thereby authorized have become extinct; that the Railway by the recited Acts authorized forms a Junction with the Chester and Holyhead Railway, now belonging to the London and North-western Railway Company; and it is expedient that the Powers of the Company with respect to the taking of some of the Lands requisite for the Purposes of their Undertaking be revived, and that the Powers of the Company for levying Tolls, Rates, or Dues in respect of their Pier be revived and amended; and also that the Company be authorized to lease or sell to the North-western Company, and they be authorized to take on Lease or Purchase, the Company's Railway; that the ordinary Capital of the Company consists of 2,385 Shares of 20*l.* each, of which 2,246, to the aggregate nominal Amount of 44,920*l.*, are fully paid up, and in respect of 139 of which the Sum of 559*l.* 10*s.* only has been paid, and such last-named Shares are under Notice of Forfeiture; and whereas the Company, at Meetings of the Company held in the Year 1856, at which every then Shareholder of the Company was present, personally or by Proxy, and consented thereto, issued 900 Shares of 20*l.* each, to the aggregate nominal Amount of 18,000*l.* as preferential Shares bearing preferential Dividend at the Rate of 5*l.* per Centum per Annum, and the same are fully paid up; and it is notified on the Face of every Certificate of ordinary Shares that such Share was issued subject to the prior Claims of the Preference Shareholders; and whereas the Company have borrowed on Mortgage or Bond 16,600*l.*, the whole of which is still secured by Mortgages or Bonds; and whereas the aggregate Sum raised by the Company by Shares and by borrowing is 80,079*l.* 10*s.*, the whole of which has been expended for the Purposes of the Company's Undertaking; and whereas the Company have incurred Judgment and other Debts or Liabilities beyond the Amount of their Debenture Debt, and it is expedient that Provision be made for the Discharge thereof; and it is expedient that the Amount of the Company's Capital, and the Amount which they may borrow, be reduced, and Provision be made for the Regulation of their reduced Capital and Debenture Debt.

Lands Clauses, Railways Clauses, and Part of Companies Clauses Acts incorporated, §§ 2, 3.

Powers for raising Capital and borrowing extinguished, § 5.

6. On and after the passing of this Act the Capital of the Company shall be the Sum of 70,000*l.*, subject to Augmentation as by this Act provided, consisting of the following Sums; (that is to say,)

	£
1st, the Company's present Preferential Capital in 900 Shares of 20*l.* each	18,000
2dly, the Company's present ordinary Capital in 2,246 Shares of 20*l.* each, fully paid up	44,920
And the Company's present ordinary Capital of 139 Shares of 20*l.* each, under Notice of Forfeiture	2,780
3dly, the Capital which by this Act the Company are authorized to raise by new Shares	4,300
Total	£70,000

7. In lieu of forfeited Shares, and for the Purposes of this Act, the Company from Time to Time may raise, by the Creation and Issue of new Shares, any Sums not exceeding in the whole 7,080*l.*, Part of the Company's Capital under this Act.

New Shares may be of different Classes, § 8.

9. Provided, That no new Share issued by the Company under this Act shall bear any fixed or preferential Dividend beyond the Rate of 4*l.* per Centum per Annum on the Amount from Time to Time actually paid thereon: Provided also, that all the Shares of the same Class shall be of the same Amount, and all the Shares of the same Class shall bear like Dividend, and confer like Privileges.

10. If in any Year ending with the 31st Day of December there are not Profits of the Company available for the Payment of the full Amount of the preferential Dividend for that Year on any new Shares issued under this Act, no Part of the Deficiency shall be made good out of the Profits of any subsequent Year, or out of any other Funds of the Company.

Saving existing preferential Shares, § 12.
Disposal and Appropriation of new Shares, §§ 13 to 18.
Power to borrow 20,500*l.*, §§ 19 to 21.
Power to create Debenture Stock; Conditions of such Stock, §§ 23 to 28.
One Year for compulsory Purchase of Lands, § 30.
Providing for existing Contracts and for Compensation, §§ 31, 32.
Pier Dues, § 33.
Power for Company and North-western Company to enter into Agreements, § 34.

35. The Purposes for which Agreements under this Act may be entered into between the Company and the North-western Company comprise the following Purposes; (that is to say,)

1st, the granting by the Company, and the accepting by the North-western Company, of a Lease of their Railway, and the Works and Conveniences connected therewith, and the Lands and other Property of the Company held for the Purposes thereof, and of the Powers, Privileges, and Authorities of the Company with respect to the same, on such Terms and Conditions as the contracting Companies think fit:

2dly, the making by the Company, and the accepting by the North-western Company, of a Transfer of their Railway and the Works and Conveniences connected therewith, and the Lands and other Property of the Company held for the Purposes thereof, and of the Powers, Privileges, and Authorities of the Company with respect to the same, on such Terms and Conditions as the contracting Companies think fit.

36. Provided, That except so far as the Company and the North-western Company from Time to Time otherwise agree, the Rent to be reserved by the Lease, or the Consideration for the Transfer, shall be a yearly Rent or yearly Sum after the Rate of 1,615*l.* a Year from the 1st Day of January 1861 to the Day of the granting or making by the Company and the accepting by the North-western Company of a Lease or Transfer under this Act, and a yearly Rent or a yearly Sum of 2,500*l.* from that Day, payable half-yearly, without any Deduction, except as is by this Act provided, and, in the Case of a Lease, to be paid during the Continuance thereof, or, in the Case of a Transfer, to be paid in perpetuity, and in either Case without any Deduction, except as is by this Act provided.

37. Provided, That the yearly Rent or yearly Sum payable by the North-western Company under the Lease, or as the Consideration for the Transfer, shall be subject to the following Deductions; (that is to say,)

1st, the Property or Income Tax, if any, which the North-western Company from Time to Time may lawfully deduct thereout:

2dly, a Sum by way of Interest, after the Rate of 4*l.* 10*s.* per Centum per Annum, on such of the Debts or other Liabilities of the Company, with respect to the Premises leased or transferred to the North-western Company, as they pay or discharge in respect thereof, the Amount, in case of Difference between the Two Companies, to be determined by Arbitration under "The Railway Companies Arbitration Act, 1859:"

3dly, a Sum, after the Rate of 4*l.* per Centum per Annum, on all Sums expended by the North-western Company in respect of Works made by them in the Year 1858 at the Junction of the Company's Railway with the Chester and Holyhead Railway, the Amount, in case of Difference between the Two Companies, to be determined by Arbitration in like Manner.

38. The yearly Rent or yearly Sum so payable to the Company by the North-western Company is by this Act charged on the Premises leased or transferred, and the Tolls, Fares, Rates, Charges, and other Sums from Time to Time receivable in respect of the same, and may also be recovered by the Company from the North-western Company in any Court of competent Jurisdiction as a Debt due from the North-western Company to the Company.

39. Provided, That the yearly Rent or yearly Sum, or any Stock created by the North-western Company in accordance with this Act for the Redemption thereof, shall not prejudice or affect any Preference or Priority in the Payment of any other Rent or yearly or other Sum, or of Interest or Dividend on any Stock or Shares, from Time to Time respectively granted or guaranteed by the North-western Company by or in pursuance of or confirmed by any Act passed before the accepting by them of the Lease or Transfer, or otherwise from Time to Time lawfully subsisting.

40. Provided, That the North-western Company, at any Time, if they think fit, may redeem the yearly Rent or yearly Sum payable by them under the Lease, or as the Consideration for the Transfer, by allotting to the Company Stock of the North-western Company bearing a fixed Dividend equal in Amount to the net Amount, in accordance with this Act, of the yearly Rent or yearly Sum so payable.

41. In accordance with the Terms and Conditions agreed on under this Act between the Two Companies for any such Transfer, all the Premises thereby agreed to be transferred to the North-western Company, and the Rights, Powers, Authorities, and Privileges to be, in accordance with this Act,

exercised and enjoyed by the North-western Company, and their Directors, Officers, and Servants, with respect to the same, shall, at the Time by the Agreement appointed for the Transfer to take effect, be by this Act, and subject to the Provisions thereof, transferred to and vested in the North-western Company absolutely and for ever; and the Premises so transferred to them are by this Act amalgamated with and shall be deemed Part of their original Undertaking, and the Transfer shall be evidenced by a Deed duly stamped, and wherein the full Consideration for the Deed is fully and truly set forth.

42. In accordance with the Terms agreed on under this Act between the Two Companies for any such Lease or Transfer, the North-western Company shall be entitled, under the Agreement in that Behalf, and from the Time thereby appointed for the Lease or Transfer to take effect, to the Management, Regulation, Maintenance, User, Working, and Enjoyment of the Premises agreed to be leased or transferred, and the Traffic thereon and thereat, and to the regulating, taking, and enjoying of the Tolls, Fares, Rates, Charges, and other Payments and Advantages in respect thereof.

43. All the Rights, Powers, Authorities, and Privileges of the Company, and their Directors, Officers, and Servants respectively, which by virtue of any of the Acts relating to the Company, and from Time to Time in force, might be exercised and enjoyed by them respectively with respect to the Premises agreed to be leased or transferred, and which, in accordance with the Terms and Conditions of the Agreement or of this Act, are to be exercised and enjoyed by the North-western Company, and their Directors, Officers, and Servants respectively, with respect to the Premises agreed to be leased or transferred, may and shall be exercised and enjoyed accordingly, under and with the same Regulations, Restrictions, Conditions, Obligations, Penalties, and Immunities, according to those Acts respectively, as by the Company, and their Directors, Officers, and Servants respectively.

44. In accordance with the Term and Extent of the Lease, or the Extent of the Transfer, the recited Acts and this Act respectively, and any other Acts from Time to Time in force with respect to the Company, shall, so far as the same respectively apply to the Premises agreed to be leased or transferred, be read and have effect as if the same had been passed with respect to the North-western Company instead of with respect to the Company.

45. During the Lease, or, as the Case may be, from and after the Transfer, the North-western Company from Time to Time may demand and take, in respect of the Premises agreed to be leased or transferred, the like Amount of Tolls, Fares, Rates, and Charges which by the first-recited Act the Company are authorized to demand and take with respect to the same, but not exceeding the maximum Amount thereof thereby limited: Provided always, that with respect to the Tolls, Fares, and Charges to be demanded and taken by the London and North-western Railway Company for Traffic conveyed partly on the London and North-western Railway and partly on the Railway of the Company, the Length of Railway over which the Traffic passes shall be estimated as if the Railway over which it passes had been originally authorized as One continuous Line of Railway; but in respect of Traffic passing partly over the London and North-western Railway and partly over the Railway of the Company, and conveyed for a less Distance than Four Miles, it shall not be lawful for the London and North-western Railway Company to demand and take Tolls as for Six Miles, but only as for Four Miles.

46. The Company and the North-western Company may from Time to Time enter into and carry into effect Contracts and Agreements for the Transfer or Lease to the North-western Company of the Company's Pier, and the Works and Conveniences connected therewith, upon such Terms and Conditions, and for such Payments, annual or in gross, or other Consideration, as may be mutually agreed upon between the Two Companies; and during the Continuance of such Lease, or after such Transfer, the North-western Company may exercise and enjoy all the Powers, Authorities, Rights, and Privileges of the Company in relation to the said Pier, and the Works and Conveniences connected therewith.

47. The North-western Company from Time to Time may apply, for the Purposes of this Act relating to them, any Monies which they from Time to Time raise by Shares or by borrowing, and which are not wanted for the special Purpose (if any) for which, by any of the Acts relating to the North-western Company, they are made applicable.

48. For the Purposes of the Redemption, in accordance with this Act, of the yearly Rent or yearly Sum payable by the North-western Company to the Company, the North-western Company may create and issue Stock of the North-western Company with a fixed Dividend equal in Amount to the net Amount of the yearly Rent or yearly Sum payable to the Company under the Provisions of this Act: Provided that the Stock so created shall be applied only for the Redemption of the yearly Rent or yearly Sum.

49. Provided, That the total nominal Amount of the Stock to be created by the North-western Company for the Purposes of this Act shall not exceed 70,000*l.*

Saving Agreement with Mr. Lloyd Jones, § 50.
Saving Rights of Judgment Creditors of Company, § 53.
Saving Rights of the Crown, § 54.

Cap. ccxx.

"The Southampton and Netley Railway Act, 1861."

Proposes the making of a Railway between the London and South-western Railway, at or near to that Railway at Saint Denis near Southampton, and the Military Hospital at Netley.
Incorporation of Consolidation Acts, § 1.
Subscribers incorporated, with a Capital of 48,000*l.*, and Power to borrow 16,000*l.*, §§ 3 to 9.
Meetings; Directors, §§ 10 to 14.
Power to make Railways and alter Engineering Works, §§ 15, 16.
Road in the Parish of Hound not to be deviated without Consent, § 17.
Communications with South-western Railway, §§ 18 to 21.
Saving Rights of Northam Bridge Company, § 22.
Admiralty Provisions, §§ 23 to 26.
Saving Rights of the Principal Secretary of State for the War Department, § 27.
Road to be crossed on the Level, §§ 28 to 31.
Two Years for compulsory Purchase of Lands, § 33.
Three Years for Completion of Works, §§ 34, 35.
Tolls, §§ 36 to 45.
Settlement of Differences by Arbitration, § 46.
Power to enter into Traffic Arrangements with South-western Company, §§ 47 to 52.
Saving Rights of the Crown, § 56.

Cap. ccxxi.

"Stourbridge Railway Extension Act, 1861."

Recites Incorporation of the Company in 1860, with Power to make a Railway from the Line of the West Midland Railway from a Point near the Stourbridge Passenger Station to

Old Hill in the Parish of Rowley Regis in the County of Stafford, with Two Branches, one to Cradley Park and the other to the Congreaves Iron Works, and with Power to raise by Shares 80,000*l.*, and on Loan 26,600*l.*; proposes to extend their Railway from the said Parish of Rowley Regis to the Township of Smethwick in the Parish of Harborne in the County of Stafford, there to form a Junction with the Birmingham and Wolverhampton and Stour Valley Line of the London and North-western Railway, and also to make a Branch Railway; also to raise Money for the Purposes of the Act, and that Powers should be given to and Arrangements authorized with other Companies.

Incorporation of Consolidation Acts, §§ 2 to 5.

Power to make Deviations in Extension Railway, § 6.

Power to make Railways according to deposited Plans, § 7.

Level Crossing, §§ 8 to 11.

For securing Completion of Junction with Birmingham, Wolverhampton, and Stour Valley Railway, § 14.

Regulating Communication with Birmingham, Wolverhampton, and Stour Valley Railway, §§ 15 to 20.

Protection of Birmingham Canal Company, §§ 21 to 34.

Extension Railway to form Part of Railway, § 35.

Four Years for the Completion of Works, § 36.

Power to Company to raise additional Capital of 120,000*l.*, §§ 37 to 41.

Power to borrow 40,000*l.*, § 42.

Separate Accounts, § 43.

Application of Sums raised under this Act, § 44.

As to Profits from Extension Railway, § 45.

Power to West Midland Railway Company to subscribe 20,000*l.*, and to raise Money by Creation of Shares with 5*l.* per Cent. Preference, §§ 46 to 50.

Certain Sections of Act of 1860 to apply, § 51.

52. Through Rates shall be settled by Agreement, or, failing Agreement, by Arbitration between the Company or the West Midland Railway Company and the London and North-western Railway Company, and quoted in respect of the Descriptions of Traffic herein-after mentioned passing over or using the Stourbridge Railway or the Extension Railway hereby authorized, and between the Stations and Places herein-after mentioned; (that is to say,)

In respect of Passenger Traffic passing or intended to pass from the Stourbridge Station of the West Midland Railway Company (or the Station at Stourbridge of the Company), or passing or intended to pass from any Station of the Stourbridge Railway or of the Extension Railway, and destined for Birmingham, or for any Station on the Birmingham, Wolverhampton, and Stour Valley Railway between Smethwick and Birmingham, or for any Station (including London) on the Birmingham and London Line of the London and North-western Railway, and vice versâ.

Any Difference between the Companies with respect to the Amount of such Through Rates, or the Apportionment of the same between the said Companies, or as to the Mode of giving Effect to this Provision, shall from Time to Time be settled by Arbitration in manner provided by "The Railways Clauses Arbitration Act, 1859," and the said Companies shall respectively book through in accordance with the Rates so settled or determined; and the Expression "Birmingham and London Line" shall mean the Main Line, exclusive of Branches, which forms the continuous Line of Railway between Birmingham and London, and was formerly called "The London and Birmingham Railway," and the Expression "Stourbridge Station of the West Midland Railway" shall include the intervening Part (if any) of the West Midland Railway situate between that Station and the Railway of the Company.

Cap. ccxxii.

"The Swansea Harbour Act, 1861."

Recites that in 1854 the Swansea Harbour Trustees were incorporated and made the Conservators of the Harbour of Swansea and the River Tawe, and the Parts therein specified of Swansea Bay, and Powers were conferred on them for the Conservancy, Improvement, Protection, and Regulation of the Harbour, and they were authorized to make and maintain Docks, Basins, and other Works, and to take Light Dues on Vessels, Rates on Shipping, Rates on Goods, and Bridge Tolls; and Provision was made that all Rates, Dues, Damages, Penalties, and other Sums payable to and Income of the Trustees, should be paid to the Credit of the Swansea Harbour Fund, and they were authorized to purchase and hold Lands for the Purposes of the Act, and to borrow, in addition to a Bond or Mortgage Debt of 146,242*l.* or thereabouts, to which the Swansea Harbour Fund was made subject as therein expressed, any Sums not exceeding 80,000*l.* on Mortgage of the Tolls, Rates, and Dues by the now reciting Act authorized; that the Trustees have proceeded in the Execution of the Act of 1854, and have raised by Mortgage thereunder 80,000*l.*; that in 1857 the Undertaking, Docks, and Works of the Swansea Dock Company were transferred to and vested in the Trustees, and the Trustees were thereby empowered and required to make and complete the Docks and Works which the Dock Company were by "The Swansea Dock Act, 1847," authorized to make and complete; that by the last-mentioned Act the Trustees were authorized to make and maintain a Railway commencing by a Junction with the South Wales Railway in the Parish of Swansea, and passing through and terminating within that Parish near to the North-western Corner of the authorized Swansea Dock; that by the same Act, for the Purpose of enabling the Trustees to complete the Docks and Works of the Dock Company, and the Dam or Embankment and other Works connected therewith, they were empowered to borrow on Mortgage of the Dock Rates by that Act authorized, and of the Docks and the Works connected therewith, and of the Swansea Harbour Fund provided by the Act of 1854, jointly, any Sums not exceeding in the whole 100,000*l.*; and for the Purpose of enabling the Trustees to purchase any Lands which they were by that Act authorized to purchase by Agreement, they were empowered to borrow on Mortgage of the Swansea Harbour Fund any Sums not exceeding in the whole 5,000*l.*; and for the Purpose of enabling the Trustees to make the Railway by that Act authorized, they were empowered to borrow on Mortgage of the Railway Rates, Tolls, and Charges by that Act authorized, and of the Railway and Works connected therewith, and of the Swansea Harbour Fund jointly, any Sums not exceeding 75,000*l.*; that the Trustees have proceeded in the Execution of the Act of 1857, and have completed the Docks and Works which the Dock Company were by "The Swansea Dock Act, 1847," authorized to make and complete, and have also made the Railway by that Act authorized, with Sidings, Wharves, and Conveniences connected therewith; that the Works and Purposes executed by the Trustees under the Powers of the Act of 1854 have cost the Trustees upwards of 80,000*l.*, and the Trustees are indebted to various Persons in respect of such Works; and the said Sums of 100,000*l.* and 75,000*l.*, authorized to be raised by the Act of 1857, have been insufficient for the Purposes of the Completion of the said Docks and the Construction of the said Railway, and the Trustees are further indebted to various Persons in respect of those Works, and it is expedient that the Trustees should be empowered to raise the further Sum of 40,000*l.*, to be

applied in the Manner and for the Purposes herein-after mentioned.
Incorporation of Parts of Commissioners Clauses Act, § 2.
Power to borrow, § 3.
Mortgages under recited Act to have Priority, § 4.
Appointment of Receiver for Mortgagees, § 5.
Accruing Interest to be provided for, § 6.
Trustees not bound by Trusts affecting Mortgages, § 7.

8. After the Principal Sums due and owing on the Credit of the Rates, Dues, and Tolls authorized by the Act of 1854 shall have been paid off, the Trustees shall set apart and appropriate annually out of the same Rates, Dues, and Tolls, as a Sinking Fund, to be applied in paying off the Principal Sums from Time to Time secured on Mortgage under this Act, the same Sum as they are by the Act of 1854 required to set apart for the Purpose of a Sinking Fund after the 30th Day of June 1864, namely, the Sum of 1,500*l.*, together with any Amount of surplus Revenue which may remain in the Hands of the Trustees in any Year.

Cap. ccxxiii.

"The Oswestry, Ellesmere, and Whitchurch Railway Act, 1861."

Proposes the making of a Railway from the Oswestry and Newtown Railway at Oswestry to the London and North-western Railway at Whitchurch in the County of Salop, and Working Agreements with the London and North-western Railway Company.
Incorporation of Acts, § 1.
Subscribers incorporated, with a Capital of 150,000*l.*, and Power to borrow 50,000*l.*, §§ 3 to 7.
Directors; Meetings, &c., §§ 12 to 17.
Power to make Railways, § 18.
Lands to be purchased by Compulsion within Three Years, § 22.
Five Years for Completion of Railways, § 23.
Protection of Property of Shropshire Union Railways and Canal Company, § 24.
For preventing Obstructions to Canal, § 25.
Saving Right of Shropshire Union Company, § 26.
Not to take Lands or interfere with Works of other Companies except for Purposes authorized, § 27.
Station to be made in the Parish of Hanmer, § 28.
Siding to be made by the Company at Fenn's Lane, § 29.
As to Works through the Estate of Sir John Hanmer, Baronet, § 30.
Provisions with respect to Junctions with other Railways, §§ 32 to 36.
Tolls, §§ 37 to 45.
Power for Oswestry and Newtown Company to contribute towards Funds of Company, § 46.
Power for London and North-western Company to contribute towards Funds of Company, § 47.
Power for contributing Company to raise and apply Monies for Contribution towards Funds of Company, § 48.
Payment of preferential Dividend by contributing Company, § 49.
Sanction of Shareholders for Contribution by Companies towards Funds of Company, § 51.
Saving Rights of existing preferential Shares, § 52.
Nominees of contributing Companies to vote at Meetings of Company, § 53.
Instruments of Appointment and Revocation of Nominees, §§ 54 to 56.
Restrictions on Agreements between Companies, §§ 57 to 64.
For facilitating Traffic between Railway and London and North-western Railway, § 65.
If Railway worked continuously with London and North-western, only One Short Distance Charge to be made, § 66.
To facilitate the Transmission of Traffic to or from the Great Western Railway from or to the Railway of the Company, § 67.

Cap. ccxxiv.

"The Petersfield Railway Deviation Act, 1861."

Recites that in 1860 the Company were incorporated for making a Railway from the Mid-Sussex and Midhurst Junction Railway to Petersfield in the County of Southampton, with Power to raise a Capital of 100,000*l.*, and to borrow 30,000*l.*; that they are about proceeding with the Construction of the said Railway, and have raised Part of their Capital, but they have not yet borrowed any Money under the Provisions of the said Act; proposes to make the Railway herein-after described, the same being an Extension and partial Deviation of the authorized Line of the Petersfield Railway above mentioned.
Incorporation of Companies and Lands and Railways Clauses Acts, §§ 2, 3.
Power for Company to make Deviation Line and to take Lands according to Plans and Sections, § 4.
Two Years for compulsory Purchase of Lands, § 5.
Three Years for completing Railway, § 6.
Description of Railway Deviation authorized by this Act, § 7.
No Junction of Railway with London and Portsmouth Railway without Consent, § 8.
Abandonment of Portion of Railway, § 9.
Compensation to be made in respect of Line abandoned, § 10.
Compensation for Damage to Lands by Entry, &c., § 11.
Deviation Line to be Part of the Petersfield Railway, § 12.
General Application of Company's Funds, § 15.
Saving Rights of other Companies, § 16.

Cap. ccxxv.

"The Westminster Insurance Society's Dissolution Act, 1861."

Proposes to enable the Society or Partnership called "The Westminster Society for Insurance of Lives and Survivorships and for granting Annuities," to make Provision for satisfying the Liabilities and Engagements of the said Society or Partnership; to confirm an Agreement entered into between the said Society or Partnership and the Society or Partnership called "The Guardian Fire and Life Assurance Company;" to dissolve the said Westminster Society; and to authorize the Distribution among the Members thereof of so much of the Capital of the said Westminster Society as shall not be required for the Purpose of satisfying the Liabilities and Engagements thereof.
Agreement dated December 19th, 1860, confirmed, § 3.
Money payable by Westminster Society under subsisting Policies to be paid into the Bank, § 4.
Liability of the Guardian Company to be substituted for that of the Westminster Society, § 5.
Power for Directors of the Companies to carry Agreement into effect, § 6.
Payment of Monies into the Bank, § 7.
Receipts of the Cashier of the Bank and Certificate of the Accountant General to discharge, § 8.
Money to be invested in Stocks, Funds, or Securities in which Cash under the Control of the Court may be invested, and to be held as forming together a Guarantee Fund to answer

Monies payable under subsisting Policies, and applied for that Purpose from Time to Time under Order of Court of Chancery, § 9.
Application of Dividends on Fund No. 1, § 10.
Application of Dividends on Fund No. 2, § 11.
Trustees may agree with Directors for the Surrender of Policies in exchange for Policies in the Guardian, § 12.
Persons taking any new Policy in exchange to participate in Profits of Guardian Company, § 13.
Policies taken in exchange to be subject to same Trusts and Obligations, § 14.
When Policy exchanged or satisfied by Guardian Company, so much of the Guarantee Fund as would satisfy the same may be withdrawn under Order of the Court of Chancery, § 15.
Amount of Fund to be withdrawn when each Policy granted or satisfied, § 16.
Amount withdrawn from Fund No. 2 to be transferred to Trustees of Westminster Society, and the Amount withdrawn from Fund No 1. to be transferred to Trustees of the Guardian Company, § 17.
Dividends of Guarantee Fund No. 2 after One Year to be carried over to Proprietors Account, § 18.
Amount to be withdrawn from Time to Time, § 19.
Withdrawal from Guarantee Fund No. 2 after One Year, § 20.
Amount to be transferred to belong to Proprietors of Westminster Society, § 21.
Provision in case of Defaults on the Part of the Guardian Company, § 22.
After Withdrawal of Guarantee Fund No. 2, Notice to Westminster Society not necessary, § 23.
Money paid into the Bank to be applied under Order of Court of Chancery, § 24.
Court may make Order as to Costs, § 25.
Orders may be made on Petition or Summons, § 26.
As to Services of Notices, &c., § 27.
Monies payable to Trustees of Westminster Society may be paid to any Two of them, § 28.
Agreement dated 29th May 1861 confirmed, § 29.
Power to carry the same Agreement into effect, § 30.
Application of Assets of Westminster Society to certain Purposes, § 31.
Residue of Assets held for the Benefit of the Proprietors, § 32.
No Policy to be granted or Annuity sold by Westminster Society, § 33.
54 Geo. 3. c. clxxix. continued, § 34.
Appointment of Trustees of Act, § 35.
Directors may summon Meetings of the Proprietors for the Purposes of this Act, § 36.
Two Meetings may by Resolution dissolve the Society, § 37.
Upon Dissolution all the Real and Personal Estate of the Society to vest in Trustees and to be sold and converted into Money. Proviso, § 38.
Proceeds to be divided amongst Proprietors rateably, § 39.
Directors may provide for Officers or Servants, § 40.
Receipt of Trustees, &c. to be good Discharges, § 41.
A Meeting of Proprietors may resolve that Accounts of Trustees are accurate and settled, § 42.
Power to appoint new Trustees for executing the Act, § 43.
Trustees Indemnity, § 44.
Provision as to Costs of Trustees, § 45.
SCHEDULES 1 and 2:
Description of Policies.
SCHEDULE 3:
Estimate of Assets.

Cap. ccxxvi.

"The West of Fife Railway and Harbour Act, 1861."

Recites Incorporation of the West of Fife Mineral Railway Company in 1856, and that further Powers were conferred on the Company by "The West of Fife Mineral Railway (Roscobie Branch) Act, 1857," and "The West of Fife Mineral Railway (Kingseat Extension) Act, 1860;" that the Charleston Railway and Harbour Company were incorporated in 1859; proposes to amalgamate the Two Companies.
Incorporation of Consolidation Acts, § 3.
Charleston Railway defined, § 4.
Amalgamation of the Two Companies and Saving of Rights and Liabilities, §§ 5 to 23.

24. And whereas the West of Fife Mineral Railway Company were by the recited Acts relating to that Company authorized to raise by the Creation and Issue of Shares the Sum of 64,000*l.*, and by borrowing on Mortgage or Bond the Sum of 21,300*l.*; and the Charleston Railway and Harbour Company were by the recited Act relating to that Company authorized to raise by the Creation and Issue of Shares the Sum of 72,000*l.*, and by borrowing on Mortgage or Bond the Sum of 24,000*l.*; the Capital of the West of Fife Railway and Harbour Company in Shares shall and is hereby declared to be 136,000*l.*; and the Sum which the Company is authorized to borrow on Mortgage or Bond, including as Part thereof any Sums already borrowed by the dissolved Companies or either of them, shall and is hereby declared to be 45,300*l.*

Number and Amount of Shares, § 25.
Shareholders in dissolved Companies to be Shareholders in new Company, § 26.
Powers of dissolved Companies to raise further Capital vested in new Company, § 27.
Separate Registers to be kept, § 28.
Meetings; Directors, §§ 29 to 42.
Company may levy Tolls and Rates for Railways and Harbour, § 43.
Separate Accounts of Revenue and Expenditure to be kept, § 44.
Mode of stating Revenue Accounts, § 45.
Defining Amount of West of Fife and Charleston Shares, § 46.
As to Issue of additional West of Fife Shares, § 47.
Disposal of additional Shares, § 48.
Dividends payable out of Revenue of Charleston Railway and Harbour, § 49.
Dividend payable out of Revenue of West of Fife Mineral Railway, § 50.
Application of surplus Revenue of the Company, § 51.
Former Grants of Preference not to be affected, § 52.
Provision of Charleston Railway and Harbour Act, as to Agreements with Lord Elgin's Trustees, repealed, § 53.
Reservation of Merchant Shipping Acts, § 57.

Cap. ccxxvii.

"Rumney Railway Act, 1861."

Recites that by 6 Geo. 4. c. lxii. (Local) the Company were incorporated and authorized to make and maintain a Railway or Tramroad from the Northern Extremity of the Estate called Abertyswg to a Junction at or near to Pye Corner with the Sirhowy Railway, and were authorized to raise a Capital not exceeding 47,100*l.*, in Shares of 100*l.* each, and to borrow 20,000*l.*; that they accordingly made the Railway or Tramroad thereby authorized (now called the Rumney Railway) as a Tramroad, and not as a Railway;

that certain Railways communicating immediately with the Rumney Railway, and which were originally made as Tramroads, were afterwards converted into Railways, and Locomotive Engines were used thereon; and in consequence thereof, and in order to afford adequate Facilities for the Transmission of Traffic over the Rumney Railway, and to and from such other Railways, the Company converted the Rumney Railway from a Tramroad into a Railway; that the Company have from Time to Time improved the Rumney Railway by lessening some of the Curves thereof, and doing away with some of the level Crossings thereon; that it is expedient that the Company be authorized to maintain, work, and use the Rumney Railway as a Railway for Passenger and other Traffic, and to alter and straighten the Line and improve the Levels thereof; and also to make and maintain a Railway commencing by a Junction at Machen with the Rumney Railway, and terminating by a Junction with the Eastern Terminus of the Caerphilly Branch of the Rhymney Railway, and to maintain the Railway as a Railway for the Conveyance of Passengers as well as of Animals and Things, and to work and use it accordingly; also that Agreements be authorized between the Company and the Monmouthshire Railway and Canal Company and the West Midland Railway Company, and also a Lease or Sale of the Undertaking, Works, and Property of the Company to the Monmouthshire Company and the West Midland Company, or either of them; that the Company raised their authorized Capital of 47,100*l.* by 471 Shares of 100*l.* each, and those Shares are fully paid up, and have borrowed 20,000*l.*; but in consequence of a Question having arisen with respect to the Exercise of their borrowing Powers, some of the Shareholders of the Company covenanted with the Mortgagee by way of Indemnity for such Loan; that the Sum of 20,000*l.* so borrowed was applied for the Purposes of the Company's Undertaking, and it is expedient that all Questions as to the Validity of the Mortgages granted by the Company for securing the same be set at rest, and that the Company be authorized to raise Money by new Shares for the Purposes of the Works by this Act authorized, and for other Purposes of their Undertaking.

Incorporation of Consolidation Acts, §§ 2, 3.

Repeal of recited Act; Saving of Rights and Liabilities, §§ 5 to 18.

Meetings; Directors, §§ 19 to 26.

27. The Capital of the Company under this Act shall be the Sum of 100,000*l.* in 1,000 Shares of 100*l.* each, consisting of the Sum of 47,100*l.* in 471 Shares of 100*l.* each, by this Act vested in the Holders of Shares of the Company's present Capital, and the Sum of 52,900*l.* in 529 Shares of 100*l.* each, by this Act authorized to be created and issued by the Company.

Four hundred and seventy-one Shares vested in present Shareholders as fully paid up, § 28.

Four hundred and seventy-one Shares to be subject to same Trusts as old Shares, § 29.

Company to issue Certificates of 471 Shares, § 30.

Company may require Certificates of old Shares to be exchanged for Certificates of 471 Shares, § 31.

Certificates of old Shares to be available till Certificates of 471 Shares issued, § 32.

33. In addition to the Sum of 47,100*l.*, Part of the Company's Capital under this Act, which is represented by the 471 Shares so appropriated and vested, the Company from Time to Time may raise, by the Creation and Issue of 529 new Shares of 100*l.* each, the further Sum of 52,900*l.*

Power to issue new Shares of different Classes, and with or without a preferential Dividend not exceeding 5*l.* per Cent., §§ 34 to 37.

Cancelling and Surrender and Re-issue of Shares, §§ 38 to 46.

Power to borrow 33,300*l.*, § 47.

48. The Company's present Mortgage Debt of 20,000*l.* shall be deemed to be Part of the Sum which the Company are by this Act authorized to borrow on Mortgage, and to be a Sum borrowed accordingly under this Act, and the Mortgages granted by the Company before the passing of this Act for securing the same and the Interest thereon shall be deemed to be Mortgages duly granted by them under this Act, and during the Continuance thereof respectively, the same shall have Priority over all the Mortgages actually granted by the Company under this Act.

Power to take Lands, § 51.

Three Years for compulsory Powers, § 52.

Power to make Railway and Works, §§ 53, 54.

Lines of Railway and Works authorized by Act, § 55.

Power to alter Engineering Works, § 56.

Inclination of Roads, § 57.

Not to take Lands of Rhymney Iron Company otherwise than by Agreement, § 58.

Five Years for Completion of Railways, §§ 59, 60.

Junction with the Rhymney Railway, §§ 61 to 63.

Power for Company to discontinue Parts of Railway rendered needless by Alterations, &c., § 64.

Tolls for Tonnage, Animals, and Passengers, §§ 66 to 74.

Power to make Agreements with Monmouthshire and West Midland Railway Companies, §§ 75 to 83.

Power to lease or sell Undertaking to either Company, §§ 84 to 87.

Company in event of Sale to be wound up and dissolved, §§ 88 to 90.

91. Whereas by the "Newport, Abergavenny, and Hereford (Taff Vale Extension) Act, 1853," the "Newport, Abergavenny, and Hereford Railway Company" (therein called "the Company") was authorized to construct a Branch Railway in the Parish of Mynyddyslwyn to the Rhymney Tramway Company's Tramway, and in the said Act was contained a Proviso that the Newport, Abergavenny, and Hereford Railway Company should not construct the last-mentioned Branch Railway without the previous Consent in Writing of the Rhymney Tramway Company under their Common Seal and of Sir Charles Morgan Robinson Morgan, Baronet: And whereas by the "West Midland Railway Act, 1860," the Newport, Abergavenny, and Hereford Railway Company were dissolved, and their Undertaking, Rights, Powers, and Engagements were vested in the Oxford, Worcester, and Wolverhampton Railway Company, which Company it was by the said last-mentioned Act enacted should thenceforth be called the West Midland Railway Company: Be it therefore enacted, That in case the West Midland Railway Company shall at any Time hereafter apply to Parliament for Powers to complete and open the said Branch, the Company shall not oppose such Application on the single Ground of their Parliamentary Power to exercise a Veto against the Construction of the said Branch, provided the Use of the same be limited to the forwarding of Traffic to Places other than Newport, Cardiff, or Penarth, or any other Ports in the Bristol Channel.

Saving Rights of other Companies, § 92.

SCHEDULE. (Form of Surrender of Shares.)

Cap. ccxxviii.

"The Caledonian Railway (Stonehouse Branch) Act, 1861."

Proposes to enable the Caledonian Railway Company to make a Branch Railway from their Lesmahagow Line to Cot Castle, near Stonehouse; to extend the Southfield Branch

of that Line; to enlarge their Station at Symington; and for other Purposes.
Incorporation of Lands and Railways Clauses Acts, § 3.
Power to execute Works and acquire Lands, § 4.
Description of Works, § 5.
Regulating Inclination of Turnpike Road, § 6.
Regulating Dimensions of a certain Bridge, § 7.
Power to stop up a certain Road, § 8.
Power to alter Engineering Works, § 9.
Lands for extraordinary Purposes, § 10.
Three Years for compulsory Purchase, § 11.
Four Years for Completion of Works, § 12.
Tolls, § 13.
Power to raise 80,000*l.* by Creation of Shares, with 5*l.* per Cent. Preference Dividend, §§ 14 to 16.
Power to borrow 26,600*l.*, § 17.
Incorporation of Portions of Companies Clauses Act, § 18.

Cap. ccxxix.

"The Caledonian Railway (Cleland Extension and Branches) Act, 1861."

Proposes to enable the Caledonian Railway Company to extend their Cleland Branch to Morningside, and to make Branch Railways to Omoa Iron Works, to Drumbowie, and to Lanridge, all in the County of Lanark.
Incorporation of Lands and Railways Clauses Acts, § 3.
Power to execute Works and acquire Lands, § 4.
Description of Branch Railways, § 5.
Regulating Inclinations of certain Roads and private Railways, § 6.
Regulating Dimensions of certain Bridges, § 7.
Certain private Railways to be stopped up, § 8.
Power to alter Engineering Works, § 9.
Three Years for compulsory Purchase of Lands, § 11.
Five Years for Completion of Works, § 12.
Suspending Powers of Act as regards Part of Cleland Branch Extension, § 13.
Tolls, § 14.
Power to raise 160,000*l.* by Creation of Shares, with or without a 5*l.* per Cent. Preference, §§ 15, 16.
Power to borrow 53,300*l.*, § 17.
Incorporation of Portions of Companies Clauses Act, § 18.

Cap. ccxxx.

"The Forth and Clyde Junction Railway (Dalmonach Branch) Act, 1861."

Proposes to enable the Forth and Clyde Junction Railway Company to make a Branch Railway from their Main Line at or near Jamestown Station to near Dalmonach Printworks in the County of Dumbarton; recites that by their Act of 1853 the Company were authorized to raise by Shares 150,000*l.*, and by borrowing 50,000*l.*, but of the said Share Capital only 106,373*l.* has been realized by the Company, in consequence of Shares amounting to 43,000*l.* having been forfeited by Nonpayment of the Calls thereon, and of Arrears still due on Calls to the Amount of 627*l.*; that by their Act of 1857 the Company was authorized to raise 43,000*l.* in lieu of the said forfeited Shares, and the further Sum of 21,000*l.* to meet the then Liabilities of the Company, being together the Sum of 64,000*l.*, in additional Shares, to which a Preference was attached, and also to borrow the further Sum of 7,000*l.*; that there are yet unissued of the said preferential Shares to the Amount of 8,340*l.*, making, together with the said Sum of 627*l.* of Arrears on the original Capital of the Company, the Sum of 8,967*l.*, and against which there are Liabilities of the Company to the Extent of 10,097*l.*, leaving a Deficiency of their authorized Capital of 1,130*l.*; proposes to raise a further Sum of Money, by the Creation of additional Shares and by borrowing or otherwise, for the Construction of the said Branch Railway, and also to meet the Liabilities of the Company for the Supply of Plant and other Purposes incurred since the passing of the said last-mentioned Act, and to attach a Preference to such new or additional Shares.
Incorporation of Consolidation Acts, § 3.
Power to make Branch Railway, § 4.
Level Crossing, §§ 5 to 10.
Eighteen Months for the compulsory Purchase of Lands, § 12.
Three Years for Completion of Works, § 13.
Tolls, § 14.
Power to raise 21,000*l.* by additional Shares, §§ 16, 17.
Power to borrow 7,000*l.*, §§ 18, 19.
Company may attach preferential Dividend to new Shares, §§ 20 to 22.

Cap. ccxxxi.

"The Eastern Counties Railway Act, 1861."

Preamble recites the Acts incorporating the Eastern Counties Railway Company, the Norfolk Railway Company, the Eastern Union Railway Company, and the Colchester, Stour Valley, Sudbury, and Halstead Railway Company; that the Stour Valley Company constructed their Railway from Mark's Tey to Sudbury, and also a Branch to Colchester, but did not construct the Railway to Halstead; that by 10 & 11 Vict. cc. xi. and xviii. the Stour Valley Company were authorized to make Railways from Sudbury to Melford, Lavenham, and Clare, and from Lavenham to Bury Saint Edmund's, but they have not made either of those Railways, and their Powers in that Behalf have expired; that by Indenture dated the 1st Day of July 1852, made and executed under the Authority of the Eastern Union Railway Arrangements Act, 1852, the Undertaking of the Stour Valley Company was demised for 999 Years to the Eastern Union Railway Company, who were by that Act directed to pay to the Stour Valley Company the clear yearly Rent of 9,500*l.*, which was to have Precedence and Priority and to be paid next after the Interest and Dividends on certain Stock and Shares by that Act authorized to be created for discharging Debts of the Eastern Union Railway Company; that by the East Anglian Railways Act, 1847, the Lynn and Ely Railway Company, the Ely and Huntingdon Railway Company, and the Lynn and Dereham Railway Company were united into One Company by the Name of the East Anglian Railway Company, and the Lynn and Ely, Ely and Huntingdon, and Lynn and Dereham Railways respectively were vested in that Company, and by divers Acts since passed further Powers have been conferred upon that Company; that by the Eastern Counties and Newmarket Railways Arrangements Act, 1852, an Agreement dated the 28th Day of May 1851, made between the Company and the Newmarket Railway Company for the Purpose of effecting certain Arrangements therein specified and set forth for the working of that Portion of the Undertaking of the Newmarket Railway Company which consists of a Railway from the Eastern Counties Railway at or near Chesterford to Newmarket, and a Branch to the Town of Cambridge, by the Company, and for other Purposes, was confirmed, and the Company were authorized to purchase and the Newmarket Railway Company to sell, the aforesaid Portion of their Undertaking; that by the Newmarket Extension Railway Act, 1852, the Newmarket Railway Company were authorized to make a Railway from the Newmarket and Chesterford Railway at Newmarket to

join the Eastern Union Railway at Bury St. Edmund's, in lieu of certain Railways between Newmarket and Thetford, and between Newmarket and Bury St. Edmund's, which they had been previously authorized to make; and by the Eastern Counties and the Norfolk, the Eastern Union, the East Anglian, and the Newmarket Railways Act, 1854 (after reciting that the Eastern Counties Railway is at various Points connected with the Norfolk Railway, the Eastern Union Railway, the East Anglian Railways, and the Newmarket Railway respectively, and that the Lines of those several Railways might advantageously form One System of Railways, and that it would be of public Advantage that Provision should be made for enabling those Lines of Railway to be maintained, regulated, and used as One System of Railways, and that it would also be to the Advantage of the Shareholders in those Undertakings that Provision should be made for the Amalgamation thereof), an Agreement dated the 2d Day of February 1852, and made between the East Anglian Railway Company and the Company for the Working and Management by the Company of the East Anglian Railways; and an Agreement dated the 6th Day of February 1854, and made between the Company of the First Part, the Eastern Union Railway Company of the Second Part, and the Norfolk Railway Company of the Third Part, for the Working and Management by the Company of the several Railways, Works, and Undertakings belonging to, or under the Management or Control, or in the Possession of the Eastern Union Railway Company and the Norfolk Railway Company respectively; and an Agreement dated the 30th Day of March 1854, and made between the Newmarket Railway Company and the Company for the Working and Management by the Company of the Railway of the Newmarket Railway Company from Newmarket to Bury Saint Edmund's, were confirmed; and it was enacted, that (subject to the Provisions of that Act, and in accordance with the Terms and Conditions of the Agreements in force between the Five Companies or any of them respectively), until the Amalgamation by that Act provided for, the Company should use, work, regulate, and manage the several Railways, Works, and Undertakings to which those Agreements respectively relate, and the Railways, Works, and Undertakings of the Company, as if those several Railways, Works, and Undertakings were One Undertaking, and were the Undertaking of the Company; and by the same Act Provision was made for an Application to Parliament in the First Session of the Year 1862 for a Bill for the Amalgamation of the Company, the Norfolk Railway Company, the Eastern Union Railway Company, the East Anglian Railway Company, and the Newmarket Railway Company; and by the same Act it was enacted, that during the Subsistence of the Agreement of the 6th Day of February 1854, or of any modified supplemental or ancillary Agreement by the Act now in recital authorized to be made, the Company should pay to the Stour Valley Company the said annual Rent of 9,500*l.* as there mentioned, and that the Stour Valley Company should have all the same Rights and Remedies against the Company as they then had or were entitled to against the said Eastern Union Railway Company under or by virtue of the said Lease of the 1st Day of July 1852; and by the Act now in recital the Company were authorized to deduct any Sums so paid from any Monies payable by them to the Eastern Union Railway Company, or to recover the same from that Company; that by the said Agreement of the 6th Day of February 1854 it was provided, that out of the gross Receipts taken and received by the Eastern Counties Railway Company during each Half Year upon, for, and in respect of the several Undertakings, the Subject of that Agreement, there should be first deducted a Sum for Working Expenses equal to 46 per Cent. upon such gross Receipts, and that from the Residue certain other Deductions (One of such Deductions being Interest on the Cost of certain Works specified in that Agreement and the Schedules thereto which was to be allowed to that Company which should complete the same) should be made, and that the Residue of such gross Receipts in each Half Year should be divided and apportioned among the Three Companies Parties to that Agreement, in the Proportions of Five Sevenths to the Company, One Seventh to the Eastern Union Railway Company, and One Seventh to the Norfolk Railway Company; and whereas the Schedules to that Agreement included an Extension Line at Wisbeach which was to have been made by the Company, (being the Railway authorized by the Eastern Counties Railway (Wisbeach Deviation) Act, 1852,) and they have purchased a considerable Quantity of Land for the Purposes of that Line, but their Powers for the Construction thereof have expired; and whereas by the Colne Valley and Halstead Railway Act, 1856, the Colne Valley and Halstead Railway Company were authorized to make a Railway from the Chappell Station of the Colchester, Stour Valley, Sudbury, and Halstead Railway to Halstead, which Railway by the Colne Valley and Halstead Railway (Extension) Act, 1859, they were authorized to extend to Haverhill, and those Acts authorize that Company and the Company to make Contracts and Agreements for the using of that Railway and Extension, the Regulation of the Traffic on and from the same, and the Tolls and Charges in respect of such Traffic; and whereas by the Eastern Counties Railway Act, 1856, the Capital of the Company existing on the 31st Day of December 1855 was declared to have been the Sum of 9,596,215*l.*, consisting of Four Classes of preferential Shares and Stock, making together the aggregate Sum of 3,718,717*l.*, and of 5,854,015*l.* in ordinary Stock, and they were by that Act authorized to raise Money by new Shares for the Reduction of their Mortgage Debt, with Power to attach thereto a fixed guaranteed or preferential Dividend not exceeding the yearly Rate of 6*l.* in the 100 on the Amount from Time to Time paid up thereon, and with Power to convert the same into deferred Half Shares and guaranteed Half Shares, and were also authorized to create Debenture Stock; and whereas it is expedient that the Company be authorized to construct a Railway from the Wisbeach Branch of the East Anglian Railway at Walsoken in the County of Norfolk to a Point near the Shore of the River Nene, or Wisbeach River, in the Parish of Wisbeach Saint Peter in the same County, and which Railway will be to a great Extent identical with the aforesaid Extension Line to Wisbeach, and will effect the Objects proposed to have been effected by that Line; and to construct Railways from the Stour Valley Railway to Long Melford in the County of Suffolk, and thence to Clare in the same County, and thence to join their existing Railway in the Parish of Great Shelford in the County of Cambridge; and also a Railway from the said intended Railway at Long Melford to join the Ipswich and Bury Saint Edmund's Line of the Eastern Union Railway at or near Bury Saint Edmund's; and a Railway from the said intended Railways in the Parish of Haverhill in the County of Essex to join in the same Parish the said Extension Railway of the Colne Valley Company as authorized to be constructed; and it is expedient that the Company be authorized to raise additional Money for the Purposes aforesaid; and whereas by the Sudbury and Clare Railway Act, 1860, the Sudbury and Clare Railway Company were incorporated, and were empowered to make a Railway from Sudbury through Melford to Clare, and by that Act (Section 35) the Sum of 5,200*l.*, deposited as therein mentioned, and the Interest or Dividends thereof, were impounded as a

Security for the Completion of the Railway by that Act authorized; and whereas no Notice has been given or Contract made for taking Lands, nor has any other Proceeding been had under the Powers of that Act; and whereas the Railway by that Act authorized is identical with Part of the Railways which the Company are by this Act authorized to construct, and it is expedient that the Sudbury and Clare Railway Company should relinquish the Construction thereof, that the Sum so impounded be repaid, and that the Company be dissolved.

Incorporation of Consolidation Acts, §§ 2, 3.

Power to make new Works according to deposited Plans, § 6.

7. The Railways by this Act authorized comprise the following:

A Railway (No. 1) diverging from the Wisbeach Branch of the East Anglian Railways at Walsoken in the Parish of Walsoken in the County of Norfolk, and terminating in the Parish of Wisbeach Saint Peter, near the Shore of the River Nene or Wisbeach River:

A Railway (No. 2) commencing in the Parishes of Sudbury, Saint Gregory, and Great Cornard in the County of Suffolk, or in One of those Parishes, by a Junction with the Stour Valley Railway, and terminating in the Parish of Long Melford in the County of Suffolk, in or near a Field numbered 48 in that Parish on the Plans deposited as in the Sudbury and Clare Railway Act, 1860, mentioned:

A Railway (No. 3) commencing from and out of the intended Railway No. 2, in the said Parish of Long Melford, at or near the Termination of that Railway as before described, and terminating in the Parish of Clare in the County of Suffolk, in or near a Field called "The Bailey:"

A Railway (No. 4) commencing from and out of the intended Railway No. 3, in the said Parish of Clare, at or near the Termination of that Railway as before described, and terminating by a Junction with the Eastern Counties Railway in the Parish of Great Shelford in the County of Cambridge:

A Railway (No. 5) commencing from and out of the said intended Railway No. 2, in the said Parish of Long Melford, at or near the Termination of that Railway as before described, and terminating in the Parish of St. James's, Bury St. Edmund's, in the County of Suffolk, by a Junction with the Ipswich and Bury St. Edmund's Line of the Eastern Union Railway:

A Railway (No. 6) wholly in the Parish of Haverhill in the County of Essex, commencing from and out of the said intended Railway No. 4, and terminating by a Junction with the said Extension Railway of the Colne Valley Company.

Provisions as to level Crossings, §§ 8 to 10.

Power to alter Engineering Works, § 13.

Authorizing Sale of the Glebe Lands of the Vicarage of Clare for a Rentcharge, § 14.

Regulations as to Junctions with Stour Valley Railway, §§ 15 to 17.

As to Communications with Colne Valley Railway, § 19.

Restricting Interference with River Nene and Roads, § 20.

Company to provide Openings for Flood Waters of River Stour, § 21.

Two Years for compulsory Purchase of Lands, § 23.

As to Lands of Mr. E. Walton, § 24.

Three Years for Completion of Works, § 25.

27. The Company shall forthwith proceed to the Construction of the Line between the Haverhill Junction and Cambridge, and no Part of the Railways shall be opened until the said Line from the Haverhill Junction to Cambridge shall be opened for the Use of the Public.

28. For the Purposes of the said Agreement of the 6th Day of February 1854, of the Act of 1854, and of the Amalgamation in that Act mentioned, the Railways and Works by this Act authorized shall be deemed Part of the Undertaking of the Company, and, except as herein-after provided, that Agreement shall extend to and include the same accordingly as fully and effectually as if those Railways and Works had been specified in the First Schedule to that Agreement, and the gross Receipts from those Railways and Works shall fall into and be deemed Part of the gross Receipts in that Agreement mentioned: Provided always, that the said gross Receipts, including those from the Railways and Works by this Act authorized, shall (after deducting and retaining the Working Expenses as defined in the said Agreement) be appropriated and applied as follows:

First. There shall be appropriated to each of the Companies Parties to that Agreement a Sum sufficient for paying the Interest and Dividend on their respective Mortgage and Bond Debt and Preference Shares and Stock, as existing or authorized before the passing of this Act, but not exceeding as regards the Company Five Sevenths, and as regards each of the said other Companies, One Seventh of the said gross Receipts, after deducting the said Working Expenses:

Secondly. The Company shall deduct and shall be allowed such Sums by way of Interest as herein-after mentioned on the Costs of the Railways and Works by this Act authorized:

Lastly. The Residue shall be divided and apportioned or accounted for between and to the Companies Parties to the said Agreement in such Manner as that (taking into account and debiting them with the Sums appropriated to them as aforesaid) each Company may receive or be credited with such Sum as with the Sums so appropriated to them as aforesaid will make up their Proportion as specified in that Agreement.

29. The Sums to be so allowed to and deducted by the Company out of the said gross Receipts by way of Interest on the Cost of the Railways and Works by this Act authorized as aforesaid, shall be all such Sums as the Company from Time to Time pay for Interest on Monies borrowed by them and applied for the Purposes of this Act, and for Interest or Dividend on all Shares and Stock in their Capital, the Produce whereof is applied for the Purposes of this Act, and whether or not such Monies are borrowed or such Shares and Stock created under the Powers of this Act.

30. The Company may demand and take upon and in respect of the Railway No. 1, by this Act authorized, the like Tolls, Rates, and Charges as are by the Wisbeach, Saint Ives, and Cambridge Railway Act, 1846, authorized to be taken upon and in respect of the Railways by that Act authorized, and as if the said Railway No. 1 formed Part of those Railways: Provided always, that the maximum Tolls, Rates, and Charges to be taken upon or in respect of the said Railway No. 1 shall not exceed those limited by that Act; and that in respect of the Conveyance of small Parcels not exceeding 56 Pounds in Weight on the said Railway No. 1, the Company shall not demand more than 6*d.* for each such Parcel.

Tolls for the Use of the other Railways by this Act authorized, §§ 31 to 40.

41. All Express and Parliamentary Trains for the Time being running between London and Sudbury shall, from and after the Opening of the Railway by this Act authorized, be continued as such Express and Parliamentary Trains respectively to and from Bury Saint Edmund's, and the same average Rate of Speed and Fare shall be maintained and paid between Bury Saint Edmund's and Sudbury as shall be maintained and charged between London and Sudbury; and all Merchandise, Cattle, Grain, and heavy Goods of every Description passing

between London and Bury Saint Edmund's, viâ Sudbury, shall from and after the Opening of the Railway by this Act authorized be carried at the same average Rate per Mile as for the Time being shall be charged for the like Class of Merchandise, Cattle, Grain, and heavy Goods passing between London and Sudbury by the now existing Railway.

Power to raise further Sum of 600,000*l.* by new Shares, § 44.
Preference Dividend not exceeding 5*l.* per Cent. may be attached to new Shares, § 46.
Preferential Shares not to carry Arrears beyond One Year, § 47.
Saving existing Preference Shares, § 49.
Appropriation and Conditions of new Shares, §§ 50 to 55.
Company may cancel unissued new Shares, § 56.
Extending Provisions as to Cancellation of Shares, and as to Half Shares, § 57.
Power to issue new Shares and Stock in lieu of Shares or Stock cancelled, § 58.
Extending Powers for Conversion of Shares into Stock, § 59.
Certain Clauses of Companies Clauses Act to apply to new Stock, § 60.
Stock to carry Preferences of Shares, § 61.
Power to borrow further Sum of 200,000*l.* on Mortgage, §§ 63, 64.

66. The Sudbury and Clare Railway Company shall abandon and relinquish the Construction of the whole of the Railway and Works by the Sudbury and Clare Railway Act, 1860, authorized.

67. On the Application of the Persons or the Majority of the Persons named in the Warrant or Order mentioned in the Sudbury and Clare Railway Act, 1860, and by which the said Sum of 5,200*l.* was directed to be paid or deposited as aforesaid, or of the Survivors or Survivor of those Persons, or of the Executors or Administrators of such Survivor, by Petition in a summary Way, the High Court of Chancery may and shall order that the said Sum of 5,200*l.*, or the Funds or Securities in or upon which the same Sum may have been invested, and the Interest or Dividends thereof respectively, be paid or transferred to the Persons or Person so applying, or to any other Persons or Person whom they or he may appoint in that Behalf.

68. Upon and from the passing of this Act the Sudbury and Clare Railway Company shall exist only for the Purpose of getting in their Assets, paying and discharging their Debts, Liabilities, and Engagements (if any), and winding up their Affairs, and when and as soon as those Objects are fully attained, that Company shall be and hereby is dissolved, and the Sudbury and Clare Railway Act, 1860, shall be and hereby is repealed.

69. If at any Time and as often as any Part of the Railways of the Colne Valley Company from the said Chappell Station to Haverhill shall have been completed to the reasonable Satisfaction of Mr. John Fowler, Civil Engineer, or, in case of his Death, to the Satisfaction of an Engineer to be appointed by the Board of Trade, and the Officer appointed for that Purpose by the Board of Trade shall have reported the same fit for public Traffic, the Colne Valley Company shall, by Notice under their Common Seal, require the Company to take their Plant and Stores at a Valuation, and to work permanently those Railways, or the Part thereof which shall have been completed, and shall deliver up Possession thereof, and of all Stations, Buildings, Works, Plant, Stores, and Machinery appurtenant thereto; then the Company shall within One Month after the Delivery of any such Notice pay the Value of such Plant and Stores, to be ascertained by Valuation, to the Colne Valley Company, and shall thereupon enter upon, work, and manage the said Railways, and collect, convey, and conduct, and take all due Means, by a sufficient Number of Trains, to develop the Traffic thereof, and supply all Rolling and Working Stock, and provide and pay all Officers and Servants necessary for that Purpose, and (subject to the Provisions of the Acts relating to those Railways) the Company may, while they so work the same, fix, levy, and collect the Tolls, Rates, and Charges thereon: Provided always, that while the Company so work those Railways the Provisions of those Acts authorizing Tolls and Charges as for Three Miles on those Railways shall not apply to Passengers, Animals, or Goods passing also on the same Journey over any other Railway belonging to or worked by the Company; but in respect of the Transit of such Passengers, Animals, and Goods over the Railways of the Colne Valley Company, only the Tolls and Charges per Mile by those Acts authorized shall be taken.

70. The Sums to be appropriated and retained by the Company for and in respect of such Working and Management shall, unless otherwise agreed by the Companies, be 50 per Centum of the gross Receipts from the Tolls and Charges on the Railways of the Colne Valley Company; and from and after the Completion and Opening of the Railways of the Colne Valley Company from the said Chappell Station to the Haverhill Junction, and the Opening of the Railways by this Act authorized between Haverhill and Cambridge, the Company shall credit to the Colne Valley Company as Part of the Receipts on the Colne Valley Railway their full Mileage Proportion, calculated upon the shortest Route, of One Half of all Traffic arising at Cambridge or Haverhill or at any intermediate Station, and passing to and destined for Chappell or Colchester, or any intermediate Station, and of One Half of all Traffic arising at Colchester or Chappell, or any intermediate Station, and passing to and destined for Haverhill or Cambridge, or any intermediate Station, whether such Traffic be carried by the Company over the Colne Valley Railway or by any other Route; and for this Purpose the Company shall, while they work those Railways, keep separate Accounts of all their Receipts and Payments from, for, or on account of the same, and the Secretary and Auditors of the Colne Valley Company may at all reasonable Times and on giving 24 Hours previous Notice inspect those Accounts and take Copies thereof or Extracts therefrom.

71. All Agreements under this Act made between the Company and the Colne Valley Company (except such as might from Time to Time be entered into under the Provisions of "The Railways Clauses Consolidation Act, 1845,") shall be subject to the Approval of the Board of Trade, and no such Agreement shall in any Manner increase or diminish, alter or affect any of the Tolls, Rates, or Charges which the Companies Parties thereto are from Time to Time respectively authorized and entitled to demand or take from any Person, but all other Persons shall, notwithstanding any such Agreement, be entitled to the Use and Benefit of the Railways to which the Agreement relates, on the same Terms and Conditions, and on Payment of the same Tolls and Charges as if the Agreement were not entered into.

72. If at the Expiration of Ten Years from the making of any such Agreement for which the Approval of the Board of Trade is required by this Act, and so from Ten Years to Ten Years, the Board of Trade are of opinion that the public Interests are injuriously affected by any of the Terms or Conditions thereof, the Board of Trade may require the Parties thereto to modify the Terms and Conditions of the Agreement in such Manner as the Board of Trade may think necessary for removing the public Injury, and the Agreement shall be modified accordingly.

73. The Company, previously to the Expiration of each decennial Period, shall give such public Notice as the Board of Trade may prescribe, that the Board is about to enter on such Revision, and will entertain Complaints with a view to the Removal of any Evil resulting to the Public from any such Agreement.

74. If and whenever the Company do not work the Railways of the Colne Valley Company, then the Company shall from Time to Time afford all reasonable and proper Facilities by Through Booking and Invoices, the running on of Carriages and Waggons, and otherwise for the Transmission of, and shall transmit on their Railways or any Parts thereof any Traffic which having passed over the Railways or any Part of the Railways of the Colne Valley Company is from Time to Time tendered to the Company for Transmission on their Railways, and also all Traffic which is from Time to Time tendered to them for Transmission on their Railways or any Part thereof, for the Purpose of being afterwards conveyed on the Railways or any Part of the Railways of the Colne Valley Company.

75. All such Facilities for the Transmission of Traffic shall be afforded by the Company, subject to such Rules and Regulations, and on Payment of such Tolls, Rates, Fares, and Charges, not being in any Case greater than those for the Time being made by the Company against other Parties for the like Traffic, as the Company and the Colne Valley Company from Time to Time agree upon, or, failing Agreement, as shall be settled by Arbitration; and if Complaints shall be made to the Court of Common Pleas that the Company are acting in contravention of the Provisions contained in this and the last preceding Section, it shall be lawful for the said Court to take all such Proceedings, and to make all such Inquiries into the Reasonableness of such Complaints, and to enforce all such Orders against the Company, as might have been made if this Enactment had been contained in the "Railway and Canal Traffic Regulation Act, 1854."

76. All Matters in difference between the Company and the Colne Valley Company by this Act directed to be settled by Arbitration, or as to the Construction or Effect of the preceding Enactments or the Performance or Observance or Nonperformance or Nonobservance of any of the Provisions thereof shall, except so far as relates to Complaints made to the Court of Common Pleas, as and when the same arise, be referred to and determined by Arbitration in the Manner provided by "The Railway Companies Arbitration Act, 1859," and as if the Two Companies had agreed to refer the same to Arbitration in accordance with that Act; and the Arbitrator or (as the Case may be) the Arbitrators and Umpire shall be at liberty to make Awards from Time to Time on any Part of the Matters referred to him or them.

Saving Rights of Northern and Eastern Railway Company, § 80.
Saving Rights of Stour Valley Company, &c., § 81.
Saving Rights of the Corporation of Wisbeach, § 82.
Saving Rights of the Crown and the Duchy of Lancaster, § 83.

Cap. ccxxxii.

"The Kilkenny Junction Railway Act, 1861."

Recites that in 1860 the Kilkenny Junction Railway Company were incorporated and authorized to make a Railway from the Waterford and Kilkenny Railway, at Kilkenny, to the Great Southern and Western Railway at Mountrath; proposes to abandon the Portion of their authorized Line between Abbeyleix and the Great Southern and Western Railway, and instead thereof to construct the Railways herein-after described, and to raise additional Capital for that Purpose; recites that in the recited Act Provision was made for working and other Arrangements between the Company and the Waterford and Kilkenny Railway Company with respect to the Railway by that Act authorized, and it is expedient that like Provision should be made with respect to the Railways by this Act authorized; that Communication between the Railway of the Company and the City and Port of Waterford is afforded by means of the Waterford and Kilkenny Railway, which is worked and managed by the Waterford and Limerick Railway Company, who are joint Owners of a Portion thereof, and it is desirable that the foresaid Provision for working and other Arrangements should be extended to that Company; and that the Waterford and Limerick Railway Company should be empowered to subscribe towards and hold Shares in the Undertaking of the Company.
Incorporation of Consolidation Acts, §§ 2, 3.
Power to abandon Part of authorized Line and Compensation to be made, §§ 4, 5.
Power to make Railways and to acquire Lands, §§ 6 to 8.
Mode of effecting Junctions with the Great Southern and Western Railway, §§ 9 to 12.
Three Years for compulsory Purchase of Land, § 14.
Five Years for Completion of Railways, §§ 15, 17.
Deviated and Branch Railways to be opened simultaneously, § 16.
Tolls, § 18.
Power to create new Shares to the Amount of 60,000*l.*, § 20.
Power for Waterford and Limerick Railway Company to subscribe 40,000*l.* by Shares, with or without a Preference not exceeding 5*l.* per Cent., §§ 21 to 29.
Power to borrow 20,000*l.*, §§ 30 to 32.
Incorporating certain Provisions of Companies Clauses Consolidation Act, § 33.
Extending certain Sections of recited Act relating to the Company and the Waterford and Kilkenny Company to Railways authorized by this Act, § 34.
Power to enter into Traffic Arrangements with Waterford and Limerick Railway Company, §§ 35 to 42.

Cap. ccxxxiii.

"The Metropolitan Railway (Finsbury Circus Extension) Act, 1861."

Recites Incorporation of Company in 1854, with Power to make a Railway from Paddington to the City of London; that by virtue of divers other Acts the Line of Railway has been altered and the authorized Eastern Termination thereof is at or near to Holborn Bridge in the City of London; that by "The London Railway Depôt and Storehouses Act, 1860," a Line of Railway is authorized to be made from the Metropolitan Railway at or near Victoria Street to the intended Meat and Poultry Market at Smithfield; that a Bill is pending in Parliament to authorize the Company to make an improved Communication to such Market; that it would be of public Advantage if the Metropolitan Railway were extended to or near to Finsbury Circus in the City of London; that it is expedient that the Company should be authorized to construct such Extension, and to raise a separate Capital for that Purpose; and that Powers of Arrangement with other Companies should be conferred.
Incorporation of Consolidation Acts, §§ 2 to 4.
Power to make Works, § 5.
Protecting Property of B. S. R. Adam, § 6.
Corporation Lands not to be taken without Consent, except for the Purpose of tunnelling, § 7.

Company not to take certain Lands required by London, Chatham, and Dover Railway Company, § 8.
Describing Works, § 9.
As to certain Courts to be stopped up, § 10.
Company may raise Moor Lane, § 11.
Respecting Land to be given up by the Company for widening and altering Frontage Line of certain Streets and Places, and that certain other Streets shall not be permanently occupied, § 12.
Five Years for Completion of Works; if not then completed, Deposit to be forfeited, §§ 13, 14.
Questions of disputed Compensation in London to be heard in the Lord Mayor's Court of the City of London, § 15.
Company to restore Street, § 16.
Company to restore Sewers, Drains, &c., § 17.
Drainage Works to be subject to Commissioners, Vestry, or District Board, and their Rights, § 18.
Local Rates to be made good, § 19.
For Protection of Sewers in City of London, § 20.
For Protection of Sewers of Metropolitan and other Boards, § 21.

22. All Expenses, Penalties, and Rates to be levied and recovered by virtue of this Act, by the Commissioners of Sewers of the City of London, shall be levied and recovered in the Manner prescribed by "The City of London Sewers Act, 1848."

23. The Company may demand and take any Tolls and Charges, in respect of the Extension Railway, and the Conveyance of Traffic thereon, not exceeding in respect of Passengers One Half of the Tolls and Charges which, by "The Metropolitan Railway Act, 1854," they are authorized to take for a less Distance than Two Miles, and not exceeding in respect of Horses, Cattle, Carriages, small Parcels, and Goods, One Fourth Part of the Tolls and Charges which they are authorized to demand and take, and the Provisions and Regulations of "The Metropolitan Railway Act, 1854," with respect to Tolls and Charges and with respect to Passengers Luggage, shall in all other respects extend and apply to the Extension Railway.

24. The Company shall, and they are hereby required, at all Times after the Opening of the Railway, to run a Train every Day in the Week, except Sunday, from Paddington to the Station near Finsbury Circus, and One Train from that Station to Paddington, stopping at intermediate Stations, at such Hours in the Morning and Afternoon as may be most convenient for the Labouring Classes residing at or beyond Paddington, or at other Places near the intermediate Stations and having Business in London, at Fares not exceeding One Penny per Passenger for each Journey: Provided, that if in any Period of Six Months it shall be found that less than 100 Passengers on the Average shall have been conveyed by each of such Trains, the Company may apply to the Board of Trade to discontinue the running of such Trains, and the said Board may grant or refuse such Permission as the Circumstances may appear to require; and in the event of their permitting a Discontinuance, the said Board may at any Time order the Resumption thereof by the Company, if it shall seem to the Board desirable so to do, and may also from Time to Time determine the Hours at which the aforesaid Trains shall run.

25. It shall be lawful for the Company, and they are hereby required to provide on any Lands belonging to them, or which they shall acquire under the Powers of this Act, such Dwelling Houses, Tenements, or Lodgings for any of their Officers, Workmen, or Servants, and their Families, as they may think adequate for the Accommodation of such Officers, Workmen, and Servants, and may permit the same to be occupied accordingly with or without the Payment of any Rent for the same, and on such Terms and Conditions as the Company think fit.

26. And whereas the estimated Expense of the Undertaking by this Act authorized is 400,000*l.*, and it is expedient that the Company should be authorized to raise additional Sums of Money: Therefore the Company may raise for the Purposes of this Act by the Creation of 50,000 new Shares of 10*l.* each a Capital of 500,000*l.*

27. The Shares in that Capital shall be called "Metropolitan Extension Shares," and all Persons who have already subscribed or shall hereafter subscribe towards that Capital, shall be the Proprietors of such a Number of those Shares as represents the Sum so subscribed by them respectively.

28. Those Shares shall not confer on the Holders thereof any other Rights or Privileges than such as are expressly conferred by this Act.

29. The Holders of existing Shares in the Company, or future Shares raised for the Purposes of the Metropolitan Railway, shall not in respect of such Shares have, except as by this Act expressly provided, any Right or Privilege in or with respect to the Undertaking by this Act authorized.

30. The greatest Amount of any One Call on the Extension Shares shall be 2*l.*, and the Interval between successive Calls shall be Three Months at least, and not more than Four Fifths of a Share shall be called up in any One Year.

Power to borrow 166,000*l.*, §§ 31, 32.

33. All Meetings of the Proprietors of Metropolitan Extension Shares shall, until the Extension Railway is completed, be held separately from the Meetings of the other Shareholders in the Company; and such Extension Shares shall not confer any Right to attend or vote at such last-mentioned Meetings until such Completion of the Extension Railway; and all such Meetings of the Proprietors of the said Extension Shares shall be called and held, and the Proprietors shall be entitled to vote thereat, in the Manner prescribed in "The Companies Clauses Consolidation Act, 1845," with respect to the General Meetings of the Company and the Exercise of the Right of voting by the Shareholders, and the Chairman at any such Meeting shall be such Person as is authorized to preside at General Meetings of the Company.

34. The Holders of Extension Shares shall from Time to Time appoint the Auditors to audit the Accounts of the Undertaking by this Act authorized.

35. An Account shall be kept, to be called "The Extension Railway Revenue Account," to which shall be carried all Monies received for the User of the Extension Railway and Works, after deducting therefrom such Sum as shall have been agreed upon for the Supply of Carriages and locomotive Power, and after Payment thereout of all Taxes, Rates, and Expenses applicable to the Extension Railway and Works hereby authorized, including Maintenance, the Balance of such Extension Railway Revenue Account shall be subject first to the Payment of the Interest of all Mortgages charged on the Extension Railway; secondly, to the Payment of a Dividend upon the Extension Shares every Half Year of 3*l.* 10*s.* per Centum per Annum, or as near thereto as the Remainder of the Balance for the Half Year will thereof admit; and, lastly, after the Payment in the Half Year of such full Dividend of 3*l.* 10*s.*, the Remainder shall be carried to the Credit of the Company, and be divisible with the other Profits of their Undertaking amongst the Shareholders of the Company other than the Holders of Extension Shares.

36. When and so soon as for an Average of Three consecutive Years there shall have been paid upon the Shares in the original Capital of the Company a Rate of Dividend amounting to 7*l.* per Centum per Annum, and upon the Extension Shares

a Dividend also amounting on a like Average to 7*l.* per Centum per Annum, then and from thenceforth the Extension Shares shall form Part of the general Capital of the Company, and shall participate in the Dividends of the Company in the same Manner as if it had originally formed Part of that Capital; and it shall no longer be necessary to keep any separate Accounts.

37. The Provisions of any Acts relating to the Company, which authorize Arrangements between the Company and the Great Western, Great Northern, and London, Chatham, and Dover Railway Companies respectively, in relation to the User of the Metropolitan Railway, the providing Accommodation for the Traffic thereon of any of those Companies, and the Payments to be made in respect thereof, shall extend and apply to the Extension Railway as well as the Metropolitan Railway; and if by virtue of any such Acts the Consent of the Shareholders of the Metropolitan Railway shall be required to any Arrangement, such Consent shall, if and so far as such Arrangement relates to the Extension Railway, until the Amalgamation of the Capital of the Extension Railway with the Capital of the Metropolitan Railway, be given by the Holders of Extension Shares, at a Meeting to be convened for the Purpose.

Cap. ccxxxiv.

"The West London Extension Railway Act, 1861."

Recites that by "The West London Extension Railway Act, 1859," the London and North-western Railway Company and the Great Western Railway Company were incorporated into a Company by the Name of "The West London Extension Railway Company," for the Purposes of making and maintaining the Railways, Dock, and Works by that Act authorized, and the carrying of that Act into execution; that the Capital of the Company was declared to be 300,000*l.*, which was to be contributed by the North-western Company, the London and South-western Railway Company, and the London, Brighton, and South Coast Railway Company, but with an Option for the Great Western Company (which Option they have exercised) to contribute Part of the Capital; and it was thereby provided that the North-western Company, the Great Western Company, the South-western Company, and the Brighton Company should be entitled to use and work over the Railways, Docks, and Works by the said Act authorized; that by the said Act it was provided that if the Great Western Company contributed to the Capital, then the Four Companies might and should contribute to the Capital in the following Proportions; (namely,)

	£
The North-western Company - -	100,000
The Great Western Company - -	100,000
The South-western Company - -	50,000
The Brighton Company - -	50,000
	£300,000

that it is expedient that the Capital of the Company should be increased, and that the additional Capital should be contributed by the Four Companies, in the same relative Proportions as the original Capital; that it has been found that the Dock or Basin and Works connected therewith, authorized to be constructed by the said Act, could be more conveniently constructed on a Site distant about 14 Chains from the Site shown on the deposited Plans referred to in the said Act, and it is expedient that the Construction of a Dock or Basin, and Works connected therewith on such altered Site, should be authorized, and that the Construction of the Dock or Basin and Works, authorized by the said Act, and also of a Branch Railway authorized by the same Act, and intended to communicate with the said Dock or Basin, should be abandoned; also that the Company should be empowered to make a Road in the Parish of Saint Mary Battersea, and to acquire for the Purposes of their Undertaking additional Lands, and to make, by means of a Tunnel or Archway under the Wandsworth Road, a Communication between certain of the Lands which the Company are authorized to acquire under the Powers of this Act, and the Lands on the Northerly Side of the said Road which the Company are now empowered to purchase; also to stop up and discontinue certain Thoroughfares.

Incorporation of General Acts, §§ 2, 3.

4. The additional Capital of the Company under this Act shall be 105,000*l.*, to be contributed as by this Act provided, and not to be divided into Shares.

5. The Four Companies may and shall contribute the additional Capital under this Act in the following Proportions; that is to say,

	£
The North-western Company - -	35,000
The Great Western Company - -	35,000
The South-western Company - -	17,500
The Brighton Company - - -	17,500
	£105,000

Company may make Calls on the Four Companies, § 7.
Limit of Calls and Mode of enforcing them, §§ 8 to 12.
Power for the Four Companies to raise Money for Contributions by Shares or Stock, § 12.
Power to create Shares or Stock, with a Preference not exceeding 4*l.* 10*s.* per Cent., §§ 13 to 17.
Power to borrow 35,000*l.*, §§ 18 to 20.
Power to take Lands and to construct Works authorized by Act, §§ 21, 22.
Three Years for Purchase of Lands, § 23.
Company to purchase Messrs. Nowell and Robson's Interest in Wharf within Two Years if required, § 24.
Admiralty Provisions, § 25, and §§ 29, 30.
Plans of Works affecting Shore or Bed of River Thames to be approved of by Conservators of the River Thames, §§ 26 to 28.
Saving Rights of the Conservators of the River Thames, § 25.
Company not to take Gravel, &c. from River without Consent of the Conservators, § 26.
In the event of the Abandonment of the Railway the Turnpike Road to be reinstated, § 31.
Regulating the Crossing under the Surrey and Sussex Roads, §§ 32 to 34.
For Protection of Mains, &c. of Southwark and Vauxhall Water Company, §§ 35 to 38.
As to certain Lands in the Parish of Fulham, § 39.
Company to abandon Construction of authorized Dock and Branch Railway, and Compensation to be made, §§ 40, 41.
Not to affect Rights of Lord Kensington, § 42.
Provisions of recited Act in reference to the Dock and Works thereby authorized, to apply to the Dock and Works authorized by this Act, § 43.
Repeal of Section 162 of recited Act, § 44.
Rates to be charged for Use of Cranes, Weighing Machines, &c., § 45.
Right of Passage along a certain Road extinguished, § 46.
Power to abandon authorized Diversion of Sheep Cut Lane, and to stop up and discontinue Part thereof, § 47.
Provision for Station at Hammersmith, § 48.

Cap. ccxxxv.

"Brecon and Merthyr Railway Extensions Act, 1861."

Recites Incorporation of the Brecon and Merthyr Company in 1859, with a Capital of 80,000*l.*, and with Power to borrow 26,600*l.*, for the Purpose of making certain Railways and a Stone Road with a Bridge over the River Usk; that by their Extensions Act, 1860, the Company were empowered to relinquish the Construction of Part of the authorized Main Line and of the whole of the said Stone Road and Bridge, and in lieu thereof to construct other Railways in extension of the authorized Main Line, and to complete their Communication with the Town of Brecon, and to raise further Sums not exceeding 50,000*l.* by ordinary Shares, and 16,600*l.* by borrowing; proposes to construct the new Railways in extension of their Undertaking herein-after described, and to raise further Money for the Execution of the same; also to enable the Company and the Rhymney Railway Company to enter into Working and Traffic Arrangements; recites that by the "Hay Railway Act, 1860," it was enacted that so much of the Hay Railway and Property of the Hay Railway Company as the Company required and were authorized to take for the Construction of their Railway and Works should, upon Payment as therein-after prescribed, be transferred and conveyed to the Company by the Hereford, Hay, and Brecon Railway Company, and that the Price to be paid by the Company for such Transfer and Conveyance should in case of Difference be determined in manner provided by "The Lands Clauses Consolidation Act, 1845," and that it should be lawful for the Company to convert such Part of the Hay Railway and incorporate the same into their Railway; that under the Provisions of that Act, the Hay Railway therein mentioned may not be transferred to or become the Property of the Hereford Company until some Time after 6th June 1862, and Doubts are entertained whether before such Transfer to the Hereford Company, the Transfer to the Company of the Part of the Hay Railway in the above-recited Enactment can be legally carried into effect, and it is expedient that the Company should be empowered to enter upon the said Part of the Hay Railway, and to convert the same at an earlier Period.

Incorporation of Lands and Railways Clauses Acts, §§ 2, 3.

Power to make Railways, § 4.

Providing for Communication with Taff Vale Railway, § 6.

Power to alter Engineering Works, § 8.

Communications with Rhymney Railway, how to be made, §§ 9 to 12.

For Protection of Lands and Works of the Dowlais Iron Company, § 13.

For the Protection of their Ponds and Property, §§ 14 to 17.

Provisions as to the Brythdir Estate, § 19.

Limiting Times for compulsory Purchase of Land, § 21.

Limiting Time for Completion, §§ 22, 23.

Provision for Case of Rhymney Railway Company constructing a Line equivalent to secondly described Railway, § 24.

Power to take Tolls, § 25.

Equal Rates to be charged in respect of Traffic passing to or from Taff Vale and Rhymney Railways, § 26.

Tolls limited in respect of certain Traffic passing for a less Distance than Three Miles over the Railway of the Company, § 27.

Interchange of Traffic between Railways of Company and Rhymney Railway Company, §§ 29 to 31.

Power to create new Shares to the Amount of 130,000*l.*, §§ 32 to 36.

New Lines and Capital to constitute a separate Undertaking and Capital, § 37.

Terms and Conditions of new Shares, §§ 38 to 40.

For keeping separate Accounts, and for ascertaining divisible Profits, § 41.

Power to borrow 43,300*l.*, § 42.

Charges under other Acts not to attach on new Lines, § 43.

Application of Monies raised under this Act, § 44.

Incorporating certain Provisions of Companies Clauses Consolidation Act, § 45.

Power for Company and Rhymney Railway Company to make Traffic Arrangements, §§ 46 to 52.

Amending the 29th Section of the Hay Railway Act, 1860, § 53.

Purchase Money may be paid to either Company by Agreement, § 54.

The 85th and following Sections of Lands Clauses Consolidation Act, 1845, extended to Hay Railway, § 55.

Hay Railway Act, 1860, to cease to bind Hereford Company in respect of Portions of Hay Railway transferred to or entered on by Company, § 56.

Saving Rights of Hereford Company and Hay Company, § 57.

Cap. ccxxxvi.

"The Bristol Channel Pilotage Act, 1861."

Recites that by 47 Geo. 3. Sess. 2. c. xxxiii. all Vessels sailing, navigating, or passing up, down, or upon the Bristol Channel to the Eastward of Lundy Island, except Coasting Vessels and Irish Traders, should be piloted, conducted, and navigated by Pilots duly authorized and licensed by the Mayor, Burgesses, and Commonalty of the City of Bristol by Warrant under their Corporate Seal, and that the Master, Owner, or Owners of every Ship or Vessel which should be navigated in the Limits aforesaid without a Pilot licensed as aforesaid should forfeit double the Sum which would have been demandable for the Pilotage of such Ship or Vessel, together with 5*l.* for every 50 Tons Burthen of such Ship or Vessel; and that by "The Ely Tidal Harbour and Railway Act, 1856," (as amended by "The Penarth Harbour, Dock, and Railway Act, 1857,") a separate System of Pilotage has been authorized for the Harbour of Penarth; and owing to the great Extension of Trade in the several Ports of Cardiff, Newport, and Gloucester since the passing of the said Act it is expedient that a separate System of Pilotage should be established in the Bristol Channel in connexion with those respective Ports, under the Supervision of Local Boards for each of such Ports.

2. "The Commissioners Clauses Act, 1847," except so much thereof as relates to the Qualification of Commissioners, the Election and Rotation of Commissioners, and with respect to Mortgages to be executed by Commissioners, shall be incorporated with and form Part of this Act, and each Board appointed under the Authority of this Act shall be deemed to be the Commissioners therein referred to.

3. In the Construction of this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction:

"The Board" shall mean the Pilotage Board established by this Act for the Ports of Cardiff, Newport, or Gloucester, as the Case may be:

"The Mayor" shall mean the Mayor for the Time being of the City of Gloucester or the Borough of Cardiff or the Borough of Newport, as the Case may be:

"The Borough" shall mean the Borough of Cardiff or the Borough of Newport, as the Case may be, as the same for the Time being exist for Municipal Purposes:

"The Port of Cardiff" shall mean the Customs Port of Cardiff for the Time being, except the Harbour of Penarth, so long as there shall be a separate Pilotage Authority for that Harbour:

"The Port of Newport" shall mean the Customs Port of Newport for the Time being:

"The Port of Gloucester" shall mean the Customs Port of Gloucester for the Time being, and the River Wye to Chepstow Bridge:

The Word "Vessel" shall mean any Ship or Vessel, whether navigated by Steam or otherwise, not being a Coasting Vessel or an Irish Trader:

The Word "Master" when used in relation to any Vessel shall mean any Person, whether the Owner, Master, or other Person, lawfully or de facto having or taking the Command, Charge, or Management of the Vessel for the Time being:

The Word "Owner" when used in relation to any Vessel shall include any Part Owner, Consignee, or Mortgagee in possession thereof:

The Word "Pilot" shall mean any Person licensed under this Act to act as a Pilot for piloting Vessels into or out of the Port for which such Licence has been granted.

4. From and after the First Wednesday in the Month of January next after the passing of this Act, so much of the 9th Section of the said Act of the Second Session of the 47th Year of King George the Third, Chapter 33, as relates to Vessels navigating or passing up or down the Bristol Channel, bound to or from either of the said Ports of Cardiff, Newport, or Gloucester, shall be and the same is hereby repealed.

5. On the 9th Day of November 1861, or within One Week thereafter, a Pilotage Board shall be appointed for the Port of Cardiff, such Board to consist of the Persons following; that is to say, the Mayor of Cardiff for the Time being, Three Persons to be appointed by the Mayor, Aldermen, and Burgesses of the Borough of Cardiff, One Person to be appointed by the Company of Proprietors of the Glamorganshire Canal Navigation, Three Persons to be appointed by the Owners for the Time being of the Bute Docks, and in case the Penarth Harbour, Dock, and Railway Company shall under the Power for that Purpose herein-after contained consent that the Pilots for the Port of Cardiff shall also be the Pilots for the Harbour of Penarth, then Two other Persons to be appointed by such Company.

6. On the 9th Day of November 1861, or within One Week thereafter, a Pilotage Board shall be appointed for the Port of Newport, such Board to consist of the Persons following; (that is to say,) the Mayor of Newport for the Time being, Three Persons to be appointed by the Mayor, Aldermen, and Burgesses of the Borough of Newport, One Person to be appointed by the Newport Dock Company, and Three Persons by the Newport Harbour Commissioners.

7. On the 9th Day of November 1861, or within One Week thereafter, a Pilotage Board shall be appointed for the Port of Gloucester, such Board to consist of the Persons following; (that is to say,) the Mayor of Gloucester for the Time being, Two Persons to be appointed by the Mayor, Aldermen, and Citizens of the City of Gloucester, and Four Persons appointed by the Committee of Management for the Time being of the Gloucester and Berkeley Canal Company.

8. The District over which the Cardiff Board shall have Jurisdiction shall be the Port of Cardiff and that Portion of the Bristol Channel which lies Eastward of Lundy Island up to and including King Road and the River Rhymney to Rhymney Bridge:

The District over which the Newport Board shall have Jurisdiction shall be that Portion of the Bristol Channel which lies Eastward of Lundy Island up to and including King Road, and the River Usk as far as the Caerleon Bridge:

The District over which the Gloucester Board shall have Jurisdiction shall be that Portion of the Bristol Channel which lies Eastward of Lundy Island, including the River Severn to the City of Gloucester, and the River Wye to Chepstow Bridge.

9. When One Member only of a Board is by this Act authorized to be appointed by any Corporation, Company, or Person or Body of Persons, such Member shall be entitled to remain in Office for Two Years, and at the Expiration of such Period the Person appointed to succeed him shall come into Office, and shall in like Manner be entitled to remain in Office for a like Period of Two Years.

10. When Two Members only of a Board are by this Act authorized to be appointed by any Corporation, Company, or Person or Body of Persons, each of such Members shall (except in the Case of the First Appointment) be entitled to remain in Office for Four Years, and at the Expiration of such Time the Person appointed to succeed him shall come into Office, and shall in like Manner be entitled to remain in Office for a like Period of Four Years: Provided always, that the Member who shall have been longest in Office shall be the first to retire therefrom; and further, that in the Case of the First Appointment of such Two Members One of such Members, to be determined by Ballot by themselves, shall remain in Office for the Period of Two Years only, at the Expiration of which Time a Person shall be appointed to succeed him as if he had been in Office for the Period of Four Years.

11. When Three Members only of a Board are by this Act authorized to be appointed by any Corporation, Company, or Person or Body of Persons, each of such Members shall (except in the Case of the First Appointment) be entitled to remain in Office for Three Years; and at the Expiration of such Time the Person appointed to succeed him shall come into Office, and shall in like Manner be entitled to remain in Office for a like Period of Three Years: Provided always, that the Member who shall have been longest in Office shall be the first to retire therefrom; and further, that in the Case of the First Appointment of such Three Members One of such Members, to be determined by Ballot amongst themselves, shall remain in Office for the Period of One Year only, and another of such Members, to be determined in like Manner, shall remain in Office for Two Years only, at the Expiration of which respective Times a Person shall be appointed to succeed those Members respectively as if they had been in Office for the Period of Three Years.

12. When Four Members only of a Board are by this Act authorized to be appointed by any Corporation, Company, or Person, or Body of Persons, such Members shall (except in the Case of the First Appointment) be entitled to remain in Office for Four Years, and at the Expiration of such Time, Two of such Members, being those who shall then have been longest in Office, shall retire therefrom, and the Two Persons who shall be appointed to succeed them shall thereupon come into Office, and shall in like Manner remain in Office for a like Period of Four Years: Provided always, that in the Case of the First Appointment of such Four Members Two of such Members, to be determined by Ballot amongst themselves, shall remain in Office for the Term of Two Years only, at the Expiration of which Time Two Persons shall be appointed to succeed them, as if such Two retiring Members had been in Office for the Period of Four Years.

13. Whenever any Corporation, Company, Person, or Body of Persons is by this Act authorized or required to appoint One or more than One Person to be a Member of a Board, such Appointment shall, except for the Purpose of filling a

casual Vacancy, be made on or within One Week after the 9th Day of November in the Year in which such Appointment is authorized or directed to be made.

14. Every Person ceasing to be a Member of a Board by Efflux of Time shall be deemed to have retired on the 9th Day of November in the Year in which he shall so retire, unless from any Cause whatsoever no Appointment shall have been made of a Person to succeed him, in which Case he shall continue in Office until a Successor shall be appointed.

Quorum of a Board to be Three, § 15.
Members re-eligible, § 16.
Casual Vacancies, § 17.
Removal of Members, § 18.
Notice of Appointment of Members to be given to Clerk of the Board, § 19.
Appointment of Members of Council of a Borough to be by Resolution, § 20.

21. It shall be lawful for the Penarth Harbour, Dock, and Railway Company at any Time after the passing of this Act to agree with the Cardiff Board that one and the same Body of Persons shall act as Pilots for the Port of Cardiff and for the Harbour of Penarth; and thereupon all Persons who may have been licensed by the said Company shall for all Intents and Purposes be deemed to have been licensed by the Cardiff Board, and thenceforth and at all Times thereafter the said Company shall be authorized to appoint Two Persons to be Members of the Cardiff Board, and the Powers granted to the said Company by "The Ely Tidal Harbour and Railway Act, 1856," in respect of Pilots shall cease to be exercised.

22. Any Two or more of the Boards may at any Time agree among themselves, and with any other Pilotage Authority, to have a joint Pilotage Service for their respective Ports instead of a separate Pilotage Service for each of such Ports; and such Boards shall thereupon appoint some of the Members of such Boards to act as a Joint Committee, and to consist of such Number of Persons, and to exercise such of the Powers as might be exercised by such Boards, and generally to act in such Manner as such Boards shall from Time to Time direct.

23. Subject to the Provisions of "The Merchant Shipping Act, 1854," the Board may from Time to Time license and appoint such Number of proper Persons to act as Pilots within the Pilotage District, and to or from the Port for which such Board may have been appointed as they may think necessary, and may remove or suspend the Licence of any such Pilot at their Pleasure, and may establish such Rates and Fees to be levied and paid for the Risk, Trouble, and Labour of such Pilots as to such Board shall from Time to Time seem just and reasonable; and if any Person shall pretend or hold himself out to be a licensed Pilot, or in any Manner act as a Pilot without having been so licensed, or after his Licence may have been revoked or suspended, he shall be liable to a Penalty of not exceeding 50*l*.

24. All Bristol Channel Pilots duly licensed before the 24th Day of July 1861 to pilot Vessels within the same Channel shall, notwithstanding anything in this Act contained, be authorized to pilot the like Vessels within the same Limits and in the same Manner within and in which they might have lawfully piloted the same before the passing of this Act, without any Licence from any of the Boards by this Act established; and it shall also be lawful for any of the Boards by this Act established and they are hereby required by a supplemental Licence to authorize any such Bristol Channel Pilot to pilot any Vessels within the Port or Ports respectively under the Control of such Board, provided such Pilots shall have applied before the 1st Day of August 1862 for such Licence, and shall pass the necessary Examination in respect of the further Limits within which he is to be so licensed to act, and upon Payment of such Fee, if any, as the Local Board shall lawfully prescribe.

25. The said Bristol Channel Pilots shall, with respect to their Pilotage of all Ships bound to or from the Ports of Newport, Cardiff, and Gloucester, be subject to the Government and Regulations of the Board of the Port to or from which any such Vessel shall be bound, and to all Byelaws, Rules, and Regulations duly issued by it, and to such Penalties as may be duly annexed to the Breach of the said Byelaws, Rules, and Regulations, in the same Manner and to the same Extent in and to which Pilots licensed by such Board are subject thereto.

26. The Pilots who on the 24th Day of July 1861 were licensed for the several Ports of Cardiff, Newport, and Gloucester shall, notwithstanding the passing of this Act, continue Pilots for the Ports for which they are severally licensed; and if on Examination by the Pilotage Authority having Jurisdiction over such Port such Pilots or any of them shall be found competent to pilot Ships navigating the Bristol Channel, such Pilotage Authority may and is hereby required to grant to each of the Pilots so found competent a Licence to act as a Pilot for the Pilotage District over which such Board shall have Jurisdiction.

27. For the Purposes of this Act each Board shall be deemed a "Pilotage Authority" within the Meaning of "The Merchant Shipping Act, 1854," and all the Powers by that Act conferred on "Pilotage Authorities" shall be vested in each Board appointed under the Authority of this Act.

28. The Board shall not be liable or responsible for any Accident, Loss, or Damage which may arise to any Vessel, or to the Cargo of any Vessel, in consequence of the Employment of any Pilot licensed by the Board, but the Pilot so employed shall be answerable for any wilful or culpable Neglect or Mismanagement.

29. The Master of every Vessel bound from any of the Ports of Cardiff, Newport, or Gloucester may, if he shall think it expedient so to do, require the Assistance of any Pilot licensed by the Board for that Port, and on being so required any Pilot shall take on himself the Charge of such Vessel, and shall pilot the same for such Distance within the Pilotage District for which he may be licensed as the Master of such Vessel shall require, and any Pilot who shall in any such Case refuse to pilot such Vessel to any such Distance as aforesaid shall forfeit his Right to receive any Sum of Money for piloting such Vessel, and may also, at the Discretion of the Board by whom he may have been licensed, be suspended or deprived of his Licence.

30. The Pilot in charge of any Inward-bound Vessel shall cause the same, if need be, to be properly anchored or moored in the Port of Cardiff, Newport, or Gloucester, as the Case may be, and shall, if required by the Master thereof, also pilot the same, without any extra Charge for so doing, into any Dock, Harbour, or Basin within such Port, save and except the Gloucester and Berkeley Canal, above the tidal Basin at Sharpness Point.

31. The Master of every Vessel bound for any of the Ports of Cardiff, Newport, or Gloucester may, so soon as such Vessel shall have passed Eastward of Lundy Island, if he shall think it expedient so to do, require the Assistance of any Pilot licensed by the Board of the Port to which he is bound whose Boat may be within Reach of Signal, or if there shall be no such Boat within Reach of Signal, then such Master may require the Assistance of any other duly licensed Pilot whose Boat may be within Reach of Signal; and if any Pilot after being personally required, or after a proper Signal shall have been made by such Master, shall refuse to take charge of such

Vessel, or in case such Vessel cannot be boarded without imminent Danger shall refuse to lead the Way with his Boat, or shall without reasonable Cause refuse to afford any extraordinary Assistance required by the Master of any Vessel in Distress from the Boat of such Pilot or the Crew thereof, such Pilot shall for every such Offence be liable to a Penalty of not exceeding 10*l.*, and may at the Discretion of the Board be deprived of his Licence: Provided, that notwithstanding anything in "The Merchant Shipping Act, 1854," contained, it shall not be obligatory on the Master of any Vessel bound to or from any of the said Ports of Cardiff, Newport, or Gloucester, other than a Ship carrying Passengers, to employ a Pilot so long as such Vessel shall be navigated by the Master or any Officer thereof.

32. In case any Pilot under the Authority of the preceding Clause shall have taken charge of any Vessel not bound to the Port to which he is licensed, he shall or may at the Request of the Master of such Vessel be superseded by any Pilot of such Port, and the Pilotage Rate payable in respect of such Vessel shall be divided between the Two Pilots in such Proportions as shall be determined by the Board of the Port to which such Vessel is bound.

33. In case any Vessel shall be in want of and unable to obtain a Pilot, any Pilot of the same Pilotage Service on board any other Vessel may lead the Way for and conduct the Vessel so in want of a Pilot; and the Master of any Vessel which shall be so piloted or conducted by any Pilot leading the Way in such other Vessel shall pay the same Rates of Pilotage as if the Pilot had actually been on board the Vessel of such Master.

34. The Master of every Vessel shall on Demand give to the Pilot employed in piloting the same a true Account of the Draught of Water of such Vessel, and in case such Pilot shall suspect the Truth of such Account he may cause such Vessel to be admeasured in order to find the true Draught of Water which such Vessel may then draw; and if it shall appear that the Master had artfully and fraudulently given a false Account of the Draught of Water, such Master shall not only pay by way of Damages a Sum equal to double the Amount of Pilotage Rates payable in respect of such Vessel, but shall also pay all the Expenses incurred by the Pilot in such Admeasurement, together with a Fine, at the Discretion of the Board, of not exceeding 10*l.*

35. It shall be lawful for the Board to levy, demand, and receive from the Master or Owner or Consignee of every Vessel coming into or going out of the Port for which such Board may have been appointed, and who shall have required and obtained the Assistance of a Pilot, such reasonable Rates for Pilotage as may from Time to Time be provided by the Byelaws to be made by such Board for such Purpose; and such Board shall at all Times maintain an efficient Staff of Pilots.

36. In case any Vessel shall be met with in Distress by any Pilot, and shall stand in need of any extraordinary Assistance from a Pilot Boat or the Crew thereof, the Compensation to be made by the Master of such Vessel shall be settled by the Board according to the Circumstances of the Case, and every Agreement, if any, for such extraordinary Assistance made by the Pilot shall be absolutely void.

37. Whereas it is expedient that Pilots should be prevented from neglecting or performing improperly or negligently their respective Duties by the Expectation of obtaining Rewards for Salvage of Property: Therefore no Claim whatever shall, at any Time or on any Account be made or be attempted to be made, either directly or indirectly, and either by any legal Process or otherwise, by any Pilot upon any Master or Owner of any Vessel, or any other Person, for or in respect of any Salvage Services rendered to such Vessel, or to any of the Appurtenances or to any Portion of the Cargo thereof by such Pilot, or by any Pilot Boat, or any of the Crew thereof in which such Pilot shall serve or have any Interest, until the Consent of the Board by whom such Pilot may have been licensed, to be evidenced by some Writing under the Hand of the Secretary of such Board, shall, upon the Production of such Statements and Evidence as they may require, have been obtained for such Pilot to make a Claim for such Salvage Services.

38. The Board may appoint, and may from Time to Time remove, a Person to collect the Pilotage Rates, and (subject to any Alteration to be made by the Board) the Board shall once in every Month pay over to each Pilot the Amount received by the Collector during the preceding Month on behalf of such Pilot, after deducting therefrom a Poundage not exceeding 1*s.* in the Pound, which shall be paid over to and shall form a Pilot Fund for the Port for which such Board may have been appointed.

39. The Pilot Fund of each Port shall be chargeable in the first instance with such Expenses as the Board appointed for such Port may duly incur in performance of their Duties in respect of Pilots and Pilotage, and after Payment thereof shall, subject to any Alteration which may be made by such Board, be administered by them for the Benefit of such of the Pilots licensed by such Board as may become incapacitated for the Performance of their Duty by reason of Age, Infirmity, or Accident, and for the Benefit of the Widows and Children of Pilots licensed by such Board.

Saving Rights of Marquis of Bute, § 40.
Saving Rights of the Burnham Tidal Harbour Company, § 41.
Saving Rights of Penarth Company, § 42.

Cap. ccxxxvii.

"The Colne Valley and Halstead Railway Amendment Act, 1861."

Recites Incorporation of Company in 1856, with Power to make a Railway from the Chappel Station of the Colchester, Stour Valley, Sudbury, and Halstead Railway, to Halstead in Essex, and that by their Act of 1859 they were authorized to extend their Railway from Halstead to Haverhill; that the first-mentioned Railway has been made and opened to the Public, and the said Extension to Haverhill is being constructed; that they have Powers by the said firstly recited Act to raise 40,000*l.* by Shares, and 13,333*l.* by borrowing, and by the secondly recited Act 80,000*l.* by Shares and 26,000*l.* by borrowing; proposes to raise further Sums of Money by Shares and by borrowing.
Power to cancel forfeited Shares, and accept Surrenders of Shares, §§ 1 to 3.
Power to Company to raise additional Capital of 30,000*l.*, §§ 4 to 7.
6*l.* per Cent. Preference may be attached to new and unissued Shares, §§ 8 to 11.
Power to borrow 10,000*l.*, §§ 12, 13.
Certain Provisions of Companies Clauses Act incorporated, § 14.

Cap. ccxxxviii.

"The Dublin General Markets Act, 1861."

Recites that the present Markets in the City of Dublin for the Sale of Meat, Fish, Butter, and other Agricultural Produce and Provisions are insufficient, and that it is expedient to erect a new Market or Markets and Slaughter-houses, with

other Offices and Buildings; that the existing Markets, and certain Lands and Houses adjacent thereto, would form suitable Sites for the Purposes aforesaid; that it is expedient that the Right Honourable the Lord Mayor, Aldermen, and Burgesses of Dublin should be enabled to purchase such Portions of the said Lands and Buildings in the said Parishes of Saint Mary and Saint Bridget as might not be requisite for the Purposes of the said Company, and which would be sufficient for widening and improving Exchequer Street and Cole's Lane respectively, and converting the latter into a more direct Approach to Dominick Street and the Broadstone Station of the Midland Great Western Railway Company of Ireland; and that the said Lord Mayor, Aldermen, and Burgesses of Dublin should be enabled to purchase the said intended Markets and Market Places, and all Rights, Powers, and Privileges to be conferred by the said Act.

Incorporation of Consolidation Acts, § 1.
Limits of Act, § 3.
Incorporation of Markets Company, with a Capital of 75,000*l.*, and Power to borrow 18,750*l.*, §§ 5 to 9.
Meetings; Directors, §§ 10 to 15.
Power to construct Market Places, §§ 16, 17.
Regulations as to stopping and breaking up Streets, &c., §§ 19 to 22.
Four Years for Completion of Works, § 24.
Three Years for compulsory Purchase of Lands limited, § 25.
Power to enlarge Market Places from Time to Time, § 26.
Power to take existing Markets, making Compensation, § 27.
Power to Owner of private Market to continue the same, § 28.
Present Markets to be removed as soon as new Markets completed, § 29.
All Tolls, &c. abolished, and the Tolls, &c. in Schedule (A.) to this Act substituted for them, § 30.
When new Market Place opened Markets Company may remove Stalls from public Places, § 31.
After new Market is opened no Person, except a licensed Hawker, &c. to sell except in the Market Place or his own Dwelling, § 32.
Saving Privileges of Lord Mayor and Corporation, § 33.
No Byelaws to be made under the Authority of this Act to come into Operation without the Consent of the Lord Mayor or Recorder of Dublin for the Time being, § 34.
Provisions for General Acts as to Slaughter-houses, § 36.
Power to grant Leases of Stalls, § 37.
Power to levy general Market Tolls as in Schedule (A.), § 38.
Wholesale Market Tolls as in Schedule (B.), § 39.
Weighing and measuring Tolls as in Schedule (C.), § 40.
Cart-weighing Tolls as in Schedule (D.), § 41.
Slaughter-house Tolls as in Schedule (E.), § 42.
Tolls to be payable by successive Occupiers of Shops, § 43.
Power for the Corporation to purchase such Lands and Buildings as are not required for the Purposes of the said Company, § 44.
Power for the Corporation to purchase Markets, § 45.
Schedules (Tolls).

Cap. ccxxxix.

"The London, Chatham, and Dover Railway (various Powers) Act, 1861."

Preamble recites that by "The East Kent Railway Act, 1853," a Company was incorporated by the Name of "The East Kent Railway Company," (but now by virtue of the "London, Chatham, and Dover Railway Act, 1859," styled "The London, Chatham, and Dover Railway Company,") for making a Railway from Strood to Canterbury, with Branches to Faversham Quays and Chilham; that by "The East Kent Railway (Extension to Dover) Act, 1855," the Company were authorized to extend their Line of Railway from Canterbury to Dover, and to make certain Branch Railways and Tramways, and to raise the additional Capital of 500,000*l.* by the Issue of new Shares, with a Preference or Priority in Payment of Dividend not exceeding the Rate of 5*l.* per Centum per Annum on the Amount for the Time being paid up thereon; that by "The East Kent Railway (Western Extension) Act, 1858," the Company were empowered to make a Railway from their Bridge over the River Medway to join the Mid-Kent Railway (Bromley to Saint Mary's Cray), and called "The Western Extension;" and by the Western Extension Act the Company were authorized to create new Shares, with a Power (which they exercised) to attach thereto preferential Interest or Dividend not exceeding the Rate of 6*l.* per Centum per Annum on the Amount for the Time being paid up thereon, to be payable out of the divisible Profits of the Western Extension in preference to all other Payments of Dividend out of those Profits, and also with a Power (which they have not exercised) to attach to those Shares the Right to participate in the Balance of the general Profits of the Company to such Extent as should be authorized by a Meeting of the Company; and that Act directed the Company to keep separate Accounts of all Receipts and Payments from, for, or on account of the Western Extension, and defined the divisible Profits thereof; and by the Western Extension Act the Company were empowered to charge the Sum of 100,000*l.*, which they were thereby authorized to borrow on Mortgage or Bond, either on their whole Undertaking or exclusively on the Western Extension, and they have borrowed that Sum and charged the same exclusively on the Western Extension; and by "The London, Chatham, and Dover Railway (Capital) Act, 1860," the general Capital of the Company (exclusive of Capital for the Purposes of the Western Extension, and subject to any Increase under any other Act of that Session) was declared to be the Sum of 1,580,000*l.*, and the Capital of the Company for the Purposes of the Western Extension was declared to be the Sum of 390,000*l.*, and by that Act the Rank and Priority inter se of the several Classes of preferential Stock and Shares authorized by that Act and the previous Acts relating to the Company (other than Shares authorized for the Purposes of the Western Extension and Debenture Stock) were defined, and the divisible Profits of the Western Extension were directed to be applied in Payment of Interest or Dividend, in the Order therein mentioned, on the Shares and Stock authorized for the Purposes of the Western Extension, the Western Extension Half Shares A. and any Stock substituted for those Half Shares, being the last in that Order and subject thereto, were to fall into the general Profits of the Company; but it was thereby provided that nothing therein contained should prevent or prejudice the future Creation, with the Authority of Parliament, of any additional Capital with any preferential Interest or Dividend payable out of the Profits of the Western Extension next after the Dividend on the Western Extension Half Shares A. and any Stock substituted for those Half Shares; that by the same Act the Company were authorized to borrow 30,000*l.* on Mortgages of the Western Extension, and they have so borrowed that Amount accordingly; and by "The London, Chatham, and Dover Railway (Metropolitan Extensions) Act, 1860," the Company were authorized to make certain new Railways comprised under the Name of "the Metropolitan

Extensions," and to raise Capital for the Purposes thereof by the Creation of new Shares comprised under the Name of "the Metropolitan Extension Shares," and also to raise 100,000*l.* for the other Purposes of that Act by the Creation of other new Shares, and that Act directed that the Profits of the Metropolitan Extensions applicable to Dividends should (subject to Payment of a Dividend on the Metropolitan Extension Shares not exceeding Six per Centum per Annum on the Amount paid up thereon, and to any additional Capital for Purposes in connexion with the Metropolitan Extensions, which Parliament might thereafter sanction) fall into the general Profits of the Company; that by the Metropolitan Extensions Act the Company were authorized to borrow 550,000*l.* on the Security of the Metropolitan Extensions, and 33,000*l.* on the Security of their general Undertaking, except the Western Extension and the Metropolitan Extensions, and by the same Act Powers were conferred upon the Company for the Purpose of carrying on and maintaining convenient and efficient Communications by means of Steam Vessels in connexion with their Railways between Dover and the Continent of Europe; that under "The West London and Crystal Palace Railway (Transfer of Farnborough Extension and Dissolution of Company) Act, 1860," the ultimate Residue of the Profits of the "Extension to Farnborough Railway" is to fall into the general Profits of the Company; and whereas it is expedient that the Margate Railway Company be authorized to make, and the Company to take, a Lease of the Railways by "The Herne Bay and Faversham Railway Act, 1857," and "The Margate Railway Act, 1859," authorized, and for the Use and Working whereof the Company was by those Acts authorized to contract; and also (on Fulfilment of the Conditions herein-after mentioned) of any Undertaking which by any Act of the present Session of Parliament the Margate Railway Company is or may be authorized to execute; and whereas it is expedient that the Company be authorized to purchase, compulsorily or by Agreement, certain Lands in the Parish of Saint Mary Battersea and County of Surrey for Station and other Purposes in connexion with the Metropolitan Extensions; and whereas by the Metropolitan Extensions Act the Company on the one Part and certain Companies therein named, or any One or more of them, on the other Part were empowered to enter into and carry into effect Contracts or Agreements with respect to the Management, Maintenance, Use, and Working of the Railways and Undertaking of the Company, and other Purposes, and any incidental Matters, and it is expedient that those Powers be extended to the London and South-western Railway Company; and whereas by the Victoria Station and Pimlico Railway Act, 1858, the Company and the Victoria Station and Pimlico Railway Company were empowered to enter into and carry into effect Agreements with respect to the Use of the Railway and Stations by that Act authorized, the Conveyance of Traffic on that Railway, and other Purposes, and an Agreement between them, with reference to the Execution of the Purposes of that Act, set forth in the Schedule thereto, was thereby confirmed, and by the Metropolitan Extensions Act that Agreement was extended to the Traffic of the Metropolitan Extensions, and the Company and the last-mentioned Company were empowered to alter the Terms of that Agreement or of any future Agreements, either as regards the Accommodation to be afforded at the said Station or in other Particulars, and either alone or in conjunction with any other Company using the Railway and Station of the said Company, and such Companies were empowered to enter into and carry out any new Contract or Agreement for effecting the Purposes aforesaid; and whereas by means of the Railway authorized by "The West London Extension Railway Act, 1859," and of the Railways called "the Battersea Alteration," authorized by "The London, Brighton, and South Coast Railway Act, 1860," the Traffic of the Great Western Railway Company will have Access to the Victoria Station and Pimlico Railway; and whereas Heads of Agreement, dated the 26th Day of June 1860, have been entered into between the Victoria Station Company, the Great Western Railway Company, and the Company with reference to the Terms for the Use and Working of the Railway and Station of the Station Company; and whereas by the Victoria Station and Pimlico Railway Act, 1861, the Three Companies Arrangement is confirmed, and the aforesaid Agreement set forth in the Schedule to the Victoria Station and Pimlico Railway Act, 1858, is annulled; and whereas subsequently to the making of the Three Companies Arrangement other Heads of Agreement have been made between the Great Western Railway Company and the Company with reference to the Three Companies Arrangement, and the Division and Appropriation between and to the Great Western Railway Company and the Company of some of the Benefits and Liabilities arising under the Three Companies Arrangement, and it is expedient that Effect be given to the Two Companies Arrangement; and whereas it is expedient that Power be given for uniting the Undertaking of the Company called the Western Extension with the general Undertaking of the Company (excluding the Metropolitan Extensions and the Farnborough Extension); and that the Company be authorized to raise further Money for the Purchase of Lands and for providing Steam Vessels, and other the Purposes of their general Undertaking, and to raise further Money for the Purposes of the Western Extension; and whereas by virtue of the following Acts of Parliament relating to the Town of Dover, (to wit,) 18 Geo. 3. c. 76., 50 Geo. 3. c. 26., 11 Geo. 4. c. 117., and 5 & 6 Will. 4. c. 47., the Local Board of Health for the District of Dover are entitled to certain Dues on all Sorts of Coals, Coke, Culm, Cinders, Ashes, or Charcoal imported, brought into, and landed or delivered within the Town and Port of Dover; and it is expedient that a Drawback or Return of those Dues be allowed in certain Cases in this Act specified.

Incorporation of Railways and Lands Clauses Acts, § 2.
Partial Incorporation of Companies Clauses Consolidation Act, § 3.
Lease of Undertaking, §§ 6 to 8.
Power to enter into Contracts, § 9.
Lease may supersede Working Contracts, § 10.
Power to take Lands on deposited Plans, § 11.
Three Years for compulsory Purchase of Lands, § 12.
Working Arrangement Powers extended to London and South-western Railway Company, § 13.
Two Companies Arrangement may be carried into effect, § 14.
Western Extension may be united to the original Undertaking, § 15.
Rentcharge subject to Mortgages, &c., § 16.
Amount and Appropriation of Rentcharge, § 17.
Consequences of Union, § 18.
Restriction on Use of Steam Vessels by Company, § 19.
Power to create new Shares for general Undertaking not exceeding 360,000*l.*, § 20.
Power to raise 60,000*l.* to discharge Dividends on guaranteed Shares, § 21.
Application of such Money thereto, § 22.
Power to create new Shares for Western Extension, § 23.

What Profits shall be applicable to Dividend on general Shares, § 24.
And on new Western Extension Shares, § 25.
Unissued Shares may be cancelled, § 26.
Privileges may be attached to new Shares, § 27.
Saving existing Preference Shares, § 28.
Rank of new Western Extension Shares, § 29.
Half Shares may be created, § 30.
As to Dividend on preferential Shares, § 31.
Disposal and Conditions of new Shares, § 32 to 34.
Authorized Capital may be raised by Stock, § 35.
Stock to carry same Preference as Shares, § 36.
Application to such Stock of Part of Companies Clauses Consolidation Act, § 37.
Power to borrow 106,000*l.* for general Purposes, § 38.
Power to borrow 56,600*l.* for Western Extension, § 39.
Priority of existing Mortgages, § 40.
Application of Monies raised, § 41.

42. The Company and every other Railway Company from Time to Time entitled to the Benefit of the Drawback or Return of the Dover Town Dues by this Act authorized respectively shall (so long as they respectively observe and fulfil the Provisions in that Behalf of this Act) be allowed a Drawback or Return of the Dover Town Dues in the several following Cases; (to wit,)

First. When the Coals, Coke, Culm, Cinders, Ashes, or Charcoal are wholly and in good Faith consumed by the Engines or on the Premises of the Company or (as the Case may be) of the other Railway Company:

Second. When the same are conveyed on the Railway or (as the Case may be) the Railway of the other Railway Company to and delivered from the same at any Place beyond the Distance of 10 Miles from the Borough of Dover, and their ultimate Destination is a Place beyond that Distance from the Borough:

Third. When the same are imported, brought into, landed, or delivered within the Town and Port of Dover, and are afterwards shipped on board of any Steam Vessel for Consumption therein:

Provided always, that any such Drawback or Return of Dues on (as the Case may be) Coal, Coke, Culm, Cinders, Ashes, or Charcoal under this Act shall not be allowed to the Company or (as the Case may be) to the other Railway Company, if and so long as any local Duties or Imposts are levied at any Place within 20 Miles from the Borough of Dover on (as the Case may be) Coal, Coke, Culm, Cinders, Ashes, or Charcoal conveyed on the Railway or (as the Case may be) on the Railway of the other Railway Company; provided also, that for the Purposes of this Act the Distances shall be measured on a straight Line from the Centre of the Market Place in the Borough, and may be so measured on an Ordnance Map.

43. Any Railway Company (other than the Company) from Time to Time having a Terminal Station at any Part of the Borough of Dover may at any Time by Writing under their Common Seal, delivered to the Local Board, claim the Benefit of this Act with respect to Drawback or Return of Dues, and consent to be bound by the several Provisions in that Behalf of this Act, and therefrom and thenceforth the Railway Company so claiming and consenting shall be entitled and bound accordingly, and the Claim and Consent may be in the Form in the First Schedule to this Act annexed, or to the like Effect.

44. The Company shall not at any Time, and any other Railway Company from Time to Time entitled to the Benefit of the Drawback or Return of Dues by this Act authorized shall not at any Time while so entitled, sell or otherwise act directly or indirectly as Dealers in Coal in the Borough of Dover or at any Place within a Distance (measured as by this Act provided) of 10 Miles from any Part of the Borough.

45. The Company, and every other Railway Company from Time to Time entitled to the Benefit of the Drawback or Return of Dues by this Act authorized, shall once and upon the same Day in every Week deliver to the Collector or Receiver of those Dues a Certificate in the Form in the Second Schedule to this Act annexed, or to the like Effect, signed by their Station Master at Dover or other accredited Officer, showing the Quantity of Coal, Coke, Culm, Cinders, Ashes, and Charcoal which during the Week preceding the Date of the Certificate were conveyed on their Railway to any Place within the Town and Port of Dover, or within a Distance of 10 Miles from the Borough of Dover, or were purchased or received by them within the Town and Port, and also (under different Heads) the Quantities for which the Drawback or Return of Dues is claimed under the Provisions of this Act, and also shall, within Seven Days after the Delivery of every such Certificate, pay to the Collector or Receiver the Dues payable on the Quantities specified in the Certificate, after deducting the Quantities in respect of which they are entitled to the Drawback or Return of Dues.

46. Any Person from Time to Time importing, bringing into, landing, or delivering within the Town and Port of Dover any Coal, Coke, Culm, Cinders, Ashes, or Charcoal, and any Person from Time to Time dealing in the same or any of them at any Place within the Town and Port or within a Distance (measured as by this Act provided) of 10 Miles from the Borough, (and which Persons respectively are in this Act referred to as Dealers in Coal,) may at any Time by Writing under his Hand, delivered to the Local Board, claim the Benefit of this Act with respect to the Drawback or Return of Dues by this Act authorized to be allowed, and consent to be bound by the several Provisions in that Behalf of this Act, and thereupon and thenceforth the Dealer in Coal so claiming and consenting shall be entitled and bound accordingly, and the Claim and Consent may be in the Form in the Third Schedule to this Act annexed, or to the like Effect.

47. Where any Dealer in Coal so claiming the Benefit of this Act is One of several Partners being Dealers in Coal, neither the Partnership Firm nor any of the Members from Time to Time thereof shall be entitled to the Benefit of this Act with respect to Drawback or Return of Dues, except when and so long as all the Partners of the Firm, by One Claim or several Claims respectively made by them as Dealers in Coal as by this Act provided, consent to be bound by the several Provisions in that Behalf of this Act.

48. Every Dealer in Coal from Time to Time entitled to the Benefit of the Drawback or Return of Dues by this Act authorized shall once and upon the same Day in every Week deliver to the Collector or Receiver of those Dues a Certificate in the Form in the Fourth Schedule to this Act annexed, or to the like Effect, signed by the Dealer in Coal or his authorized Agent, showing the Quantity of Coal, Coke, Culm, Cinders, Ashes, and Charcoal which during the Week preceding the Date of the Certificate were imported, brought into, and landed or delivered by him within the Town and Port, or were purchased or received by him within the same, and also, under different Heads, the Quantities for which the Drawback or Return of Dues is claimed under the Provisions of this Act; and also shall within Seven Days after the Delivery of every such Certificate pay to the Collector or Receiver the Dues payable on the Quantities specified in the Certificate, after deducting the Quantities in respect of which the Dealer in Coal is entitled to the Drawback or Return of Dues.

49. Every Dealer in Coal from Time to Time entitled to the Benefit of the Drawback or Return of Dues by this Act authorized shall keep at his Counting-house a Stock Book,

which shall be open at all Times during Business Hours to the Inspection and Transcription of the Collector or Receiver of those Dues, or the Inspector or other Person appointed in that Behalf by the Local Board, and who respectively shall at all Times have full and free Access to the Stores or Yards of the Dealer in Coal for the Purpose of examining and measuring the Stock of Coal, Coke, Culm, Cinders, Ashes, and Charcoal there, and all proper Facilities for examining and measuring the same.

50. No Dealer in Coal who ships on board any Steam Vessel for Consumption therein any Coal shall be entitled to any Drawback or Return of Dues thereon, unless and except within 24 Hours after the Shipment thereof he delivers to the Town Clerk a Notice in Writing signed by the Dealer in Coal and the Master of the Steam Vessel respectively, and certified by the Collector or Receiver of the Dues or the Inspector or other Person appointed in that Behalf to be correct, stating the Quantity of Coal so shipped and the Date of Shipment and the Name of the Steam Vessel.

51. If and whenever the Company or any other Railway Company, or any Dealer in Coal respectively entitled to the Benefit of the Drawback or Return of Dues by this Act authorized, shall wilfully fail to deliver any weekly Certificate as required by this Act, and if and whenever any Station Master or other accredited Officer of the Company or of any other Railway Company so entitled, or any Agent of or any Dealer in Coal so entitled, shall knowingly make, sign, send, or deliver any false or inaccurate Certificate, every Company so offending for every such Offence by them, and every Station Master or other Officer or Agent or Dealer in Coal so offending for every such Offence by him, shall respectively forfeit and pay to the Local Board the Sum of 100*l.*

52. If and whenever the Company or any other Railway Company so entitled, or any Dealer in Coal so entitled, or any Officer or Servant of the respective Company, or any Agent of the respective Dealer in Coal, shall by any means elude or evade or attempt to elude or evade Payment of any of the Dues payable under the Provisions of the Dover Town Acts and this Act, every Company or Person so offending shall for every such Offence forfeit and pay to the Local Board a Sum equal to the Amount of the Dues so eluded or evaded or attempted so to be, and shall also stand charged with and liable to the Payment of those Dues, and the Sum so forfeited shall be recoverable in the same Manner as the Dues themselves are recoverable.

53. The Powers of Distress by the Dover Town Acts given for the Recovery of those Dues shall extend to all Waggons and Trucks of the Company, and every other Railway Company so entitled respectively in which any Coals, Coke, Culm, Ashes, Cinders, or Charcoal liable to those Dues are conveyed or into which the same are loaded within the Town and Port, and to the Contents thereof, whenever the Waggons and Trucks are stationary within the Town and Port, but not when the same are in Motion.

54. The Clauses and Provisions of "The Railways Clauses Consolidation Act, 1845," with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices, shall extend and be applicable to all Penalties imposed by this Act, and are incorporated with this Act accordingly.

55. The Local Board (if they think fit) may from Time to Time by Writing under their Common Seal appoint and remove Inspectors of the Coal Traffic upon the Railways of the Company and all other Railway Companies, if any, from Time to Time entitled to the Benefit of the Drawback or Return of Dues by this Act authorized, and of the Stock, Books, Stores, and Yards of all Dealers in Coal from Time to Time so entitled, and every such Inspector shall have and may at all reasonable Times exercise the following Powers; (to wit,)

He may inspect and transcribe all the Books, Accounts, Documents, and Papers of the respective Company, and the Stock Book of the respective Dealer in Coal, so far as the same relate to the Coal, Coke, Culm, Cinders, Ashes, and Charcoal in respect of which the Drawback or Return of Dues is claimed:

He may visit at his Discretion all Stations of the respective Company, and all Stores and Yards of the respective Dealer in Coal, being respectively within the Borough or within the Distance of 10 Miles from the Borough, and ascertain the Quantity of Coal, Coke, Culm, Cinders, Ashes, and Charcoal delivered at and from and being in those Stations, Stores, and Yards respectively:

And every such Company and Dealer in Coal respectively shall afford to every such Inspector all reasonable Facilities for the Exercise of those Powers, and if they respectively fail so to do, every such Company and Dealer in Coal respectively so offending shall for every Offence forfeit and pay to the Local Board any Sum not exceeding 100*l.*: Provided always, that no such Inspector shall stop any Train during its Progress on the Railway of any Company, or otherwise impede the Progress of the Traffic upon any Railway.

56. Whenever the Local Board or the Collector or Receiver of the Dues shall consider that the Presence of any Coal Weigher or Coal Meter appointed under the Powers of the Dover Town Acts at any Unloading, Loading, or Transfer of Coals, Coke, Culm, Cinders, Ashes, or Charcoal from any Vessel, Barge, Truck, or Waggon into any other Vessel, Barge, Truck, or Waggon is unnecessary, the Local Board or the Collector or Receiver of the Dues may dispense with the Attendance thereat of a Coal Weigher or Coal Meter.

57. Provided always, That this Act or anything in this Act contained shall not repeal or alter the Provisions of any other Act under which any Railway Company is entitled to any Exemption from or Drawback or Return of the Dues or any of the Dues aforesaid, but with reference to such Company the Provisions of this Act relating to those Dues shall apply and be in force only to such Extent and in such Cases as are not provided for by such other Act.

First Schedule. Form of Claim and Consent by Railway Company.

Second Schedule. Form of Weekly Return by Railway Company.

Cap. ccxl.

"The London, Chatham, and Dover Railway (Works) Act, 1861."

Preamble recites, that by the "East Kent Railway Act, 1853," a Company was incorporated by the Name of the East Kent Railway Company (but now, by virtue of the "London, Chatham, and Dover Railway Act, 1859," styled the London, Chatham, and Dover Railway Company,) for making a Railway from Strood to Canterbury, with Branches to Faversham Quays and Chatham; and that by the "East Kent Railway (Extension to Dover) Act, 1855," the Company were authorized to extend their Line of Railway from Canterbury to Dover, and to make certain Branch Railways and Tramways; that by the "East Kent Railway (Western Extension) Act, 1858," the Company were authorized to make certain Lines of Railway (therein comprised under the Name of "the Western Extension") from the Bridge of the Company over the River Medway to join the Mid Kent Railway (Bromley to Saint Mary's Cray), and by that Act the Company, their Lessees and Assigns, were empowered to use and run over the Lines, Works, Conveniences, and

Accommodations of the Mid Kent Railway (Bromley to Saint Mary's Cray) Company and of the West End of London and Crystal Palace Railway Company, in that Act called the West London and Crystal Palace Railway Company, upon such Terms and Conditions, and subject to such Regulations, and upon Payment of such Tolls or other Consideration, as might have been or might be agreed upon, or in default of Agreement as should be determined by Arbitration, but with a Proviso that nothing therein contained should in any Manner affect or prejudice an Agreement dated the 12th Day of April 1858 between the Company and the Crystal Palace Railway Company; and whereas by the "West London and Crystal Palace Railway (Transfer of Farnborough Extension and Dissolution of Company) Act, 1860," after reciting that the London, Brighton, and South Coast Railway Company had purchased the whole of the Railways and Works of the Crystal Palace Railway Company (excepting only the Railway and Works authorized by "The West London and Crystal Palace Railway (Extension to Farnborough) Act, 1854,") an Agreement for the Sale and Purchase of the then completed Portion of the Farnborough Extension set forth in the First Schedule to that Act was confirmed, and the Company and the Crystal Palace Railway Company were authorized to carry the same into effect, and the Powers of the Crystal Palace Railway Company for the Completion of the remaining Portion (to wit, from Bromley to Farnborough,) of the Farnborough Extension were vested in the Company, and the Period limited for the compulsory Purchase or taking of Lands for the Purposes of that Portion of Railway was extended to the 8th August 1861, and for the Completion thereof to the 8th August 1862, and for the Purposes of that Act the Company were authorized to raise Money, either wholly by Stock (to be distinguished as "Farnborough Extension Stock") or partly by such Stock and partly by borrowing on Mortgage; and whereas by the "London, Chatham, and Dover Railway (Metropolitan Extensions) Act, 1860," the Company were authorized to make certain Railways and Works (in that Act included under the Name of the Metropolitan Extensions) embracing Three Sections, One of which Sections (called "the Beckenham Section") included a Railway No. 1, commencing in the Parish of Beckenham and County of Kent by a Junction with the Farnborough Extension, and terminating at Herne Hill in the Parish of Lambeth, and another of which Sections (called "the West End Section") included a Railway No. 3, commencing at the Termination at Herne Hill of the intended Railway No. 1 by a Junction with that Railway, and terminating in manner in that Act provided in the Parish of Saint Mary Battersea and County of Surrey by a Junction with the Line of Railway belonging to the Brighton Company, and leading to the Line of the Victoria Station and Pimlico Railway Company; and whereas the Metropolitan Extensions Act received the Royal Assent on the 6th Day of August 1860, and in that Act the Periods for compulsory Purchase of Land for the Purposes thereof and for the Completion of the Works were limited respectively to Three Years and Five Years from the passing thereof; and whereas by the Metropolitan Extensions Act the Company were authorized to raise Money by Shares and borrowing for the Purposes of the Metropolitan Extensions; and it is expedient that the Company should be empowered to make and maintain a Railway commencing in the Hamlet of Penge in the Parish of St. Mary Battersea in the County of Surrey by a Junction with the authorized Line of the aforesaid Railway No. 1 included in the Beckenham Section of the Metropolitan Extensions, and terminating in the Parish of Beckenham in the County of Kent near the Bridge carrying the Road leading from Beckenham to Southend over the Farnborough Extension; and also a Railway commencing at the Termination of the Penge Deviation, and terminating in the Parish of Bromley in the County of Kent by a Junction with the Western Extension; and to make and maintain the Junction Railways to connect the Penge Deviation with the Farnborough Extension herein-after described; and that the Company should be empowered to make and maintain a Railway from the authorized Line of the Farnborough Extension in the Parish of Bromley to join the Lines of the Crays Company, and a Junction Railway from the Bromley Deviation, also to join the Lines of the Crays Company; and it is expedient that the Company should be empowered to make and maintain the Railway hereafter distinguished as the Long Hedge Junction, and to abandon and relinquish the Construction of Part of the authorized Line of the said Railway No. 1, included in the Beckenham Section of the Metropolitan Extensions, which will be rendered unnecessary by the Construction of the Penge Deviation; and also to abandon and relinquish the Construction of Part of the authorized Line of the Farnborough Extension, which will be rendered unnecessary by the Construction of the Bromley Deviation; and that the Periods limited by the Transfer Act for the compulsory Purchase and taking of Lands for the Farnborough Extension and for the Completion thereof should as regards the Portion thereof remaining to be completed be extended; and that the Company should be authorized to apply for the Purposes of the Bromley Deviation and Bromley Junction the Funds by the Transfer Act authorized to be raised, and should be authorized to apply for the Purposes of the Long Hedge Junction Part of the Money which they were by the Metropolitan Extensions Act authorized to raise, and to raise additional Money for the other Purposes of this Act; and whereas by Indenture dated the 1st Day of January 1857, and made between the Mid Kent Railway Company of the one Part and the Crystal Palace Railway Company of the other Part, the Crystal Palace Railway Company agreed to permit the Mid Kent Railway Company to take the Lands necessary for the Purposes of Part of the Farnborough Extension between the Junction therewith of the Mid Kent Railway and an intended Station of the Crystal Palace Railway Company at Beckenham, and for the Purposes of that Station and Works at Beckenham; and it was agreed that the Mid Kent Railway Company should construct that Portion of Railway, Station, and Works, and that of the Sum of 4,825*l.* 13*s.* 4*d.*, the estimated Expense of the Station and Works, the Mid Kent Railway Company should pay 2,575*l.* 13*s.* 4*d.*, and the Crystal Palace Railway Company 2,250*l.*, and that on Payment of the latter Sum those Companies should be Joint Owners of the said Station, and should appoint a Joint Committee for the Maintenance and Management thereof; and it was thereby also agreed that the Crystal Palace Railway Company should pay the entire Cost of the said Portion of Railway, and that on Payment thereof the Mid Kent Railway Company should deliver up the same to them, but should reserve and for ever possess and enjoy the free and uninterrupted Right to run over and use with their Engines, Tenders, Carriages, Waggons, or Trucks, or with those of any Railway Company using their Line, and to carry thereon and thereover all Traffic usually carried on Railways, over the said Portion of Railway, on Payment of a commuted Toll or Rent of 50*l.* per Annum; and by Articles of Agreement made the 23d Day of June 1857 between the Crystal Palace Railway Company of the one Part and the Crays

Company of the other Part (being an Agreement made on the Withdrawal by the Crays Company of their Opposition to a Bill of the Crystal Palace Railway Company then pending in Parliament), it was agreed that the Crays Company should be entitled to run and pass over, and to work and use with their Engines and Carriages or with the Engines and Carriages of any other Company which might work the Traffic of their Line, the Part of the Farnborough Extension between the Junction therewith of their Railway and the Junction therewith of the Mid Kent Railway on Terms to be settled by Arbitration; and whereas under the Powers of the Mid Kent Railway Act, 1855, the South-eastern Railway Company work and manage the Mid Kent Railway; and by an Agreement made the 9th Day of June 1858 between the South-eastern Railway Company of the one Part and the Crays Company of the other Part it was agreed that the South-eastern Railway Company should work the Railway of the Crays Company for 10 Years from the Date thereof, and they now work that Railway; and it would be for the public Advantage that such Provision as herein-after contained should be made for the better Supervision and Control of the Use and Management of the Farnborough Extension between the Beckenham Station and the Junction of the Farnborough Extension with the Railway of the Crays Company, and of the said Station at Beckenham and of the Railway of the Crays Company.

Incorporation of Lands and Railways Clauses Acts, § 2.
Incorporation of certain Provisions of Companies Clauses Consolidation Act, § 3.
Power to make Works, § 6.
Description of new Lines, § 7.
Power to alter Engineering Works, § 8.
Provision for Junction of Long Hedge Junction Railway and London, Brighton, and South Coast Railway, § 9.
Not to alter West End Railway, or take Lands of Brighton Company without Consent, § 10.
Company to indemnify Brighton Company on Failure of Execution of Works, § 11.
Penalty for obstructing West End Railway, § 12.
Watchmen to be employed during Construction of Long Hedge Junction, § 13.
Junctions with Lines of other Companies, §§ 14 to 16.
For Protection of Roads, Streets, and Sewers of Metropolitan Board of Works, §§ 17, 18.
Works in connexion with Southwark and Vauxhall Water Company to be executed by that Company, § 19.
Southwark Company not to be liable for Damage arising from Alteration of Mains or Pipes, § 20.
In default of Southwark Company, the Company may execute the necessary Works, § 21.
Disputes to be settled by Arbitration, § 22.
For Protection of Property of Coles Child, Esq., § 23.
Periods within which Lands are to be purchased, § 24.
Periods for Completion of respective Railways, §§ 26, 27.
Tolls, § 29.
Abandonment of Part of authorized Works; Compensation, §§ 30, 31.
Repealing certain Sections of Transfer Act, § 33.
Further Period for compulsory Purchase, § 34.
Further Period for Completion of Works, § 35.
Parties aggrieved by Extension of Time may have Compensation, § 36.
Existing Contracts and Notices to take Lands not to be affected, § 37.
Power to create new Shares, § 38.
Names of Shares, § 39.
Unissued Shares may be cancelled, § 40.
Privileges may be attached to new Shares, § 41.
Half Shares may be created, § 42.
Saving existing Preference Shares, § 43.
Defining Profits applicable to preferential Dividends, § 44.
Disposal and Conditions of new Shares, §§ 45 to 47.
Authorized Capital may be raised by Stock, § 48.
Application to such Stock of Part of Companies Clauses Consolidation Act, § 50.
Power to borrow 43,000*l.*, §§ 51, 52.
Application of Monies raised, § 53.
Provision as to the Beckenham Agreement, § 54.
Appointment of a Superintendent, for Purposes of Act, by the Boards of Directors of the Company, and the Company working the Crays Line, § 55.
Copies of Resolutions to be transmitted, § 56.
Failing joint Appointment, Board of Trade to appoint, § 57.
Cessation of Superintendent's Powers, § 58.
Superintendent's Duties, § 59.
Recovery and Allowance of Penalties, § 60.
Superintendent's Salary, § 61.
As to Traffic on Bickley Junction, § 63.

Cap. ccxli.

"The Kent Coast Railways Act, 1861."

Recites that in 1857 a Company was incorporated by the Name of the Herne Bay and Faversham Railway Company (but now by virtue of "The Margate Railway Act, 1859," styled "The Margate Railway Company," for the Purpose of making a Railway commencing from the London, Chatham, and Dover Railway in the Parish of Preston next Faversham in the County of Kent, and terminating in the Parish of Herne in the same County, with a Capital of 80,000*l.*, and with Power to borrow 26,000*l.*, and by the Act now in recital, the Company and the East Kent Railway Company (now by virtue of the "London, Chatham, and Dover Railway Act, 1859," styled "The London, Chatham, and Dover Railway Company") were authorized to enter into Contracts for the Use and Working by that Company of the said Railway and the Conveyance by them of the Traffic thereon; that by "The Margate Railway Act, 1859," the Company were authorized to extend their Line of Railway from Herne Bay to Margate; that the Construction of a Railway, in extension of the Line of Railway by the recited Acts authorized, to Ramsgate by Broadstairs, with due Protection for Bathing on the Sands at Ramsgate, would be of public and local Advantage, and it is expedient that the Company should be enabled to construct the same, and to raise Money for that Purpose; that the Powers by the firstly-recited Act vested in the Company and the London, Chatham, and Dover Railway Company, of entering into such Contracts as aforesaid, shall be extended to the proposed Extension Railway and the Traffic thereon; that the Company should be authorized to raise additional Monies for the Purposes of the Railways by the recited Acts authorized; and also that the Name of the Company should be changed.

Incorporation of Consolidation Acts, §§ 2 to 4.
Power to make Railway, §§ 5, 6.
Protection of South-eastern Railway Company, §§ 8 to 10.
Power to alter Engineering Works, § 11.
Protection of Ramsgate Harbour; Admiralty Provisions, §§ 12 to 17.
As to Construction of Tunnel under Mount Albion Estate, Ramsgate, § 18.
Provision for Protection of Bathing on the Sands at Ramsgate, § 19.

Three Years for compulsory Purchase of Land, § 21.
Five Years for Completion, §§ 22, 23.
Power to take Tolls, § 24.
Extending Traffic Arrangements to Railway by this Act authorized, § 26.
Power to raise in all 156,000*l.* by new Shares of Two Classes, §§ 27, 28.
Preference Dividend of Six per Cent. may be attached to Shares for raising 60,000*l.*, § 29.
Disposal and Conditions of new Shares, §§ 33 to 36.
Power to borrow on Mortgage 52,000*l.*, §§ 37 to 39.
Certain Provisions of Companies Clauses Act incorporated, § 40.
New Name; Company to be called "The Kent Coast Railway Company," § 41.
Saving of Rights and Liabilities, § 42 to 44.

Cap. ccxlii.

"The Swansea and Neath Railway Act, 1861."

Proposes to authorize the Construction in the County of Glamorgan of a Railway from the Vale of Neath Railway to the South Wales Railway at Swansea, to be called "The Swansea and Neath Railway."
Incorporation of Consolidation Acts, § 2.
Company incorporated, with a Capital of 120,000*l.*, and Power to borrow 40,000*l.*, §§ 3 to 7.
Meetings; Directors, &c., §§ 8 to 12.
Vale of Neath Railway Company empowered to subscribe 100,000*l.*, §§ 13, 14.
Vale of Neath Company may raise new Share Capital for that Purpose, with preferential Dividend, § 15.
Power to make Railways, §§ 16, 17.
As to certain Lands of the Duke of Beaufort, § 18.
Power to use the Swansea Harbour Railway, §§ 19 to 21.
Regulating Communications with other Railways, §§ 22 to 24.
Company to provide another Station for the Swansea Vale Railway, § 25.
Swansea Vale Company may use Branch Line; Tolls to be taken, §§ 26 to 28.
Swansea Vale Company to complete Purchase of certain Land, and convey same to the Company, § 29.
Swansea Vale Company not to be bound to construct Extension, § 30.
Admiralty Provisions as to Bridge, §§ 31 to 36.
Execution of Viaduct over the new Cut, §§ 37 to 40.
Company to erect Guards to Bridges across new Cut and Lock, § 42.
Company not to proceed with Works across new Cut and Lock at the same Time, § 43.
Low Level Railway of Harbour Trustees, § 44.
Protection of Road between Bridges, § 45.
Bridges over new Cut and Lock to be kept open during Tide Time, § 46.
Trains to stop before crossing Viaduct, § 47.
Company to take only Easement in Land of Swansea Harbour Trustees, § 48.
Company to carry Ballast and Spoil, &c. at One Halfpenny per Ton per Mile, § 49.
Saving Rights of Swansea Harbour Trustees, § 50.
Company and certain other Companies empowered to lay down mixed Gauge, § 51.
Two Years for compulsory Purchase of Lands, § 53.
Four Years for Completion of Works, § 54.
Company to lay down Narrow Gauge on their Railways in a certain Contingency, § 55.
Power for Vale of Neath Company to complete Railways if not completed by Company, § 56.
Powers of Act for the Purpose to apply to Vale of Neath Company, § 57.
Vale of Neath Company to repay to Company their Expenditure, § 58.
Power for Vale of Neath Company to raise Money for the Purpose, § 59.
Power for Vale of Neath Company to work over Railways, § 60.
Restriction as to local Traffic, § 61.
Terms and Conditions of exercising Power to be settled, if not by Agreement, by Arbitration, § 62.
Deposit of Money with Court of Chancery; Power to order Payment of surplus Deposit, §§ 63, 64.
Tolls, §§ 65 to 73.
Power to Company and Vale of Neath Company to make Traffic Agreements, §§ 74 to 80.
Appointment of Joint Committee, § 81.

Cap. ccxliii.

"The Chard and Taunton Railway Act, 1861."

Preamble recites that the Construction of a Railway to connect the Towns of Chard and Taunton in the County of Somerset, and also to connect the Bristol and Exeter Railway with the Chard Railway, would be of public and local Advantage; and that the Company to be incorporated for that Purpose, and the Bristol and Exeter Railway Company, should be empowered to make and carry into effect Working Arrangements with respect to the Railway and Works, and that the Bristol and Exeter Railway Company should be empowered to subscribe towards the said Undertaking, and to guarantee Interest and Dividend on Monies borrowed and Capital raised by the Company so to be incorporated; and that the Company and the Chard Railway Company should be empowered to make and carry into effect Arrangements with respect to the Construction, Use, and Management of any Station at or near Chard.
Incorporation of Companies, Lands, and Railways Clauses Consolidation Acts, § 1.
Incorporation of Company, with Capital of 120,000*l.*, § 4.
Power for the Bristol and Exeter Company to subscribe, § 5.
The Bristol and Exeter Company may apply any existing Funds towards their Subscription, and may pay Interest on Company's Mortgages, §§ 6, 7.
Rights of that Company as to Monies advanced on Guarantee, § 8.
Power to borrow 40,000*l.*, § 13.
Meetings; Directors, §§ 15 to 19.
Power to make Railway and Works, § 20.
Line of Railway, § 21.
Power to alter Engineering Works, § 22.
For Protection of certain Property in Thorne Falcon, § 23.
Communications with other Railways how to be made, §§ 24 to 27.
Company to make a Farm Siding at Thorne Falcon, § 28.
In certain Events Company to make a Station also, § 29.
Three Years for compulsory Purchase of Lands, § 31.
Four Years for Exercise of other Powers, §§ 32, 33.
Tolls, §§ 34 to 43.
Provisions as to Traffic Agreements with Bristol and Exeter Railway Company, §§ 44 to 50.
Gauge of Railway, § 51.
Arrangements with Chard Company as to Taunton Station, §§ 52, 53.

Cap. ccxliv.

"The West Hartlepool Harbour and Railway Traffic, &c., Act, 1861."

Recites that in 1852 by 15 & 16 Vict. c. xlii., the Stockton and Hartlepool Railway Company, and the Hartlepool West Harbour and Dock Company were amalgamated by the Name of "The West Hartlepool Harbour and Railway Company," and were also authorized to purchase the Undertaking of the Clarence Railway Company, and the Powers of Amalgamation and Purchase by that Act given were shortly afterwards duly exercised, and the Three Companies became united into One Company by the Name of "The West Hartlepool Harbour and Railway Company;" that West Hartlepool has by means of the large Harbour and Dock Works, and the Facilities afforded by the Company, become a Port of great commercial and public Importance, and by means of the Railway, Harbour, and Docks of the Company, and the Railways communicating therewith, extensive Traffic in Passengers and Merchandise is carried on between West Hartlepool and the Manufacturing Towns of Yorkshire, Lancashire, and other Counties in England, and in consequence of the Combinations existing between Railway Companies whose Railways communicate with the Railway, Harbour, and Dock Works of the Company, it is expedient that additional Facilities should be afforded for the Transit along and Interchange of Traffic between the Railways and Works of such Companies respectively, and the Company as by this Act provided; and also that further Facilities should be given for securing the due Payment of the Freight and Charges for Goods brought to or landed at the Harbour and Docks of the Company, or to or at any of the Quays or Wharfs of the Company, and for the Adjustment of Claims in respect of such Freight and Charges, and that the Company should be protected in respect of such Claims, and that Provision be made for the granting of Certificates for the Deposit of Goods and of Warrants for the Delivery of Goods.

2. The Stockton and Darlington Railway Company, the South Durham and Lancashire Union Railway Company, and the Eden Valley Railway Company respectively shall and they are hereby required to afford at all Times such reasonable and proper Facilities and Accommodations upon their respective Railways and at their respective Stations, and to perform such Services in the Transmission of Traffic upon their Railways respectively and at their respective Stations, as shall effectually secure the forwarding of all Passengers, Goods, Minerals, Animals, and other Traffic desiring or requiring to pass from the Railway and Works of the Company on, to, upon, and over the Railways of the Stockton and Darlington Railway Company, the South Durham and Lancashire Union Railway Company, and the Eden Valley Railway Company respectively, or from the Railways of the Three last-mentioned Companies or any of them, or any Parts of any of those Railways respectively, on, to, and over the Railway and Works of the Company, and the Stockton and Darlington Railway Company, the South Durham and Lancashire Union Railway Company, and the Eden Valley Railway Company respectively shall and they are hereby required to make all other necessary Arrangements for booking through at their respective Stations, and for the Passage and punctual Transmission or Forwarding of all or any of such Traffic as may be offered to them respectively for Transmission as aforesaid, and they shall, if required so to do, carry on such Traffic as aforesaid over their respective Railways in Carriages, Waggons, and Trucks belonging to or supplied by the Company, or belonging to or supplied by other Companies or Persons entitled to use the Railway and Works of the Company, so that no Change of Carriage shall be required in the Transmission of any such Traffic; and the Company shall in like Manner afford the like Facilities and Accommodations in every respect for Traffic passing to, on, over, or from the Railways of the Stockton and Darlington Railway Company, the South Durham and Lancashire Union Railway Company, and the Eden Valley Railway Company respectively, and desiring or required to be forwarded to, on, over, or from the Railway and Works of the Company or any Part thereof.

3. The Terms and Conditions on which Traffic shall be forwarded and Facilities for Traffic afforded, as by this Act provided, by the said Companies or any of them to the Company, or by the Company to the said Companies or any of them, shall be such Terms and Conditions as such Companies respectively from Time to Time agree on, or, failing Agreement between them, as are from Time to Time determined by Arbitration, in accordance with "The Railway Companies Arbitration Act, 1859," by a single Arbitrator, to be appointed by such Companies respectively, or if they fail to agree on the Appointment, then to be, on their or any of their Application, appointed by the Board of Trade in that Behalf; and it shall be lawful for the Arbitrator to fix and determine the Amount of Rates, Tolls, and Charges to be paid for the forwarding and Facilities for Traffic as aforesaid.

4. Provided always, That when Traffic is forwarded by any of the said Companies before an Agreement with respect to the Terms and Conditions of the forwarding of Traffic is come to between such Companies respectively, or an Award is made in the Arbitration thereon, the Accounts between them with respect to the forwarding of Traffic as aforesaid shall be made up and settled as if the Terms and Conditions had been agreed on or awarded at the Time when Notice in Writing shall have been given requiring such Agreement to be entered into, or a Reference to Arbitration, in manner before mentioned.

5. All Goods which shall be landed in the Docks or at any Quays or Wharfs of the Company, and which shall be lodged in charge of the Company, shall continue and be subject to such and the same Claim for Freight in favour of the Master or Owner of the Ship from or out of which such Goods shall be landed, or in favour of any other Person interested in the Freight of the same Goods, as such Goods were subject to whilst the same were on board such Ships and before they were landed; and the Company are hereby authorized and required, upon due Notice in that Behalf given to them by such Master, Owner, or other Person, to detain such Goods until the Claim or Demand made for or on account of Freight shall be satisfied, together with the Rates and Charges to which the same shall be liable, or until such Rates and Charges shall have been so paid, or a Deposit shall have been made equal in Amount to such Claim or Demand as aforesaid, which Deposit the Company are hereby authorized and directed to receive, and hold in trust until the Claim or Demand for Freight shall have been satisfied or adjudged to be invalid, when, upon Proof thereof being given to the Company, and Payment made to them of all Rates and Charges, if any, due upon such Goods, such Deposit shall be returned, upon Demand, to the Person by whom the same was made, or to his Executors, Administrators, or Assigns.

6. The Company on the Expiration of 15 Days next after any such Deposit shall have been made, and in case Notice in Writing to retain the Amount of such Deposit shall not in the meantime have been given to the Company by some Person claiming to be entitled to such Goods, shall with or out of the said Deposit, pay to the Master or Owner of the Vessel from which such Goods shall have been discharged, or other Person entitled to or interested in such Claim or Lien, the

Amount of his Claim or Lien, and may apply the Surplus, if any, of the said Deposit, in or towards Payment of the Rates or Charges, if any, then due to the Company on the Goods in respect of which such Deposit shall have been made, and all other Expenses, if any, incurred by the Company in respect thereof, and the Payment so made by the Company shall release and discharge them from all Claims and Demands whatsoever in respect of so much of such Deposit as they shall have paid to such Master, Owner, or other Person interested as aforesaid.

7. Provided, That every Owner or Consignee of Goods which shall have been stopped for Freight who shall require Delivery of the same on a Deposit shall by himself or his Agent make and deliver to the Company a Declaration in Writing, stating whether the Liability to Payment of Freight altogether, or the Amount only payable in respect of Freight, is disputed by him, and if the Amount only shall be in dispute, then also stating the Amount which he admits to be payable in respect of the Freight; and in every Case where any Sum shall be admitted to be due for Freight such admitted Amount shall be paid to the Shipowner or Master or other Person entitled to receive the same prior to the Delivery of the Goods, and in such Case the Amount in dispute only shall be the Sum to be deposited as aforesaid.

8. Provided also, That no Notice to hold or retain the Amount of such Deposit shall be of any Force or Effect for a longer Period than 30 Days from the Service thereof on the Company, unless some Action, Suit, or other Proceeding at Law or in Equity for determining the Right, Title, or Liability to the Freight in respect of which such Deposit shall have been made, or the Right to or the Ownership of such Deposit, shall in the meantime be actually commenced, and Notice thereof in Writing be served on the Company.

9. Notice to detain for Freight given within the Period of Seven Days next after the Day on which the Ship shall have begun to discharge her Cargo, and before the Company shall have parted with the Possession of the Goods referred to in such Notice, shall be effectual for the Purposes of this Act as to such Goods or any Part thereof not so parted with as aforesaid, notwithstanding the Issue by the Company of any Warrant, or the Receipt and Acceptance by them of any Order for Delivery or Transfer; but no Notice which shall be given to the Company after the Expiration of the Period last aforesaid shall be available in respect of any Goods for which the Company shall have issued a Warrant or in respect of which they shall have accepted an Order for Delivery or Transfer.

10. If in any Case in which Notice to detain any Goods for Freight shall have been given as aforesaid such Deposit as aforesaid shall not be made within 90 Days next after such Goods shall have been landed and lodged in charge as aforesaid, the Company may sell by Auction all or any Part of such Goods, and out of the Proceeds thereof shall in the first place pay the Duties (if any) payable to the Commissioners of Customs or Inland Revenue, and also retain and pay the Rates and Charges payable in respect of such Goods, and the Expenses of such Sale, and in the next place may pay to the Person who shall have given any such Notice as aforesaid the Amount of Freight claimed thereby, so far as such Proceeds shall extend, rendering the Surplus (if any) to the Person for whose Account such Goods shall be held in charge at or immediately previous to the Time of the Sale thereof; but the Company shall not sell a greater Portion of such Goods than shall in their Judgment be sufficient to cover the Amount of the said Duties and Expenses, Rates, Charges, and Freight.

11. Except only as is by this Act otherwise expressly provided with respect to damaged or perishable Goods, no such Sale shall be made until after Ten Days Notice in Writing of such intended Sale shall have been sent through the Post Office by registered Letter or otherwise, given to the Person for whose Account such Goods shall be held in charge, if the Name and Residence or Place of Business of such Person shall be known, or if the Name, Residence, or Place of Business of such Person shall not be known, then until Ten Days after such Notice shall have been inserted twice in some Newspaper published in London.

12. Provided nevertheless, That with respect to all damaged Goods or Goods of a perishable Nature deposited and lodged with the Company, they may, if they think fit, sell such Goods at any Time when in their Judgment such Goods would be materially injured or lessened in Value by being retained by them, and whether or not they have Notice of the Nonpayment of Freight claimed on such Goods, or Notice to retain the same.

13. Where the Company so sell any such damaged or perishable Goods they shall apply the Proceeds of the Sale, so far as they suffice, in the first place in Payment of the Customs Duties and Inland Revenue Duties (if any) payable in respect of such Goods, and in the next place in Payment of the Rates, Rents, and Charges due and payable to the Company in respect thereof, and the Expenses of the Sale, and in the next place, if the Company have been duly served with Notice according to this Act of the Claim for Freight in respect of such Goods (but not otherwise), in Payment of the Freight, rendering, on Demand, the Surplus (if any) of the Proceeds and the unsold Goods (if any) to the Person entitled thereto.

14. The Company shall not be in any Manner responsible for or affected by the Invalidity or Excess of any Claim or Lien for Freight made or claimed upon or in respect of any Goods warehoused by them, or lodged or deposited in their Charge.

15. The Company from Time to Time, at the Request of any Person or Persons warehousing or depositing any Goods in any Warehouse, or upon or in any of the Quays, Yards, Buildings, or Property of the Company, or entitled to any such Goods, may, if they think fit, issue and deliver to such Person or Persons a Certificate, in a Form approved by the Company, for the Delivery of the Goods so warehoused or deposited, or a Warrant, in a Form approved by the Company, for the Delivery of such Goods or any Part thereof, to be respectively specified in the Warrant.

16. The Goods specified in every such Certificate of the warehousing or depositing thereof shall for all Purposes of this Act be deemed the Property of the Person or Persons in that Behalf named in such Certificate.

17. Provided always, That the Company shall not be bound to give any such Warrant for Delivery unless and until all Liens and Claims whatsoever for Freight and otherwise to which the Goods were liable before, or for the warehousing or depositing of the same, or of which the Company have Notice in Writing, and all Rates, Rents, Charges, and Expenses payable to the Company with respect to the warehousing or depositing of the Goods, or for Services performed by the Company in respect thereof, are paid or discharged.

18. Provided also, That before the Warrant for the Delivery of all or any of the Goods specified in any Certificate is issued by the Company, the Certificate shall be delivered to them to be cancelled; provided also, that if the Warrant be for the Delivery of Part only of the Goods the Company shall issue to the Party so delivering up the Certificate a new Certificate with respect to the Goods not specified in the Warrant.

19. Every such Warrant for Delivery shall be transferable by special Endorsement, and shall entitle the Person named therein, or the last Endorsee thereof named in the Endorsement, to the Goods specified therein, and the Goods so specified shall for all Purposes be deemed his Property.

Cap. ccxlv.

"The Lynn and Sutton Bridge Railway Act, 1861."

Proposes to authorize the Construction of a Railway from the East Anglian Railways at Lynn to the Norwich and Spalding Railway at Sutton Bridge.
Incorporation of Consolidation Acts, §§ 1, 2.
Subscribers incorporated with a Capital of 100,000*l.*, and with Power to borrow 33,000*l.*, §§ 3 to 7.
Meetings; Directors, §§ 8 to 12.
Power to East Anglian Railways Company to subscribe 50,000*l.*; to attach a Preference not exceeding 5 per Cent. to the Shares issued for that Purpose; and to appoint Directors, §§ 13 to 18.
Power to make Railway and other Works, §§ 19, 20.
Describing other Works which Company may make, and Powers which may be exercised, §§ 21.
Provision for Sale of Property of Cross Keys Bridge Company to Company, §§ 22 to 28.
Power to use certain Railways, §§ 29 to 31.
Level Crossings, §§ 32 to 35.
Communication with other Railways, §§ 36 to 38.
Provisions respecting new Bridge across the Nene Outfall; the crossing of the Eau Brink Cut; and Admiralty Provisions, §§ 39 to 62.
Lands to be bought by Compulsion in Two Years, § 64.
Three Years for Completion of Works, §§ 65, 66.
Court of Chancery may order Payment of surplus Deposit, § 67.
Tolls, §§ 68 to 76.
Power to enter into Traffic Arrangements with other Railway Companies, §§ 77 to 83.
Reservation of the Rights of the Bedford Level Corporation; of Corporation of Wisbeach; and of the Crown, §§ 87 to 89.

Cap. ccxlvi.

"The Midland Counties and Shannon Junction Railway Act, 1861."

Proposes the making of Railways to unite the Deep-water Navigation of the River Shannon at Banagher and Meelick, in the King's County, with the Great Southern and Western Railway, at the Town of Clara, in the King's County; and to build and construct a Bridge across the River Shannon, at Meelick, with suitable and convenient Approaches thereto, for the Traffic between the King's County and the County of Tipperary on the one side, and the County of Galway on the other; also to authorize the Great Southern and Western Railway Company to enter into Arrangements with respect to the Working and Management of the Railways and Bridge.
Incorporation of Consolidation Acts, §§ 1 and 3, 4.
Subscribers incorporated with a Capital of 115,000*l.*, and Power to borrow 38,300*l.*, §§ 5 to 10.
Meetings; Directors, §§ 13 to 21.
Power to make Railways and Bridge, § 22.
Describing Railways and Bridge, § 23.
Roads to be crossed on the Level, §§ 24 to 27.
Company to purchase Land for a double Line, §§ 29, 30.
Three Years for compulsory Purchase of Lands, § 31.
Five Years for Completion of Works, § 32 and § 47.
Mode of effecting Communication with Great Southern and Western Railway, §§ 33 to 37.
Power to enter into Agreement with the Great Southern and Western Company for the Use and Working of Line, §§ 38 to 42.
Power to use the Great Southern and Western Railway, § 43.
Conditions of such User, §§ 44 to 46.
Construction and Management of Bridge, §§ 48 to 53.
Collection and Application of Bridge Tolls, §§ 54 to 71.
Repair of Bridge, §§ 72, 73.
Injuries to Bridge and Repairs, §§ 74 to 77.
Saving Rights as to Shannon Property, § 78.
Saving Rights of Her Majesty's Principal Secretary of State for the War Department, § 79.
Tolls for Use of Railways, §§ 80 to 89.
Tolls for Use of Bridge, § 90.

Cap. ccxlvii.

"The Mold and Denbigh Junction Railway Act, 1861."

Preamble recites that the making of a Railway from the Mold Branch of the Chester and Holyhead Railway at Mold to the Vale of Clwyd Railway would be of great public Advantage; and that it is expedient that the Company on the one hand, and the London and North-western Railway Company on the other hand, should be authorized to enter into Traffic Agreements.
Incorporation of Consolidation Acts, § 2.
Company incorporated with a Capital of 125,000*l.*, and Power to borrow 41,000*l.*, §§ 3 to 10.
Meetings; Directors, §§ 11 to 18.
Power to make Railway, § 19.
Power to alter Engineering Works, § 21.
For Protection of Pont Rhyffydd Hall, § 22.
Station to be made between Fifth and Sixth Furlongs of the Tenth Mile, § 23.
Certain Lands of William Barber Buddicom, Esq., not to be taken without Consent, § 24.
Other Conditions to be observed in regard to his Property §§ 25 to 31.
Three Years for compulsory Purchase of Lands, § 32.
Five Years for Completion of Works, § 33.
Provisions with respect to Junction with Mold and Vale of Clwyd Railway, §§ 35 to 38.
Level Crossings, 39 to 42.
Tolls, §§ 44 to 51.
Agreements may be made with London and North-western Railway Company, Conditions thereof, §§ 52 to 58.
Saving Rights of the Crown, § 60.

Cap. ccxlviii.

"The Blane Valley Railway Act, 1861."

Proposes the making of a Railway commencing by a Junction with the Branch Railway from near Garngibber to Lennoxtown of Campsie, of the Edinburgh and Glasgow Railway, and terminating near to the Eastward of the Farm-steading of Cuilt, with a Branch or Continuation thereof to Lettermill, all in the County of Stirling; and that the intended Company and the Edinburgh and Glasgow Railway Company should be enabled to enter into Working Arrangements with respect to their Railways, and with regard to the Interchange of Traffic on their respective Lines; and to authorize the Edinburgh and Glasgow Railway Company to subscribe to the Capital.
Incorporation of Consolidation Acts. §§ 1, 2.
Subscribers incorporated with a Capital of 51,000*l.*, and Power to borrow 17,000*l.*, §§ 4 to 12.

Meetings; Directors, §§ 13 to 21.
Power to make Railway, § 22.
Lines of Railway described, § 23.
Junction with the Edinburgh and Glasgow Railway, §§ 24, 25.
Section 22 of Railways Clauses Act not to apply to Pipes of Commissioners of Glasgow Corporation Waterworks, § 26.
Commissioners may repair Pipes in case of Accident, § 27.
Commissioners not to be liable for Damages to Railway, § 28.
Commissioners may lay additional Pipes, § 29.
Liability of Company for Damage to Pipes, § 30.
Company may purchase Land for Works for protecting Lennox Castle and Grounds, § 31.
Level Crossings, §§ 32 to 35.
Three Years for Lands to be purchased by Compulsion, § 37.
Four Years for Completion of Works, § 38 and § 58.
Tolls, §§ 39 to 47.
Agreement enabling the Edinburgh and Glasgow Company to subscribe confirmed, § 48.
Agreement with Edinburgh and Glasgow Company as to working the Railway confirmed, § 49.
Saving Rights of the Edinburgh and Glasgow Company, § 50.
Power for Edinburgh and Glasgow Company to subscribe 17,000*l.*, and to raise that Amount by Shares with or without a Preference not exceeding 5*l.* per Cent., §§ 52 to 56.
Certain Provisions of Companies Clauses Act incorporated, § 57.

Cap. ccxlix.

"The West Hartlepool Harbour and Railway Company's Capital Act, 1861."

Recites that by "The West Hartlepool Harbour and Railway Act, 1852," after reciting Seven Acts passed relating to the Clarence Railway, and the Powers of the Clarence Railway Company, under those Acts of raising, in addition to their ordinary Capital, Three several Classes of Preference Shares for the Discharge of Debts and Liabilities of that Company, and for other Purposes; and also 5 & 6 Vict. c. xc., incorporating the Proprietors of the Stockton and Hartlepool Railway, and reciting that that Company had become the Lessees of the Clarence Railway for a Term of Years, and after also reciting Three several Acts relating to the Hartlepool West Harbour and Dock Company, and that it would be advantageous if the Stockton and Hartlepool Railway Company, the Clarence Railway Company, and the Hartlepool West Harbour and Dock Company were amalgamated and enabled to take an extended Lease of or to purchase the Clarence Railway, the Stockton and Hartlepool Railway Company were dissolved and re-incorporated, and the re-incorporated Railway Company were authorized to raise a further Capital of 110,000*l.* by new Shares or Stock; and Provision was made for the Amalgamation of the re-incorporated Railway Company with the Hartlepool West Harbour and Dock Company into One Company by the Name of the "West Hartlepool Harbour and Railway Company," and for vesting the Harbour, Docks, Railways, Property, and Effects of the re-incorporated Railway Company and of the Hartlepool West Harbour and Dock Company respectively in and for transferring their respective Debts, Liabilities, and Engagements to the Company, and for the final Dissolution of the Stockton and Hartlepool Railway Company and of the Hartlepool West Harbour and Dock Company respectively; and the Company were authorized to create Shares and Stock to be allotted to the Holders of Shares of the Capital of those Two finally dissolved Companies respectively in proportion to the Shares held by them in those Capitals respectively; and the Company were also authorized to raise the further Sum of 391,400*l.* by new Shares or Stock, with such Preference, if any, as the Company should direct, but subject to the Provisions of the reciting Act with respect to the Preferences of the other preferential Shares therein referred to, and to borrow One Third of their Capital for the Time being; and Provision was thereby made for the Sale of the Clarence Railway to the Company; and in the event of the Sale taking place, the Company were also authorized to raise by further Capital the Sum requisite to be raised and paid for the Purchase Money of the Clarence Railway, or Part thereof, by Shares or Stock, with any Preference they should think fit, or to allot Shares to the Shareholders of the Clarence Company, to be called as therein mentioned, and which Shares were allotted accordingly, with the Preferences thereby authorized; and Provision was thereby made for the Redemption by the Company of the last-mentioned preferential Shares respectively, on the Terms therein expressed, and for the re-issuing by the Company of the redeemed Shares, but an Option was thereby given to the Holders thereof to hold them unredeemed as ordinary Shares, and also to create Capital for the Redemption of the preferential Shares of the Clarence Railway Company, and to create the preferential Shares of the Company to be substituted for the same Clarence Railway Shares respectively; and Provision was thereby made for the Repeal of the therein recited Acts relating to the Clarence Railway Company, and for vesting their Railway and Property in the Company, and for authorizing the Company also to raise by new Shares, with or without Preference, 25,000*l.*, part of a larger Sum which the Clarence Railway Company were authorized to raise, but had not raised; that those Companies were accordingly dissolved, and the Company purchased the Clarence Railway, and the Clarence Railway Company ceased to exist; that by their Act of 1857 the Company were authorized to raise 450,000*l.* by new Shares or Stock, in addition to their then Share Capital of 1,564,560*l.*, and making therewith a Share Capital of 2,014,560*l.*, and to attach to any of the new Shares or Stock preferential Dividends not exceeding 5*l.* per Centum per Annum; and to create Debenture Stock, with any guaranteed Interest not exceeding 5*l.* per Centum per Annum by way of Substitution for or Redemption of Debt; that they created Three Classes of preferential Stock, now bearing preferential Dividends, at the Rate of 4*l.* per Centum per Annum, 4*l.* 10*s.* per Centum per Annum and 5*l.* 10*s.* per Centum per Annum respectively, and they converted the ordinary Shares of their Capital into Consolidated Stock; that the Capital which the Company have Authority to raise is as follows:

	£
In respect of the dissolved Clarence Railway Company	543,560
In respect of the dissolved Stockton and Hartlepool Railway Company	240,000
In respect of the dissolved Hartlepool West Harbour and Dock Company	254,600
Authorized to be created by the Company under the Act of 1852	526,400
The like under the Act of 1857	450,000
	£2,014,560
And with 671,520*l.* One Third of that Amount added thereto as Loan	£2,686,080

that the Trade of the Port of West Hartlepool has within the last few Years greatly and rapidly increased, and they

have been obliged to incur a large Outlay from Time to Time in enlarging their Harbour and Dock Works, and in constructing Timber Ponds, Graving Docks, Ship Yards, and other Works, and for the Protection of their Harbour and Docks from the Sea, and also for extensive Warehouses, Steam Dredgers, Rolling Stock, Ballast Ground, and other Accommodations urgently required for the Trade, and to enable them to secure and accommodate the increasing Traffic of Coal and general Merchandise; that they are the Owners of a considerable Extent of Land in and near to West Hartlepool in the Township of Stranton, and containing about 160 Acres, of which Land it is essential that they should have the Command as Ballast Ground, in order to its being used for the Deposit thereon of Ship's Ballast, but from Time to Time, as Portions of such Ground, by means of the Deposit of Ballast, become adapted for building thereon, they dispose of the same as Building Ground at a considerable Profit, and such Ballast Ground forms an additional valuable Security for any Money advanced to them; that it is expedient that Powers of raising additional Capital should be granted to the Company, and that their Acts of 1852 and 1857 should be amended.

Incorporation of Companies Clauses Act, § 2.

4. The Company may raise for the Purposes of their Undertakings by the Creation of Stock and of new Shares any Sum of Money, which together with the said Sum of 2,014,560*l.* shall not exceed in the whole 2,100,000*l.*

Power to raise Money by new Shares, § 5.

Preferential Dividend may be attached to new Shares, § 6.

7. The Company, with the Sanction of at least Three Fifths of the Votes of the Shareholders present, in Person or by Proxy, at a General Meeting of the Company specially convened for the Purpose, from Time to Time may make any Agreement with the Holders of any of the guaranteed or preferential Stock or Shares from Time to Time of the Capital of the Company for the Conversion or Commutation of all or any Part thereof respectively into any other Stock of the Company, whether ordinary or bearing such guaranteed or preferential Dividend, and of such Amounts respectively in proportion to the Amounts of the Shares or Stock to be respectively so converted or commuted, as the Company and the Holders thereof respectively agree on: Provided always, that the aggregate Amount of preferential Dividend upon any Shares or Stock given in exchange for any other preferential Shares or Stock shall not exceed the aggregate Amount of the preferential Dividend upon the Shares or Stock so exchanged, and the Amount of the Capital in Shares or Stock given in exchange shall not exceed that of the Shares or Stock so exchanged.

8. If the Company have created and issued, or shall hereafter create and issue under the Powers of the recited Acts and this Act, or any of them, any Shares or Stock bearing a fixed or preferential Dividend, but subject to the Redemption of such Shares or Stock by the Company at a future Period, or shall agree with any Holders of Preference Shares or Stock for the Conversion or Commutation thereof, the Company may and they are hereby empowered from Time to Time, for the Purpose of paying off any preferential Shares or Stock which have been so issued, subject to the Power of Redemption by the Company, or for carrying out any such Agreement, create and issue a new Class of Shares or Stock bearing a fixed or preferential Dividend or Interest not exceeding the Rate by this Act limited, or may create for the Purposes of such Redemption or Agreement a further Amount of Shares or Stock in the ordinary Stock of the Company; and the Money arising from all such new Shares or Stock so created and issued shall be applied for the Purpose of paying off the preferential Shares or Stock for the Payment of which they were created, or for carrying out such Agreement, and for no other Purpose.

9. In no Case shall the preferential Dividends to be attached to any new Shares or Stock created and issued under the Authority of this Act exceed the Rate of 6*l.* per Centum per Annum, and no such new Shares or Stock shall interfere with the Priority or other Privileges of any Debenture Stock of the Company already or hereafter created, or of any existing Government Loan or preferential Shares or preferential Stock of the Company.

10. Provided always, That any Preference or Priority in the Payment of Interest or Dividend which may be granted in respect of any new Shares or Stock (other than Debenture Stock) in pursuance of this Act shall not prejudice or affect any Preference or Priority in the Payment of Interest or Dividend on any other Shares or Stock which may have been previously granted by the Company by or in pursuance of, or which may have been confirmed by, any Act of Parliament passed prior to the passing of this Act, or which may otherwise be lawfully subsisting.

Preference Shares and Stock not to confer Votes, § 11.

Preferential Dividends not to carry Arrears beyond One Year, § 12.

Dividends on new Capital, § 15.

Qualifications, &c. for new Shares and Stock, § 16.

Company may cancel unissued new Shares or Stock, and issue others instead, § 17.

Company may cancel forfeited Shares with Consent of Holders, § 18.

Directors may accept Surrenders of Shares or Stock issued, and re-issue the same, § 19.

Power to create Shares or Stock in lieu of cancelled, forfeited, &c. Shares, § 20.

Priority of Mortgages and Bonds under recited Acts not to be prejudiced, § 21.

Act not to prejudice Suits now pending between Company and Shareholders, § 22.

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTERS,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

N.B.—*To each of these Acts is annexed a Clause in the Terms following:*

"This Act shall not be a Public Act, but shall be printed by the several Printers to the Queen's most Excellent Majesty "duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so printed by any of them shall be "admitted as Evidence thereof by all Judges, Justices, and others."

Cap. 1.

An Act to incorporate the Trustees of "The *Atkinson Institution* of *Glasgow*," acting under the Will of *Thomas Atkinson* Bookseller and Stationer, of *Glasgow*, deceased, and to enlarge the Powers of such Trustees, the better to enable them to carry out the benevolent Designs of the said Testator. [1st *August* 1861.]

Cap. 2.

An Act to extend the Powers of Leasing contained in the Will of the Right Honourable *John Savile Lumley Savile* Earl of *Scarbrough* deceased, with respect to certain Estates in the County of *York* thereby devised, and therein called the *Savile York* Estates; and for other Purposes; and of which the Short Title is "*Savile* Estate (Leasing) Act, 1861." [1st *August* 1861.]

Cap. 3.

An Act for authorizing the Application for the Maintenance and Benefit of the Children of Sir *Beresford Burston M'Mahon* Baronet of certain Monies by the Will of Sir *William M'Mahon*, Baronet deceased, directed to be accumulated during the Life of Sir *Beresford Burston M'Mahon*. [1st *August* 1861.]

Cap. 4.

An Act to authorize The Most Noble *George Granville William* Duke and Earl of *Sutherland*, and *Anne* Duchess of *Sutherland*, to disentail the Estate of *Cromarty*, and to grant a new Entail thereof. [6th *August* 1861.]

Cap. 5.

An Act to enable the Trustees of the Will of the late Sir *William Fowle Fowle Middleton* to carry into effect certain Contracts affecting his Estates in *London* and *Middlesex*. [6th *August* 1861.]

Cap. 6.

An Act for the Amendment of an Act of the Parliament of *Ireland* of the Session of the 19th and 20th Years of *George* the Third, incorporating the Trustees of the Hospital founded by *George Simpson* Esquire; and for confirming Leases granted by the Trustees. [6th *August* 1861.]

Cap. 7.

An Act for confirming Leases granted by Sir *Richard Godin Simeon* Baronet, deceased, and Sir *John Simeon* Baronet respectively, of Parts of the *Saint John's* Estate in the Parish of *Saint Helens* in the *Isle of Wight*, and for other Purposes, and of which the Short Title is "Sir *John Simeon's* Leasing Act, 1861." [6th *August* 1861.]

Cap. 8.

An Act to simplify certain of the Trusts and Provisions in the Settlements of the *Vane Tempest* Estates; and for other Purposes connected therewith. [6th *August* 1861.]

Cap. 9.

An Act to authorize the granting of Building and Repairing Leases of Parts of the Estates devised and bequeathed by the Will of the Right Honourable *George* Earl of *Egremont* deceased, or become subject to the Trusts thereof; and for other Purposes. [6th *August* 1861.]

Cap. 10.

An Act for enabling Trustees to raise Money on Mortgage of the *Hemsworth* Estates in the Counties of *Suffolk* and *Norfolk*, and for giving Powers of Sale and Exchange over the same Estates. [6th *August* 1861.]

THE

STATUTES at Large, &c.

Anno Regni VICTORIÆ, Britanniarum Reginæ, Vicesimo Quinto & Vicesimo Sexto.

'AT the Parliament begun and holden at *Westminster*, the Thirty-first Day of *May*, *Anno Domini* 1859, in the Twenty-second Year of the Reign of our Sovereign Lady *Victoria*, by the Grace of God of the United Kingdom of *Great Britain* and *Ireland*, Queen, Defender of the Faith: And from thence continued by several Prorogations to the Sixth Day of *February* 1862; being the Fourth Session of the Eighteenth Parliament of the United Kingdom of *Great Britain* and *Ireland*.'

CAP. I.

An Act to apply the Sum of Nine hundred and seventy-three thousand seven hundred and forty-seven Pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first Day of *March* One thousand eight hundred and sixty-two. [10th *March* 1862.]

CAP. II.

An Act to apply the Sum of Eighteen Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty-two. [24th *March* 1862.]

CAP. III.

An Act to amend an Act, intituled *An Act to amend the Law relating to Supply Exchequer Bills, and to charge the same on the Consolidated Fund;* and to repeal all Provisions by which Authority is given to the Commissioners of Her Majesty's Treasury to fund Exchequer Bills. [24th *March* 1862.]

'WHEREAS by an Act passed in the last Session of Parliament, Chapter Five, it is enacted, that whenever Payment of the Principal Moneys of any Exchequer Bills authorized to be made out and issued under the Provisions of the said Act shall be claimed, and shall be paid to the Holder thereof, and whenever any Exchequer Bills shall, under the Authority of the said Act, be paid in for Duties granted to Her Majesty, it shall be lawful for the Commissioners of Her Majesty's Treasury to order the Preparation and Issue of a like Amount of Exchequer Bills to be prepared and issued in place of the Exchequer Bills so paid off, and so paid in for Duties: And whereas it is expedient to provide that no Exchequer Bills shall be so prepared and issued in place of such Exchequer Bills so paid off, and so paid in for Duties, at any Period after the Expiration of the financial Year during which such Exchequer Bills shall have been paid off or paid in for Duties: And whereas by an Act passed in the Ninth Year of the Reign of King *George* the Fourth, Chapter Ninety-two, certain Powers and Authorities are given to the Commissioners of Her Majesty's Treasury to create permanent Annuities chargeable upon the Consolidated Fund in lieu of Exchequer Bills held by the Commissioners for the Reduction of the National Debt under the Authority of that Act, and to cancel such Exchequer Bills in consideration of the permanent Annuities so created in lieu thereof; and it is expedient that such Powers and Authority shall cease and determine:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 24 & 25 Vict. c. 5. 9 G. 4. c. 92.

1. The Authority granted by the said first-recited Act shall be limited to and shall not extend beyond the Year commencing on the First Day of *April* and ending on the Thirty-first Day of *March* then next immediately following during which any such Exchequer Bills shall be paid off or paid in for Duties, and shall thereupon be cancelled. Limitation of Authority for Re-issue of Bills.

2. The

Powers for Creation of Annuities, &c. repealed.

2. The several Powers and Authorities vested in the Commissioners of Her Majesty's Treasury in relation to the Creation of permanent Annuities, and to the cancelling of Exchequer Bills by the said second-recited or by any other Act are hereby repealed, and shall cease and determine on and after the passing of this Act.

Payment to the Bank of England for Management.

3. There shall be paid to the Governor and Company of the Bank of *England* out of the Consolidated Fund of the United Kingdom, or out of the growing Produce thereof, for the Management of the Unredeemed Public Debt in Exchequer Bills, for the Year commencing on the First Day of *December* One thousand eight hundred and sixty-one, an Allowance at the Rate of One hundred Pounds for every Million of Exchequer Bills which were outstanding on that Day; and such Payment shall be made on the First Day of *December* One thousand eight hundred and sixty-two; and the Allowance for Management of Exchequer Bills shall be computed and paid in like Manner in every succeeding Year, until Parliament shall otherwise direct.

Outstanding Exchequer Bills charged on Consolidated Fund.

4. All Exchequer Bills, charged on Supplies granted by Parliament, which shall be outstanding after the Thirty-first Day of *March* One thousand eight hundred and sixty-two, and the Interest thereon, shall be charged upon and paid out of the Consolidated Fund of the United Kingdom, or out of the growing Produce thereof; and the Authority to pay the Principal and Interest of such Exchequer Bills out of any Supplies appropriated by Parliament to such Purposes shall thenceforth cease and determine.

CAP. IV.

An Act to enable Her Majesty to issue Commissions to the Officers of Her Majesty's Land Forces and Royal Marines, and to Adjutants and Quartermasters of Her Militia and Volunteer Forces, without affixing Her Royal Sign Manual thereto. [11th *April* 1862.]

'WHEREAS every Officer appointed or promoted by Her Majesty in Her Land Forces or Marines, and every Adjutant or Quartermaster in Her Militia or Volunteer Forces, receives a Commission from Her Majesty with Her Royal Sign Manual thereon: And whereas in the Case of Her Majesty's Land Forces, before such Commissions are prepared in or issued from the Office of the Secretary of State, each Officer has been appointed or promoted by Her Majesty, under Her Royal Sign Manual, to the Rank for which a Commission afterwards issues under Royal Sign Manual, and has been gazetted to his Appointment or Promotion, and has entered on the Duties and received the Pay or Emolument thereof according to the Rank to which he has been so appointed or promoted by Her Majesty: And whereas it is expedient to regulate from Time to Time the Mode of authenticating Commissions granted by Her Majesty:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Officers Commissions in the Army, &c. may be issued without Her Majesty's Royal Sign Manual being affixed thereto.

1. That it shall be lawful for Her Majesty, by Order in Council, from Time to Time, as Occasion may require, to direct that all or any Commissions for Officers prepared or to be prepared under the Authority of Her Majesty's Royal Sign Manual may be afterwards issued without Her Royal Sign Manual, but having thereon, in the Case of Her Majesty's Land Forces, except as herein-after mentioned, the Signatures of the Commander-in-Chief or the General commanding in chief, and of One of Her Majesty's Principal Secretaries of State, and in the Case of the Royal Marines of the Lords Commissioners of the Admiralty, and in the Case of Military Chaplains, Commissariat and Store Officers, and of Adjutants and Quartermasters in the Militia and Volunteer Forces, of One of Her Majesty's said Principal Secretaries; and that every such Commission issued and signed in pursuance of such Order in Council shall be conclusive Evidence that the Officer named in any such Commission has been appointed or promoted by Her Majesty to the Rank or Office named therein.

Nothing to affect Her Majesty's Right to sign Commissions.

2. Nothing herein contained shall be construed to prevent Her Majesty from signing any Commission, or to prevent any Commission so signed from having the same Validity and Effect as if this Act had not passed.

CAP. V.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. [11th *April* 1862.]

[*The Sections now printed are either entirely new or have been materially altered.*]

'WHEREAS the raising or keeping a Standing Army within the United Kingdom of *Great Britain* and *Ireland* in Time of Peace, unless it be with the Consent of Parliament, is against Law: And whereas it is adjudged necessary by Her Majesty and this present Parliament that a Body of Forces should be continued for the Safety of the United Kingdom, the Defence of the Possessions of Her Majesty's Crown, and the Preservation of the Balance of Power in *Europe*, and that the whole Number of such Forces should consist of One hundred and forty-five thousand four hundred and fifty Men, exclusive of Six thousand six hundred and eighty-eight Officers and Men, being the Depôts of Regiments in *India* stationed in *Great Britain*, and exclusive of the Officers and Men belonging to the

Number of Men to consist of 145,450, exclusive of 6,688

Regiments

'Regiments and other Corps employed in Her Majesty's *East Indian* Possessions, but including the 'Officers and Men of the Troops and Companies recruiting for those Regiments and Corps: And 'whereas no Man can be forejudged of Life or Limb, or subjected in Time of Peace to any Kind of 'Punishment within this Realm, by Martial Law, or in any other Manner than by Judgment of his 'Peers, and according to the known and established Laws of this Realm; yet nevertheless it being 'requisite, for the retaining all the before-mentioned Forces in their Duty, that an exact Discipline be 'observed, and that Soldiers who shall mutiny or stir up Sedition, or shall desert Her Majesty's 'Service, or be guilty of Crimes and Offences to the Prejudice of good Order and Military Discipline, 'be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Officers and Men, being Depôts of Regiments in India stationed in Great Britain, but including Officers and Men recruiting for the same.

2. All the Provisions of this Act shall apply to all Persons who are or shall be commissioned or in Pay as an Officer, or who are or shall be listed or in Pay as a Non-commissioned Officer or Soldier, other than Officers and Soldiers belonging to Her Majesty's *Indian* Forces, and to all Persons employed on the Recruiting Service receiving Pay, and all Pensioners receiving Allowances in respect of such Service, and to the Officers and Soldiers belonging to Her Majesty's *Indian* Forces, while such Officers or Soldiers shall be in any Part of the United Kingdom, and to Persons who are or shall be hired to be employed in the Royal Artillery, Royal Engineers, and Military Store Department, and to Master Gunners, and to Conductors of Stores, and to the Corps of Royal Military Surveyors and Draftsmen, and to all Officers and Persons who are or shall be serving on the Commissariat Staff or in the Commissariat Staff Corps, or in the Military Store Department, and to Persons in the War Department, who are or shall be serving with any Part of Her Majesty's Army at home or abroad, under the Command of any Commissioned Officer, and (subject to and in accordance with the Provisions of an Act passed in the Sixth and Seventh Years of the Reign of Her present Majesty, Chapter Ninety-five), to any Out-pensioners of the Royal Hospital, *Chelsea*, who may be called out on Duty in aid of the Civil Power, or for Muster or Inspection, or who having volunteered their Services for that Purpose shall be kept on Duty in any Fort, Town, or Garrison, and to all Storekeepers and other Civil Officers who are or shall be employed by or act under the Secretary of State for War at any of Her Majesty's Establishments in the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, or at Foreign Stations; provided that nothing in this Act contained shall extend to affect any Security which has been or shall be given by any Storekeeper, Barrack Master, or other Officer, or their Sureties, for the due Performance of their respective Offices, but that all such Securities shall be and remain in full Force and Effect.

Persons subject to this Act.

18. Whenever Her Majesty shall intend that any Sentence of Penal Servitude heretofore or hereafter passed upon any Offender by any Court-martial shall be carried into execution for the Term specified in such Sentence or for any shorter Term, or shall be graciously pleased to commute as aforesaid to Penal Servitude any Sentence of Death passed by any such Court, the Sentence, together with Her Majesty's Pleasure thereupon, shall be notified in Writing by the Officer commanding in chief Her Majesty's Army in *Great Britain* and *Ireland*, or in the temporary Absence of such Officer by the Adjutant General, or when there shall not be any Commander-in-Chief of Her Majesty's Army in *Great Britain* and *Ireland*, then by the Secretary-at-War or his Deputy, to any Judge of the Queen's Bench, Common Pleas, or Exchequer in *England* or *Ireland*, and thereupon such Judge shall make an Order for the Penal Servitude of such Offender in conformity with such Notification, and shall do all such other Acts consequent upon such Notification as such Judge is authorized to do by any Act in force touching the Penal Servitude of other Offenders; and it shall be lawful for any Judge of the Queen's Bench, Common Pleas, or Exchequer in *Ireland*, to make an Order that any such Offender convicted in *Ireland* shall be kept in Penal Servitude in *England*; and such Order shall be in all respects as effectual in *England* as though such Offender had been convicted in *England*, and the Order had been made by any Judge of the Queen's Bench, Common Pleas, or Exchequer in *England*; and the Person in whose Custody such Offender shall at that Time be, and all other Persons whatsoever whom the said Order may concern, shall be bound to obey and shall be assistant in the Execution thereof, and shall be liable to the same Punishment for Disobedience to or for interrupting the Execution of such Order as if the Order had been made under the Authority of any such Act as aforesaid; and every Person so ordered to be kept in Penal Servitude shall be subject to every Provision made by Law and in force concerning Persons under Sentence of Penal Servitude; and from the Time when such Order of Penal Servitude shall be made every Act in force touching the Escape of Felons, or their afterwards returning or being at large without Leave, shall apply to such Offender, and to all Persons aiding and abetting, contriving or assisting in any Escape or intended Escape or returning without Leave of any such Offender; and the Judge who shall make any Order of Penal Servitude as aforesaid shall direct the Notification of Her Majesty's Pleasure, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of Queen's Bench; and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for

As to Execution of Sentences of Penal Servitude in the United Kingdom.

the same) to such Offender or to any Person applying in his or Her Majesty's Behalf, showing the Christian and Surname of such Offender, his Offence, the Place where the Court was held before which he was convicted, and the Conditions on which the Order of Penal Servitude was made; which Certificate shall be sufficient Proof of the Conviction and Sentence of such Offender, and also of the Terms on which such Order for his Penal Servitude was made, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

As to Execution of Sentences of Penal Servitude in the Colonies, the East Indies, the Ionian Islands, or elsewhere out of Her Majesty's Dominions.

19. Whenever any Sentence of Penal Servitude heretofore or hereafter passed upon any Offender by any Court-martial holden in the *East Indies*, or in any other Part of Her Majesty's Foreign Dominions, or elsewhere beyond the Seas, is to be carried into execution for the Term specified in such Sentence or for any shorter Term, or when Sentence of Death passed by any such Court-martial has been or shall as aforesaid be commuted to Penal Servitude, the same shall be notified by the Officer commanding Her Majesty's Forces at the Presidency or Station where the Offender may come or be, or in his Absence by the Adjutant General for the Time being, to some Judge of One of the Supreme Courts of Judicature in the *East Indies*, or the Chief Justice, or some other Judge, as the Case may be, in any Part of Her Majesty's Foreign Dominions, who shall make Order for the Penal Servitude or intermediate Custody of such Offender; and upon any such Order being made it shall be duly notified to the Governor of the Presidency if in the *East Indies*, or to the Governor of the Colony if in any of Her Majesty's Colonies, or to the Person who shall for the Time being be exercising the Office of Governor of such Presidency or Colony, who, on Receipt of such Notification, shall cause such Offender to be removed or sent to some other Colony or Place, or to undergo his Sentence within the Presidency or Colony where the Offender was so sentenced, or where he may come or be as aforesaid, in obedience to the Directions for the Removal and Treatment of Convicts which shall from Time to Time be transmitted from Her Majesty through One of Her Principal Secretaries of State to such Presidency or Colony; and such Offender shall according to such Directions undergo the Sentence of Penal Servitude which shall have been passed upon him either in the Presidency or Colony in which he has been so sentenced, or in the Colony or Place to which he has been so removed or sent, and whilst such Sentence shall remain in force shall be liable to be imprisoned, and kept to Hard Labour, and otherwise dealt with under such Sentence in the same Manner as if he had been sentenced to be imprisoned, with Hard Labour, during the Term of his Penal Servitude, by the Judgment of a Court of competent Jurisdiction in such Presidency or Colony, or in the Colony or Place to which he has been so removed or sent respectively: In the *Ionian Islands* and elsewhere out of Her Majesty's Dominions, the Officer commanding shall have Power to make an Order in Writing for the Penal Servitude or intermediate Custody of such Offender; and such Offender shall be liable by virtue of such Order to be imprisoned and kept to Hard Labour and otherwise dealt with under the Sentence of the Court in the same Manner as if he had been sentenced to be imprisoned with Hard Labour during the Term of his Penal Servitude by the Judgment of a Court of competent Jurisdiction in the Place where he may be ordered to be kept in such intermediate Custody, or in the Place to which he may be removed for the Purpose of undergoing his Sentence of Penal Servitude.

Marking Deserters, or Soldiers discharged with Ignominy.

26. On the first and on every subsequent Conviction for Desertion the Court-martial, in addition to any other Punishment, may order the Offender to be marked Two Inches below and One Inch in rear of the Nipple of the Left Breast with the Letter D, such Letter not to be less than an Inch long, and to be marked upon the Skin with some Ink or Gunpowder, or other Preparation, so as to be clearly seen, and not liable to be obliterated; a Court-martial recommending that an Offender be discharged with Ignominy may also recommend that he be marked on the Right Breast with the Letters B. C., and such Recommendation may legally be carried into effect by the Military Authorities.

As to the Removal of Prisoners.

31. In the Case of a Prisoner undergoing Imprisonment under the Sentence of a Court-martial in any public Prison other than the Military Prisons set apart by the Authority of this Act, or in any Gaol or House of Correction in any Part of the United Kingdom, it shall be lawful for the General commanding in chief, or the Adjutant General, or the Officer who confirmed the Proceedings of the Court, or the Officer commanding the District or Garrison in which such Prisoner may be, to give, as often as Occasion may arise, an Order in Writing directing that the Prisoner be discharged, or be delivered over to Military Custody, whether for the Purpose of being removed to some other Prison or Place in the United Kingdom, there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial either as a Witness or for Trial; and in the Case of a Prisoner undergoing Imprisonment or Penal Servitude under the Sentence of a Court-martial in any public Prison other than such Military Prison as aforesaid, or in any Gaol or House of Correction in any Part of Her Majesty's Dominions other than the United Kingdom, it shall be lawful for the General commanding in chief or the Adjutant General of Her Majesty's Forces in the Case of any such Prisoner, and for the Commander-in-Chief in *India* in the Case of any Prisoner so confined in any Part of Her Majesty's *Indian* Dominions, and for the General commanding in chief in any Presidency in *India* in the Case of a Prisoner so therein confined, and for the Officer commanding in chief or the Officer who confirmed the Proceedings of the Court at any Foreign Station in the Case of a Prisoner so there confined, to give, as often as Occasion may arise, an Order in Writing directing that the Prisoner be discharged or be delivered over to Military Custody, whether for the Purpose of being removed to some other Prison or Place

Place in any Part of Her Majesty's Dominions, there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial either as a Witness or for Trial; and in the Case of any Prisoner who shall be removed by any such Order from any such Prison, Gaol, or House of Correction either within the United Kingdom or elsewhere to some other Prison or Place either in the United Kingdom or elsewhere, the Officer who gave such Order shall also give an Order in Writing directing the Governor, Provost Marshal, Gaoler or Keeper of such other Prison or Place to receive such Prisoner into his Custody, and specifying the Offence of which such Prisoner shall have been convicted, and the Sentence of the Court, and the Period of Imprisonment which he is to undergo, and the Day and the Hour on which he is to be released; and such Governor, Provost Marshal, Gaoler or Keeper shall keep such Offender in a proper Place of Confinement, with or without Hard Labour, and with or without Solitary Confinement, according to the Sentence of the Court, and during the Time specified in the said Order, or until he be duly discharged or delivered over to Military Custody before the Expiration of that Time under an Order duly made for that Purpose; and in the Case of a Prisoner undergoing Imprisonment or Penal Servitude under the Sentence of a Court-martial in any Military Prison in any Part of Her Majesty's Dominions, or in the *Ionian Islands*, the Secretary of State for War, or any Person duly authorized by him in that Behalf, shall have the like Powers in regard to the Discharge and Delivery over of such Prisoners to Military Custody as may be lawfully exercised by any of the Military Authorities above mentioned in respect of any Prisoners undergoing Confinement as aforesaid in any public Prison other than a Military Prison, or in any Gaol or House of Correction in any Part of Her Majesty's Dominions; and such Prisoner in any of the Cases herein-before mentioned shall accordingly, on the Production of any such Order as is herein-before mentioned, be discharged or delivered over, as the Case may be: Provided always, that the Time during which any Prisoner under Sentence of Imprisonment by a Court-martial shall be detained in such Military Custody under such Order as aforesaid shall be reckoned as Imprisonment under the Sentence for whatever Purpose such Detention shall take place; and such Prisoner may during such Time, either when on board Ship or otherwise, be subjected to such Restraint as is necessary for his Detention and Removal.

Expiration of Imprisonment of Soldiers in Common Gaols.

33. Every Gaoler or Keeper of any public Prison, Gaol, House of Correction, or other Place of Confinement, to whom any Notice shall have been given, or who shall have Reason to know or believe, that any Person in his Custody for any Offence, Civil or Military, is a Soldier liable to serve Her Majesty on the Expiration of his Imprisonment, shall forthwith, or as soon as may be, give, if in *Great Britain* to the Secretary-at-War, and if in *Ireland* to the General commanding Her Majesty's Forces in *Ireland*, Notice of the Day and Hour on which the Imprisonment of such Person will expire.

Desertion of Recruits prior to joining their Regiments or Corps.

36. Any Recruit for Her Majesty's Army who, having been attested or received Pay other than Enlisting Money, shall desert before joining the Regiment or Corps for which he has enlisted shall, on being apprehended, and committed for such Desertion by any Justice of the Peace upon the Testimony of One or more Witnesses upon Oath, or upon his own Confession, forfeit his personal Bounty, and be liable to be transferred to any Regiment or Corps or Depôt nearest to the Place where he shall have been apprehended, or to any other Regiment or Corps to which Her Majesty may deem it more desirable that he should be transferred: Provided always, that such Deserters thus transferred shall not be liable to other Punishment for the Offence, or to any other Penalty except the Forfeiture of their personal Bounty.

Soldiers liable to be taken out of Her Majesty's Service only for Felony, Misdemeanor, or for Debts amounting to 30*l.* and upwards.

40. Any Person attested for Her Majesty's Army or Her Majesty's *Indian* Army, or serving on the permanent Staff of the Disembodied Militia other than as a Commissioned Officer, shall be liable to be taken out of Her Majesty's Service only by Process or Execution on account of any Charge of Felony or of Misdemeanor, or of any Crime or Offence other than the Misdemeanor of absenting himself from his Service, or neglecting to fulfil his Contract, or otherwise misconducting himself respecting the same, or the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money, or on account of an original Debt proved by Affidavit of the Plaintiff or of some one on his Behalf to amount to the Value of Thirty Pounds at the least, over and above all Costs of Suit, such Affidavit to be sworn, without Payment of any Fee, before some Judge of the Court out of which Process or Execution shall issue, or before some Person authorized to take Affidavits in such Court, of which Affidavit, when duly filed in such Court, a Memorandum shall, without Fee, be endorsed upon the Back of such Process, stating the Facts sworn to, and the Day of filing such Affidavit; but no Soldier or other Person as aforesaid shall be liable by any Process whatever to appear before any Justice of the Peace or other Authority whatever, or to be taken out of Her Majesty's Service by any Writ, Summons, Warrant, Order, Judgment, Execution, or any Process whatsoever issued by or by the Authority of any Court of Law, or any Magistrate, Justice or Justices of the Peace, or any other Authority whatsoever, for any original Debt not amounting to Thirty Pounds, or for not supporting or maintaining, or for not having supported or maintained, or for leaving or having left chargeable to any Parish, Township, or Place, or to the Common Fund of any Union, any Relation or Child which such Soldier or Person might, if not in Her Majesty's Service, be compellable by Law to relieve or maintain, or for neglecting to pay to the Mother of any Bastard Child, or to any Person who may have been appointed to have the Custody of such Child, any Sum to be paid in pursuance of an Order on that Behalf, or for the Breach of any Contract, Covenant, Agreement, or other

Soldiers not liable to be taken out of Her Majesty's Service for Debts under 30*l.*, or for not maintaining their Families, or for Breach of Contract.

other Engagement whatever, by Parol or in Writing, or for having left or deserted his Employer or Master, or his Contract, Work, or Labour, or misconducting himself respecting the same, except in the Case of an Apprentice, or of an indentured Labourer, as herein-after described; and all Summonses, Warrants, Commitments, Indictments, Convictions, Judgments, and Sentences, on account of any of the Matters for which it is herein declared that a Soldier or other Person as aforesaid is not liable to be taken out of Her Majesty's Service, shall be utterly illegal, and null and void, to all Intents and Purposes; and any Judge of any such Court may examine into any Complaint made by a Soldier or by his Superior Officer, and by Warrant under his Hand discharge such Soldier, without Fee, he being shown to have been arrested contrary to the Intent of this Act, and shall award reasonable Costs to such Complainant, who shall have for the Recovery thereof the like Remedy as would have been applicable to the Recovery of any Costs which might have been awarded against the Complainant in any Judgment or Execution as aforesaid, or a Writ of Habeas corpus ad subjiciendum shall be awarded or issued, and the Discharge of any such Soldier out of Custody shall be ordered thereupon; provided that any Plaintiff, upon Notice of the Cause of Action first given in Writing to any Soldier, or left at his last Quarters, may proceed in any Action or Suit to Judgment, and have Execution other than against the Body or Military Necessaries or Equipments of such Soldier; provided also, that nothing herein contained relating to the leaving or deserting a Master or Employer, or to the Breach of any Contract, Agreement, or Engagement, shall apply to Persons who shall be really and *bonâ fide* Apprentices, duly bound, under the Age of Twenty-one Years, or to indentured Labourers, as herein-after prescribed.

Enlistment and Re-enlistment, and Transfer to another Corps abroad.

52. It shall be lawful for any Justice of the Peace or Person exercising the Office of a Magistrate within any of Her Majesty's Dominions abroad, or in any Colony for any other Person duly authorized in that Behalf by the Governor or Officer administering the Government of such Colony, or in the *Ionian Islands* for any Person duly authorized in that Behalf by the Lord High Commissioner, or in Her Majesty's Dominions in *India* for any Person duly authorized in that Behalf by the Governor General or Lieutenant Governor or other Officer administering the Government of any Presidency, Division, or Province, or within the Territories of any Foreign State in *India* for the Person performing the Duties of the Office of *British* Resident therein, or for any other Person duly authorized in that Behalf by the Governor General, to enlist and attest or to re-engage within the local Limits of their several Authorities any Soldiers or Persons desirous of enlisting or re-engaging in Her Majesty's Army or Her Majesty's *Indian* Army; and any such Magistrate or Person as aforesaid shall have the same Powers in that Behalf as are by this or any other Act of Parliament given to Justices in the United Kingdom for all such Purposes of Enlistment and Attestation; but no such Magistrate or other Person authorized to enlist and attest as above mentioned shall be a General Officer or hold any Regimental Commission; and all such Appointments, past and future, and everything done or to be done under them, shall be valid and of full Effect, notwithstanding the Expiration of this Act or of any other Act of Parliament; and any Person so attested shall be deemed to be an attested Soldier; and as often as any Corps shall be relieved or disbanded at any Station beyond the Seas, it shall be lawful for any Officers thereunto authorized by the Officer commanding in chief at such Station to receive as Transfers as many of the Soldiers belonging to the Corps leaving the Station as shall be willing and fit for Service for any Corps appointed to remain or for Her Majesty's *Indian* Forces; and every Soldier so transferred is hereby deemed to be discharged from his former Corps, and an attested Certificate of Transfer shall be delivered to the Soldier.

Re-engagement of Soldiers or of Persons having been Soldiers for a further Term.

54. Any Soldier at any Time during the last Six Months of the Term of limited Service for which he shall have first engaged, may, with the Consent of his Commanding Officer, or any Person having been a Soldier, after having received his Discharge may, if approved by competent Military Authority as a fit Person for Her Majesty's Service, be re-engaged to serve for the further Term of Eleven Years in the Infantry, and Twelve Years in the Cavalry, and Nine Years in the Artillery or Engineers, upon making a Declaration, in the Form given in the Schedule annexed to this Act, before any One of Her Majesty's Justices of the Peace in *Great Britain* or *Ireland*, or if not in *Great Britain* or *Ireland* before any Person duly appointed to enlist and attest out of *Great Britain* and *Ireland* any Soldiers or Persons desirous of enlisting or re-engaging in Her Majesty's Service.

Ordinary Course of Criminal Justice not to be interfered with. Punishment of Officers obstructing Civil Justice.

76. Nothing in this Act contained shall be construed to extend to exempt any Officer or Soldier from being proceeded against by the ordinary Course of Law, when accused of Felony, or of Misdemeanor, or of any Crime or Offence other than the Misdemeanors and Offences herein-before mentioned; and if any Commanding Officer shall neglect or refuse, on Application being made to him for that Purpose, to deliver over to the Civil Magistrate any Officer or Soldier under his Command, or shall wilfully obstruct, neglect, or refuse to assist the Officers of Justice in apprehending any Officer or Soldier under his Command, so accused as aforesaid, such Commanding Officer shall, upon Conviction thereof in any of Her Majesty's Superior Courts at *Westminster*, *Dublin*, or *Edinburgh*, be deemed to be thereupon cashiered, and shall be thenceforth utterly disabled to have or hold any Civil or Military Office or Employment in the United Kingdom of *Great Britain* and *Ireland* or in Her Majesty's Service; and a Certificate of such Conviction, containing the Substance and Effect of the Indictment only, omitting the formal Part, with the Copy of the Entry of the Judgment of the Court thereon, shall be transmitted to the Judge Advocate General in *London*.

81. Any

Penalty for inducing Soldiers to desert.

81. Any Person who shall in any Part of Her Majesty's Dominions, or by any Means whatsoever, directly or indirectly, procure any Soldier to desert, or attempt to procure or persuade any Soldier to desert, and any Person, who, knowing that any Soldier is about to desert, shall aid or assist him in deserting, or, knowing any Soldier to be a Deserter, shall conceal such Deserter, or aid or assist such Deserter in concealing himself, or aid or assist in his Rescue, shall be deemed guilty of a Misdemeanor, and shall, on Conviction thereof, before any Two Justices acting for the County, District, City, Burgh, or Place where any such Offender shall at any Time happen to be, be liable to be committed to the Common Gaol or House of Correction, there to be imprisoned, with or without Hard Labour, for such Term not exceeding Six Calendar Months as the convicting Justices shall think fit.

Penalties on aiding Escape or Attempt to escape of Prisoners, and on Breach of Prison Regulations.

83. If any Person shall convey or cause to be conveyed into any Military Prison appointed to be a public Prison under this Act any Arms, Tools, or Instruments, or any Mask or other Disguise, in order to facilitate the Escape of any Prisoner, or shall by any Means whatever aid and assist any Prisoner to escape or in attempting to escape from such Prison, whether an Escape be actually made or not, such Person shall be deemed guilty of Felony, and upon being convicted thereof shall be kept to Penal Servitude for any Term not less than Four Years and not exceeding Six Years, or be imprisoned, with or without Hard Labour, for any Term not exceeding Two Years; and if any Person shall bring or attempt to bring into such Prison, in contravention of the existing Rules thereof, any spirituous or fermented Liquor, he shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds and not less than Ten Pounds, or to be imprisoned, with or without Hard Labour, for any Time not exceeding Three Calendar Months; and if any Person shall bring into such Prison, to or for any Prisoner, without the Knowledge of the Governor, any Money, Clothing, Provisions, Tobacco, Letters, Papers, or any other Articles not allowed by the Rules of the Prison to be in the Possession of a Prisoner, or shall throw into the said Prison any such Articles, or shall by Desire of any Prisoner, without the Sanction of the Governor, carry out of the Prison any of the Articles aforesaid, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or to be imprisoned, either with or without Hard Labour, for any Time not exceeding One Calendar Month; and if any Person shall assault or violently resist any Officer of such Prison in the Execution of his Duty, or shall aid or excite any Person so to assault or resist any such Officer, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or to be imprisoned, with or without Hard Labour, for any Time not exceeding One Calendar Month, or, if the Offender be a Soldier already under Sentence of Imprisonment, he shall be liable for every such Offence, upon Conviction thereof by a Board of not less than Three of the Visitors of the Prison, to be imprisoned, either with or without Hard Labour, for any Time not exceeding Six Calendar Months, in addition to his original Sentence, or to be subjected to Corporal Punishment not exceeding Fifty Lashes, or upon Conviction thereof by a single Visitor to be imprisoned, with or without Hard Labour, for any Time not exceeding Seventy-two Hours, in addition to his original Sentence, or to be subjected to Corporal Punishment not exceeding Twenty-five Lashes; or if such Soldier shall, within Forty-eight Hours of the Expiration of his original or of any additional Sentence, be guilty of any Offence against the Rules of the Prison, he may for every such Offence, on Conviction thereof by a Board or by a single Visitor, be ordered to be kept in Prison for a Period not exceeding Seventy-two Hours in either a dark or light Cell, and with or without Hard Labour or Solitary Confinement, on a Bread and Water Diet, or otherwise; and all the Provisions of any Act or Acts of Parliament for the Regulation or better ordering of Gaols, Houses of Correction, or Prisons in *Great Britain*, shall be deemed to apply to all Military Prisons so far as any such Provision relates to such Offences; and it shall be lawful for the Governor, Provost Marshal, Officer, or Servant of any Military Prison to use and exercise all the Powers and Authorities given by any such Act to the Gaoler, Keeper, or Turnkey of any Prison, or to his or their Assistants, to apprehend or to cause Offenders to be apprehended, in order to their being taken before a Justice or Justices of the Peace; and all the Powers and Authorities given by any such Act to any Justice or Justices of the Peace to convict Offenders in any of the above Cases, together with the Forms of Convictions contained in any such Act, shall be applicable to the like Offences when committed in respect of Military Prisons; and all the Provisions contained in any such Act relating to Suits and Actions prosecuted against any Person for anything done in pursuance of such Act shall be deemed to apply to all Suits and Actions prosecuted against any Person acting in pursuance of such Act in respect of Military Prisons.

Certain Provisions of Acts for regulating Gaols to apply to Military Prisons.

Mode of recording a Soldier's Settlement.

92. Any Justice in the United Kingdom within whose Jurisdiction any Soldier in Her Majesty's Army, or on the permanent Staff of the Militia, having a Wife or Child, shall be billeted, may summon such Soldier before him in the Place where he is billeted, (which Summons he is hereby directed to obey,) and take his Examination in Writing upon Oath, touching the Place of his last legal Settlement, and such Justice shall give an attested Copy of such Examination to the Person examined, to be by him delivered to his Commanding Officer, to be produced when required; which said Examination and such attested Copy thereof shall be at any Time admitted as good and legal Evidence of such last legal Settlement before any Justices or at any General or Quarter Sessions, although such Soldier be dead or absent from the Kingdom; provided that in case any Soldier shall be again summoned to make Oath as aforesaid, then, on such Examination or such attested Copy thereof being produced by him or by any other Person on his Behalf, such Soldier shall not be obliged to take any other

Oath with regard to his legal Settlement, but shall leave a Copy of such Examination, or a Copy of such attested Copy of Examination, if required; provided also, that when no such Examination shall have been required, the Statement made by the Recruit on his Attestation of his Place of Birth shall be taken to be his last Place of Settlement until legally disproved.

Duration of this Act.

98. This Act shall be and continue in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and sixty-two inclusive until the Twenty-fifth Day of *April* One thousand eight hundred and sixty-three; and shall be and continue in force within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Isle of Man*, and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and sixty-two inclusive until the First Day of *May* One thousand eight hundred and sixty-three; and shall be and continue in force within the Garrison of *Gibraltar*, the *Mediterranean*, and in *Spain* and *Portugal*, from the First Day of *August* One thousand eight hundred and sixty-two inclusive until the First Day of *August* One thousand eight hundred and sixty-three; and shall be and continue in force in all other Parts of *Europe* where Her Majesty's Forces may be serving, and in the *West Indies* and *America*, from the First Day of *September* One thousand eight hundred and sixty-two inclusive to the First Day of *September* One thousand eight hundred and sixty-three; and shall be and continue in force within the *Cape of Good Hope*, the *Isle of France* or *Mauritius* and its Dependencies, *Saint Helena*, and the Settlements on the Western Coast of *Africa*, from the First Day of *January* One thousand eight hundred and sixty-three inclusive until the First Day of *January* One thousand eight hundred and sixty-four; and shall be and continue in force within *British Columbia* and *Vancouver's Island*, from the Date of the Promulgation thereof in General Orders there inclusive until the First Day of *January* One thousand eight hundred and sixty-four, and shall be and continue in force in all other Places from the First Day of *February* One thousand eight hundred and sixty-four inclusive until the First Day of *February* One thousand eight hundred and sixty-five: Provided always, that this Act shall, from and after the Receipt and Promulgation thereof in General Orders in any Part of Her Majesty's Dominions or elsewhere beyond the Seas, become and be in full Force, anything herein stated to the contrary notwithstanding.

SCHEDULE referred to by the foregoing Act.

DECLARATION to be made by RECRUIT on ATTESTATION.

I now residing in the Parish of in the County of , do solemnly and sincerely declare, That to the best of my Knowledge and Belief I was born in the Parish of (*a*) in or near the Town of (*b*) in the County of (*c*) , and am Years of Age; that I am of the Trade or Calling of [*or* of no Trade or Calling, *as the Case may be*]; that I am not an Apprentice; that I am not married; that I do not belong to the Militia, or to the Naval Coast Volunteers, or to any Portion of Her Majesty's Land or Sea Forces; that I have never served Her Majesty by Land or Sea in any Military or Naval Employment whatsoever, except ; that I have never been marked with the Letter D; that I have never been rejected as unfit for Her Majesty's Service on any previous enlistment; that I was enlisted at on the Day of 186 , at o'Clock M. by of , and that I have read [*or* had read to me] the Notice then given to me and understood its Meaning; that I enlisted for a Bounty of and a free Kit, and have no Objection to make to the Manner of my Enlistment; that I am willing to be attested to serve in the Regiment of [*instead of the Words* "in the Regiment," *any Words may be substituted which are applicable to the Case in or for whatever Part of Her Majesty's Dominions the Enlistment may be made*] for the Term of [*the Blank after the Words* "Term of" *to be filled up with Ten Years for Infantry and Twelve for Cavalry or Artillery or other Ordnance Corps, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Ten or Twelve Years (as the Case may be)*], provided Her Majesty should so long require my Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

Signature of Recruit.

Signature of Witness.

Note (*a*), (*b*), (*c*). These Blanks need not be filled up if the Recruit is unable to give the requisite Information.

CAP. VI.

An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.

[11th *April* 1862.]

[*The Sections now printed are either entirely new or have been materially altered.*]

Crimes punishable with Death.

20. If any Person who is or shall be commissioned or in Pay as an Officer of Royal Marines, or who is or shall be listed or in Pay as a Non-commissioned Officer, Drummer, or Private Man in Her Majesty's Royal Marine Forces, shall at any Time during the Continuance of this Act, while on shore in

in any Place within the said Kingdom, or in any other of Her Majesty's Dominions, or in any Foreign Parts out of such Dominions, or on board any Transport Ship, or Merchant Ship or Vessel, or any Ship or Vessel of Her Majesty, or on board any Convict Hulk or Ship, or any other Ship or Vessel, or in any Place whatever, where or while being in any Circumstances in which he shall not be subjected to, or not be liable to or punishable by, the Laws relating to the Government of Her Majesty's Forces by Sea, begin, excite, cause, or join in any Mutiny or Sedition in Her Majesty's Marine or other Forces, or shall not use his utmost Endeavours to suppress any such Mutiny or Sedition, or coming to the Knowledge of any Mutiny or intended Mutiny shall not without Delay give Information thereof to his Commanding Officer; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge, or which he shall have been commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer or any other to misbehave before the Enemy or shamefully to abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall leave his Post before being regularly relieved, or shall sleep on his Post; or shall hold Correspondence with or give Advice or Intelligence to any Rebel, Pirate, or Enemy of Her Majesty, either by Letters, Messages, Signs, Tokens, or any other Ways or Means whatever; or shall treat or enter into any Terms with any such Rebel, Pirate, or Enemy, without the Licence of the Lord High Admiral of the said United Kingdom, or the Commissioners for executing the Office of Lord High Admiral aforesaid, for the Time being; or shall strike or use or offer any Violence against his Superior Officer being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or who being confined in a Military Prison shall offer any Violence against a Visitor or other Officer being in the Execution of his Office, or shall violate any Law or Regulation of or relating to any Military Prison; or shall desert from Her Majesty's Royal Marine Forces; every Person so offending in any of the Matters before mentioned, whether such Offence be committed within this Realm, or in any other of Her Majesty's Dominions, or in Foreign Parts upon Land or upon the Sea, shall suffer Death or such other Punishment as by a Court-martial shall be awarded: Provided always, that any Non-commissioned Officer or Marine in Pay in any Division or Company who shall, without having first obtained a regular Discharge therefrom, enlist himself in any other Division or Company, may be deemed to have deserted Her Majesty's Service, and shall be liable to be punished accordingly.

As to Execution of Sentences of Penal Servitude in the United Kingdom;

23. Whenever Her Majesty shall intend that any Sentence of Penal Servitude heretofore or hereafter to be passed upon any Offender by any Court-martial shall be carried into execution for the Term specified in such Sentence, or for any shorter Term, or shall be graciously pleased to commute as aforesaid to Penal Servitude Sentence of Death which shall have been passed by any such Court, such Sentence, together with Her Majesty's Pleasure upon the same, shall be notified in Writing by the Lord High Admiral, or by any Two or more of the Commissioners for executing the said Office of Lord High Admiral for the Time being, to any Justice of the Queen's Bench, Common Pleas, or Baron of the Exchequer, and thereupon such Justice or Baron shall make an Order for the Penal Servitude of such Offender upon the Terms and for the Time which shall be specified in such Notification, and shall do all such other Acts consequent upon such Notification as any such Justice or Baron is authorized to make or do by any Statute or Statutes in force at the Time of making any such Orders in relation to Penal Servitude of Offenders; and such Order, and other Acts to be so made and done as aforesaid, shall be obeyed and executed by such Person in whose Custody such Offender shall at that Time be, and by all other Persons whom it may concern, and shall be as effectual, and have all the same Consequences, as any Order made under the Authority of any Statute with respect to any Offender in such Statute mentioned; and every Sheriff, Gaoler, Keeper, Governor, or Superintendent whom it may concern, and all Constables and other Persons, shall be bound to obey the aforesaid Order and Orders, be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience to or for interrupting the Execution of such Order, as they would be if the same had been made under the Authority of any such Act of Parliament; and every Person so ordered to be kept in Penal Servitude shall be subject respectively to all and every the Penalties and Provisions made by Law, and in force concerning Persons under Sentence of Penal Servitude, or receiving Her Majesty's Pardon on Condition of Penal Servitude; and from the Time when such Order of Penal Servitude shall be made every Law and Statute in force touching the Escape of Felons, or their afterwards returning or being at large without Leave, shall apply to such Offender, and to all Persons aiding, abetting, contriving, or assisting in any Escape or intended Escape, or the returning without Leave of any such Offender; and the Judge who shall make any Order of Penal Servitude as aforesaid shall direct the Notification of Her Majesty's Pleasure, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of Queen's Bench; and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender, or to any Person applying in his or Her Majesty's Behalf, showing the Christian and Surname of such Offender, his Offence, the Place where the Court was held before which he was convicted, the Sentence, and the Conditions on which

the Order of Penal Servitude was made; which Certificate shall be sufficient Proof of the Conviction and of the Sentence of such Offender, and also of the Terms in which such Order for his Penal Servitude was made, in any Court and in any Proceeding wherein it may be necessary to inquire into the same; and it shall be lawful for any Judge of the Queen's Bench, Common Pleas, or Exchequer in *Ireland* to make an Order that any such Offender convicted in *Ireland* shall be kept in Penal Servitude in *England*, and such Order shall be in all respects as effectual in *England* as though such Offender had been convicted in *England* and the Order had been made by any Judge of the Queen's Bench, Common Pleas, or Exchequer in *England*.

Marking Deserters or Marines discharged with Ignominy.

39. On the first and on every subsequent Conviction for Desertion the Court-martial, in addition to any other Punishment, may order the Offender to be marked, Two Inches below and One Inch in rear of the Nipple of the Left Breast, with the Letter D, such Letter not to be less than an Inch long, and to be marked upon the Skin with some Ink or Gunpowder or other Preparation, so as to be clearly seen and not liable to be obliterated; a Court-martial recommending that an Offender be discharged with Ignominy may also recommend that he be marked on the Right Breast with the Letters B.C., and such Recommendation may legally be carried into effect by the proper Authorities.

Expiration of Imprisonment in Common Gaols.

46. Every Gaoler or Keeper of any public Prison, Gaol, House of Correction, or other Place of Confinement, to whom any Notice shall have been given, or who shall have Reason to know or believe that any Person in his Custody for any Debt or Contempt, or upon any Charge or for any Offence, civil, criminal, or military, is a Marine, shall on receiving him into Custody give Notice thereof to the Secretary of the Admiralty, and also, previous to the Expiration of the Period of the Confinement or Imprisonment of such Marine, give to the Secretary of the Admiralty One Month's Notice of the Period of such Expiration of Confinement or Imprisonment, or if there shall not be sufficient Time for a Month's Notice, then the longest practicable Notice thereof, specifying the Day and Hour of the Day on and at which he is to be released; and for every Default of giving either or any of such Notices such Gaoler or Person shall forfeit the Sum of Twenty Pounds; and moreover, every Gaoler or other Person having such immediate Inspection as aforesaid shall, as soon as any such Marine shall be entitled to be discharged out of Custody, with all convenient Speed, safely and securely conduct and convey and safely and securely deliver every such Marine either unto the Officer commanding at the nearest Head Quarters of the Royal Marines or to the Officer commanding Her Majesty's Ship to which any such Marine may happen to belong, unless the said Commissioners shall, by Writing under the Hand of the Secretary of the Admiralty, or the Officer commanding at the nearest Head Quarters of the Royal Marines, or the Officer commanding Her Majesty's Ship to which any such Marine may belong, shall, by Writing under his Hand, direct that such Marine be delivered to some other Officer or Person, in which Case he shall be delivered to such other Officer or Person accordingly, and the Officer or Person to whom such Marine shall be so delivered in accordance with this Act shall thereupon give to such Gaoler or Person delivering up such Marine a Certificate, directed to the Secretary of the Admiralty, specifying the Receipt of such Marine, and if such Gaoler or other Person as aforesaid has conducted or conveyed any such Marine specifying the Place from and to which he shall have been conducted and conveyed as aforesaid; and such Gaoler or Person who shall have so conducted, conveyed, and delivered any such Marine shall, upon the Production of such Certificate, be entitled to receive of and from the Accountant General of Her Majesty's Navy the Sum of One Shilling *per* Mile, and no more, for conducting, conveying, and delivering any such Marine as aforesaid; and every such Gaoler or other Person having such immediate Inspection as aforesaid who shall not safely and securely conduct, convey, or deliver any such Marine as aforesaid shall for every such Misconduct or Offence forfeit and pay the Sum of One hundred Pounds.

Apprehension of Deserters.

51. Upon reasonable Suspicion that a Person is a Deserter it shall be lawful for any Constable, or if no Constable can be immediately met with, then for any Officer or Marine or Soldier in Her Majesty's Service, or other Person, to apprehend or cause to be apprehended such suspected Person, and forthwith to bring him or cause him to be brought before any Justice living in or near the Place where he was so apprehended, and acting for the County or Borough wherein such Place is situate, or for the County adjoining such first-mentioned County or such Borough; and such Justice is hereby authorized and required to inquire whether such suspected Person is a Deserter, and from Time to Time to defer the said Inquiry, and to remand the said suspected Person, in the Manner prescribed by an Act passed in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Forty-two, Section Twenty-one, and subject to every Provision therein contained; and if it shall appear to the Satisfaction of such Justice, by the Testimony of One or more Witnesses taken upon Oath, or by the Confession of such suspected Person, confirmed by some corroborative Evidence upon Oath or by the Knowledge of such Justice, that such suspected Person is a Deserter, such Justice shall forthwith cause him to be conveyed in Civil Custody to the Head Quarters or Depôt of the Division to which he belongs, if stationed within a convenient and easily accessible Distance from the Place of Commitment, or if not so stationed then to the nearest or most convenient public Prison (other than a Military Prison) or Police Station legally provided as the Lock-up House for temporary Confinement of Persons taken into Custody, whether such Prison or Police Station be in the County or Borough in which such suspected Person was apprehended or in which he was committed, or not; or if the Deserter has been apprehended by a

Party

Party of Marines in charge of a Commissioned Officer, such Justice may deliver him up to such Party, unless the Officer shall deem it necessary to have the Deserter committed to Prison for safe Custody; and such Justice shall transmit an Account of the Proceedings, in the Form prescribed in the Schedule annexed to this Act, to the Secretary of the Admiralty, specifying thereon whether such Deserter was delivered to a Party of Marines in order to his being taken to the Head Quarters or Depôt of his Division, or whether such Deserter was committed to Prison, to the end that the Person so committed may be removed by an Order from the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, and proceeded against according to Law; and such Justice shall also send to the Secretary of the Admiralty a Report stating the Names of the Persons by whom or by or through whose Means the Deserter was apprehended and secured, and the Secretary of the Admiralty shall transmit to such Justice an Order upon the proper Department for the Payment of the Sum of Twenty Shillings as a Reward to the Person so certified to be entitled thereto; and for such Information, Commitment, and Report as aforesaid the Clerk of the said Justice shall be entitled to a Fee of Two Shillings and no more; and every Gaoler and other Person into whose Custody any Person charged with Desertion is committed shall, immediately upon the Receipt of the Person so charged into his Custody, pay such Fee of Two Shillings, and also, upon the Production of a Receipt from the Medical Practitioner who may have been required to examine such suspected Person, a Fee of Two Shillings and Sixpence, and shall notify the Fact to the Secretary of the Admiralty, and transmit also to the Secretary of the Admiralty a Copy of the Commitment, to the end that the Secretary of the Admiralty may order Repayment of such Fees; and that when any Person shall be apprehended and committed as a Deserter in any such Foreign Dominions, the Justice shall forthwith cause him to be conveyed to some public Prison, if the Detachment to which he is suspected to belong shall not be in such Part, or if the Detachment be in such Part, the Justice may deliver him into Custody at the nearest Military Post, although the Detachment to which such Person is suspected to belong may not be stationed at such Military Post, if within reasonable Distance; and such Justice shall in every Case transmit to the Officer commanding a Descriptive Return in the Form prescribed in the Schedule to this Act annexed, to the end that such Person may be removed by the Order of such Officer, and proceeded against according to Law; and such Sum of Twenty Shillings, and such Fees of Two Shillings, and Two Shillings and Sixpence, and all Charges and Expenses for conducting such Deserter to any Prison or Police Station and to Head Quarters or Depôt, shall be charged against any Wages or Pay of such Deserter.

Fraudulent Confession of Desertion.

54. Any Person who, while serving in Her Majesty's Navy or in any of Her Majesty's Forces, or the Embodied Militia, or Her Majesty's *Indian* Forces, shall to any Officer, or Subordinate, Warrant, Petty, or Non-commissioned Officer, fraudulently confess himself to be a Deserter, shall be liable to be tried by any Court-martial under this Act, and punished according to the Sentence thereof; and any Person who shall voluntarily deliver himself up as and confess himself to be a Deserter from Her Majesty's Royal Marine Forces, or who, upon being apprehended for any Offence, shall in the Presence of the Justice confess himself to be a Deserter as aforesaid, shall be deemed to have been duly enlisted and to be a Marine, and shall be liable to serve in Her Majesty's Royal Marine Forces, whether such Person shall have been ever actually enlisted as a Marine or not; or in case such Person shall not be a Deserter from the Royal Marine Forces, or shall have been discharged therefrom or from any other Corps for any Cause whatever, or shall be incapable of Service, he shall, on Conviction thereof before Two Justices of the Peace at or near the Place where he shall deliver himself up or confess, or where he may at any Time happen to be, be adjudged to be punished, if in *England*, as a Rogue and Vagabond, and if in *Scotland* or *Ireland*, by Commitment to some Prison or House of Correction, there to be kept to Hard Labour for any Time not exceeding Three Months, or shall be deemed guilty of obtaining Money under false Pretences within the true Intent and Meaning, if in *England* or *Ireland*, of an Act passed in the Session holden in the Twenty-fourth and Twenty-fifth Years of Queen *Victoria*, intituled *An Act to consolidate and amend the Statute Law of* England *and* Ireland *relating to Larceny and other similar Offences*, or, if in *Scotland*, shall be deemed guilty of Falsehood, Fraud, and wilful Imposition; and every Person so deemed to be guilty of obtaining Money under false Pretences, or of Falsehood, Fraud, and wilful Imposition, (as the Case may be,) shall be liable to be proceeded against and punished accordingly; and the Confession and receiving Subsistence as a Marine by such Person shall be Evidence of the false Pretence, or of the Falsehood, Fraud, and Imposition, (as the Case may be,) and of the obtaining Money to the Amount of the Value of such Subsistence, and the Value of such Subsistence so obtained may be charged in the Indictment as so much Money received by such Person; and in case such Person shall have been previously convicted of the like Offence, or shall have been summarily convicted and punished in *England* as a Rogue and Vagabond, or in *Scotland* or *Ireland* by Commitment, for making a fraudulent Confession of Desertion, such former Conviction may be alleged in the Indictment, and may be proved upon the Trial of such Person; and in such Indictment for a Second Offence it shall be sufficient to state that the Offender was at a certain Time and Place convicted of obtaining Money under false Pretences as a Deserter, for making a fraudulent Confession of Desertion, without otherwise describing the said Offence; and a Certificate containing the Substance and Effect only (omitting the formal Part) of the Indictment and Conviction of the former Offence, purporting to be signed by the Clerk of the Court or other Officer having the Custody of the Record of

24 & 25 Vict. c. 96.

the Court where the Offender was first convicted, or by the Deputy of such Clerk, or by the Clerk of the convicting Magistrates, shall, upon Proof of the Identity of the Person of the Offender, be sufficient Evidence of the First Conviction, without Proof of the Signature or official Character of the Person appearing to have signed such Certificate; and if the Person so confessing himself to be a Deserter shall be serving at the Time in Her Majesty's Royal Marine Forces he shall be deemed to be and shall be dealt with by all Justices and Gaolers as a Deserter.

Punishment for inducing Marines to desert.

55. Any Person who shall, in any Part of Her Majesty's Dominions, by Words or by any other Means whatsoever, directly or indirectly procure or persuade any Marine to desert, or shall by Words or by any other Means whatsoever attempt to procure or persuade any Marine to desert, and any Person who, knowing that any Marine is about to desert, shall aid or assist him in deserting, or knowing any Marine to be a Deserter, shall conceal such Deserter, or aid or assist such Deserter in concealing himself, or aid or assist in his Rescue, shall be deemed guilty of a Misdemeanor, and shall on Conviction thereof before any Two Justices acting for the County, District, City, Burgh, or Place where any such Offender shall at any Time happen to be, be liable to be committed to the Common Gaol or House of Correction, there to be imprisoned, with or without Hard Labour, for such Term not exceeding Six Calendar Months, as the convicting Justices shall think fit.

As to Re-enlistment abroad.

70. It shall be lawful for any Justice of the Peace or Person exercising the Office of a Magistrate within any of Her Majesty's Dominions abroad, or for the Officer commanding any Ship or Vessel of Her Majesty on the Books of which any Marine may be borne, or on board of which any such Marine may be, or, notwithstanding anything in this Act contained, for the Commanding Officer of any Battalion or Detachment of Royal Marines, whether borne on the Books of any One of Her Majesty's Ships or otherwise, to re-engage or enlist and attest out of *Great Britain* or *Ireland* any Marine desirous of re-enlisting or re-engaging into Her Majesty's Royal Marine Forces, if such Marine be considered by such Commanding Officer, Justice, or Magistrate a fit Person to continue in Her Majesty's Service, and every such Commanding Officer, Justice, or Magistrate shall have the same Powers in that Behalf as are by this or any other Act of Parliament given to Justices of the Peace in the United Kingdom for all such Purposes of Enlistment and Attestation, and any Marine so re-enlisted or re-engaged shall be deemed to be an attested Marine.

Duration of Act.

99. This Act shall be in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and sixty-two until the Twenty-fifth Day of *April* One thousand eight hundred and sixty-three inclusive; and within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and the *Isle of Man*, and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and sixty-two until the First Day of *May* One thousand eight hundred and sixty-three inclusive; and within the Garrison of *Gibraltar* and within the *Mediterranean*, and in *Spain* and *Portugal*, from the First Day of *August* One thousand eight hundred and sixty-two until the First Day of *August* One thousand eight hundred and sixty-three inclusive; and in all other Parts of *Europe* where Royal Marine Forces may be serving, and the *West Indies* and *North America* and *Cape of Good Hope*, from the First Day of *September* One thousand eight hundred and sixty-two until the First Day of *September* One thousand eight hundred and sixty-three inclusive; and in all other Places from the First Day of *February* One thousand eight hundred and sixty-three until the First Day of *February* One thousand eight hundred and sixty-four inclusive: Provided always, that this Act shall from and after the Receipt and Promulgation thereof, in General Orders in any Part of Her Majesty's Dominions or elsewhere beyond the Seas, become and be in full Force, anything herein contained to the contrary notwithstanding.

SCHEDULE referred to by this Act.

DECLARATION to be made by RECRUIT on ATTESTATION.

I now residing in the Parish of in the County of , do solemnly and sincerely declare, That to the best of my Knowledge and Belief I was born in the Parish of (*a*) in or near the Town of (*b*) in the County of (*c*) , and am Years of Age; that I am of the Trade or Calling of [*or* of no Trade or Calling, *as the Case may be*]; that I am not an Apprentice; that I am married [*or* not married, *as the Case may be*]; that I do not belong to the Militia, or to the Naval Coast Volunteers, or Royal Naval Volunteers, or to any Portion of Her Majesty's Land or Sea Forces; that I have never served Her Majesty by Land or Sea in any Military, Marine, or Naval Employment whatsoever, except ; that I have never been marked with the Letter D; that I have never been rejected as unfit for Her Majesty's Service on any previous Enlistment; that I was enlisted at on the Day of 186 , at o'Clock M. by of , and that I have read [*or* had read to me] the Notice then given to me and understood its Meaning; that I enlisted for a Bounty of and a free Kit [*as the Case may be*], and have no Objection to make to the Manner of my Enlistment; that I am willing to be attested to serve in the Royal Marines for the Term of [*the Blank after the Words* "Term of" *to be filled up with Twelve Years, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between*

between his Age and Eighteen is to be added to such Twelve Years], provided Her Majesty should so long require my Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

_____ *Signature of Recruit.*

_____ *Signature of Witness.*

Note (*a*), (*b*), (*c*).—These blanks need not be filled up if the Recruit is unable to give the requisite Information.

CAP. VII.

An Act to provide for the Registration and Transfer of *India* Stocks at the Bank of *Ireland*, and for the mutual Transfer of such Stocks from and to the Banks of *England* and *Ireland* respectively. [11th *April* 1862.]

'WHEREAS by an Act passed in the Session holden in the Twenty-third and Twenty-fourth 'Years of the Reign of Her present Majesty, Chapter One hundred and two, the Secretary of 'State in Council of *India* was authorized from Time to Time to make such Arrangements with the 'Governor and Company of the Bank of *England* as should be deemed expedient for the Payment of 'Debts and Obligations of the Government of *India*, and of the Interest thereon, and for the Creation 'and Registration and for the Transfer of and the Payment of Interest on any Stock into which any 'such Obligations might be convertible: And whereas certain Arrangements have been made under 'the Authority of the said Act, and in pursuance of such Arrangements the Stocks in certain Loans 'secured by and chargeable on the Revenues of *India*, and the Transfers thereof, are registered at the 'Bank of *England*, and the Dividends thereon are paid at such Bank: And whereas it is expedient 'that Provision should be made so as to enable the Transfer of Stock raised in the United Kingdom on 'the Credit of the Revenues of *India* to the Bank of *Ireland*, and for the Registration and Transfer 'of and the Payment of Dividends on such Stock so transferred at such last-mentioned Bank: And 'whereas it is expedient to make Provision for the mutual Transfer of such Stock from and to the Bank 'of *England* and the Bank of *Ireland* respectively:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation of Expression "India Stock."

1. In this Act the Expression "*India* Stock" means Stock created or to be created for the raising of Money in the United Kingdom on the Credit of the Revenues of *India*, but does not include the Stock commonly known by the Name of *East India* Stock.

Power to transfer India Stock from the Books of the Bank of England to the Books of the Bank of Ireland.

2. From and after the passing of this Act it shall and may be lawful for any Person or Persons holding any *India* Stock transferable at the Bank of *England*, upon making Application in the Manner herein-after provided, to transfer or cause to be transferred such Stock, for the Purpose of having the same Amount of Stock of the same Denomination written into the Books of the Governor and Company of the Bank of *Ireland*, and to be transferable at such Bank; and the Dividends on the Stock so transferred shall be payable half-yearly at the Bank of *Ireland* on the same Days on which such Dividends would have been payable at the Bank of *England* if the said Stock had never been so transferred.

Assignments or Transfers of Stock so transferred may be made at the Bank of Ireland.

3. The several Stocks so transferred, or any Share or Interest therein, and the proportional Dividend attached thereto respectively, shall be assignable and transferable at the Bank of *Ireland*, as directed by this Act, and not otherwise; and there shall be kept at the Bank of *Ireland* within the City of *Dublin* a Book or Books wherein all Assignments or Transfers of any Part of the several Stocks and the proportional Dividends attached thereto respectively shall be entered and registered, which Entries shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers, or if any such Party or Parties be absent by his, her, or their Attorney or Attornies, thereunto lawfully authorized by Writing under his, her, or their Hands and Seals, to be attested by Two or more credible Witnesses, and the Person or Persons to whom any such Assignment or Transfer shall be made, or, in case of Absence, his, her, or their Attorney or Attornies thereunto lawfully authorized as aforesaid, shall respectively underwrite his, her, or their Acceptance thereof; and no other Method of assigning or transferring any such Stock and the Dividend attached thereto, or any Interest therein, at the Bank of *Ireland*, shall be good and available in Law, and no Stamp Duties whatsoever shall be charged upon the said Assignments or Transfers or any of them.

Power to transfer India Stock from Bank of Ireland to Bank of England.

4. It shall and may be lawful for any Person or Persons holding any *India* Stock transferable at the Bank of *Ireland*, upon making Application in the Manner herein-after provided, to transfer or cause to be transferred such Stock, for the Purpose of having the same Amount of Stock of the same Denomination written into the Books of the Governor and Company of the Bank of *England*, and to be transferable at such Bank.

No Transfer shall be made within a cer-

5. Notwithstanding anything herein-before contained to the contrary, it shall not be lawful for any Person to make any Transfer of any Stock from the Bank of *England* to the Bank of *Ireland*, or from the

tain Period before the closing Day.

the Bank of *Ireland* to the Bank of *England*, under the Provisions of this Act, at any Time within Three clear Days before the Day on which the Books shall be closed for the Purpose of striking the Balances of the several Accounts for the Purpose of calculating the half-yearly Dividend, or within such other Period as the Governor and Company of the Bank of *England*, in concurrence with the Governor and Company of the Bank of *Ireland*, may from Time to Time prescribe.

Application to be made to the Banks of England and of Ireland for Permission to transfer from the one to the other, and upon such Transfers being made Certificates to be granted.

6. Any Person or Persons holding *India* Stock transferable at the Bank of *England* or at the Bank of *Ireland* respectively, and desiring to transfer the same so as to make such Stock transferable at the Bank of *Ireland* or at the Bank of *England* respectively, shall apply in Writing, or cause Application in Writing to be made by some Person on his, her, or their Behalf, to the Governor and Company of the Bank of *England* or Bank of *Ireland* respectively at which such Stock shall be transferable, for Permission to transfer or cause to be transferred such Stock for the Purpose of having the same Amount of Stock of the same Denomination written into the Books of the Governor and Company of the Bank of *Ireland* or into the Books of the Governor and Company of the Bank of *England* respectively, as the Case may require, and such Application shall be according to such Form as shall be established by the Governor and Company of the Bank of *England* in concurrence with the Governor and Company of the Bank of *Ireland*, and shall be the same in all Cases, and upon such Application having been made, and upon such Person or Persons transferring the Stock or causing the same to be transferred into the Name of the Accountant General of the Bank of *England* or Bank of *Ireland* respectively, at which it shall be desired that such Stock shall be transferred, it shall and may be lawful for the Governor or Deputy Governor of the Bank of *England* or for the Governor or Deputy Governor of the Bank of *Ireland*, as the Case may require, or for the Accountant General or Deputy Accountant General of such Governor and Company, or for the Secretary or Assistant Secretary of such Governor and Company for the Time being, and they are hereby respectively authorized and required to grant a Certificate to the Person or Persons making such Transfer, or on whose Behalf such Transfer shall have been made, directed to the Governor and Company of the Bank of *Ireland* or the Governor and Company of the Bank of *England* to which it shall be desired that such Stock shall be transferred, and such Certificate shall be according to such Form as shall be established by the Governor and Company of the Bank of *England*, in concurrence with the Governor and Company of the Bank of *Ireland*, and shall be the same in all Cases; and such Certificate shall state that the Person or Persons therein mentioned has or have transferred or caused to be transferred at the Bank of *England* or the Bank of *Ireland*, as the Case may be, the Stock therein described, to the Accountant General of the Bank of *England* or the Bank of *Ireland*, as the Case may be, for the Purpose of having the Amount of such Stock written in the Name or Names of such Person or Persons into the Books of the Governor and Company of the Bank of *Ireland* or of the Governor and Company of the Bank of *England*, as the Case may be, and shall describe such Stock, and specify the Amount thereof, and thereupon the Amount of the Stock comprised in such Certificate shall be written off the Account of the Accountant General of the Bank of *England*, or the Account of the Accountant General of the Bank of *Ireland*, by an Entry made in conformity with such Certificate.

Notices of Transfers to be sent to the Bank into which the Stock is to be transferred.

7. In every Case where any Transfer for the Purposes of this Act shall be made at the Bank of *England* the Governor and Company of the said Bank shall cause Notice thereof to be transmitted to the Governor and Company of the Bank of *Ireland* on the same Day on which such Transfer shall be made; and in like Manner in every Case where any Transfer for the Purposes of this Act shall be made at the Bank of *Ireland* the Governor and Company of the Bank of *Ireland* shall cause Notice thereof to be transmitted to the Governor and Company of the Bank of *England* on the same Day on which such Transfer shall be made.

Books to be provided for entering Transfers under this Act at the Banks of England and Ireland.

8. A Book or Books shall be provided and kept by the Governor and Company of the Bank of *England* and the Governor and Company of the Bank of *Ireland* at the Bank of *England* and Bank of *Ireland* respectively, in which shall be fairly entered the Names of all Persons making any Transfer of any Stocks to the Accountant General of the said Banks respectively, under the Provisions of this Act, to which Book or Books it shall and may be lawful for all Persons making any such Transfer, their respective Executors, Administrators, and Assigns, from Time to Time and at all reasonable Times to resort, and to inspect the same, without any Fee or Charge.

On Production of Certificate from the Bank where the Transfer is made, the Bank to which the Transfer is made shall write the Amount of Stock into their Books.

9. Whenever any Transfer shall be made of any Stock for the Purposes of this Act at the Bank of *England* or at the Bank of *Ireland* respectively, then and in every such Case, upon the Production of a Certificate of the Governor or Deputy Governor of the Bank of *England* or of the Governor and Company of the Bank of *Ireland* at which any such Transfer shall have been made, or of the Accountant General or Deputy Accountant General, or of the Secretary or Assistant Secretary of such Governor and Company respectively, granted according to the Directions of this Act, the Governor and Company of the Bank of *Ireland* or the Governor and Company of the Bank of *England* respectively are hereby authorized and required to write or cause to be written into the Books of such Bank of *Ireland* or Bank of *England* respectively, as the Case may require, relating to Stock of the same Denomination, the Amount of Stock specified in such Certificate; and such Amount of Stock shall be written accordingly, transferable under the Provisions of this Act at the Bank of *Ireland* or Bank of *England* respectively, as the

the Case shall require, and shall be payable and transferable at such Bank of *England* or Bank of *Ireland* respectively; and every such Amount of Stock so written into the Books of the Bank of *Ireland* or of the Bank of *England* respectively shall be entitled to Interest or Dividend payable at the Bank to which such Transfer shall have been made, except as to Stock which shall have been transferred after the closing and before the Dividend shall become payable, in which Case the Party making the Transfer shall receive the current Dividend at the Bank from which such Transfer shall have been made.

Banks to certify to the Secretary of State in Council of India the Amount of Stock written in their Books prior to Dividend, and the Interest to be paid to them by such Secretary of State.

10. The Governor and Company of the Bank of *England* and the Governor and Company of the Bank of *Ireland*, upon making up their Books preparatory to the Payment of each and every half-yearly Interest or Dividend upon any Stocks transferable under this Act, shall certify to the Secretary of State in Council of *India*, or to such Officer or Officers as the Secretary of State in Council of *India* shall direct, the Amounts of such Stocks which shall then be written in the Books of the Governor and Company of the Bank of *England* or of the Governor and Company of the Bank of *Ireland*, and shall be transferable at such Banks respectively under the Provisions of this Act; and upon the Receipt of such Certificates the Secretary of State in Council of *India* is hereby authorized and required to pay to the Governor and Company of the Bank of *England* and to the Governor and Company of the Bank of *Ireland*, or into the Bank of *England* to the Account of the Governor and Company of the Bank of *Ireland*, respectively, the Amount of all Interest or Dividends then being or becoming payable upon such Amounts of Stocks as are specified in such Certificates respectively.

Remuneration for Services under this Act to be paid to the Bank of Ireland.

11. In addition to the Amount of Interest or Dividend which shall from Time to Time be paid to the Governor and Company of the Bank of *Ireland* under the last Provision, the Secretary of State in Council of *India* shall at the same Time pay to the Governor and Company of the Bank of *Ireland*, or to the Account of such Governor and Company at the Bank of *England*, as a Remuneration for their Services in the Execution of this Act, such Sum as shall from Time to Time be fixed as the Amount of such Remuneration under any Arrangement or Agreement to be made between the Secretary of State in Council of *India* and the Governor and Company of the Bank of *Ireland*.

Duplicates may be granted of Certificates lost or destroyed.

12. In case of the Loss or Destruction of any Certificate of the Governor or Deputy Governor, Accountant General, or Deputy Accountant General, Secretary or Assistant Secretary of the Bank of *England* or of the Bank of *Ireland* respectively, granted for the Purposes of this Act, it shall and may be lawful for any such Governor or Deputy Governor, Accountant General or Deputy Accountant General, Secretary or Assistant Secretary, and they are hereby respectively authorized and empowered, upon Proof of such Loss or Destruction to their Satisfaction, to grant a Duplicate of such Certificate, and such Duplicate shall be full and sufficient Authority for the Purposes of this Act, and shall stand in the Place and Stead of the original Certificate, if such original Certificate shall not have been previously found and acted upon: Provided always, that upon any Loss or Destruction or alleged Loss or Destruction of any such original Certificate, and on the Production of any such Duplicate Certificate, it shall and may be lawful for the Governor and Company of the Bank of *England* or the Governor and Company of the Bank of *Ireland* respectively, and they are hereby authorized and required, to demand and take from the Party or Parties tendering any such Duplicate full and sufficient Security to Her Majesty, Her Heirs and Successors, to indemnify such Governor and Company against the Production of or any Claim which shall be made under or by virtue of any such original Certificate so lost or destroyed, or alleged to have been lost or destroyed; and if at any Time after the Time when a duplicate Certificate shall have been produced and acted upon under this Act the Original of such Certificate shall be tendered to the Governor and Company of the Bank of *England* or the Governor and Company of the Bank of *Ireland*, it shall and may be lawful for such Governor and Company and they are hereby authorized and required to detain such original Certificate, and to cancel the same, and to transmit the same so cancelled to the Governor and Company of the Bank of *England* or the Governor and Company of the Bank of *Ireland*, as the Case may be, by or on whose Behalf such Certificate shall have been given, and to deliver up such Security as shall have been entered into touching the said original Certificate to the Party or Parties entering into such Security, or such of them as shall require the same.

Power to Bank of Ireland to close Books for Transfer.

13. The Governor and Company of the Bank of *Ireland* shall be at liberty to close their Books for Transfer of *India* Stock on any Day in the Month prior to the Days for Payment of the half-yearly Dividends on such Stock, such Day to be fixed or agreed on between the Bank of *England* and the Bank of *Ireland*; provided, however, that the Period for which the same shall be closed shall not exceed Fifteen Days, and the Person or Persons who on the Day of such closing shall appear in the said Books to be the Proprietor or Proprietors thereof shall be entitled to the current Dividend thereon.

Persons forging, &c. Certificates guilty of Felony.

14. If any Person or Persons shall forge or counterfeit, or cause or procure to be forged or counterfeited, or shall willingly act or assist in the forging or counterfeiting any Certificate or duplicate Certificate required by this Act, or shall alter any Number, Figure, or Word therein, or shall utter or publish as true any such false, forged, counterfeited, or altered Certificate, with Intent to defraud the Governor and Company of the Bank of *England* or the Governor and Company of the Bank of *Ireland*, or any Body Politic or Corporate, or any Person or Persons whomsoever, every such Person or Persons so forging or counterfeiting, or causing or procuring to be forged or counterfeited, or willingly

willingly acting or assisting in the forging or counterfeiting, or altering, uttering, or publishing as aforesaid, being convicted thereof in due Form of Law, shall be adjudged guilty of Felony.

No Fee, &c. to be taken for receiving Certificates, or paying Dividends, &c. on Penalty of 20*l.*, with Costs of Suit.

15. No Fee, Reward, or Gratuity whatsoever shall be demanded or taken of any of Her Majesty's Subjects for receiving any such Certificate or duplicate Certificate, or for paying Interest or Dividend, or for any Transfer of any Sum to be made in pursuance of this Act, upon Pain that any Officer or Person offending by taking or demanding any such Fee or Reward or Gratuity shall for every such Offence forfeit the Sum of Twenty Pounds to the Party aggrieved, with full Costs of Suit, to be recovered by Action of Debt, Bill, Plaint, or Information in any of Her Majesty's Courts of Record at *Westminster* or *Dublin* respectively.

CAP. VIII.

An Act to prevent the Employment of Women and Children during the Night in certain Operations connected with Bleaching by the open-air Process. [11th *April* 1862.]

'WHEREAS it is the Practice of a few Occupiers of Bleach Fields or Works in which the 'Operation of Bleaching by the open-air Process is the only Operation of Bleaching carried on, 'and which consequently are not regulated by the Provisions of the Act of the Twenty-third and 'Twenty-fourth Years of *Victoria*, Chapter Seventy-eight, to employ Females unnecessarily during 'the Night in Processes in which mechanical Power is used: And whereas the Exemption accorded to 'such Works in virtue of the First and Seventh Clauses of the said recited Act was not intended 'to give Sanction to a Practice (so injurious to the Health and Morals of the Persons so employed):' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Women and Children not to be employed during the Night.

1. That from and after the First Day of *January* One thousand eight hundred and sixty-three, in any Building, Buildings, or Premises in One or more of which any Process previous to packing is carried on in the Occupation of bleaching, dyeing, or finishing of any Yarn or Cloth of Cotton, Silk, Wool, or Flax, or any of them, or any Mixture of them, or any Yarn or Cloth of any other Material or Materials, including the Occupation of Bleaching by the open-air Process as defined in the Act of the Twenty-third and Twenty-fourth Years of *Victoria*, Chapter Seventy-eight, and in One or more of which Processes Steam or Water or other mechanical Power is used or employed, it shall not be lawful to employ Females, young Persons, and Children, or any of them, during the Night; that is to say, from Eight of the Clock in the Evening to Six of the Clock in the Morning, excepting to recover lost Time in the Manner provided by "The Bleaching and Dyeing Works Act," Twenty-third and Twenty-fourth *Victoria*, Chapter Seventy-eight.

Application of Powers, &c. of 7 & 8 Vict. c. 15. to this Act.

2. For the due Enforcement of this Act, there shall be applicable all the Powers, Provisions, and Penalties of the Act of the Seventh and Eighth Years of *Victoria*, Chapter Fifteen, intituled *An Act to amend the Laws relating to Labour in Factories.*

CAP. IX.

An Act to enable the Trustees of Sir *John Soane's* Museum to send Works of Art to the International Exhibition, 1862. [11th *April* 1862.]

3 & 4 W. 4. c. 4. (*Priv.*)

'WHEREAS by a Private Act passed in the Third Year of the Reign of King *William* the 'Fourth, Chapter Four, and intituled *An Act for settling and preserving Sir* John Soane's '*Museum, Library, and Works of Art in* Lincoln's Inn Fields *in the County of* Middlesex, *for the* 'Benefit of the Public, and for establishing a sufficient Endowment for the due Maintenance of the 'same, a Museum was established in *Lincoln's Inn Fields* by the late Sir *John Soane* of *Chelsea* in 'the County of *Middlesex*, for the Preservation and Maintenance for public Use of, among other 'valuable Effects, the *Belzoni* Sarcophagus, a Library of Books and Manuscripts, Prints, Drawings, 'Pictures, Models, and various other Works of Art that had been collected by him: And whereas the 'said Works of Art are vested in a Body of Trustees incorporated by the said Act, under the Name of '"The Trustees of Sir *John Soane's* Museum:" And whereas Doubts are entertained whether the said 'Trustees have Authority under the said Act to lend any of the Works of Art belonging to the said 'Museum for the Purpose of being exhibited at the International Exhibition, 1862; and it is expedient 'that such Doubts should be removed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Trustees to lend Works of Art for Exhibition.

1. It shall be lawful for the Trustees of Sir *John Soane's* Museum, without being deemed guilty of a Breach of Trust or incurring any Responsibility, to lend to the Commissioners for the Exhibition of 1862, for the Purposes of being exhibited at the said Exhibition, the Pictures, Prints, and other Works of Art belonging to the said Museum, or any of them.

CAP. X.

An Act for continuing for a further limited Time, and for extending the Operation of Orders made under, "The Industrial Schools Act, 1861," and "The Industrial Schools (*Scotland*) Act, 1861." [11th *April* 1862.]

'WHEREAS by "The Industrial Schools Act, 1861," and "The Industrial Schools (*Scotland*) Act, 1861," Powers are given to Justices in *England* and to Magistrates in *Scotland* to send destitute and refractory Children to Industrial Schools for such Periods as they may think necessary, for their Education and Training; but Doubts are entertained how far such Acts can be carried into operation, by reason of their Duration being limited: And whereas it is expedient that the Duration of the said Acts should be extended, and Effect should be given to Orders made for sending Children to School during the Subsistence of the Powers for that Purpose given by the said Acts:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 24 & 25 Vict. cc. 113. and 132.

1. "The Industrial Schools Act, 1861," and "The Industrial Schools (*Scotland*) Act, 1861," shall respectively continue in force until the First Day of *January* One thousand eight hundred and sixty-seven, and no longer: Provided that all Orders made or to be made under either of the said Acts before the First Day of *January* One thousand eight hundred and sixty-seven, and all the Provisions of the said Acts, so far as is necessary for giving complete Effect to such Orders, shall continue in force after the First Day of *January* One thousand eight hundred and sixty-seven, in the same Manner in all respects as if the Duration of the said Acts were not limited to the First Day of *January* One thousand eight hundred and sixty-seven. Continuance of recited Acts and of Orders made under the same.

CAP. XI.

An Act to explain an Act, intituled *An Act for the better Government of Her Majesty's* Australian *Colonies.* [11th *April* 1862.]

'WHEREAS by an Act passed in the Session of Parliament holden in the Thirteenth and Fourteenth Years of Her Majesty, intituled *An Act for the better Government of Her Majesty's* Australian *Colonies*, it was enacted, that it should be lawful for the Governors and Legislative Councils of the Colonies of *New South Wales, Victoria, Van Diemen's Land*, and *South Australia* respectively, by any Act or Acts to establish in the said Colonies respectively, instead of the Legislative Council, a Council and House of Representatives or other separate Legislative Houses, to consist respectively of such Members to be appointed or elected respectively by such Persons and in such Manner as by such Act or Acts should be determined, and to vest in such Council and House of Representatives or other Legislative Houses the Powers and Functions of the Legislative Council for which the same might be substituted; provided always, that every Bill which should be passed by the Council in any of the said Colonies for any of such Purposes should be reserved for the Signification of Her Majesty's Pleasure thereon, and that a Copy of such Bill should be laid before both Houses of Parliament for the Space of Thirty Days at the least before Her Majesty's Pleasure thereupon should be signified: And whereas Acts have been passed for the above Purposes in each of the said Colonies as well by the said first-mentioned Legislative Councils as by the Councils and Houses of Representatives or other separate Legislative Houses established instead of such Legislative Councils: And whereas Doubts have been entertained whether some Acts so passed may not be invalid by reason that the same were not reserved for the Signification of Her Majesty's Pleasure, or laid before both Houses of Parliament, as herein-before mentioned: And whereas Provision is made in some of the said Acts passed in the said Colonies respectively for subsequent Changes in the Constitution or Mode of Election or Appointment of the several Bodies composing the Colonial Legislature, subject to Provisions requiring that any Acts or Act for that Purpose should be reserved for the Signification of Her Majesty's Pleasure thereon, and under such Powers certain Acts have been passed by the said Colonial Legislatures, or some of them, as to the Validity of which Doubts have arisen by reason that the same were not reserved for the Signification of Her Majesty's Pleasure thereon:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 13 & 14 Vict. c. 59.

1. Every Act passed for the Purposes mentioned in the said first-recited Act, or any of them, by the Legislative Council of any of the said Colonies, and assented to in Her Majesty's Name by the Governor of such Colony, shall be deemed to be and to have been from the Date of such Assent as valid and effectual for all Purposes whatever as if the same Act had been reserved for the Signification of Her Majesty's Pleasure, and as if the same had been duly laid before both Houses of Parliament, and as if Her Majesty's Assent had been duly given to the same, and signified in the Colony at the Date aforesaid. Acts passed by certain Legislative Councils, and assented to by Governors, to be as effectual as if reserved for Her Majesty's Assent.

2. And

The Term "Council" to apply only to such Legislative Councils.

2. And be it further declared and enacted, The Term Council in the above-recited Proviso of the said first-recited Act shall be deemed to apply only to the Legislative Councils herein-before first mentioned.

Acts passed for altering Constitution of Legislative Bodies, so assented to, deemed valid.

3. And be it further enacted, That every Act passed by any Colonial Legislature established under any such Acts or Act as aforesaid, for altering the Constitution or Mode of Election or Appointment of any or either of the Legislative Bodies composing such Legislature, which may have been at any Time heretofore assented to in Her Majesty's Name by the Governor of the Colony in which the same shall have been passed, shall be deemed to be and to have been from the Date of such Assent as valid and effectual for all Purposes whatever as if the same Act had been reserved for the Signification of Her Majesty's Pleasure thereon, and as if Her Majesty's Assent had been duly given to the same, and signified in the Colony at the Date last aforesaid.

CAP. XII.

An Act for the Protection of Inventions and Designs exhibited at the International Exhibition of Industry and Art for the Year One thousand eight hundred and sixty-two.

[29th *April* 1862.]

'WHEREAS it is expedient that such Protection as is herein-after mentioned should be afforded to Persons desirous of exhibiting new Inventions or new Designs at the International Exhibition of Industry and Art to be held in the present Year, under the Direction of "The Commissioners for the Exhibition of 1862:"' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The Protection of Inventions and Designs Amendment Act, 1862."

Protection of New Inventions.

Exhibition of new Inventions not to prejudice Patent Rights.

2. The Exhibition of any new Invention at the said International Exhibition shall not, nor shall the Publication, during the Period of the holding of such Exhibition, of any Description of such Invention, nor shall the User of such Invention, under the Direction of the said Commissioners, prejudice the Right of any Person to register provisionally such Invention, or invalidate any Letters Patent that may be granted for such Invention.

Protection of Designs.

Exhibition of Designs not to prejudice Provisional Registration.

3. The Exhibition at the International Exhibition of any new Design capable of being registered provisionally under the Designs Act, 1850, or of any Article to which such Design is applied, shall not, nor shall the Publication during the Period of the holding of such Exhibition of any Description of such Design, prejudice the Right of any Person to register provisionally or otherwise such Design, or invalidate any Provisional or other Registration that may be granted for such Design.

CAP. XIII.

An Act for raising the Sum of One million Pounds by Exchequer Bonds for the Service of the Year One thousand eight hundred and sixty-two. [16th *May* 1862.]

CAP. XIV.

An Act to extend to the *Isle of Man* the Provisions of the Act Eighteenth and Nineteenth *Victoria,* Chapter Ninety, as to the Payment of Costs to and by the Crown.

[16th *May* 1862.]

18 & 19 Vict. c. 90.

'WHEREAS by the First and Second Sections of an Act passed in the Session of Parliament held in the Eighteenth and Nineteenth Years of the Reign of Her present Majesty, Chapter Ninety, it was enacted that in all Informations, Actions, Suits, and other legal Proceedings to be thereafter instituted before any Court or Tribunal whatever in the United Kingdom of *Great Britain* and *Ireland,* by or on behalf of the Crown, against any Corporation or Person or Persons, in respect of any Lands, Tenements, or Hereditaments, or of any Goods or Chattels belonging or accruing to the Crown, the Proceeds whereof, or the Rents or Profits of which said Lands, Tenements, or Hereditaments by any Act then in force or thereafter to be passed were to be carried to the Consolidated Fund of *Great Britain* and *Ireland,* or in respect of any Sum or Sums of Money due and owing to Her Majesty by virtue of any Vote of Parliament for the Service of the Crown, or of any Act of Parliament relating to the Public Revenue, Her Majesty's Attorney General, or in *Scotland* the Lord Advocate, should be entitled to recover Costs for and on behalf of Her Majesty, where Judgment shall be given for the Crown, in the same Manner and under the same Rules, Regulations, and Provisions as were or might be in force touching the Payment or Receipt of Costs in Proceedings between

'Subject

'Subject and Subject, and that such Costs should be paid into the Exchequer, and should become Part 'of the Consolidated Fund; and it was also enacted, that if in any such Information, Action, Suit, or 'other Proceeding Judgment should be given against the Crown, the Defendant or Defendants should 'be entitled to recover Costs in like Manner and subject to the same Rules and Provisions as though 'such Proceeding had been had between Subject and Subject; and that it should be lawful for the 'Commissioners of Her Majesty's Treasury and they were thereby required to pay such Costs out of 'any Monies which might be thereafter voted by Parliament for that Purpose: And whereas it is 'expedient that the Provisions of the said Act should be extended to the *Isle of Man*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Sects. 1. and 2. of Act 18 & 19 Vict. c. 90. to apply to the Isle of Man, except in regard to existing Suits.

1. The First and Second Sections of the said recited Act shall extend and apply to the *Isle of Man*; and the Words "Her Majesty's Attorney General" contained in the same Act shall, as regards Informations, Actions, Suits, and other Legal Proceedings in the *Isle of Man*, be construed to mean Her Majesty's Attorney General for the *Isle of Man*.

2. Provided always, That nothing contained in the recited Act or in this Act shall apply to any Information, Action, Suit, or other Proceeding filed or commenced before the passing of this Act.

CAP. XV.

An Act to define the Powers of the President and Fellows of the King and Queen's College of Physicians in *Ireland* with respect to the Election of its Fellows. [16th *May* 1862.]

40 G. 3. c. 84. (I.)

'WHEREAS by an Act passed in the Parliament of *Ireland* in the Fortieth Year of the Reign of 'His late Majesty King *George* the Third, Chapter Eighty-four, it is amongst other things 'enacted, in the Forty-second Section thereof, that no Person shall be capable of being elected a Fellow 'of the College of Physicians (incorporated by the Name of the President and Fellows of the King and 'Queen's College of Physicians in *Ireland*) who shall not have taken the Degree of Bachelor or Master 'in Arts or Doctor in Physic in One of the Universities in *Dublin*, *Oxford*, or *Cambridge*, unless the 'Number of Fellows shall at any Time be reduced to Six, in which Case only, whenever it may happen, 'such Qualification of the Degree of Bachelor or Master in Arts or Doctor of Physic may be dispensed 'with respectively: And whereas under the Charter which had been granted to the said College of 'Physicians in the Fourth Year of the Reign of King *William* and Queen *Mary*, the said College was 'empowered to elect to the Fellowship thereof without Restriction such of its Licentiates as it deemed 'deserving of such Distinction: And whereas the said Restriction imposed by the said recited Act 'is unjust to Universities and Colleges other than those of *Dublin*, *Oxford*, or *Cambridge*, and it is 'expedient that the same should be repealed, and that the said President and Fellows of the said 'College should be enabled to elect to the Fellowship thereof such of its Licentiates as are Graduates 'in Arts of any University of the United Kingdom of *Great Britain* and *Ireland*, and also such of its 'Licentiates as may appear to them to merit such Distinction by reason of their personal and professional 'Attainments:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commencement of Act.

1. This Act shall commence and take effect from and after the First Day of *September* One thousand eight hundred and sixty-two.

From Commencement of Act, Part of 40 G. 3. c. 84. s. 42. (I.) repealed.

2. From and after the Commencement of this Act, so much of the said recited Act as provides that no Person shall be capable of being elected a Fellow of the said College of Physicians in *Ireland* who shall not have taken the Degree of Bachelor or Master in Arts or Doctor in Physic in One of the Universities of *Dublin*, *Oxford*, or *Cambridge*, unless the Number of Fellows shall at any Time be reduced to Six, in which Case only, whenever it may happen, such Qualification of the Degree of Bachelor or Master in Arts or Doctor in Physic may be dispensed with respectively, shall be repealed.

Defining Powers of College with respect to Admissions to its Fellowships.

3. From and after the Commencement of this Act it shall be lawful for the President and Fellows of the King and Queen's College of Physicians in *Ireland* to elect to the Fellowship of the said College such of its Licentiates as are Graduates in Arts or Doctors in Physic of any University of the United Kingdom of *Great Britain* and *Ireland*, or of any Foreign University, and also such of its Licentiates, not being such Graduates in Arts or Doctors in Physic, as under such Limitations as to them may seem fit, may appear to the said President and Fellows to merit such Distinction.

CAP. XVI.

An Act for extinguishing certain Rights of Way through the *Netley Hospital* Estate in the Parish of *Hound* in the County of *Southampton*. [16th *May* 1862.]

'WHEREAS the *Netley Hospital* Estate in the Parish of *Hound* in the County of *Southampton* 'was purchased under the "Defence Act, 1842," and the "Ordnance Board Transfer Act, 1855," 'and is now vested in Her Majesty's Principal Secretary of State for the War Department in trust for

'Her Majesty, and a Hospital has since been erected thereon for the Reception of wounded or sick 'Soldiers of Her Majesty's Army: And whereas the said Estate is subject to certain Rights of Way for 'Foot Passengers, which, if they were suffered to remain, would very much interfere with and impede 'the useful Purposes intended to be effected by the Purchase of the Estate and the Erection of the 'Hospital thereon, and it is therefore expedient that all such Rights of Way should be extinguished:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Certain Rights of Way over Netley Hospital Estate extinguished.

1. That from and after the passing of this Act all Rights of Way through or over the said Estate shall cease, and the said Principal Secretary shall stop up or cause to be stopped up the said Ways, and thereupon public Notice shall be given of the stopping up thereof, by Advertisement in the *London Gazette* and in some local Newspaper published or circulating in the County of *Southampton*, and shall be affixed on the outer Door of the Church of the said Parish, or some other public Place in the said Parish.

CAP. XVII.

An Act to extend the Time for making Enrolments under the Act passed in the last Session of Parliament, intituled *An Act to amend the Law relating to the Conveyance of Land for Charitable Uses*, and to explain and amend the said Act. [16th *May* 1862.]

24 & 25 Vict. c. 9.

'WHEREAS by an Act passed in the last Session of Parliament, intituled *An Act to amend the Law relating to the Conveyance of Land for Charitable Uses*, Time was given for enrolling 'certain Deeds, Assurances, and Instruments therein referred to until the Expiration of Twelve 'Calendar Months next after the passing of the said Act: And whereas the said Act received the Royal 'Assent on the Seventeenth Day of *May* One thousand eight hundred and sixty-one, so that the Time 'thereby given for making such Enrolments will expire at the End of Twelve Calendar Months from 'that Day: And whereas from the great Number of Deeds, Assurances, and Instruments to be enrolled 'under the Provisions aforesaid it is reasonable to allow an Extension of Time for that Purpose:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Extension of Time for Enrolment of Deeds and Assurances.

1. The Enrolment of every Deed, Assurance, and Instrument which shall be enrolled before the Seventeenth Day of *May* One thousand eight hundred and sixty-four shall, for the Purposes of the said Act, have the same Force and Effect which it would have had if such Enrolment had been within Twelve Calendar Months next after the passing of the said Act.

Recited Act comprises all Lands whether of Freehold or of Customary or Copyhold Tenure.

2. 'And whereas by the said Act it is enacted that certain Assurances to be thereafter made *bonâ 'fide* on a Sale for a full and valuable Consideration should not be deemed null and void by reason of 'the Consideration consisting wholly or partly of a Rent, Rentcharge, or other annual Payment reserved 'as therein mentioned, and Doubts have arisen whether the said Enactment refers to any Hereditaments 'not of Copyhold or Customary Tenure:' Be it therefore declared and enacted, That the said Enactment comprises and extends to all Hereditaments whether of Freehold or of Customary or Copyhold Tenure, and to every Estate and Interest therein.

As to Deeds, &c. executed prior to passing of recited Act.

3. No Deed, Assurance, or Instrument executed previously to the passing of the said Act shall, for the Purposes thereof, require Acknowledgment prior to Enrolment.

Acts to apply to Cases where separate Deed executed as well after as before passing of recited Act.

4. 'And whereas it is by the Fourth Section of the said Act enacted, that where the Charitable Uses 'of any such Deed or Assurance for Conveyance as is therein mentioned had been declared by any 'separate Deed or Instrument, then, if neither of the said Deeds or Instruments had been enrolled, it 'should not be necessary to enrol such Deed or Assurance for Conveyance, but every such Deed or 'Assurance for Conveyance should be void, unless such other separate Deed or Instrument should be 'enrolled within such Time as therein mentioned: And whereas it may happen that such Deed 'or Assurance of Conveyance may have been executed before the passing of the said Act, but 'the separate Deed or Instrument declaring the Charitable Uses may not have been executed until 'after the passing of the said Act:' Be it therefore enacted, That the said Act and this Act shall be taken to apply as well to Cases where such separate Deed or Instrument shall be or shall have been executed after as to Cases where it may have been executed before the passing of the said Act; provided only that, if not already executed, it be executed within Six Months next after the passing of this Act.

Provision as to Money expended before passing of Act in permanent Improvements.

5. In all Cases in which Money shall have been really and *bonâ fide* expended before the passing of this Act, in the substantial and permanent Improvement, by building or otherwise, for any Charitable Use, of Land of any Tenure whatsoever, of which Possession is now held by virtue of any Deed or Assurance conveying or purporting to convey the same, or declaring any Trusts or Trust thereof for such Charitable Use, all Money so expended shall be deemed, for the Purposes of the said Act, equivalent to Money actually paid by way of Consideration for the Purchase of the said Land.

Act not to invalidate any Deed.

6. Nothing in this Act contained shall extend to render null and void any Deed or Assurance already good and valid.

CAP.

CAP. XVIII.

An Act to amend the Law as to the whipping of Juvenile and other Offenders.

[16th *May* 1862.]

'WHEREAS it is expedient to amend the Law relating to the whipping of Offenders:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Regulation as to the whipping of Juvenile Offenders.

1. Where the Punishment of Whipping is awarded for any Offence by Order of One or more Justice or Justices made in exercise of his or their Power of summary Conviction, or in *Scotland* by the Court of Justiciary, or by any Sheriff or Magistrate, the Order, Sentence, or Conviction awarding such Punishment shall specify the Number of Strokes to be inflicted and the Instrument to be used in the Infliction of them, and in the Case of an Offender whose Age does not exceed Fourteen Years, the Number of Strokes inflicted shall not exceed Twelve, and the Instrument used shall be a Birch Rod.

Restriction as to Whippings in Scotland, &c.

2. No Offender shall be whipped more than once for the same Offence, and in *Scotland* no Offender above Sixteen Years of Age shall be whipped for Theft, or for Crime committed against Person or Property.

CAP. XIX.

An Act to amend the General Pier and Harbour Act, 1861. [16th *May* 1862.]

'WHEREAS it is expedient to amend The General Pier and Harbour Act, 1861, herein-after called the Principal Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Construction of Act. Short Title.

1. This Act shall be read (as far as may be) together with the Principal Act as One Act, and may be cited as The General Pier and Harbour Act, 1861, Amendment Act.

I.—FUTURE APPLICATIONS FOR PROVISIONAL ORDERS.

Repeal of Parts of Principal Act described in Schedule.

2. The Provisions of the Principal Act described in Schedule (A.) to this Act shall be repealed with respect to any Application to be made to the Board of Trade for a Provisional Order after the passing of this Act.

Notice by Advertisement as in Schedule (B.) Part I.

3. Any Persons intending to make Application to the Board of Trade for a Provisional Order relative to a Pier or Harbour, which Persons are herein-after called the Promoters, shall in the Months of *October* and *November*, or either of them, immediately preceding the Application for the Provisional Order, publish Notice of their Intention by Advertisement according to the Regulations contained in Schedule (B.) Part I. to this Act.

Deposit of Documents, in Schedule (B.) Part II.

4. On or before the Thirtieth Day of *November* immediately preceding the Application for the Provisional Order, the Promoters shall deposit the Documents described in Schedule (B.) Part II. to this Act, according to the Regulations therein contained.

Subsequent Deposit of Documents, in Schedule (B.) Part III.

5. On or before the Twenty-third Day of *December* in the same Year, the Promoters shall deposit the Documents mentioned in Schedule (B.) Part III. to this Act, according to the Regulations therein contained.

II.—FUTURE OR PENDING APPLICATIONS FOR PROVISIONAL ORDERS.

Extent of Part II. of Act.

6. The Provisions of this Part of this Act shall apply to every Provisional Order of the Board of Trade on any Application already made or to be hereafter made.

Works.

Approval of Works by Admiralty.

7. Before commencing the Construction of any Part of the Works authorized by a Provisional Order, the Undertakers shall deposit at the Admiralty Office Working Drawings of the whole Works for the Approval of the Lords of the Admiralty: The Works shall not be constructed otherwise than in accordance with such Approval. After the same are commenced or constructed the Undertakers shall not alter or extend the same without first obtaining the like Approval. If any Work be commenced, constructed, altered, or extended contrary to this Provision, the Lords of the Admiralty may, at the Expense of the Undertakers, abate and remove it, or any Part of it, and restore the Site thereof to its former Condition.

Abandonment, Disuse, &c. of Works.

8. If any Work authorized by any Provisional Order be abandoned or suffered to fall into Disuse or Decay, the Lords of the Admiralty may, if and as they think fit, at the Expense of the Undertakers, either repair and restore such Work or any Part of it, or abate and remove it or any Part of it, and restore the Site thereof to its former Condition.

Power to Admiralty to cause Local Survey to be made.

9. The Lords of the Admiralty may at any Time, at the Expense of the Undertakers, cause to be made a Local Survey and Examination of the Works authorized by any Provisional Order, or of the Site thereof.

10. Whenever

Recovery of Expenses from Undertakers.

10. Whenever the Lords of the Admiralty, under the Authority of this Act, do any Act or Thing in relation to any Works authorized by any Provisional Order, which they are by this Act authorized to do at the Expense of the Undertakers, the Amount of such Expense shall be a Debt due to the Crown from the Undertakers, and shall be recoverable as such, with Costs, or the same may be recovered with Costs as a Penalty is or may be recoverable from the Undertakers.

Lights to be exhibited at Night during Construction of Works.

11. During the Construction of the Works the Undertakers shall, at their own Expense, exhibit and keep burning every Night from Sunset to Sunrise such Lights for the Guidance of Vessels as the Lords of the Admiralty shall from Time to Time require or approve of: If the Undertakers refuse or neglect to comply with this Provision, they shall for each Offence be liable to a Penalty not exceeding Ten Pounds.

Limitation of Time for Completion of Works.

12. The Works authorized by any Provisional Order shall be completed within Five Years after the passing of an Act confirming the Provisional Order, or within such other Time as the Provisional Order may direct; and on the Expiration of that Period the Powers by the Order given to the Undertakers for executing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

Rates.

Pier, &c. open to Public on Payment of Rates.

13. On Payment of the Rates payable under a Provisional Order, and subject to the Provisions of the Principal Act and this Act and the Provisional Order, the Pier or Harbour to which the Provisional Order relates and its Approaches shall be open to all Persons for the shipping and unshipping of Goods, and the embarking and landing of Passengers, and such Persons and Passengers shall have unobstructed Ingress, Passage, and Egress into, along, through, and out of the same.

Power to Board of Trade to revise Rates.

14. Where the Undertakers are a Company incorporated by the Provisional Order for the Purposes of the Undertaking, then if at any Time it appear to the Board of Trade that the clear annual Profits divisible on the subscribed and paid-up Capital of the Company, on the Average of the then Three last preceding Years, amount to or exceed the Rate of Ten *per Centum per Annum* on the nominal Value of the Shares, the Board of Trade may, if in their Discretion they think fit, require the Company to reduce the Rates received by them to such Extent as may to the Board of Trade seem fit: If the Company refuse or neglect to comply with any such Requirement, they shall be liable to a Penalty not exceeding Fifty Pounds for every Day during which such Refusal or Neglect shall continue: Provided that if at any subsequent Time the Profits fall below the said Rate of Ten *per Centum per Annum* the Company may, with the Sanction of the Board of Trade, again raise the said Rates to an Amount not exceeding the Amount authorized by the Provisional Order.

Company to send Copy of annual Account in abstract as to Rates, &c. to Board of Trade.

15. Where the Undertakers are a Company as aforesaid, the Company, within One Month after sending to the Clerk of the Peace for the County the Copy of their annual Account in abstract, shall send a Copy of the same to the Board of Trade, who shall forward a Copy to any Persons who may require the same: If the Company refuse or neglect to comply with this Provision, they shall for every such Refusal or Neglect be liable to a Penalty not exceeding Twenty Pounds.

As to Audit of Accounts on Complaint to Board of Trade.

16. If, on Complaint in Writing by any Person interested, it appear to the Board of Trade that there is reasonable Ground for believing that such last-mentioned Account has not been duly kept, or that any Rates have been improperly or unfairly levied by the Company, or have not been applied in accordance with the Order, then the following Provisions shall take effect:

(1.) The Board of Trade may appoint an Auditor to audit and examine such Account, and inquire into the Matters complained of, and report to the Board of Trade on such Account and Matters:

(2.) The Company shall on Demand produce to such Auditor all or any of their Accounts, Books, Deeds, Papers, Writings, and Documents, and afford to him all reasonable Facilities for examining and comparing the same:

(3.) In case any such Complaint be found to be true, the reasonable Expenses of the Auditor shall be paid to the Board of Trade by the Company:

(4.) In case any such Complaint be not found to be true, the reasonable Expenses of the Auditor shall be paid to the Board of Trade by the Complainant:

(5.) In either Case, such Expenses shall be a Debt due to the Crown from the Company or from the Complainant (as the Case may be), and shall be recoverable as such, with Costs, or the same may be recovered with Costs as a Penalty is recoverable from the Company, or from any Person liable to a Penalty under the Provisional Order (as the Case may be).

Rates to be equally levied.

17. All Rates levied under any Provisional Order shall be charged equally to all Persons with respect to the same Description of Vessels and the same Description of Goods.

Mode of Recovery of Rates.

18. Without Prejudice to any other Remedy, the Undertakers may recover any Rates due in respect of a Vessel from the Owner or Master of such Vessel, and any Rates due in respect of Goods from the Owner or Consignee of such Goods, by Proceedings in any Court of competent Jurisdiction.

General Provisions.

19. Subject to the Provisions of the Principal Act and this Act and any Provisional Order, The Harbours, Docks, and Piers Clauses Act, 1847, shall be deemed to be incorporated with every Provisional Order. 10 & 11 Vict. c. 27. incorporated.

20. The Undertakers may grant or allow to any Persons the Right of laying down or constructing and maintaining Pipes or Channels for the Conveyance of Water to, on, and within the Pier or Harbour, and may demand and receive such Sums in consideration of such Grant or Allowance as they may think reasonable. Water Pipes.

21. The Undertaking authorized by any Provisional Order shall be subject to the Provisions of The Merchant Shipping Act, 1854, and of every General Act relating to Harbours or Dues on Shipping or on Goods carried in Ships, now in force or hereafter to be passed, and to any future Revision or Alteration under the Authority of Parliament of the Rates authorized by the Order. Application of Merchant Shipping Act, &c.

22. The Costs of and connected with the preparation and making of each Provisional Order shall be paid by the Promoters. Costs of the Order.

III.—Pending Applications for Provisional Orders.

23. 'And whereas it was by the Principal Act (Section Nine) enacted, that in case the Promoters, 'or any Persons being the Owners or Proprietors of any Works, or any Persons having the Manage- 'ment of or Powers to construct any such Works under any Local Act of Parliament, or any Town 'Council of any Seaport Town not having any constituted Harbour Trust, should be desirous of 'levying any Rates for the Maintenance of such Works, or of altering the Schedule of Rates then 'leviable thereat, they should prepare a Schedule of such Rates which they might think reasonable and 'proper to be levied at such Works, and should publish such Schedule in a Newspaper as therein 'specified, and should also deposit a printed Copy of such Schedule at such Office as therein specified, 'and also transmit a Copy of such Schedule to the Board of Trade with such other Documents as 'therein specified, and that after such Proceedings and the Lapse of such Time as therein specified the 'Board of Trade should finally adjust and fix a Schedule of Rates, not exceeding the Rates specified in 'the Schedule to The Burgh Harbours (*Scotland*) Act, 1853, and that thereupon the Board of Trade 'might by Provisional Order empower any of the Persons in the Section now in recital mentioned to 'levy Rates according to such Schedule:

'And whereas under the said recited Provision, Persons within the Description therein contained 'have prepared Schedules of Rates which they thought reasonable and proper to be levied, and have 'published, deposited, and transmitted the same in manner by the said recited Provision required, but 'the Board of Trade on proceeding to finally adjust and fix Schedules of Rates have in certain Cases 'found that the Schedules so prepared, published, deposited, and transmitted comprise Rates in some 'Instances exceeding the Rates specified in the Schedule to The Burgh Harbours (*Scotland*) Act, '1853, and in other Instances leviable in respect of Subjects not specified in the last-mentioned 'Schedule:

'And whereas in the several Cases aforesaid it is represented to the Board of Trade by the 'Promoters, and the Board of Trade have no Reason to doubt, that it is essential to the Success of 'the several Undertakings that an Opportunity should be given to the Promoters of obtaining the 'Sanction of Parliament to the several Schedules of Rates so prepared, published, deposited, and 'transmitted as aforesaid, without reference to the Conformity of such Schedules with the Schedule to 'The Burgh Harbours (*Scotland*) Act, 1853:' Be it therefore enacted as follows: Proceedings under Section 9 of Principal Act for fixing Schedule of Rates.

Where any Schedule of Rates has been prepared, published, deposited, and transmitted as aforesaid, and it appears to the Board of Trade to be expedient that the same, or the same as modified on any Objection taken under the Principal Act, should be authorized by a Provisional Order, it shall be lawful for the Board of Trade to finally adjust and fix a Schedule of Rates, not exceeding the Rates specified in the Schedule so prepared, published, deposited, and transmitted, or so modified, and thereupon by Provisional Order to authorize the Levying and Recovery of Rates according to the Schedule so finally adjusted and fixed, notwithstanding that the same may in any respect differ from the Schedule to The Burgh Harbours (*Scotland*) Act, 1853: Provided, that it shall be lawful for the Board of Trade, if in any Case they think fit, before finally adjusting and fixing any such Schedule, to require the Promoters to publish any further or other Notice relative to the proposed Schedule as the Board of Trade may direct. Power to Board of Trade to authorize Schedule as published, though differing from Schedule referred to in Principal Act.

24. The Provisions of the Principal Act described in Schedule (C.) to this Act shall be repealed with respect to any Application already made to the Board of Trade for a Provisional Order. Provisions of Principal Act as in Schedule (C.) to this Act repealed.

IV.—General Provisions.

25. The Board of Trade shall not make any Provisional Order taking away or abridging any Right, Privilege, Power, Jurisdiction, or Authority given or reserved to any Person or Corporation by any Local or Special Act of Parliament, without the Consent in Writing of such Person or Corporation; but, subject to this Restriction, and to the Provisions of the Principal Act and of this Act, every Provisional Order not to be made affecting Powers under Local Acts

without Consent.

Provisional Order when duly confirmed by Parliament shall be of full Force and Effect, any Local or Special Act to the contrary notwithstanding.

Power to Board of Trade to impose Terms, &c.

26. Every Provisional Order of the Board of Trade on any Application already made or to be hereafter made shall take effect subject and according to such Restrictions and Provisions and on such Terms and Conditions as may be therein specified, not being inconsistent with the Provisions of the Principal Act or this Act.

Application of 7 W. 4. & 1 Vict. c. 83. to Act.

27. The Provisions of the Act of the Session of the Seventh Year of King *William* the Fourth and the First Year of Her Majesty, Chapter Eighty-three, "to compel Clerks of the Peace for Counties and "other Persons to take the Custody of such Documents as shall be directed to be deposited with them "under the Standing Orders of either House of Parliament," shall (as far as may be) apply to all Cases of Deposit of Documents made or to be made with any Person under the Principal Act or this Act.

SCHEDULES.

SCHEDULE (A.)

Parts of General Pier and Harbour Act, 1861, *repealed as to future Applications to the Board of Trade for Provisional Orders.*

(1.) Sections Five, Nine.
(2.) In Section Six, so much as requires any Deposit to be made at the Admiralty Office.
(3.) In Section Sixteen, so much as relates to the London, Edinburgh, or Dublin Gazette.

SCHEDULE (B.)

PART I.

Advertisement in October or November of intended Application.

(1.) Every Advertisement is to state—

1. The Objects of the intended Application, specifying any of the following Objects, when comprised among the Objects of the Application:
   (*a.*) Extension of Time for the Completion of any Works already authorized:
   (*b.*) Power for a Company to amalgamate with another:
   (*c.*) Power to sell, purchase, lease, or take on Lease an Undertaking:
   (*d.*) Amendment or Repeal of any Local or Special Act of Parliament, or of any former Provisional Order:
   (*e.*) Power to levy any Tolls, Rates, or Duties, or to alter any existing Tolls, Rates, or Duties:
   (*f.*) The conferring, varying, or extinguishing of any Exemption from Tolls, Rates, or Duties, or of any other Right or Privilege:
   (*g.*) Constitution or Alteration of Constitution of any Harbour Authority.
2. A general Description of the Nature of the proposed new Works, if any.
3. The Names of the Parishes, Townlands, Townships, and Extra-parochial Places in which the proposed new Works, if any, will be made.
4. The Times and Places at which the Deposit under Part II. of this Schedule will be made.
5. An Office, either in London, or at the Place to which the intended Application relates, at which printed Copies of the Draft Provisional Order, when deposited, will be purchaseable as hereinafter provided.

(2.) The whole Notice is to be included in One Advertisement, which is to be headed with a short Title descriptive of the Undertaking or Application.

(3.) The Advertisement is to be inserted once at least in each of Two successive Weeks in some One and the same Newspaper published in the City, Town, or Place where the proposed Works will be made, or where the Pier or Harbour to which the intended Application relates is situate; or if there be no such Newspaper, then in some One and the same Newspaper published in the County in which such City, Town, or Place, or some Part thereof, is situate; or if there be none, then in some One and the same Newspaper published in some adjoining or neighbouring County.

(4.) The Advertisement is also in every Case to be inserted once at least in the London Gazette if the Place to which the intended Application relates is situate in England or Wales, in the Edinburgh Gazette if such Place is situate in Scotland, or in the Dublin Gazette if such Place is situate in Ireland.

PART II.

Deposit on or before 30th November.

(1.) The Promoters are to deposit—

1. A Copy of the Advertisement published by them.

2. A proper Plan and Section of the proposed new Works, if any; such Plan and Section to be prepared according to such Regulations as may from Time to Time be made by the Board of Trade in that Behalf.

(2.) The Documents aforesaid are to be deposited for public Inspection—

1. In England or Ireland, in the Office of the Clerk of the Peace for every County, Riding, or Division; in Scotland, in the Office of the Principal Sheriff Clerk for every County, District, or Division,—in which any proposed new Work will be made, or in which the Pier or Harbour to which the intended Application relates, or any Part thereof, is situate.
2. At the Custom House, if any, of the Port, Sub-Port, or Creek to which the intended Application relates.

(3.) The Documents aforesaid are also to be deposited in the Offices of the Admiralty and of the Board of Trade.

PART III.

Deposit on or before 23d December.

(1.) The Promoters are to deposit at the Office of the Board of Trade—

1. A Memorial of the Promoters, signed by them or One of them, headed with a short Title descriptive of the Undertaking or Application (corresponding with that at the Head of the Advertisement), addressed to the Board of Trade, and praying for a Provisional Order.
2. A printed Draft of the Provisional Order as proposed by the Promoters.
3. An Estimate of the Expense of the proposed new Works, if any, signed by the Person making the same.

(2.) They are also to deposit printed Copies of the Draft Provisional Order for public Inspection at the Custom House (if any) of the Port, Sub-Port, or Creek to which the Application relates.

(3.) They are also to deposit a sufficient Number of such Printed Copies at the Office named in that Behalf in the Advertisement; such Copies to be there furnished to all Persons applying for them at the Price of not more than One Shilling each.

SCHEDULE (C.)

Parts of General Pier and Harbour Act, 1861, *repealed as to Applications already made to the Board of Trade for Provisional Orders.*

In Section Sixteen, so much as relates to the London, Edinburgh, or Dublin Gazette; and also so much as restricts the Time for the Introduction of a Bill into Parliament for the Confirmation of a Provisional Order.

CAP. XX.

An Act respecting the Issue of Writs of Habeas Corpus out of *England* into Her Majesty's Possessions Abroad. [16th *May* 1862.]

'WHEREAS it is expedient that Writs of Habeas Corpus should not issue out of *England* into 'any Colony or Foreign Dominion of the Crown where Her Majesty has a lawfully established 'Court or Courts of Justice having Authority to grant and issue the said Writ, and to ensure the due 'Execution thereof throughout such Colony or Foreign Dominion:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Writ not to issue into Colony, &c. having Court authorized to grant same.

1. No Writ of Habeas Corpus shall issue out of *England*, by Authority of any Judge or Court of Justice therein, into any Colony or Foreign Dominion of the Crown where Her Majesty has a lawfully established Court or Courts of Justice having Authority to grant and issue the said Writ, and to ensure the due Execution thereof throughout such Colony or Dominion.

Not to affect Right of Appeal.

2. Provided, That nothing in this Act contained shall affect or interfere with any Right of Appeal to Her Majesty in Council now by Law existing.

CAP. XXI.

An Act to amend the Law relating to the Transfer of Stocks and Annuities transferable at the Bank of *Ireland*. [16th *May* 1862.]

'WHEREAS by the Act of the Twenty-fourth and Twenty-fifth *Victoria*, Chapter Thirty-five, 'intituled *An Act to increase the Facilities for the Transfer of Stocks and Annuities trans-* 24 & 25 Vict. 'ferable at the Bank of* Ireland, *and to make further Provision respecting the mutual Transfer of* c. 35. 'Capital in certain Public Stocks or Funds transferable at the Banks of* England *and* Ireland *respectively*, it was enacted, that it should be lawful for the Governor and Company of the Bank of *Ireland* 'to close the Books for the Transfer of Government Stocks, Funds, and Annuities on any Day not 'exceeding Fifteen Days prior to that on which the Dividends thereon respectively should by Law be 'payable:-

' payable: And whereas it is expedient to amend the said Act as regards the Time for closing said ' Books prior to the Days for Payment of the Dividends thereon, and to make further Provision in ' respect thereof:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Sect. 1. of 24 & 25 Vict. c. 35. repealed, and other Provision as to the Time of closing the Books for the Transfer of Stocks, &c. at the Bank of Ireland prior to the Payment of Dividends made.

1. That the First Section of the said Act be and the same is hereby repealed; and in lieu and stead thereof it shall be lawful for the said Governor and Company of the Bank of *Ireland* to close the Books for the Transfer of the several Government Stocks, Funds, and Annuities now by Law transferable at the Bank of *Ireland* on any Day in the Month preceding that in which the Dividends thereon respectively shall by Law be payable; and the Person or Persons who on the Day of the closing of such Books was or were inscribed as the Proprietor or Proprietors of any Share or Shares of and in such Stocks, Funds, and Annuities respectively shall, as between him, her, or them and the Transferee or Transferees thereof, be the Person or Persons entitled to the then current Half Year's Dividend thereon, and the Person or Persons to whom any Transfer shall be made after the Day of the closing of such Books, shall not be entitled to the then current Half Year's Dividend on such Stocks, Funds, and Annuities, but shall take and accept the same exclusive of the Right to the said Half Year's Dividend; provided that the Period for which such Books of Transfer shall be closed shall not exceed Fifteen Days.

CAP. XXII.

An Act to continue certain Duties of Customs and Inland Revenue for the Service of Her Majesty, and to grant, alter, and repeal certain other Duties. [3d *June* 1862.]

Most Gracious Sovereign,

WE Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's Public Expenses, and making an Addition to the Public Revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several Rates and Duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Grant of Duties specified in Schedules annexed.

1. There shall be charged, collected, and paid for the Use of Her Majesty, Her Heirs and Successors, the several Rates and Duties of Customs, Excise, Stamps, and Income Tax respectively specified and contained in the several Schedules marked respectively (A.), (B.), (C.), and (D.) to this Act annexed, and there shall be allowed the several Drawbacks specified and contained in the said Schedules (A.) and (B.); and the said Rates, Duties, and Drawbacks shall respectively take effect at or from the respective Times, and shall continue to be charged, collected, paid, and allowed for and during the Periods respectively specified or mentioned in that Behalf in this Act or in the said Schedules; and where no Time is so specified for the Commencement thereof, the same shall commence and take effect from and after the passing of this Act; and where no Period is so specified or limited for the Duration thereof, the same shall continue to be charged, collected, paid, and allowed respectively until Parliament shall otherwise order; and the said several Schedules shall be deemed to be Part of this Act.

Provisions of former Acts to apply to this Act.

2. All the Powers, Provisions, Clauses, Regulations, Allowances, and Exemptions, Forfeitures, Pains, and Penalties, contained in or imposed by any Act or Acts or any Schedule thereto, relating to any Duties or Drawbacks of the same Kind or Description as the several Rates or Duties or Drawbacks granted and allowed by this Act respectively, and in force at the Time of the passing of this Act and not hereby expressly repealed, or as regards the Income Tax in force on the Fifth Day of *April* One thousand eight hundred and sixty-two, shall respectively be in full Force and Effect with respect to the said Rates, Duties, and Drawbacks by this Act granted respectively, so far as the same are or shall be applicable, in all Cases not hereby expressly provided for, and shall be observed, applied, allowed, enforced, and put in execution for and in the raising, levying, collecting, and securing of the said last-mentioned Rates and Duties and the Allowance and Payment of the said Drawbacks respectively, and otherwise in relation thereto, so far as the same shall not be superseded by and shall be consistent with the express Provisions of this Act, as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted, *mutatis mutandis*, with reference to the Rates, Duties, and Drawbacks by this Act granted respectively.

Licences to Brewers to expire on 10th October.

3. All Licences to Brewers of Beer to be granted under this Act shall expire on the Tenth Day of *October* in every Year, and shall be renewed yearly on Payment of the Duties chargeable for or in respect of such Licences respectively, according to the Provisions of this Act.

Brewer of Beer for Sale, before obtaining Licence, to make Declaration

4. Before any Licence shall be granted to any Brewer of Beer for Sale (other than a First Licence), such Brewer or his principal Servant under whose Direction or Inspection the Malt or Sugar herein-after mentioned shall have been brewed, shall make before a Justice of the Peace, or before the proper Collector of Excise, or any other Officer of Excise empowered to grant Licences (who are hereby respectively

respectively authorized to receive the same), a Declaration in Writing under the Provisions of the Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Sixty-two, setting forth a true and just Account of the Number of Bushels of Malt and of the Number of Pounds Weight Avoirdupois of Sugar respectively used by such Brewer in the brewing of Beer within the previous Year ending on the Tenth Day of *October* immediately preceding the Application for such Licence; and if such Declaration shall be false or untrue in any Particular, the Person making the same shall be subject to the Pains and Punishment prescribed by the said last-mentioned Act: Provided always, that in no Case shall a Licence be granted to any such Brewer of Beer upon Payment of any less Amount of Duty than shall appear to be due according to the Entries made in the Book or Paper delivered to such Brewer by the Officer of Excise for that Purpose.

under Provisions of 5 & 6 W. 4. c. 62. of the Quantity of Malt and Sugar brewed during the previous Year.

5. Where the Amount of Duty chargeable upon any Licence to brew Beer for Sale shall exceed the Sum of Ten Pounds, such Licence may, if required, be granted upon Payment only of a Moiety of the Duty so chargeable, and in such Case the other Moiety of such Duty shall be paid on the First Day of *March* next after the Commencement of the Year for which such Licence shall have been granted, or in default thereof the Licence shall thereupon cease and determine, and be no longer in force.

When Licence of Brewer of Beer for Sale exceeds 10*l.* it may be paid in Moieties.

6. If any Brewer of Beer for Sale shall die or become bankrupt, or shall discontinue the Trade and Business of a Brewer of Beer for Sale at any Time before the Expiration of his current Licence, it shall be lawful for the Commissioners of Inland Revenue to ascertain by such Means as they shall think fit, the Quantity of Malt and Sugar which such Brewer shall have used in the brewing of Beer in the Portion of the Year during which he shall have carried on Business under such Licence, and the Amount of Duty which would be payable for a Licence in respect of the Number of Barrels of Beer brewed from such Malt and Sugar, according to the Provisions of this Act; and if the Amount of Duty so ascertained shall be less than the Sum paid by such Brewer for his current Licence, the Commissioners shall cause the Difference to be repaid to such Brewer, or to the Executors or Assignees of any Brewer who shall die or become bankrupt.

On the Death of a Brewer, or on the Business being discontinued before Expiration of Licence, a proportionate Part of the Duty may be returned.

7. If upon the Termination of any Licence granted to a Brewer of Beer for Sale it shall appear that the Number of Barrels of Beer brewed by such Brewer during the Existence of such Licence, computed according to the Provisions in the Seventh Section of the Act passed in the First Year of the Reign of King *William* the Fourth, Chapter Fifty-one, is less than the Number of Barrels in respect of which the Duty upon such Licence was charged, the Difference between the Amount of Duty that would have been payable for a Licence for the lesser Number of Barrels of Beer brewed and the Amount actually paid for the Licence shall be repaid to the Brewer, his Executors or Administrators; and if it shall appear that the Number of Barrels of Beer, computed as aforesaid, brewed during such Period, shall be greater than the Number in respect of which the Licence was granted, the Brewer, or his Executors or Administrators, shall be surcharged with such additional Amount of Duty as, with the Sum actually paid for such Licence, shall amount to the Sum payable according to the Rates of Duty imposed by this Act upon the Number of Barrels of Beer brewed as aforesaid by such Brewer; and such additional Amount of Duty shall be paid by such Brewer, his Executors or Administrators, within Seven Days after he or they shall have had Notice to pay the same.

When the Quantity of Beer brewed in any Year shall be less than the Quantity for which the Licence was granted, the Difference shall be repaid to the Brewer; if the Quantity be greater he shall be surcharged.

8. If any Person who shall have taken out a Licence as a Brewer of Beer for Sale for the First Time shall die, or become bankrupt, or discontinue the Business of a Brewer of Beer at any Time before the Expiration of such Licence, the further additional Sum which shall be chargeable under this Act in respect of such Licence shall become due and payable immediately thereupon, and shall be a Debt due to Her Majesty, Her Heirs and Successors, and be recoverable accordingly; and in the Case of any such Brewer who shall discontinue Business as aforesaid, Payment of such additional Sum may be demanded either verbally of such Brewer, or by Writing left at the Brewery, by the Supervisor of Excise of the District in which the Brewery shall be situated; and if the same shall not be paid within Three Days next after such Demand shall have been made, the Brewer shall forfeit a Penalty of double the Amount thereof; and in all the foregoing Cases the Stock of Beer, Malt, and Hops, and the Utensils and Machinery upon the Brewery Premises at the Time of such Death, Bankruptcy, or Discontinuance of Business, shall be and remain liable for the Payment of the said Sum of Money or Penalty, and are hereby made chargeable therewith, notwithstanding any Title or Conveyance by which they may be claimed.

Surcharge upon a Brewer's First Licence to become payable immediately upon Death or Bankruptcy of the Brewer.

9. Provided always, That Brewers of Beer known as Spruce or Black Beer, for Sale, shall continue to pay for their Licences only the same Rates of Duty as are imposed by the Act passed in the Sixth Year of King *George* the Fourth, Chapter Eighty-one, on Brewers of Beer other than Table Beer only, for Sale; provided that any such Brewer shall not brew on the same Premises Beer of any other Description than Spruce or Black Beer, nor use in the brewing of the same, or add thereto, any Hops or other Bitter, or any Yeast or other Matter to produce Fermentation, and shall not brew, or sell or send out, any of such Beer of a less Specific Gravity than One thousand one hundred and eighty Degrees.

Brewers of Black Beer to continue to pay the Duties imposed by 6 G. 4. c. 81.

10. If any Brewer of Beer for Sale shall omit to take out a proper Licence in that Behalf under this Act, he shall nevertheless be chargeable with the full Amount of the Duty payable or which would become payable under this Act for or in respect of the Licence which he ought to have taken out, and

Brewers omitting to take out Licence liable to Duty.

and such Duty shall be a Debt to Her Majesty, Her Heirs and Successors, and shall be recoverable accordingly.

Persons brewing for others deemed Brewers for Sale.

11. If any Person shall brew any Beer for the Use of any other Person at any Place other than the Premises of the Person for whose Use the Beer shall be brewed, the Person brewing such Beer shall be deemed to be a Brewer of Beer for Sale, and shall be liable to take out a Licence accordingly.

As to Sale of Beer at Fairs, &c.

12. So much of any Act as permits the Sale of Beer, Spirits, or Wine at Fairs or Races without an Excise Licence shall be and the same is hereby repealed.

Occasional Licence may be granted to Victuallers to sell Beer, Spirits, &c., at such Time and Place as the Commissioners of Inland Revenue shall approve.

13. It shall be lawful for the Commissioners of Inland Revenue, whenever they shall consider it conducive to Public Convenience, Comfort, and Order, and with the Consents in Writing of Two Justices of the Peace usually acting at the Petty Sessions for the Petty Sessional Division within which the Place of Sale is situate, to authorize any Officer of Excise to grant to any Person who shall be duly authorized to keep a common Inn, Alehouse, or Victualling House, and who shall have taken out the proper Excise Licences to sell therein Beer, Spirits, Wine, or Tobacco, an occasional Licence under this Act empowering him to sell the like Articles for which he shall have taken out such Licences as aforesaid at any such other Place, and for and during such Space or Period of Time, not exceeding Three consecutive Days at any one Time, as the said Commissioners shall approve, and as shall be specified in such occasional Licence; and any Person who shall have taken out such occasional Licence shall not be liable to any Penalty or Forfeiture whatever by reason or on account of his selling the Articles mentioned in the said Licence during the Time and at the Place specified therein; provided that no such occasional Licence shall authorize the Sale of any Beer, Spirits, or Wine, except during the Hours after Sunrise and before Sunset; and provided that the said Licence shall not protect any such Person in the Sale of any of the Articles herein mentioned, unless he shall at the Time of such Sale produce such Licence when requested to do so by any Officer of Excise, or by any Constable or Police Officer; nor shall any such Licence be granted for the Sale of any of the Articles herein mentioned on any *Sunday*, *Christmas Day*, or *Good Friday*, or on any Day appointed for a Public Fast or Thanksgiving; provided also, that the Provisions of this Clause shall not extend to *Scotland*.

Charging of Excise Duty on Sugar used in brewing deferred until 1st July 1863.

14. 'And whereas by an Act passed in the Nineteenth and Twentieth Years of Her Majesty's 'Reign, Chapter Thirty-four, a Duty of Excise was imposed on Sugar used in the brewing or making of 'Beer, and by an Act passed in the Twenty-fourth and Twenty-fifth Years of Her Majesty's Reign, 'Chapter Ninety-one, the charging of the said Duty was deferred until the First Day of *July* One 'thousand eight hundred and sixty-two, and it is expedient further to defer the same:' Be it enacted, That the charging of the said Duty of Excise on Sugar used as aforesaid shall be further deferred until the First Day of *July* One thousand eight hundred and sixty-three.

Licences granted under 23 Vict. c. 27. and 23 & 24 Vict. c. 107. may be transferred as other Excise Licences in case of the Removal of the licensed Person.

15. The Provisions contained in the Twenty-first Section of the Act passed in the Sixth Year of the Reign of King *George* the Fourth, Chapter Eighty-one, relating to the Transfer of Excise Licences in the Case of the Removal of any Person from the House or Premises at which he shall be licensed under that Act, shall be and the same are hereby extended to Licences granted under the Act passed in the Twenty-third Year of the Reign of Her present Majesty, Chapter Twenty-seven, and the Act passed in the Twenty-third and Twenty-fourth Years of Her said Majesty's Reign, Chapter One hundred and seven respectively: Provided that no Licence granted under either of the Two last-mentioned Acts for the Sale of Foreign Wine by Retail to be consumed upon the Premises where the same shall be sold shall be transferred by the Officers of Excise, unless the Assignee of such Licence shall be duly licensed to keep a Refreshment House, nor unless he shall produce to such Officers a Certificate from a Justice of the Peace acting for the City, Borough, Town, or Place in which the House and Premises are situated, that such Justice does not object to such Transfer being made, and provided that no such Licence so transferred shall authorize the Assignee to carry on the Business mentioned therein for a longer Period than Five Weeks from the Date of such Transfer, unless he shall in the meantime have qualified himself to become the Holder of a Licence of the like Kind according to the Provisions of the said respective Acts.

For Removal of Doubts as to the Privilege of the Free Vintners of the City of London to sell Wine without Licence.

16. 'Whereas Doubts have arisen as to the Extent of the Privilege of the Master, Warden, Freemen, 'and Commonalty of the Vintners of the City of *London* to sell Wine without taking out an Excise 'Licence for that Purpose:' Be it enacted, That no Freeman of the said Company shall be entitled to sell Wine in more than One separate and distinct House or Premises at the same Time without taking out the proper Excise Licence in that Behalf, nor shall any Freeman be entitled to exercise the said Privilege unless he shall have previously made an Entry of the House or Premises in which he intends to sell Wine with the proper Officer of Excise, in the Manner directed in the Fifth Section of an Act passed in the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Fifty-one.

Excise Duties, &c. on Hops cured after the passing of this Act repealed.

17. The Duties of Excise now chargeable on Hops growing or to grow in the United Kingdom, which shall be cured and made fit for Use after the passing of this Act, shall cease, and are hereby repealed; and all Allowances and Drawbacks of the Duties of Excise on the Exportation of such Hops shall also cease, and be no longer payable.

18. On

Repeal of Customs Duty on Hops on 16th Sept. 1862.

18. On and after the Sixteenth Day of *September* One thousand eight hundred and sixty-two the Duty of Customs now payable on the Importation of Hops into *Great Britain* and *Ireland* shall cease and determine.

When Drawbacks on Exportation of Hops to cease.

19. All Allowances and Drawbacks of Excise on the Exportation of Hops grown in the United Kingdom, and cured and made fit for Sale before the passing of this Act, shall cease and be repealed as to all or any of such Hops which shall be exported on or after the Sixteenth Day of *September* One thousand eight hundred and sixty-two.

Excise Penalties imposed upon the Use of Substitutes for Hops repealed.

20. On and after the Sixteenth Day of *September* One thousand eight hundred and sixty-two so much of an Act passed in the Fifty-sixth Year of the Reign of King *George* the Third, Chapter Fifty-eight, and of an Act passed in the Seventh and Eighth Years of the Reign of King *George* the Fourth, Chapter Fifty-two, and of any other Act relating to the Revenue of Excise, as imposes any Excise Penalty upon any Brewer of, or Dealer in, or Retailer of Beer, for receiving into, or having in his Possession, or using or mixing with any Worts or Beer any Article for or as a Substitute for Hops, or as prohibits the Sale of any such Article to the said Persons, shall be and is hereby repealed: Provided always, that nothing herein contained shall be construed to extend to repeal any such Penalty or Prohibition so far as regards any Article which may be used as a Substitute for Malt, notwithstanding that it may be also a Substitute for Hops.

British Hops re-imported chargeable with Duty for Six Months after 16th Sept. 1862.

21. *British* Hops re-imported or brought back into *Great Britain* or *Ireland* on or at any Time within Six Months after the Sixteenth Day of *September* One thousand eight hundred and sixty-two shall be charged with the Duty now payable on the Importation of Hops; and no *British* Hops which shall have been re-imported or brought back into *Great Britain* or *Ireland*, and warehoused for Security of Duties of Customs previously to the said Sixteenth Day of *September*, shall be delivered on or within Six Months after that Day without Payment of the Duty of Customs now chargeable on the Importation of Hops.

Prohibition on Extract of Hops repealed.

22. The Prohibition of the Importation of Extracts and Essences of Hops and other Concentrations thereof, contained in the Third Section of the Customs Duties Consolidation Act, 1860, shall, on and after the Sixteenth Day of *September* One thousand eight hundred and sixty-two, cease.

Allowance of 7*s.* per Cwt. on British Hops in Stock on 15th September 1862.

23. Provided always, That any Person who shall have in his Stock or Possession on the Fifteenth Day of *September* One thousand eight hundred and sixty-two not less than Half a Ton Weight of *British* Hops of a marketable Quality, on which the Duties of Excise have been fully charged and paid, and shall produce the same to the proper Officer of Excise authorized by the Commissioners of Inland Revenue to take an Account thereof in the original Bags or Pockets (whole and unopened) in which the same were charged with Duty, such Person being the *bonâ fide* Owner of such Hops, or a known Hop Factor, shall be entitled to claim and be paid an Allowance at the Rate of Seven Shillings for every Hundredweight thereof, subject to a Deduction of Ten *per Centum* for the Tare of the Bags or Pockets in which the Hops are contained.

Mode of claiming the Allowance on Hops in Stock.

24. Every Person intending to claim any such Allowance shall, Seven Days previously to the Fifteenth Day of *September* One thousand eight hundred and sixty-two, give Notice to the proper Officer of Excise of the Division in which the Hops upon which he intends to claim such Allowance are stored, specifying his Name and Place of Abode, and the particular Warehouse or Building in which such Hops are stored, and the Number of Bags or Pockets of such Hops, with the Weight and Marks upon each Bag or Pocket, and the total Weight of such Hops, and also the Amount of the Allowance claimed; and every Person claiming such Allowance shall provide requisite Scales and Weights to enable the Officer of Excise conveniently to take an Account of such Hops, and shall also, with his Servants and Workmen, whenever thereto required, aid and assist the said Officer in taking such Account; and in default thereof the Claimant shall not be entitled to any Allowance in respect of any Hops in his Stock or Possession.

Officers of Excise to attend to examine Claims and Stocks and grant Certificates.

25. The proper Officer of Excise authorized in that Behalf shall on the said Fifteenth Day of *September*, or within Three Days thereafter, attend at the Place mentioned in such Notice as aforesaid as the Place where any such Hops are deposited, and examine, weigh, and take an Account of the same, and shall mark each Bag or Pocket with such Marks and Figures as he shall think fit to denote such Examination; and such Officer shall ascertain and compute the Amount of the Allowance to which the Claimant may be entitled in respect of such Hops, and shall give to him a Certificate expressing the true Quantity and net Weight of the Hops in respect of which such Claimant shall be entitled to the Allowance, and specifying the Amount of the Allowance, and the Name and Place of Abode of the Person entitled thereto.

Declaration to be made of the Truth of the Certificate, and Collector to pay the Amount of the Allowance.

26. On the Production of such Certificate by the Claimant or his Agent to the Collector of Excise of the Collection in which the same was granted, and on a solemn Declaration being made by such Claimant before a Justice of the Peace, or such Collector, that the whole Quantity of the Hops mentioned in such Certificate was, at the Time therein specified, the sole Property of such Claimant, or of him and his Copartner in Trade (as the Case may be), or that he is a Hop Factor, and that the same, or any Part thereof, hath not been taken account of for the Purpose of obtaining the said Allowance more than once, and that the said Certificate is true to the best of his Knowledge and Belief, and that no false Statement, Art, or Contrivance was used to deceive the Officer taking an Account of the said Hops,

Hops, or any Part thereof, or to render the Account or Amount thereof expressed in such Certificate untrue, the said Collector being satisfied of the Truth of such Declaration shall, out of the Money in his Hands on account of any of the Duties of Excise, pay to the said Claimant or his Agent the Sum of Money specified in such Certificate at the next Sitting Day which shall be held for the Collection or Receipt of Excise Duties next after the Expiration of One Week from the Production of such Certificate and the Making of such Declaration as aforesaid.

9 G. 4. c. 18. granting Duties on Cards and Dice repealed.

27. From and after the First Day of *September* One thousand eight hundred and sixty-two the Act passed in the Ninth Year of the Reign of King *George* the Fourth, Chapter Eighteen, for repealing the Stamp Duties on Cards and Dice made in the United Kingdom, and granting other Duties in lieu thereof, and amending and consolidating the Acts relating to Cards and Dice and the Exportation thereof, shall be and the same is hereby repealed, save and except as to any Duties granted by the said Act and which shall be then unpaid and any Penalty which may have been incurred, which Duties and Penalties shall be recoverable as if this Act had not been made, and also save and except so far as relates to any Bond given in pursuance of the said Act, which Bond shall, notwithstanding this Act, continue in force until the Condition thereof shall have been performed and fulfilled; and from and after the said First Day of *September* One thousand eight hundred and sixty-two the Duty by this Act charged for and in respect of Playing Cards, and all the Clauses and Provisions relating thereto, shall commence and take effect.

Interpretation of Terms.

28. The Term "Cards," wherever the same shall be used in this Act, shall mean Playing Cards by this Act charged with Stamp Duty; the Term "Wrapper" shall mean a Paper Wrapper, Label, or Enclosure provided by the said Commissioners of Inland Revenue for containing, enclosing, or covering a Pack of Cards and denoting the Duty in respect thereof; and the Term "Pack of Cards" shall mean any Quantity or Number of Cards not exceeding Fifty-two.

The Duty to be denoted on the Wrapper.

29. The said Duty of Threepence by this Act chargeable on a Pack of Cards shall be denoted on the Wrapper of every Pack, which Wrapper the Commissioners of Inland Revenue shall provide with such Stamp or Device or Devices thereon for denoting the said Duty as they shall think fit; and the said Commissioners shall supply to any Person who shall be a Maker of Cards, and shall as such have a Licence in force for selling Cards, with any Quantities of such Wrappers on Payment of the Duties for the same, or at their Discretion shall stamp, to denote the said Duty, the Wrappers of licensed Makers of Cards, which when so stamped shall be deemed to be Wrappers provided by the said Commissioners in pursuance of this Act; and no Cards shall be sold otherwise than in separate Packs, each Pack being enclosed in a Wrapper, the Stamp on which shall be at all Times uncovered and open to view, and which shall be securely fastened round or over the same by means of Wheat Flour Paste, or some other firmly adhesive Substance to be approved by the said Commissioners, and so and in such Manner that the Wrapper cannot be opened, or the Cards taken out without the Wrapper being destroyed; and if the Wrapper used by any Maker of Cards for enclosing any Cards sold by him shall not be fastened with proper and sufficient adhesive Substance as aforesaid, or *bonâ fide* in a secure Manner, and with the Stamp thereon open to view, according to the true Intent and Meaning of this Act, such Cards shall be deemed to be not enclosed in a Wrapper provided by the said Commissioners under this Act; and such Maker, and also any other Person selling such Cards, shall be subject and liable to the Penalties imposed by this Act for selling Cards not enclosed in Wrappers.

Cards to be sold in separate Packs enclosed in Wrappers.

Licences to sell Cards to be granted.

30. The Commissioners of Inland Revenue, or any of their Officers authorized by them, shall grant to any Person who shall apply for it a Licence to sell Cards at any House to be specified therein, on Payment of the Duty for the same; every such Licence shall continue in force from the Day on which the same shall be granted until and upon the First Day of *September* then next following, and no longer.

Selling Cards without Licence, Penalty 20*l.*

Hawkers of Cards may be apprehended and taken before a Justice.

31. If any Person shall sell or offer for Sale any Cards without having a Licence in force for the same granted under this Act he shall forfeit Twenty Pounds; and any Person who shall sell Cards at any House or Place not specified in a Licence granted to him shall be deemed to be a Person selling Cards without having a Licence; and any Person who shall be found hawking or carrying about for Sale any Cards, whether enclosed in a stamped Wrapper or not, and who shall sell the same or offer the same for Sale at any Place for which he shall have no Licence, may be apprehended by any Constable or Officer of Inland Revenue, and taken before any Justice of the Peace, who shall hear and determine the Matter, and if upon Conviction of such Offence the Offender shall not immediately pay the Penalty in which he shall be convicted, he shall be committed to Prison for any Period not exceeding Three Months nor less than One Month, unless the Penalty shall be sooner paid; and all Cards which he shall be found trading with or carrying about shall be forfeited, and delivered up to the Commissioners to be dealt with as Cards forfeited under this Act.

Penalty on selling Cards without stamped Wrappers.

32. If any Maker of Cards shall remove or send or deliver out any Cards from his House or Premises, or the House or Place in which they were made or completed (except for Exportation as allowed by this Act), the same not being in Packs enclosed in Wrappers in manner aforesaid, or if any Person, whether a Maker of Cards or not, and whether licensed or not, shall sell any Cards, not being a Pack of Cards enclosed in a Wrapper as by this Act is required, he shall forfeit, if he be a Maker of Cards, the Sum of One hundred Pounds, and if he be not a Maker of Cards, the Sum of Twenty Pounds; and moreover,

moreover, for every Pack of Cards which any such Person shall sell or send or deliver out not enclosed in a Wrapper as aforesaid, he shall forfeit the further Sum of Five Pounds; and all Cards found in any House or Place whatever (except on the Premises of a licensed Maker specified in his Licence) which shall be kept or intended for Sale, or which shall be found on the Premises or in the Possession of any Person who shall sell Cards, and which shall not be in separate Packs enclosed in Wrappers as aforesaid, shall be forfeited; and the same, and also all Wrappers found in any House or Place whatsoever which shall have been used for enclosing Cards, and removed or got off therefrom, may be taken and carried away by any Officer of Inland Revenue, and be destroyed or otherwise disposed of as the Commissioners shall direct; and for the Purposes of such Seizure it shall be lawful for any such Officer, under the Authority of a Warrant for that Purpose specially granted by any Two of the Commissioners or any Justice of the Peace, to enter in the Daytime any House or Place in which there shall be Reason to suspect that any Cards not enclosed in stamped Wrappers, or any Wrappers that have been used as aforesaid, are deposited or kept, and to search for the same; and if necessary, such Officer may break open the Door of any Room or Closet, or any Box, Trunk, or Case in which any such Cards or Wrappers are suspected to be contained; and all Cards so found shall be deemed to be kept and intended for Sale, unless the contrary shall be proved. Unstamped Cards to be forfeited.

33. Upon the Wrapper of every Pack of Cards sold or sent or delivered out by any Maker of Cards there shall be printed his Name and the Place at which he shall be licensed to sell Cards in manner to be approved by the said Commissioners, but, except as is provided by the next succeeding Section, no Cards shall be sold or sent or delivered out by any Maker the Stamp upon the Wrapper of which shall be cancelled or defaced, or in any way damaged or injured; and for every Pack of Cards sold or sent or delivered out by any Maker of Cards, on the Wrapper of which shall not be printed as hereby required such Name and Place, or, except as aforesaid, the Stamp on which Wrapper shall be cancelled or in any way defaced, damaged, or injured, he shall forfeit the Sum of Five Pounds; and Cards enclosed in a Wrapper having the Name of a Maker thereon, or otherwise purporting to be made by him, shall be deemed to have been made by him, unless the contrary shall appear. Name of Maker, &c. to be printed on the Wrapper.

34. Every Person who shall sell Cards, other than a Maker of or Dealer in Cards selling by Wholesale to Persons who buy to sell again, shall, before he shall deliver or send out a Pack of Cards on the Sale thereof, cancel the Stamp on the Wrapper denoting the Duty by this Act charged on a Pack of Cards by writing or impressing in Ink his Name upon such Stamp, or in default thereof he shall forfeit the Sum of Five Pounds. The Seller of Cards to cancel the Stamp on the Wrapper.

35. If any Person shall remove or get off or aid or assist in removing or getting off from any Pack of Cards any Wrapper which shall have been used for enclosing the same, with Intent that such Wrapper shall be again used for enclosing any other Cards; or shall use any Wrapper so removed or got off for enclosing any such other Cards; or shall sell or utter any such last-mentioned Wrapper, or any Cards enclosed therein, knowing the said Wrapper to have been so removed or got off as aforesaid; or shall knowingly have in his Possession or on his Premises any Wrapper which shall have been so removed or got off, with Intent that the same might be used for enclosing other Cards; or shall be guilty of any fraudulent Act, Contrivance, or Device whatever relating to the Duty by this Act chargeable in respect of Cards, he shall forfeit the Sum of Twenty Pounds; and it shall be lawful for the said Commissioners to refuse to grant Licence to sell Cards to any Person who shall have been convicted of any such Offence. Frauds relating to Wrappers, &c. Penalty 20*l.*

36. Provided, That Cards in Packs, each Pack containing an Ace of Spades duly stamped under the said Act of the Ninth Year of King *George* the Fourth, and also Cards duly imported, enclosed in Wrappers according to the Act of the Sixteenth and Seventeenth Years of Her present Majesty, Chapter One hundred and seven, may lawfully be sold as if this Act had not been made; and provided that it shall be lawful for any Person possessed of Cards previously sold and opened, used and played with, to sell the same to any licensed Maker of Cards without having a Licence for selling Cards, and without such Cards being enclosed in a Wrapper provided under this Act; and if any such Cards shall be afterwards sold or sent or delivered out by the said Maker, they shall be subject to all the Provisions of this Act, and for the Purposes of this Act such Maker shall be deemed to be the Maker of such Cards; and provided that this Act shall not extend to charge with stamp Duty *bonâ fide* Toy Cards not exceeding in Length One Inch and Three Quarters, or in Width One Inch and a Quarter. What Cards may be sold without Wrappers. Second-hand Cards.

37. Provided also, That any licensed Maker of Cards who shall have given Security as herein-after required may export Cards, made by him on the Premises specified in his Licence, to the *Isle of Man* or to Foreign Parts without being enclosed in Wrappers provided under this Act, under the Conditions and Provisions herein-after mentioned; that is to say, before any Cards intended for Exportation shall be removed from the Premises of the licensed Maker, Notice of the Intention to export them shall be given by the Maker to the said Commissioners, or to some Officer of Inland Revenue authorized to receive the same, at the Chief Office in *London*, or at the Place at which the Maker shall be licensed, specifying the Quantity of Packs and the Description of the Cards to be exported, the Ports or Places from and to which respectively, and the Name of the Ship or Vessel in which the Cards are to be exported; and the said Commissioners or Officer shall issue to the Maker a Certificate, in such Form as the Commissioners shall approve, authorizing the Removal and Exportation of the Cards in conformity Unstamped Cards may be exported.

mity with the Notice, and thereupon the Cards may be removed from the Premises of the Maker, and shall be deposited on board the said Ship or Vessel within a certain Period to be specified in the Certificate, not exceeding in any Case Seven Days from the Date thereof; and if the said Cards or any of them shall be found at any Place whatever within the United Kingdom after the Expiration of such Period, or at any Place other than the Port or Place of Exportation, or in Transit thereto, before the Expiration thereof, or at any Place and at any Time not accompanied by such Certificate, the same shall be forfeited, and may be seized by any Officer of Inland Revenue, and disposed of as by this Act is provided as to Cards forfeited: Provided, that before any Maker of Cards shall be permitted to export Cards not enclosed in Wrappers under this Act, he shall give Bond to Her Majesty in the Penalty of Five hundred Pounds, with One or more Sureties to the Satisfaction of the Commissioners, conditioned for the due Exportation, in conformity with the Provisions of this Act, of all Cards which he shall be authorized to export, which Bond, and the Condition thereof, shall be in such Form and Terms as the Commissioners shall require.

Penalty for making unstamped Bonds.

38. If any Person shall make, issue, deliver, assign, transfer, or negotiate in the United Kingdom, any Bond, Debenture, or other Security by this Act chargeable with Stamp Duty, or shall pay any Interest or Dividend accrued due in respect of any such Instrument, before the same shall be duly stamped for denoting the said Duty, he shall forfeit the Sum of Twenty Pounds.

For Probate Duty, Bond Debts to be Assets, as if they were Simple Contract Debts.

39. For the Purposes of the Stamp Duties on Probates of Wills and Letters of Administration, Debts and Sums of Money due and owing from Persons in the United Kingdom to any deceased Person at the Time of his Death on Obligation or other Specialty, shall be Estate and Effects of the Deceased, within the Jurisdiction of Her Majesty's Court of Probate in *England* or *Ireland*, as the Case may be, in which the same would be if they were Debts owing to the Deceased upon Simple Contract, without regard to the Place where the Obligation or Specialty shall be at the Time of the Death of the Deceased.

Licences to Hawkers with One Horse reduced.

All Licences to Hawkers may be half-yearly.

40. The Stamp Duty of Eight Pounds now payable for a yearly Licence to be taken out by a Hawker, Pedlar, and Petty Chapman in *Great Britain*, to travel and trade with One Horse only, exceeding in Height Thirteen Hands, shall be and the same is hereby reduced to the Sum of Four Pounds; and any Licence to be hereafter taken out by a Hawker, Pedlar, and Petty Chapman in *Great Britain* may be granted for a Period not exceeding Six Months on Payment only of One Half the Amount payable for a yearly Licence for the same Purpose: Provided that any such Licence shall continue in force until and upon the Thirty-first Day of *January* or the Thirty-first Day of *July*, as the Case may be, next following the Date thereof, and no longer.

Recovery of Penalties.

41. All Penalties imposed by this Act relating to Stamp Duty may be proceeded for and recovered for the Use of Her Majesty in the same Manner, and in the Case of Summary Proceedings with the like Power of Appeal, as any Penalty may be proceeded for and recovered under any Act relating to the Excise Revenue.

The Sums assessed under Schedules (A.) and (B.) for Year 1861 to be taken as assessed for 1862.

42. The Sum charged as the annual Value or Amount of any Property, Profits, or Gains in the several and respective Assessments made in pursuance of the Act passed in the Twenty-fourth Year of Her Majesty's Reign, Chapter Twenty, under Schedules (A.) and (B.) respectively of the Act passed in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Thirty-four, and the Duty charged in respect of such annual Value or Amount by the said Assessments for the Year ended on the Fifth Day of *April* One thousand eight hundred and sixty-two, shall (except as to Railways and otherwise as provided by the Acts relating to Income Tax) be taken as the annual Value or Amount of such Property, Profits, or Gains, and as the Duty payable in respect thereof respectively for the Year commencing on the Sixth Day of *April* One thousand eight hundred and sixty-two; and the respective Assessments made under the said Schedules respectively for the said Year ended on the Fifth Day of *April* One thousand eight hundred and sixty-two, except as aforesaid, shall, for the Purposes of this Act, be deemed and taken to be Assessments made for the Year commencing on the Sixth Day of *April* One thousand eight hundred and sixty-two; and the Commissioners executing the Income Tax Acts shall, for each Place within their several and respective Districts, cause Duplicates of the said Assessments so made payable for the said last-mentioned Year to be made out and delivered, together with Warrants for collecting the same, and in *England* the said Commissioners shall appoint such Persons, being Inhabitants of the Place to which the Duplicate shall relate, as they the said Commissioners shall think fit, to be Collectors of the Duties thereby charged, in like Manner as if such Persons had been presented to them by Assessors under the Acts now in force; and such Duties shall be collected, levied, and paid for the said Year commencing on the Sixth Day of *April* One thousand eight hundred and sixty-two, subject nevertheless to be increased in like Manner as the Assessments made for the Year ended on the Fifth Day of *April* One thousand eight hundred and sixty-two, and subject also to be abated or discharged at the End of the Year commencing on the Sixth Day of *April* One thousand eight hundred and sixty-two, for any Cause allowed by the said Acts: Provided that whenever it shall appear that any Property, Profits, or Gains chargeable under this Act have not been charged by the Assessments made for the Year ended on the Fifth Day of *April* One thousand eight hundred and sixty-two such Property, Profits, and Gains shall be assessed to the Duties granted by this Act under the Provisions of the said several Acts applicable thereto.

43. 'And

Persons intrusted with the Payment of Dividends, &c. since 5th April 1862, and before the passing of this Act, to make Returns thereof.

43. 'And whereas, since the Fifth Day of *April* now last past, and before the passing of this Act, 'divers Dividends, Annuities, and Shares of Annuities, and Interest on Loans and on Bonds, 'Debentures, and other Securities directed by the Acts relating to the Income Tax in force on the said 'last-mentioned Day to be assessed under Schedules (C.) and (D.) respectively of the said Acts, 'have become due and payable, and by reason of the Expiration of the said Acts before the passing 'of this Act have not been assessed and charged with the said Tax; and it is expedient to provide 'for the Assessment thereof with the Rates and Duties of Income Tax granted by this Act, and for the 'Collection of the Sums assessed from the Persons respectively to whom such Dividends, Annuities, 'Shares, and Interest have been paid, or who are entitled thereto, or otherwise, as herein-after 'mentioned:' Be it enacted, That all Persons respectively intrusted with the Payment of any such Dividends, Annuities, Shares, or Interest as aforesaid, or who have paid the same, either as Agent or otherwise, shall, within One Calendar Month next after the passing of this Act, deliver or cause to be delivered to the Commissioners for Special Purposes, at the Head Office of Inland Revenue at *Somerset House* in the City of *Westminster*, an Account in Writing, duly authenticated and signed by such Persons respectively, containing a Description of all such Dividends, Annuities, Shares, and Interest intrusted to them for Payment, which have become due or payable since the Fifth Day of *April* last, and also a true and perfect Account of the Names and Residences of the several Persons to whom the same have become due or payable, and the several Sums which have been so paid to them, or to which they have become entitled respectively, specifying in such Account the Sums (if any) deducted or retained by the Persons intrusted with such Payment as aforesaid in respect of Income Tax, to become chargeable thereon by the Authority of Parliament in this present Session; and the said Commissioners for Special Purposes shall make Assessments thereon respectively, under Schedules (C.) and (D.) respectively of the Acts relating to the Income Tax, of the Rates and Duties of Income Tax granted by this Act; that is to say, they shall make Assessments in respect of so much of such Dividends, Annuities, Shares, or Interest as may not have been actually paid to the Persons entitled thereto, and also in respect of so much thereof as shall have been paid to such Persons, but in respect whereof the Duty chargeable by this Act shall have been retained as aforesaid, in like Manner as if this Act had been in force on the Sixth Day of *April* One thousand eight hundred and sixty-two, and the Duty so assessed shall be paid into the Bank of *England* in manner directed by the said Acts in such Cases; and in respect of so much of the said Dividends, Annuities, Shares, or Interest as shall have been paid to the Persons entitled thereto, the Duty whereon shall not have been deducted, they shall make Assessments on such Persons, and the Duty so assessed as last aforesaid shall be paid to the Receiver General of Inland Revenue by the several Persons who shall have received or are entitled to such Dividends, Annuities, Shares, and Interest respectively; and in default of such Payment the Sums so assessed shall be recoverable from the said last-mentioned Persons, and shall be collected and levied in like Manner as any other Assessments made by the said Commissioners are or may be by Law directed or authorized to be recovered, collected, or levied: Provided always, that if any Sum so assessed shall not be so paid, recovered, or collected by or from any Person chargeable therewith, and such Person shall at any Time hereafter become entitled to any further Payment of the like Dividends, Annuities, Shares, or Interest, the Person intrusted with the Payment thereof as aforesaid shall, on Notice and Requisition from the said Commissioners in that Behalf, deduct and retain from and out of such further Payment any such Sum assessed and remaining unpaid as aforesaid, as well as any further Assessment chargeable in respect of such further Payment of the said Dividends, Shares, Annuities, or Interest; and the Person deducting and retaining any such Sum of Money assessed as aforesaid shall pay the same into the Bank of *England* to the Account of the said Receiver General in like Manner as he is by any Act relating to the Income Tax required or directed to pay over any other Sums of Money deducted or retained by him for Income Tax; and if any Person intrusted with the Payment of, or who hath paid any such Dividends, Annuities, Shares, or Interest as aforesaid, either as Agent or otherwise, shall neglect or refuse to do any Act hereby required or directed to be done or performed by him, he shall forfeit the Sum of One hundred Pounds.

Dividends, &c. due since 5th April 1862 to be assessed by Special Commissioners.

Assessors not to be appointed for Duties under Schedules (A.) and (B.)

44. No Assessors shall be appointed for the Duties payable under the said Schedules (A.) and (B.) of the said Act passed in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Thirty-four: Provided that the Inspectors or Surveyors of Taxes shall act as Assessors in respect of such Duties whenever it shall be necessary; and as regards the Duties which shall be collected under the said Schedules (A.) and (B.) in lieu of the Poundage granted by the One hundred and eighty-third Section of the Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, to be divided between the Assessors and Collectors, there shall be paid a Poundage of Three Halfpence to the Collectors.

Power to appoint more than Two Collectors of Income Tax and Assessed Taxes for each Parish.

45. 'And whereas, owing to the Increase of Population and in the Value of Property in divers 'Parishes and Places in *England*, it is necessary for the due and proper Collection of the Income Tax 'and Assessed Taxes respectively that more than Two Collectors of the said respective Taxes should 'be appointed for each of such Parishes or Places:' Be it enacted, That it shall be lawful for the Commissioners executing the Acts relating to the said respective Taxes in their respective Districts, and they are hereby authorized and required, to appoint such Number of Persons to be Collectors of the several

several and respective Taxes or any of them in each such Parish or Place as the said Commissioners may deem necessary for the due and proper Collection of the said Taxes respectively, and all such Collectors shall have the same Powers and Authorities, and shall be subject to the like Rules, Regulations, and Penalties, as any Collectors appointed under the Provisions of the Acts now in force.

SCHEDULES.

SCHEDULE (A.)

Containing the RATES and DUTIES of CUSTOMS granted, and the DRAWBACKS allowed on the following ARTICLES, by this ACT.

Duties now charged on Tea, Sugar, &c. continued until 1st July 1863.

The Duties of Customs now charged on the Articles next mentioned shall continue to be levied and charged, on and after the First Day of July One thousand eight hundred and sixty-two until the First Day of July One thousand eight hundred and sixty-three, on Importation into Great Britain and Ireland; that is to say,

		£	s.	d.
Tea (without any Allowance for Draft)	the lb.	0	1	5
SUGAR, and Articles composed thereof, or sweetened therewith; viz :—				
Candy, Brown or White, Refined Sugar, or Sugar rendered by any Process equal in Quality thereto	the Cwt.	0	18	4
White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being Refined or equal in Quality to Refined	the Cwt.	0	16	0
Yellow Muscovado and Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality to Yellow Muscovado or Brown Clayed, and not equal to White Clayed	the Cwt.	0	13	10
Brown Muscovado or any other Sugar, not being equal in Quality to Yellow Muscovado or Brown Clayed Sugar	the Cwt.	0	12	8
Cane Juice	the Cwt.	0	10	4
Molasses	the Cwt.	0	5	0
Almonds, Paste of Cherries, dried Comfits, dry Confectionery Ginger, preserved Marmalade Plums, preserved in Sugar Succades, including all Fruits and Vegetables preserved in Sugar, not otherwise enumerated	each the lb.	0	0	2

The following Drawbacks on the several Descriptions of Refined Sugar herein-after mentioned shall continue to be allowed on and after the First Day of July One thousand eight hundred and sixty-two until the First Day of July One thousand eight hundred and sixty-three, on Exportation from Great Britain and Ireland to Foreign Parts, or on Removal to the Isle of Man for Consumption therein, or on Deposit thereof in any approved Warehouse, upon such Terms and subject to such Regulations as the Commissioners of Customs may direct, for Delivery from such Warehouse as Ship's Stores only, or for the Purpose of sweetening British Spirits in Bond; that is to say,

	£	s.	d.
Upon Refined Sugar, in Loaf, complete or whole, or Lumps duly refined, having been perfectly clarified and thoroughly dried in the Stove, and being of an uniform Whiteness throughout, or Sugar Candy, or Sugar refined by the Centrifugal Machine, or by any other Process, and not in any way inferior to the Export Standard No. 3 approved by the Lords of the Treasury for every Cwt.	0	17	2
Upon such Refined Sugar already described, if pounded, crushed, or broken in a Warehouse approved by the Commissioners of Customs, such Sugar having been there first inspected by the Officers of Customs in Lumps or Loaves, as if for immediate Shipment, and then packed for Exportation in the Presence of such Officers, and at the Expense of the Exporters for every Cwt.	0	17	2
Upon Refined Sugar unstoved, pounded, crushed, or broken, and not in any way inferior to the Export Standard Sample No. 1 approved by the Lords of the Treasury, and which shall not contain more than 5 per Centum Moisture over and above what the same would contain, if thoroughly dried in the Stove for every Cwt.	0	16	4
Upon Bastard or Refined Sugar, unstoved, broken in Pieces, or being ground, powdered, or crushed, not in any way inferior to the Export Standard Sample No. 2, approved by the Lords of the Treasury for every Cwt.	0	15	1
Upon Bastard or Refined Sugar being inferior in Quality to the said Export Standard Sample No. 2. for every Cwt.	0	12	8

In

Customs and Inland Revenue.

In lieu of the Duties of Customs now charged on the Articles under-mentioned, the following Duties of Customs shall be charged thereon, on Importation into Great Britain and Ireland on and after the Fourth Day of April One thousand eight hundred and sixty-two:

	Containing less than the following Rates of Proof Spirit, verified by Sykes' Hydrometer, viz.,		If imported in Bottles and containing less than 42 Degrees.
	26 Degrees.	42 Degrees.	
	s. d.	*s. d.*	*s. d.*
Wine, Red - - - - - the Gallon -	1 0	2 6	2 6
Ditto, White - - - - - „ -	1 0	2 6	2 6
Lees of such Wine - - - - - „ -	1 0	2 6	2 6

And for every Degree of Strength beyond the highest above specified, an additional Duty of Threepence per Gallon.

No more than Ten per Cent. of Proof Spirit shall be used in the fortifying of any Wine in Bond; nor shall any Wine be fortified in Bond to a greater Degree of Strength than Forty per Cent. of such Proof Spirit.

In lieu of the Duties of Customs now charged on the Articles under-mentioned, the following Duties of Customs shall be charged thereon on Importation into Great Britain and Ireland, from and after the First Day of September One thousand eight hundred and sixty-two, viz.:—

	£ *s. d.*
Cards, viz.:	
Playing Cards, the Dozen Packs - - - - - - - -	0 3 9

SCHEDULE (B.)

Containing the DUTIES and DRAWBACK of EXCISE granted and allowed respectively by this Act.

Duties on Licences to Brewers of Beer for Sale, to be taken out on and after the Eleventh Day of October One thousand eight hundred and sixty-two.

	£ *s. d.*
For and upon every Licence to be taken out yearly by any Brewer of Beer for Sale—	
If the Quantity of Beer brewed by such Brewer within the Year ending the Tenth Day of October next preceding the taking out of such Licence, shall not exceed Twenty Barrels, the Duty of - - - - - - - - -	0 12 6
And if the same shall exceed Twenty Barrels and not exceed Fifty Barrels, the Duty of - - - - - - - - - - -	1 7 6
And if the same shall exceed Fifty Barrels - - - - - - -	2 0 0
And if the same shall exceed One hundred Barrels and shall not exceed One thousand Barrels then for every Fifty Barrels, and for any fractional Part or Number of an entire Quantity of Fifty Barrels, over and above the First One hundred Barrels, the additional Duty of - - - - - - - - - -	0 15 0
And if the same shall exceed One thousand Barrels, and shall not exceed Fifty thousand Barrels, then in addition to the Duty chargeable in respect of One thousand Barrels, there shall be charged for every Fifty Barrels, and for any fractional Part or Number of an entire Quantity of Fifty Barrels, over and above One thousand Barrels, the further Duty of - - - - - - - - -	0 14 0
And if the same shall exceed Fifty thousand Barrels, then in addition to the Duty chargeable in respect of Fifty thousand Barrels, there shall be charged for every Fifty Barrels, and for any fractional Part or Number of an entire Quantity of Fifty Barrels over and above Fifty thousand Barrels, the further Duty of - -	0 12 6
And for and upon every Licence to be taken out by any Person who shall first become a Brewer of Beer for Sale, the Duty of - - - - - - -	0 12 6

And there shall be charged upon and payable by the said last-mentioned Person in respect of such Licence such further additional Sum as, with the said Duty of Twelve Shillings and Sixpence, shall amount to the Duty chargeable on a Licence in respect of the like Number of Barrels of Beer brewed by him during the Existence of the Licence granted to him; and the said additional Charge shall be paid within Ten Days next after the Expiration of the said Licence.

The Duties aforesaid to be in lieu of the Duties now chargeable on Licences to be taken out by Brewers of Beer for Sale.

	£	s.	d.
On a Victualler's occasional Licence; that is to say,			
For and upon every occasional Licence to be granted to any Person who shall be duly authorized to keep a common Inn, Alehouse, or Victualling House, and licensed to sell therein Beer, Spirits, Wine, or Tobacco, to sell the like Articles for which he shall be so licensed at any such other Place, and for and during such Space or Period of Time not exceeding Three Days as shall be specified in such occasional Licence, the Sum of - - - - - - - - -	0	5	0
Drawback on Beer exported; that is to say,			
For and in respect of every Barrel of Thirty-six Gallons, and so in proportion for any greater Quantity of Beer brewed or made by any entered or licensed Brewer of Beer for Sale in the United Kingdom, which, on or after the Eleventh Day of October One thousand eight hundred and sixty-two shall be exported to Foreign Parts as Merchandise, the Sum of Threepence, in addition to any Drawback now payable by Law on Beer exported.			

SCHEDULE (C.)

Containing the STAMP DUTIES imposed by this Act.

	£	s.	d.
For and in respect of every Pack of Playing Cards made fit for Sale or Use in the United Kingdom, the Duty of - - - - - - - -	0	0	3
For and upon every Licence to be taken out annually by any Person who shall sell Playing Cards in the United Kingdom,			
If he be a Maker of Playing Cards, the Duty of - - - -	1	0	0
If he be not a Maker of Playing Cards, the Duty of - - - -	0	2	6
Upon and in respect of any Bond, Debenture, or other Security for Money, by whatever Name it shall be called, made in the United Kingdom or elsewhere, by or on behalf of any Foreign or Colonial Government, State, or Company, and bearing Date or signed after the passing of this Act (not being a Bill of Exchange or Promissory Note chargeable as such with Stamp Duty, nor being an Instrument already chargeable with the same Duty as a Bond, or for which a Composition in lieu thereof is payable) which shall be issued, delivered, assigned, transferred, or negotiated within the United Kingdom - - - - - -	The same Stamp Duty as is chargeable on a Bond made in the United Kingdom, for securing the Payment of the like Amount of Money.		
Provided that this shall not extend to charge with Stamp Duty any Instrument bonâ fide made and issued at any Place out of the United Kingdom as a Security for the Repayment of Money raised or procured on Loan in Foreign Parts, and not lent or advanced by any Person resident in the United Kingdom, and the Interest whereon shall not be paid within the United Kingdom.			

SCHEDULE (D.)

Containing the RATES and DUTIES of INCOME TAX granted by this Act.

For One Year commencing on the Sixth Day of April One thousand eight hundred and sixty-two, for and in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act passed in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Thirty-four, for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, the following Rates and Duties; that is to say,

For every Twenty Shillings of the annual Value or Amount of all such Property, Profits, and Gains (except those chargeable under Schedule (B.) of the said Act), the Rate or Duty of Ninepence:

And for and in respect of the Occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B.) of the said Act, for every Twenty Shillings of the annual Value thereof,—

In England, the Rate or Duty of Fourpence Halfpenny:

And in Scotland and Ireland respectively, the Rate or Duty of Threepence:

Subject to the Provision contained in the said Act, Sixteenth and Seventeenth Victoria, Chapter Thirty-four, Section Twenty-eight, for the Relief of Persons whose Incomes are under One hundred and fifty Pounds a Year respectively, from so much of the said Duties as shall exceed the Rate of Sixpence for every Twenty Shillings of their respective Profits and Gains, computed as in the said Enactment is mentioned, and subject also to the Provision therein contained for the Exemption of Persons whose Incomes from every Source shall be less than One hundred Pounds a Year respectively.

CAP. XXIII.

An Act to amend "The Summary Procedure on Bills of Exchange (*Ireland*) Act (1861)."

[3d *June* 1862.]

'WHEREAS it is, amongst other things, enacted by the Sixth Section of "The Summary Procedure on Bills of Exchange (*Ireland*) Act, 1861," that the Provisions of "The Common Law Procedure Amendment (*Ireland*) Act, 1853," shall, as far as the same are or may be made applicable, extend and apply to all Proceedings to be had or taken under the said "Summary Procedure on Bills of Exchange (*Ireland*) Act, 1861," and it is expedient to amend the said Sixth Section as herein-after provided:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 24 & 25 Vict. c. 43.

1. In all Actions upon Bills of Exchange or Promissory Notes commenced pursuant to the Provisions of "The Summary Procedure on Bills of Exchange (*Ireland*) Act, 1861," the Days for appearing and filing a Defence to the Writ of Summons and Plaint shall run in Vacation as well as in Term Time, without excepting the Days from the First Day of *August* to the Twentieth Day of *October* inclusive, notwithstanding the Provisions of "The Common Law Procedure (*Ireland*) Act, 1853." In Actions upon Bills of Exchange, &c. the Days for appearing, &c. to run in Vacation.

2. In all such Actions the Days from and including the First Day of *August* to the Twentieth Day of *October* inclusive in each Year shall be reckoned Days within which the Summons and Plaint and Defence should be filed, and on such Days such Summons and Plaint, or Defence, shall be filed and received, notwithstanding the Provisions of "The Common Law Procedure (*Ireland*) Act, 1853." As to filing Summons between 1st Aug. and 20th Oct.

3. This Act and the Summary Procedure on Bills of Exchange (*Ireland*) Act, 1861, shall be incorporated and construed together as One Act. This and recited Act to be as One.

4. This Act may be cited for all Purposes as "The Summary Procedure on Bills of Exchange (*Ireland*) Act, 1862." Short Title.

CAP. XXIV.

An Act to continue The Peace Preservation (*Ireland*) Act, 1856, as amended by the Act of the Twenty-third and Twenty-fourth Years of *Victoria*, Chapter One hundred and thirty-eight.

[30th *June* 1862.]

'WHEREAS an Act was passed in the Nineteenth and Twentieth Years of Her Majesty, Chapter Thirty-six, under the Name or Short Title of "The Peace Preservation (*Ireland*) Act, 1856:" 19 & 20 Vict. c. 36.

'And whereas by an Act passed in the Twenty-third and Twenty-fourth Years of Her Majesty, Chapter One hundred and Thirty-eight, the said recited Act was amended and further continued until the First Day of *July* One thousand eight hundred and sixty-two, and it is expedient that the said first-recited Act, as so amended, should be further continued for a limited Time:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 23 & 24 Vict. c. 138.

1. "The Peace Preservation (*Ireland*) Act, 1856," as the same is amended by the Act of the Twenty-third and Twenty-fourth Years of Her Majesty, Chapter One hundred and thirty-eight, shall continue in force until the First Day of *July* One thousand eight hundred and sixty-four, and until the End of the then next Session of Parliament. 19 & 20 Vict. c. 36., as amended by 23 & 24 Vict. c. 138., further continued.

CAP. XXV.

An Act to confirm certain Provisional Orders under the Local Government Act, 1858, relating to the Districts of *Hanley, Stroud, Ilfracombe, Longton, Halifax, Ipswich*, and *Sandown*.

[30th *June* 1862.]

'WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made certain Provisional Orders, which are contained in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament; and it is expedient that the said Orders should be so confirmed, and further Provision made in relation thereto:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The Provisional Orders contained in the Schedule hereunto annexed shall from and after the passing of this Act be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act. Provisional Orders in Schedule confirmed.

2. This

This Act incorporated with 21 & 22 Vict. c. 98.

2. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

3. In citing this Act in any other Act, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures, "The Local Government Supplemental Act, 1862."

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. HANLEY.—Transferring the Powers and Property of the Hanley Market Trustees to the Hanley Local Board.
2. STROUD.—Extending the Borrowing Powers of the Stroud Local Board of Health.
3. ILFRACOMBE.—Extending the Borrowing Powers of the Ilfracombe Local Board of Health.
4. LONGTON.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands otherwise than by Agreement for Market Improvements.
5. HALIFAX.—Putting in Force the Lands Clauses Consolidation Act, 1845, for the Purchase of Land by the Halifax Local Board of Health for Street Improvements.
6. IPSWICH.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase of Land by the Ipswich Local Board of Health for Street Improvements.
7. SANDOWN.—Repealing a Local Act in force within the District of the Sandown Local Board.

HANLEY.

Provisional Order for the Transfer of the Powers and Property of the Hanley Market Trustees to the Hanley Local Board.—Local Government Act, 1858.

Whereas the Local Government Act, 1858, has been duly adopted by the Mayor, Aldermen, and Burgesses of the Borough of Hanley, in the County of Stafford, and whereas the said Mayor, Aldermen, and Burgesses, acting as the Local Board within such Borough, under the provisions of the 77th section of the said Act, presented a Petition to the Right Honourable Sir George Cornewall Lewis, as one of Her Majesty's Principal Secretaries of State, praying that such provision may be made for the future execution, by the aforesaid Local Board, of a certain Local Act of Parliament in force within the District of such Borough, and intituled "An Act for establishing and regulating the Market, and "for enlarging and improving the Market Place at Hanley, in the County of Stafford" (53 Geo. 3. c. cxv.), that the powers and property now held and possessed by the Trustees under the aforesaid Local Market Act may be transferred to, and vested in, the said Mayor, Aldermen, and Burgesses, acting as such Local Board under the herein-before recited Local Government Act, 1858.

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the matters mentioned in the said Petition, and report has been made thereon to me, as one of Her Majesty's Principal Secretaries of State as aforesaid, by William Ranger, Esquire, the Inspector appointed for the purpose.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct,—

That, from and after the passing of any Act of Parliament confirming this Order—

1.—The powers, rights, authorities, duties, and liabilities of the Trustees for the time being, acting in execution of the aforesaid Local Market Act of the 53 Geo. 3. c. cxv. ("for establishing "and regulating the Market, and for enlarging and improving the Market Place at Hanley, in "the County of Stafford") shall cease; and the said powers, rights, authorities, duties and liabilities shall be transferred to the said Mayor, Aldermen, and Burgesses acting as such Local Board for the said Borough of Hanley, and the officers and servants of the said Local Board, and shall be exercised as if they had been granted or imposed by the said Local Government Act, 1858.

2.—All property and estate of the Trustees acting in the execution of the said Local Act shall be transferred to and become vested in the said Local Board, and shall, as near as circumstances will permit, be held by the said Local Board, except as herein-after provided, upon the same trusts, and for the same purposes, and with the same rights, powers, and privileges, as by such Trustees.

3.—All debts, monies, and securities for money contracted or payable or to become payable by such Trustees, shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith, if this Order had not been made; and shall be paid and satisfied by the said Local Board, as by such Trustees.

4.—Provided always, that if such property and estate be insufficient for that purpose, the deficiency shall be charged upon the rates leviable under the said Local Government Act, 1858, within the district of the said Local Board.

5.—Provided

5.—Provided also, that if such property and estate be more than sufficient, any surplus that may accrue shall be primarily applicable in or towards a Cattle Market and Slaughterhouses, if deemed expedient, and such increased Market Accommodation as may from Time to Time appear advisable. Provided also, that no part of the said surplus shall be applicable in or towards Expenses of Sewerage, or of ordinary Highway Repairs, except within the limits of the Market Place, or the approaches adjacent thereto.

6.—All expenses which shall be incurred by the said Local Board under the said Local Act, and which shall not be defrayed out of monies arising under such Local Act, shall be deemed to be expenses incurred by such Board under the Local Government Act, and shall be defrayed out of the rates under that Act (as the nature of the case may require); and the monies necessary to be raised for the purposes of such Local Act may be raised as under the said Local Government Act.

Given under my hand this Twenty-sixth day of April 1862. (Signed) G. GREY.

STROUD.

Provisional Order for extending the Borrowing Powers of the Stroud Local Board of Health.—Local Government Act, 1858.

Whereas the Public Health Act, 1848, has been duly applied to the area comprised within the boundaries of the Town of Stroud, in the County of Gloucester, as defined in the second section of the Local Act of 6 Geo. 4. c. 6.; and, under the provisions of the Public Health Supplemental Act, 1857, 20 Vict. cap. 3., the Commissioners for the time being acting in execution of the said Local Act "for "paving, lighting, watching, cleansing, regulating, and improving the Town of Stroud, in the county of "Gloucester," were appointed the Local Board of Health under the said Public Health Act.

And whereas the powers, authorities, and duties of the said Commissioners ceased from and after the passing of the aforesaid Public Health Supplemental Act, 1857, and were transferred to the said Local Board of Health, to be exercised as if they had been granted or imposed by the said Public Health Act; and all property and estate of the Commissioners acting in the execution of the said Local Act were also transferred to the said Local Board of Health, and all debts, monies, and securities for money contracted or payable, or to become payable by such Commissioners, were thenceforth to be satisfied by the said Local Board.

And whereas the said Commissioners had duly raised under the authority of their Local Act, sums of which Two thousand nine hundred pounds still remain due and payable; and the said Local Board of Health have since the passing of the aforesaid Public Health Supplemental Act, 1857, received sanction under the Local Government Act, 1858, and the Public Health Act, 1848, to borrow upon security of the rates of the aforesaid District of Stroud, sums amounting in the whole to thirteen thousand five hundred pounds to defray the expense of Works for the Drainage of and Supply of Water to the said District, and other works of a permanent nature under the aforesaid Acts; and whereas a further sum of One thousand six hundred pounds will be required to carry out and complete the said works and to carry out other works of a permanent nature, but such further sum, with the first herein-before mentioned sums, will exceed the assessable value for one year of the premises assessable under the said Acts within such District.

And whereas the said Board have now, under the authority of the 78th Section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to borrow for such works on mortgage of the rates leviable by the aforesaid Local Board of Health under the powers of the Public Health Act, 1848, and the Local Government Act, 1858, a sum not exceeding One thousand six hundred pounds beyond the sums herein-before mentioned, and making altogether an amount not exceeding Eighteen thousand pounds.

And whereas after due inquiry and report by Robert Rawlinson, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State, as aforesaid, I do hereby, by this Provisional Order, under my Hand, direct as follows:—

That, from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board of Health for the District of Stroud in the county of Gloucester shall have power and authority to borrow, for the execution and completion of the aforesaid works of a permanent nature within such District, and on mortgage of the rates leviable by them under the aforesaid Acts, any sum or sums which, together with the sums already sanctioned to be borrowed by the Local Board aforesaid, shall not exceed in the whole the sum of Eighteen thousand pounds; and to reborrow on mortgage of the said rates the whole or any part of the several aforesaid sums amounting in the whole to not more than Eighteen thousand pounds, the said sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing or reborrowing thereof.

Given under my hand this Twenty-fourth day of March 1862.

(Signed) G. GREY.

ILFRA-

ILFRACOMBE.

Provisional Order for extending the Borrowing Powers of the Ilfracombe Local Board of Health.—Local Government Act, 1858.

Whereas the Public Health Act, 1848, has been duly applied to the Parish of Ilfracombe in the County of Devon.

And whereas the Local Board of Health for the District of Ilfracombe so constituted have duly borrowed, under the Provisions of that Act and of the Local Government Act, 1858, sums, amounting in the whole to Thirteen thousand Pounds, to defray the expense of Works for the Drainage of and Supply of Water to the said District, and other works of a permanent nature under the aforesaid Acts; and whereas a further sum will be required to carry out and complete the said works and to carry out other works of a permanent nature, but such further sum, with the first herein-before mentioned sum, will exceed the assessable value for one year of the premises assessable under the said Acts within such District.

And whereas the said Board have now, under the authority of the 78th Section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to borrow for such works, on mortgage of the rates leviable by the aforesaid Local Board of Health under the powers of the Public Health Act, 1848, and the Local Government Act, 1858, a sum or sums which, with the amount already borrowed, shall not exceed in the whole one and a half years' assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed.

And whereas after due inquiry and report by William Ranger, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State, as aforesaid, I do hereby, by this Provisional Order, under my Hand, direct as follows:—

That, from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board of Health for the District of Ilfracombe in the county of Devon shall have power and authority to borrow or reborrow, for the execution and completion of the aforesaid works of a permanent nature within such District, and on mortgage of the rates leviable by them under the aforesaid Acts, a sum or sums which, together with the sums already sanctioned to be borrowed by the Local Board aforesaid, shall not exceed in the whole one and a half years' assessable value of the premises assessable under such Acts within the aforesaid District; the several aforesaid sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Twenty-fourth day of March 1862.

(Signed) G. GREY.

LONGTON.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of the Longton Local Board, for the Purchase of Land by the said Board for Market Improvements.—Local Government Act*, 1858.

Whereas portions of the Local Government Act, 1858, have been duly adopted by the Longton Board of Commissioners, acting under and by virtue of an Act intituled "An Act for establishing an "effective Police in Places within or adjoining to the District called the Staffordshire Potteries, and for "improving and cleansing the same, and better lighting Parts thereof;" and whereas the said portions of the aforesaid Local Government Act, 1858, have now the force of law within the district of Longton aforesaid; and whereas the said Longton Board of Commissioners as Local Board under such Act, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, duly adopted by them as aforesaid, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a Petition to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board to purchase a certain piece of land and certain buildings for the purpose of improving the market-place situate within their District.

And whereas the said Petition duly set forth the pieces of land and the buildings intended to be taken by such Board for such purpose, and the names of the owner, lessee, and occupier of the aforesaid land and buildings who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might with reference to such lands and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition, Her Majesty's Principal Secretary of State for the Home Department directed William Ranger, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon.

Now,

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order,—

1.—The Longton Board of Commissioners aforesaid, being the Local Board for the District of Longton, in the Parish of Stoke-upon-Trent, in the County of Stafford, shall be empowered to put in force, with reference to the lands referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my Hand this Twenty-fourth day of March 1862.

(Signed) G. GREY.

SCHEDULE referred to in the preceding Order.

The Pieces of Land and the Buildings proposed to be taken as described in the foregoing Order, are the following :—

Description of Lands, Messuages, Buildings, and Premises.	Owner or reputed Owner.	Lessee or Occupier, or reputed Lessee or Occupier.
Freehold messuage or tenement and premises in Market Lane, Longton, and used as a retail beer house, adjoining the Longton Market.	Felix Pratt Ford, of the Lawn, Stoke-upon-Trent.	Late in the occupation of Ralph Adams, but now unoccupied.

HALIFAX.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Halifax Local Board of Health, for the Purchase of Land by the said Board for Street Improvements.—Local Government Act, 1858.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Halifax, in the County of York, by the Council of the said Borough, being the Local Board of Health in and for the District of the said Borough, to which the Public Health Act, 1848, was duly applied by a Provisional Order of the General Board of Health, confirmed by "The Public Health Supplemental Act, 1851," (No. 3), have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase certain pieces of land and certain buildings for the purpose of widening, opening, enlarging, and improving certain streets and highways, in the said Borough, such land and buildings being all situate within the District of the said Local Board of Health.

And whereas the said Petition duly set forth in the Schedule annexed thereto the several pieces of land and the several buildings intended to be taken by such Board for such purpose, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such lands and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such petition, Her Majesty's Principal Secretary of State for the Home Department directed William Ranger, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the district aforesaid into the subject matter of such Petition, and has duly reported thereon.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That, from and after the passing of any Act of Parliament confirming this Order,

1.—The Mayor, Aldermen, and Burgesses of the Borough of Halifax, by the Council of the said Borough, being the Local Board of Health for the District of that Borough, shall be empowered to put in force, with reference to the lands referred to and described in the Schedule to this Order annexed, the Powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my Hand this Twenty-eighth day of March 1862.

(Signed) G. GREY.

SCHEDULE referred to in the preceding Order.

[*Lands and Buildings proposed to be taken.*]

IPSWICH.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Local Board of Health for the Borough of Ipswich, in the County of Suffolk, for the Purchase of Lands by the said Board for Street Improvements.—Local Government Act, 1858.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Ipswich, in the County of Suffolk, being the Local Board of Health in and for the District of the said Borough, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a Petition, under their Common Seal, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase certain pieces of land and certain buildings for the purpose of enabling them to alter and improve the street called King's Street in the said Borough.

And whereas the said Petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition, Her Majesty's Principal Secretary of State for the Home Department directed William Ranger, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That, from and after the passing of any Act of Parliament confirming this Order—

The Mayor, Aldermen, and Burgesses of the Borough of Ipswich, in the County of Suffolk, being the Local Board of Health for the said Borough, shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my Hand this Second day of April 1862.

(Signed) G. GREY.

SCHEDULE referred to in the preceding Order.

The Pieces of Land and the Premises proposed to be taken, as described in the foregoing Order, are the following:—

Property to be taken.	Owner.	Lessee.	Occupier.
A house, shop, yard, and hereditaments, with the appurtenances.	Richard Stinton Cole -	- - -	Richard Stinton Cole.
A house, workshop, and hereditaments, with the appurtenances.	The same - -	William Cudding, junior.	William Cudding, junior.

SANDOWN.

Provisional Order repealing a Local Act in force within the District of the Sandown Local Board.—Local Government Act, 1858.

Whereas the Local Board for the District of Sandown, in the Isle of Wight, in which District the Local Government Act, 1858, has been duly adopted, have, in pursuance of the said Act, presented a Petition to the Right Honourable Sir George Grey, as one of Her Majesty's Principal Secretaries of State, praying for the repeal of a certain Local Act of Parliament in force within the Isle of Wight aforesaid, so far as such Act affects the said District of Sandown, the said Act having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the Fifty-third year of the reign of King George the Third, intituled "An Act for amending the Roads and Highways in the Isle of Wight."

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the several matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such order can be valid without the confirmation of Parliament.

Now,

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The said Local Act shall be repealed so far as such Act affects the District of the aforesaid Local Board of Sandown.

Given under my Hand this Twenty-ninth day of April 1862.

(Signed) G. GREY.

CAP. XXVI.

An Act to extend the Power of making Statutes possessed by the University of *Oxford*, and to make further Provision for the Administration of Justice in the Court of the Chancellor of the said University. [30th *June* 1862.]

'WHEREAS it is expedient to extend the Powers of making Statutes possessed by the University of *Oxford*, and to make further Provision for the Administration of Justice in the Court of the Chancellor of the said University:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to University to make Regulations as to Professorships named in Schedule.

1. The University of *Oxford* may make Statutes for the Regulation of the Professorships specified in the Schedule annexed hereto in respect of the following Matters; that is to say,

1. The Functions and Duties of each of the Professors holding the said Professorships:
2. The Fees, if any, to be charged for Admittance to the Lectures of each Professor:
3. The Determination of the Periods during which each Professor is to reside in the University; the Authority in whom a Power of granting Leave of Absence is to be vested, and the Mode of enforcing the required Residence:
4. The Appointment of a temporary Substitute for each Professor, in case of his Illness or temporary Absence with Leave, and of a permanent Substitute in case of his being permanently incapacitated by old Age or Infirmity:
5. The Remuneration of any such temporary or permanent Substitute out of the Income of the Professor in whose Place he is substituted:
6. The Constitution of a Court or other Authority empowered to admonish and, if necessary, remove a Professor guilty of notable Negligence or Inefficiency in conducting the Duties of his Office, or of Immorality.

Power of University as to Professorships in Schedule.

2. The University may by Statute determine in respect of each of the Professorships specified in the said Schedule (other than the Professorship of Political Economy and the *Sherard* Professorship of Botany) how and by whom upon the Occasion of the next or any subsequent Avoidance of such Professorship the Professor is to be elected, and in the Case of the *Sherard* Professorship of Botany therein named the Professor shall be appointed by the President and Council for the Time being of the Royal College of Physicians of *London*; and the said University may, with Consent of the said President and Council of the College of Physicians, vary and define the Qualifications of Candidates for Election to the said *Sherard* Professorship.

Suppression of certain Professorships.

3. If at any Time hereafter a new Professorship of Political Economy, Chemistry, Geology, or Mineralogy is established in the University of *Oxford*, it shall be lawful for the University by Statute to suppress the existing Professorship of that Science for which Provision is made by a new Professorship, and after the Suppression of any Professorship authorized to be suppressed by this Section the annual Sum now payable by the University as a Salary to the Professor holding the suppressed Professorship shall be applied in promoting and assisting, by the Purchase of Materials or Apparatus, by the Support of Assistant Teachers, or by such other Means as the University may by Statute determine, the Study and Cultivation in the University of the Science which forms the Subject Matter of the suppressed Professorship: Provided that if the Professorship of Mineralogy is suppressed the annual Sum thereby rendered disposable may, if it be thought fit, be applied in manner aforesaid to the Promotion of the Study of Geology or any Branch thereof, and if the Professorship of Geology be suppressed the annual Sum may, if it be thought fit, be applied to the Promotion of the Study of Mineralogy or any Branch thereof.

Extension of Power of suppressing Professorships.

4. The Power hereby given to the University of suppressing any of the said Professorships of Political Economy, Chemistry, Geology, or Mineralogy may be exercised although the new Professorship substituted for any suppressed Professorship is a Professorship attached to a College, and established under a Statute of such College now in force, if the Functions and Duties of such new Professorship are subject to Regulation by the University, and are not confined to the Instruction of Members of the College.

Conditions may be annexed to certain Professorships.

5. The Election or Appointment of any Person who may be hereafter elected or appointed to any of the said Professorships of Political Economy, Chemistry, Geology, and Mineralogy may, if it be thought fit, be declared by Statute of the University to be subject to the Operation of any Statute for the Suppression of the Professorship that may afterwards be made or come into operation.

6. The

Variation of the Trusts of certain Scholarships.

6. The University may vary by Statute the Directions, Trusts, or Regulations relating to the *Kennicott* Scholarships, and to the *Johnson* Scholarships, and to the *Denyer* Theological Prizes, with a view of promoting the Study of Theology, Hebrew, and Mathematics respectively, and may for that Purpose, if it be deemed advisable, convert the *Denyer* Theological Prizes into a Theological Scholarship or Scholarships.

Approbation of Statutes by Her Majesty in Council.

7. Every Statute passed by the University by virtue of this Act shall with all convenient Speed after the passing thereof be laid before Her Majesty in Council, and forthwith published in the *London Gazette*, and any Person or Body Corporate affected thereby may within a Month after the Publication thereof petition Her Majesty in Council against the same or any Part thereof, and every such Petition shall be referred by Her Majesty by Order in Council for the Consideration and Advice of Five Members of Her Privy Council, of whom Two, not including the Lord President, shall be Members of the Judicial Committee, and such Five Members may, if they think fit, admit any Petitioner to be heard by Counsel in support of his Petition; and if, no such Petition having been presented, or if after any Petition so presented has been referred and considered, such Five Members of the Privy Council, or the major Part thereof, shall report to Her Majesty their Opinion that such Statute should be approved with or without Modifications, the said Statute or modified Statute shall be forthwith laid before both Houses of Parliament, if Parliament be then sitting, or if not, then within Three Weeks after the Commencement of the then next ensuing Session of Parliament, and unless an Address be within Forty Days presented by one or other of the said Houses, praying Her Majesty to withhold Her Consent from such Statute or modified Statute, or any Part thereof, it shall be lawful for Her Majesty, if She think fit, to declare by Order in Council Her Approbation of the Statute or modified Statute, and the same shall thereupon become a Statute of the University of *Oxford*, notwithstanding any Act of Parliament, Decree or Order, Deed or Instrument of Foundation or Endowment; and if the Statute or any Part thereof is not so approved by Her Majesty, the University may frame and pass another Statute in the Matter, and so on from Time to Time as often as Occasion requires.

Power of altering Statutes.

8. Every Statute made by the University by virtue of this Act shall be subject to Alteration or Repeal by the University, with the Approval of Her Majesty in Council.

Repeal of University Statutes.

9. Every Statute of the University made in pursuance of the said Act of the Seventeenth and Eighteenth Years of Her present Majesty Queen *Victoria*, Chapter Eighty-one, and intituled *An Act to make further Provision for the good Government and Extension of the University of* Oxford, *of the Colleges therein, and of the College of* Saint Mary, Winchester, which has been approved by Her Majesty in Council, shall from and after the passing of this Act be subject to Alteration and Repeal by the University, with the Approval of Her Majesty in Council.

Saving of Rights.

10. This Act shall not be construed to take away or affect any Power of making Statutes or Regulations now possessed by the University or by any College therein, nor shall it prejudice or affect any Interest vested in any Member of the University previously to the passing of this Act.

Interpretation of Terms.

11. In the Construction of this Act the Words "Professor" and "Professorship" respectively shall include Public Readers and Prælectors, and their several Offices.

Power to Vice Chancellor to make Rules for Regulation of his Court.

12. Section Forty-five of the said Act of the Session of the Seventeenth and Eighteenth Years of Her present Majesty shall be repealed, and in lieu thereof be it enacted, That the Vice Chancellor of the said University may from Time to Time, with the Approval of any Three of the Judges of Her Majesty's Superior Courts, make Rules for regulating the Practice and Forms of Procedure in all Proceedings within the Jurisdiction of the Court of the Chancellor of the said University commonly called the Vice Chancellor's Court, and may from Time to Time, with the like Approval, annul, alter, or add to any such Rules.

Short Title.

13. This Act may be cited for all Purposes as "The *Oxford* University Act, 1862."

SCHEDULE.

The Professorship of Political Economy.
The Readership in Experimental Philosophy.
The Sherard Professorship of Botany.
The Aldrich Professorship of Chemistry.
The Readership in Geology.
The Readership in Mineralogy.

CAP. XXVII.

An Act to authorize Payments for a further Period out of the Revenues of *India* in respect of the Retiring Pay, Pensions, and other Expenses of that Nature of Her Majesty's *British* Forces serving in *India*. [30th *June* 1862.]

24 & 25 Vict. c. 89.

'WHEREAS by an Act passed in the Session holden in the Twenty-fourth and Twenty-fifth Years of the Reign of Her present Majesty, Chapter Eighty-nine, intituled *An Act to increase the Amount payable out of the Revenues of* India *in respect of the Retiring Pay, Pensions, and other Expenses of that Nature of Her Majesty's* British *Forces serving in* India, after reciting that the

'Sum

'Sum of Sixty thousand Pounds therein mentioned to have been hitherto paid annually into the 'Receipt of Her Majesty's Exchequer out of the Territorial Revenues of the *East Indies*, in order to 'provide for the Charge incurred for Retiring Pay and Pensions and other Expenses of that Nature 'was insufficient, and that it was expedient that it should be increased, it was enacted, that from the 'Thirty-first Day of *March* One thousand eight hundred and sixty-one until the Thirty-first Day of 'March One thousand eight hundred and sixty-two there should be paid out of the Revenues of *India* 'to the Account of Her Majesty's Exchequer such Sum as therein mentioned, being the same as is 'herein required to be paid for a further limited Period: And whereas it is expedient that the Payment 'so made should be continued as herein-after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Future Charge on Revenues of India.

1. From the Thirty-first Day of *March* One thousand eight hundred and sixty-two until the Thirty-first Day of *March* One thousand eight hundred and sixty-seven there shall be paid annually out of the Revenues of *India*, to the Account of Her Majesty's Exchequer at the Bank of *England*, in respect of the above-mentioned Charge, a Sum calculated at the Rate of Three Pounds Ten Shillings *per* Head *per Annum* upon the Number of Her Majesty's *British* Forces chargeable upon the said Revenues of *India*, exclusive of the Number at the Depôts or on Passage, as shown by the Monthly Muster Rolls, the Payment to be made monthly, and to be calculated upon the Number shown in the last Monthly Muster Rolls received in *England* before each Month for which Payment is to be made.

CAP. XXVIII.

An Act to alter and amend the Universities (*Scotland*) Act in so far as relates to the Bequest of the late Doctor *Alexander Murray* in the University of *Aberdeen*. [30th *June* 1862.]

'WHEREAS Difficulties have arisen as to the Powers of the Commissioners under an Act of the 'Twenty-first and Twenty-second Years of the Reign of Her present Majesty, Chapter Eighty-'three, intituled *An Act to make Provision for the better Government and Discipline of the Univer-* 21 & 22 Vict. 'sities of Scotland, and improving and regulating the Course of Study therein; and for the Union of c. 83. 'the Two Universities and Colleges of Aberdeen, to alter or modify, under the Provisions of the said 'Act, the Conditions and Directions affecting the Bequest of the late Doctor *Alexander Murray* of 'Philadelphia, in the United States of *America*, of Date the Sixth Day of *September* One thousand 'seven hundred and ninety-three, whereby he gave and bequeathed certain Property to the Regents 'and Professors of the *King's College* of *Aberdeen*, now united with *Marischal College* as the 'University of *Aberdeen*, for certain Purposes in the said Bequest mentioned: And whereas it is 'expedient that the Powers of the said Commissioners in relation to the said Bequest should be clearly 'defined:' Be it therefore enacted and declared by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Commissioners to alter Conditions of Dr. Murray's Bequest.

1. It shall be lawful for the Commissioners under the said Act, at any Time prior to the First Day of *January* One thousand eight hundred and sixty-three, to alter or modify the Conditions and Directions affecting the Bequest of the said Doctor *Alexander Murray* in the University of *Aberdeen*, notwithstanding that the same may not have taken effect more than Fifty Years before the Date of the said Act.

CAP. XXIX.

An Act to amend and enlarge the Acts for the Improvement of Landed Property in *Ireland*. [30th *June* 1862.]

'WHEREAS an Act was passed in the Tenth Year of Her Majesty, intituled *An Act to facilitate* 10 & 11 Vict. 'the Improvement of Landed Property in* Ireland; and a further Act of the Twelfth and c. 32. 'Thirteenth Years of Her Majesty, Chapter Twenty-three, was passed "to authorize further Advances 12 & 13 Vict. '"of Money for the Improvement of Landed Property, and the Extension and Promotion of Drainage c. 23. '"and other Works of Public Utility in *Ireland*;" and a further Act of the Thirteenth and Fourteenth 13 & 14 Vict. 'Years of Her Majesty, Chapter Thirty-one, was passed "to authorize further Advances of Money for c. 31. '"Drainage and the Improvement of Landed Property in the United Kingdom, and to amend the Acts '"relating to such Advances;" and a further Act was passed in the Thirteenth and Fourteenth Years 13 & 14 Vict. 'of Her Majesty, Chapter One hundred and thirteen, "to authorize the Transfer of Loans for the c. 113. '"Improvement of Land in *Ireland* to other Land;" and a further Act was passed in the Fifteenth 15 & 16 Vict. 'and Sixteenth Years of Her Majesty, Chapter Thirty-four, "to extend the Act to facilitate the c. 34. '"Improvement of Landed Property in *Ireland*, and the Acts amending the same, to the Erection of '"Scutch Mills for Flax in *Ireland*;" and a further Act was passed in the Twenty-third Year of Her 23 & 24 Vict. 'Majesty, Chapter Nineteen, "to extend the Act to facilitate the Improvement of Landed Property in c. 19. '"*Ireland*, and the Acts amending the same, to the Erection of Dwellings for the Labouring Classes '"in *Ireland*;" and a further Act was passed in the Twenty-fourth and Twenty-fifth Years of Her 24 & 25 Vict. c. 34.

'Majesty,

'Majesty, Chapter Thirty-four, "to extend the Provisions of the Acts to facilitate the Improvement of '"Landed Property in *Ireland*, and to further provide for the Erection of Dwellings for the Labouring '"Poor in *Ireland*:" And whereas it is expedient to amend and enlarge the Provisions of the said 'recited Acts in the Manner herein-after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Commissioners of Public Works to make additional Loans.

1. That notwithstanding anything in the said Act of the Thirteenth and Fourteenth of Her Majesty, Chapter Thirty-one, to the contrary, it shall be lawful for the Commissioners of Public Works, with the Sanction of the Commissioners of Her Majesty's Treasury, to make Loans to any Owner of Land in *Ireland* under the Provisions and for the Purposes of the said recited Acts or any of them, of any Sum or Sums of Money not exceeding in the whole the Sum of Three thousand Pounds to any One Owner, in addition to and over and above any Sum or Sums of Money which the said Commissioners of Public Works may have heretofore advanced or are authorized to advance under the Powers and Provisions of the said recited Acts or any of them.

Power of Commissioners to make Loans by 24 & 25 Vict. c. 34. not affected.

2. Provided that nothing in this Act contained shall affect, lessen, or abridge the Power of the said Commissioners of Public Works to advance Money for the Erection of Dwellings for the Labouring Classes in *Ireland*, to the Amount specified in and by the said Act of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapter Thirty-four, as if this Act had not passed.

Time for Completion of Works extended.

3. It shall be lawful for the said Commissioners of Public Works to fix for the Completion of any Works for which Loans may be made under the said recited Acts and this Act such Period, and from Time to Time such further Period within Seven Years from the Date of the first Advance of any Loan under the said recited Acts or this Act, as the said Commissioners may think fit.

Recited Acts and this Act to be as One.

4. This Act and the said recited Acts shall be construed together as One Act.

Duration of Powers of Commissioners.

5. The Powers conferred by the First Section of this Act upon the Commissioners of Public Works shall be in force until the First Day of *January* One thousand eight hundred and sixty-four.

CAP. XXX.

An Act to amend an Act of the last Session for authorizing Advances of Money out of the Consolidated Fund for carrying on Public Works and Fisheries for Employment of the Poor, and for facilitating the Construction and Improvement of Harbours, and for other Purposes. [30th *June* 1862.]

24 & 25 Vict. c. 80.

'WHEREAS by an Act of the Twenty-fourth and Twenty-fifth Years of Her present Majesty, 'Chapter Eighty, the Commissioners of Her Majesty's Treasury of the United Kingdom of '*Great Britain* and *Ireland* are empowered to cause to be issued out of the Consolidated Fund of the 'United Kingdom of *Great Britain* and *Ireland*, or out of the growing Produce thereof, for the Pur- 'poses therein mentioned, a Sum not exceeding Three hundred and sixty thousand Pounds *per Annum* 'during the Five Years next ensuing the Fourth Day of *April* One thousand eight hundred and sixty- 'two, by quarterly Instalments, or Issues not exceeding Ninety thousand Pounds *per* Quarter, as 'therein mentioned, and for the Purpose of Loans under "The Harbours and Passing Tolls, &c. Act, '1861," a further Sum not exceeding Three hundred and fifty thousand Pounds *per Annum* during 'the Five Years next ensuing the passing of that Act, by quarterly Instalments or Issues not exceeding 'Eighty-seven thousand five hundred Pounds *per* Quarter, as therein mentioned: And whereas it is 'expedient to amend the said Act, and to provide that instead of making such Issues quarterly the 'same may be issued from Time to Time when and as the same or any Part thereof shall be actually 'required for the Purposes of Loans authorized by the said Act:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Instalments may be issued when required for Purposes of Loans under recited Act, instead of quarterly.

1. In case any or either of the said Instalments authorized by the said Act to be issued shall not be required by the Commissioners for carrying into execution the said Act to be issued quarterly, and shall not have been issued, it shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time, or at any Time after the Expiration of any such Quarter, to issue out of the growing Produce of the Consolidated Fund for the Purposes of the said Act all or such Part or Parts of the said respective quarterly Instalments which shall not have been previously issued as shall from Time to Time be required by the Commissioners for carrying into execution the said Act: Provided always, that nothing in this Act contained shall authorize the Issue of any larger Sum or Sums of Money in the whole than the aggregate Amount of the quarterly Instalments or Issues which under the Terms of the said recited Act may then have become due or issuable.

CAP. XXXI.

An Act to apply the Sum of Ten Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty-two. [7th *July* 1862.]

CAP. XXXII.

An Act to continue the Act of the Second and Third Years of *Victoria*, Chapter Seventy-four, for preventing the administering of unlawful Oaths in *Ireland*, as amended by an Act of the Eleventh and Twelfth Years of *Victoria*. [7th *July* 1862.]

'WHEREAS an Act was passed in the Fiftieth Year of His Majesty King *George* the Third, intituled '*An Act for the more effectually preventing the administering and taking of unlawful Oaths in* 50 G. 3. c. 102.
'Ireland; *and for the Protection of Magistrates and Witnesses in Criminal Cases:* And whereas the
'said Act was amended by an Act passed in the Fourth Year of His Majesty King *George* the Fourth, 4 G. 4. c. 87.
'Chapter Eighty-seven: And whereas the Provisions of the said last-mentioned Act were extended
'and rendered more effectual by an Act passed in the Session of Parliament holden in the Second and 2 & 3 Vict.
'Third Years of Her Majesty, Chapter Seventy-four: And whereas by an Act passed in the Session c. 74.
'of Parliament holden in the Seventh and Eighth Years of Her Majesty, Chapter Seventy-eight, the 7 & 8 Vict.
'said last-recited Act was continued for the further Period of One Year from the First Day of *Sep-* c. 78.
'*tember* in the Year One thousand eight hundred and forty-four: And whereas by an Act passed in
'the Session of Parliament holden in the Eighth and Ninth Years of Her Majesty, Chapter Fifty-five, 8 & 9 Vict.
'the said Act of the Second and Third Years of Her Majesty (subject to an Amendment in the said c. 55.
'Act of the Eighth and Ninth Years of Her Majesty contained) was continued in force for the further
'Period of Two Years from the First Day of *September* One thousand eight hundred and forty-five,
'and until the End of the then next Session of Parliament: And whereas by an Act of the Eleventh 11 & 12 Vict.
'and Twelfth Years of Her Majesty, Chapter Eighty-nine, the said last-mentioned Act was amended, c. 89.
'and further continued, as so amended, for Two Years from the Thirty-first Day of *August* One
'thousand eight hundred and forty-eight, and until the End of the then next Session of Parliament:
'And whereas by an Act of the Fourteenth and Fifteenth Years of Her Majesty, Chapter Forty- 14 & 15 Vict.
'eight, the said Act of the Second and Third Years of Her Majesty, as amended by the said Act c. 48.
'of the Eighth and Ninth Years of Her Majesty, and by the said Act of the Eleventh and Twelfth
'Years of Her Majesty, was further continued for Five Years from the First Day of *August* One
'thousand eight hundred and fifty-one, and until the End of the then next Session of Parliament: And
'whereas by an Act of the Nineteenth and Twentieth Years of Her Majesty, Chapter Seventy-eight, 19 & 20 Vict.
'the said Act of the Eighth and Ninth Years of Her Majesty, Chapter Fifty-five, was repealed, and c. 78.
'certain Provisions of the said Act of the Second and Third Years of Her Majesty, which had been
'repealed by the said Act of the Eighth and Ninth Years of Her Majesty, were revived, and the said
'Act of the Second and Third Years of Her Majesty, as amended by the said Act of the Eleventh and
'Twelfth Years of Her Majesty, was continued for the further Period of Five Years from the passing
'of that Act, and until the End of the present Session of Parliament: And whereas it is expedient
'that the said Act of the Second and Third Years of Her Majesty, as amended by the said Act of the
'Eleventh and Twelfth Years of Her Majesty, should be further continued for a limited Time:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The said recited Act of the Second and Third Years of Her Majesty, as amended by the said Act of the Eleventh and Twelfth Years of Her Majesty, shall be and continue in force for the further Period of Five Years from the passing of this Act, and until the End of the then next Session of Parliament. 2 & 3 Vict. c. 74. as amended by 11 & 12 Vict. c. 89. further continued.

CAP. XXXIII.

An Act for vesting in Her Majesty's Principal Secretary of State for the War Department the Lands of the Royal Military College at *Sandhurst*, and for completing certain Exchanges of Lands now or late of the said College. [7th *July* 1862.]

'WHEREAS the Royal Military College at *Sandhurst* in the County of *Berks* is regulated by a
'Warrant under the Sign Manual of King *George* the Third, dated the Twenty-seventh Day of
'*May* One thousand eight hundred and eight, and it is provided by the Regulations established by such
'Warrant that the Lands and Property belonging to the said College shall be under the Care of the
'Governor and the Collegiate Board thereby constituted, subject to the Directions of the Board of
'Commissioners thereby also constituted: And whereas Parts of the Lands belonging to the said
'College, and situate respectively in the Parish of *Sandhurst* in the County of *Berks*, and the Parish of
'*Ash* in the County of *Surrey*, are vested in Her Majesty, and other Parts thereof were, on the Acqui-
'sition thereof for the Purposes of the said College, conveyed in trust for Her Majesty to certain of the
'Commissioners of the said College, or otherwise to Persons having no corporate Capacity, and have
'devolved upon the Heir-at-Law of the Person to whom such Lands were conveyed, or of the last
'Survivor of such Persons (where more than One), and it is impossible or difficult to ascertain who is
'such Heir-at-Law in each Case: And whereas Portions of the Lands formerly belonging to the
'said College were respectively in or about the Years One thousand eight hundred and seventeen and

'One

'One thousand eight hundred and twenty exchanged for Lands belonging to the Crown as Part of 'the Hereditary Possessions thereof, but the Exchanges of such Lands have not been duly completed, 'and it is expedient that the same should be confirmed and made effectual: And whereas it is 'expedient that all Lands belonging to the said College should be vested in Her Majesty's Principal 'Secretary of State for the War Department, subject nevertheless to the said Royal Warrant or 'such other Royal Warrant as for the Time being may be in force in relation thereto: And whereas a 'Map or Plan of all the said Lands has been made and signed in duplicate by the Governor of the said 'College and by One of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and 'upon such Map or Plan are distinguished by a Red Edging the Lands now holden by or belonging to 'the said College, and by a Yellow Edging the Lands now holden by or belonging to the Crown, 'respectively, under the said Exchanges: And whereas One of the Duplicates of the said Map or Plan 'has been or is about to be deposited with Her Majesty's Principal Secretary of State for the War 'Department, and the other Duplicate has been or is about to be deposited in the Office of Land 'Revenue Records and Enrolments:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Upon passing of this Act Lands of the Royal Military College to vest in Secretary for War.

1. The Lands described or delineated on the said Map or Plan, and surrounded thereon by a Red Edging, shall, upon the passing of this Act, become and be vested in Her Majesty's Principal Secretary of State for the War Department on behalf of Her Majesty for all the Estate and Interest now vested in Her Majesty, or any Person or Persons in trust for Her Majesty, subject nevertheless to the said Royal Warrant, or such other Royal Warrant (if any) as for the Time being may be in force in relation thereto.

Certain Lands on passing of this Act to vest in the Crown.

2. The Lands described or delineated on the said Map or Plan, and surrounded thereon by a Yellow Edging, shall, upon the passing of this Act, become and be vested in Her Majesty, Her Heirs and Successors, as Part of the Hereditary Possessions of the Crown.

Conveyances of certain Land to the Church Building Commissioners confirmed.

3. 'And whereas the Lands coloured Green and Brown respectively on the said Map or Plan were 'in or about the Years One thousand eight hundred and forty-eight and One thousand eight hundred 'and fifty-three conveyed or expressed to be conveyed to Her Majesty's Commissioners for building 'new Churches by the Persons therein named and therein described as the Principal Officers of the 'said College, with the Consent and Approbation of Three of the Commissioners of Her Majesty's 'Treasury: And whereas it is expedient that such Conveyances should be confirmed:'

The said Conveyances shall be deemed to have been valid and effectual to vest the Lands thereby expressed to be conveyed in the said Commissioners and their Successors, according to the Intent thereof.

Saving of Rights to those herein named.

4. Nothing in this Act shall affect or prejudice any Estates, Rights, or Interests of any Person or Persons whomsoever other than the Estates, Rights, and Interests of or to which Her Majesty, Her Heirs and Successors, or any of them, are or but for the passing of this Act might be seised, possessed, or entitled, or of or to which any other Person or Persons are or but for the passing of this Act might be seised, possessed, or entitled in trust for Her Majesty, Her Heirs and Successors, or any of them.

Interpretation of Terms.

5. In the Construction of this Act, the Style or Title "Her Majesty's Principal Secretary of State for the War Department" shall mean Her Majesty's Principal Secretary of State for the Time being to whom Her Majesty shall think fit to intrust the Seals of the War Department, and the Word "Person" shall include a "Corporation."

Short Title.

6. In citing this Act in any Act of Parliament, Instrument, Document, or Proceeding, it shall be sufficient to use the Expression "The *Sandhurst* Vesting Act, 1862."

CAP. XXXIV.

An Act for the Discontinuance of Portsdown Fair in the County of *Southampton*.

[7th *July* 1862.]

Charter dated 29th June 1716.

'WHEREAS under a Charter dated the Twenty-ninth Day of *June* One thousand seven hundred 'and sixteen, a Fair for selling Cattle and Merchandise, known as *Portsdown* Fair, has for many 'Years past been annually held in the Month of *July* on certain Land within the Manor of *Widley* in 'the County of *Southampton* belonging to *Thomas Thistlethwayte* Esquire, of *Southwick House* in the 'said County, who is, in accordance with the said Charter, entitled to the Franchise of holding the said 'Fair and of receiving Tolls in respect thereof: And whereas in pursuance of "The Defence Act, '1860," Her Majesty's Principal Secretary of State for the War Department (with the Consent of the 'said *Thomas Thistlethwayte*) entered into possession of the Land on which the said Fair was holden, 'and is using the same for the Construction of the Works authorized by the said Act: And whereas 'Compensation has been or is about to be awarded to the said *Thomas Thistlethwayte* in respect of the 'said Land and of the Franchise of holding the said Fair and receiving the said Tolls: And whereas 'Doubts are entertained whether the said Fair is abolished by the said Defence Act, and it is expedient '(the said *Thomas Thistlethwayte* assenting thereto) that such Doubts should be removed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual

Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

On passing of this Act Portsdown Fair, and the Right to receive Tolls, to cease.

1. From and after the passing of this Act, the Fair called *Portsdown* Fair, held under the said Charter in the Manor of *Widley* in the County of *Southampton*, for the selling of all and all Manner of Beasts and Cattle, and of all Manner of Goods, Wares, and Merchandises commonly in Fairs bought and sold, and the Franchise of holding the same and of receiving Tolls in respect thereof, shall absolutely cease, and no Persons shall have any Right to resort to or continue on the Land on which the same Fair has hitherto been held for any Purpose connected with the said Fair, or in pursuance of any Charter, Custom, or Right relating to such Fair.

Notice of this Act to be given by Advertisement.

2. The said Principal Secretary shall cause due Notice of this Act to be given by Advertisement in the *London Gazette* and in One or more local Newspaper or Newspapers circulating in the said County of *Southampton*, and by causing a Notice thereof to be placed on the outer Door of the Town Hall within the Borough of *Portsmouth*.

Nothing to affect Right of Thos. Thistlethwayte to Compensation in respect of the said Fair.

3. Nothing herein contained shall be construed to prejudice or affect the Right of the said *Thomas Thistlethwayte* to receive Compensation in respect of the Franchise of holding the said Fair and receiving the said Tolls or otherwise payable to him under the Defence Act, 1860.

CAP. XXXV.

An Act to amend the Acts for the Regulation of Public Houses in *Scotland*. [7th *July* 1862.]

9 G. 4. c. 58.

16 & 17 Vict. c. 67.

'WHEREAS an Act was passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to regulate the granting of Certificates by Justices of the Peace and Magistrates, authorizing Persons to keep Common Inns, Alehouses, and Victualling Houses in Scotland, in which Ale, Beer, Spirits, Wine, and other Exciseable Liquors may be sold by Retail under Excise Licences, and for the better Regulation of such Houses, and for the Prevention of such Houses being kept without such Certificate;* and another Act was passed in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, intituled *An Act for the better Regulation of Public Houses in* Scotland: And whereas it is expedient to amend the said Acts, and to make Provision for more effectually preventing the Sale of Exciseable Liquors without Certificate and Licence, and for other Purposes relating thereto:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Regulating Period for granting Certificates.

1. The Magistrates of Burghs shall meet for granting and renewing Certificates for the Sale of Exciseable Liquors within the Bounds of such Burghs upon the Second *Tuesday* of *April* and the Third *Tuesday* in *October* in each Year, and the Justices of the Peace for the several Counties or Districts shall meet for granting and renewing Certificates for the Sale of Exciseable Liquors within such several Counties or Districts on the Third *Tuesday* of *April* and the last *Tuesday* of *October* in each Year; and it shall be lawful for such Magistrates and Justices respectively to adjourn such Meetings from Time to Time, as they shall think fit, during the Period of One Month next after the Day of their First Meeting, but no longer.

Forms of Certificates.

2. The Forms of Certificates contained in Schedule (A.) to this Act annexed shall come in place of the Forms of Certificates provided by the recited Acts or either of them; and it shall be lawful for the Justices of the Peace for any County or District, or the Magistrates of any Burgh, where they shall deem it inexpedient to grant to any Person a Certificate in the Form applied for, to grant him a Certificate in any other of the Forms contained in the said Schedule: Provided always, that in any particular Locality within any County or District or Burgh requiring other Hours for opening and closing Inns and Hotels and Public Houses than those specified in the Forms of Certificates in said Schedule applicable thereto, it shall be lawful for such Justices or Magistrates respectively to insert in such Certificates such other Hours, not being earlier than Six of the Clock or later than Eight of the Clock in the Morning for opening, or earlier than Nine of the Clock or later than Eleven of the Clock in the Evening for closing the same, as they shall think fit: And the Penalties and Forfeitures provided by the recited Acts, or either of them, for Breaches of or Offences against the Terms, Provisions, and Conditions of Certificates, shall apply to Breaches of or Offences against the Terms, Provisions, and Conditions of Certificates granted under this Act.

Penalties for Breaches of Certificate.

Certificates for the Sale of Spirits and Wine, to include Authority to sell Porter, Ale, Beer, &c.

3. Every Certificate to be hereafter granted for the Sale by Retail in any House or Premises of Spirits or Wine shall include an Authority for the Sale by Retail in such House or Premises of Porter, Ale, Beer, Cyder, and Perry, and such Certificate shall have the Effect of enabling the Party in favour of whom the same shall have been granted to obtain any Licence or Licences for such Purposes: Provided always, that nothing herein contained shall be held to prevent the Justices or Magistrates from granting a Certificate in any of the Forms in the said Schedule contained for the Sale by Retail of Wine, Porter, Ale, Beer, Cyder, or Perry, or of Porter, Ale, Beer, Cyder, or Perry only.

Certificates granted contrary to this Act void.

4. If any Certificate shall be granted contrary to the Terms and Provisions of this Act the same shall be null and void to all Intents and Purposes.

Licences not to be granted without a Certificate obtained under this Act.

5. No Licence for the Sale of Spirits, Wine, Porter, Ale, Beer, Cyder, Perry, or other Exciseable Liquors by Retail, whether to be drunk or consumed on the Premises of the Person licensed or not, shall be granted by the Commissioners of Inland Revenue, or by any Officer of Inland Revenue, to any Person in *Scotland* who shall not produce to the said Commissioners or Officer a Certificate granted in Terms of this Act, enabling the Party to obtain such Licence, and every Licence which shall be granted contrary to the Terms of this Act shall be null and void to all Intents and Purposes.

Chief Magistrate or Justices on special Occasions may grant Permission to keep Houses, &c. open during particular Times.

6. On a Representation being made to the Chief Magistrate, or failing him the Two Senior Acting Magistrates of any Burgh, or to any Two Justices of the Peace of any County respectively by any Person holding a Certificate for keeping an Inn and Hotel or Public House, and duly licensed to sell Exciseable Liquors to be consumed on the Premises, that it is intended that any public or special Entertainment shall take place therein, or in any other Place or Premises situated within the respective Jurisdictions of such Chief Magistrate or Magistrates or Justices, during any particular Time, such Chief Magistrate or Magistrates or Justices, as the Case may be, may, if he or they shall think fit, and on being satisfied that such Inn and Hotel, or Public House, Place, or Premises possesses the necessary Accommodation, and that the Entertainment is for a public or special Occasion of a legitimate and proper Character, and not originating directly or indirectly with the Person holding such Certificate, grant such Person a special Permission in Writing to keep such Inn and Hotel, or Public House, Place, or Premises open, and to sell therein, on such public or special Occasion, and for that Purpose only, such Exciseable Liquors as he may be duly licensed to sell as aforesaid during such Time, and beyond the Hour prescribed by his Certificate for closing, *Sunday* excepted, and under such Regulations as such Chief Magistrate or Magistrates or Justices of the Peace shall think fit to appoint: Provided always, that such Magistrate or Magistrates or Justices are entitled to grant Certificates, and that such Justices are also Heritors of or resident in the Parish in which such Inn and Hotel, Public House, Place, or Premises shall be situated, or, where there shall be no such Justices Heritors of or resident in such Parish, Heritors of or resident in some next adjacent Parish; and it shall be lawful for the Justices of the Peace of any County or District, or for the Magistrates of any Burgh, at any *April* Half-yearly Meeting for the granting and Renewal of Certificates, to make such general Regulations touching such Permissions as they shall think fit, and such special Permissions shall be subject to such general Regulations: And provided further, that the Person obtaining such special Permission shall lodge the same with the Superintendent or other Chief Officer of Police of the District at least Twenty-four Hours before the Commencement of such public or special Entertainment, and such Superintendent or Chief Officer of Police shall furnish such Person with a certified Copy thereof, which shall be shown to any Officer of Police or Constable requiring to see the same: And provided also, that the Party holding such special Permission shall also have obtained an occasional Excise Licence in that Behalf.

Persons holding Licences for the Sale of Table Beer to be subject to the same Conditions as Persons holding Certificates.

7. 'Whereas by an Act passed in the last Session of Parliament, intituled *An Act for granting to Her Majesty certain Duties of Excise and Stamps*, it is enacted, "that it shall be lawful for any Person "to take out a Licence for the Sale in any House or Shop of Table Beer at a Price not exceeding One "Penny Halfpenny the Quart, and not to be drunk or consumed on the Premises where sold, and that "it shall not be necessary to the obtaining of such Licence that the said House or Shop shall be rated "to the Relief of the Poor to any Amount, or that the Person applying for such Licence shall produce "any Certificate or enter into any Bond required by any Act relating to the Sale of Beer by Retail:" 'And whereas it is expedient that Provision should by this Act be made for the proper and orderly Regu'lation of the Houses, Shops, and Premises kept by such Persons:' Be it therefore enacted, That every such Licence shall be held by the Person who shall have obtained the same on the Terms, Provisions, and Conditions following, *viz.*, that he shall not knowingly permit any Breach of the Peace or riotous or disorderly Conduct within his Premises, or supply Liquors to Persons in a State of Intoxication, and shall not sell or give any such Table Beer to be drunk or consumed on the said Premises; and shall not sell or give out therefrom any such Table Beer before Eight of the Clock in the Morning or after Eleven of the Clock at Night of any Day; and shall not open his Premises for the Sale of any Table Beer, or any Goods or Commodities whatsoever, or sell or give out the same on *Sunday*; and lastly, shall maintain good Order and Rule within his Premises; and in case any Person holding any such Licence shall offend against any of the said Terms, Provisions, and Conditions, every Person so offending shall for every such Offence forfeit and undergo the several Penalties provided by the Twenty-first Section of the herein first-recited Act for the Punishment of Offences against the Terms and Conditions of Certificates; and in addition to such Penalties the Licence granted to such Person may be declared to be forfeited and to become null and void; and every such Offence shall be prosecuted, tried, and determined in the same Manner, and before the same Courts, and subject to the same Conditions, as Breaches of Certificate or Offences against the Terms and Conditions thereof may be prosecuted, tried, and determined.

Form of Applications for Certificates.

8. If any Person shall be desirous of keeping an Inn and Hotel, Public House, Shop, or Premises for the Sale therein of Spirits, Wine, Beer, or other Exciseable Liquors, whether to be consumed on the Premises or not, he shall, previous to the granting to him of a Certificate for that Purpose, or the Renewal of any such Certificate already granted, truly fill up an Application for such Certificate, in the Form contained in the First Part of Schedule (B.) to this Act annexed, and shall truly answer the

the several Queries therein contained; and printed Forms for such Application shall be supplied to the Applicant by the Clerk of the Peace for the County or District, or the Town Clerk of the Burgh in which such Inn and Hotel, Public House, Shop, or Premises shall be situate, upon Payment to him of a Fee of Sixpence for each Copy thereof, and every such Application shall be filled up in a fair and legible Hand, and shall be signed by the Applicant or his Agent thereunto authorized, and shall be lodged by the Applicant with such Clerk of the Peace or Town Clerk, as the Case may be, Fourteen Days at least before the General Meeting of the Justices of the Peace or Magistrates for granting and renewing Certificates: Provided always, that it shall not be lawful for the Justices of the Peace of any County or District, or the Magistrates of any Burgh, to entertain any Application for any Certificate for the Sale of Exciseable Liquors with respect to any House or Premises not licensed, and for which there is no Certificate at the Time of making such Application, until a Report shall have been made and subscribed by a Justice of the Peace for such County or District, or a Magistrate of such Burgh respectively, such Justice or Magistrate being entitled to grant Certificates, stating that the same are of suitable Construction and Accommodation for the Purpose applied for, and accompanied with a Certificate as to the Applicant's Character and Qualification, signed by a Justice of the Peace for such County or District, or a Magistrate of such Burgh, and which said Report and Certificate respectively shall be in the Form, or as nearly as may be, in the Form contained in the Second Part of Schedule (B.) to this Act annexed: Provided also, that the Justices in Quarter Sessions, to whom any Appeal shall be made from a Deliverance, granting or refusing any Application for a Certificate, may by themselves, or any One or more of their Number, inspect the Premises for which a Certificate is applied, and review the said Report.

Certificate of Character, &c. not necessary with Application for Renewal of Certificate.

9. Where any Person shall be desirous of obtaining a Renewal of any subsisting Certificate, granted to him in Terms of this Act, which has not been transferred during the current Half Year, it shall not be necessary that he produce along with his Application any Recommendation or Certificate of Character and Qualification: Provided always, that such Exemption shall not be held to interfere with the Powers of Justices and Magistrates under the said recited Acts or this Act to deal with such Application.

List of new Applications for Certificates to be published.

10. The Clerk of the Peace of every County or District and the Town Clerk of every Burgh shall, at least Ten Days before the General Meeting of the Justices of the Peace, or the Magistrates, as the Case may be, for the granting and Renewal of Certificates for the Sale of Exciseable Liquors, make out and advertise, at least twice in One or more Newspapers printed or generally circulated in the District, a complete List, in the Form, or as nearly as may be in the Form, set forth in Schedule (C.) to this Act annexed, of all Applications for Certificates within their respective Bounds for Premises not at the Time certificated; and of all Applications by new Tenants or Occupants of Premises at the Time certificated; and also of all Applications for Renewal of Certificates which have been transferred during the Currency of the previous Half Year; and such Clerks of the Peace shall also, within the said Time, transmit by Post, with Postage prepaid, to the Registrar or Registrars of every Parish within their respective Counties or Districts, a Copy of the List of such Applications in so far as applicable to the Parish of such Registrar or Registrars, who are hereby required to preserve the same, and to give Access thereto to any Party applying for Inspection thereof upon Payment of a Fee of One Shilling for such Inspection: And it shall be lawful for the Justices of the Peace of any County or District, or the Magistrates of any Burgh, at any *April* Half-yearly Meeting for the granting and Renewal of Certificates, if they shall think fit, to cause a descriptive List of Persons to whom Certificates shall have been granted for the Year next ensuing, with the Premises to which such Certificates apply, within their respective Jurisdictions, to be made up and printed, in such Form as they shall direct, for the Use of themselves and others concerned in the Execution of the said recited Acts and this Act, the Expense whereof shall be paid out of the respective Funds in this Act specified into which Penalties and Expenses shall be paid.

Power to Justices, &c. to cause descriptive Lists to be printed of Persons to whom Certificates have been granted.

Certain Parties may object to the granting or Renewal of Certificates.

11. Any Person or the Agent of any Person owning or occupying Property in the Neighbourhood of the House or Premises, in respect of which any Certificate or Renewal of any Certificate shall be applied for, may object to the granting or Renewal of such Certificate by lodging at any Time, not less than Five Days before the General Meeting of the Justices of the Peace or Magistrates of the County, District, or Burgh, for the granting and Renewal of Certificates, where such House or Premises shall be situated, with the Clerk of the Peace or Town Clerk, as the Case may be, a Notice in Writing to that Effect, signed by such Person or his Agent, specifying the Grounds of such Objection, which Objection shall be heard at the then ensuing General Meeting; and if such Objection shall be considered of sufficient Importance by the Justices of the Peace or Magistrates in such General Meeting, and shall be proved to their Satisfaction, the said Certificate shall not be granted or renewed: Provided always, that no such Objection shall be entertained unless it shall be proved or admitted that the Person so objecting or his Agent did, at least Five Days before such General Meeting, deliver or cause to be delivered to the Person applying for such Certificate a Copy of the aforesaid Notice, or did forward to him by Post, with Postage prepaid, or did leave for him a Copy thereof, addressed to him at his Place of Abode mentioned in his Application, or in the Case of an Application for the Renewal of any Certificate at the licensed Premises for which the Application is made; and it shall be lawful for

the Justices of the Peace or Magistrates respectively, in the event of their considering the Allegations and Objections against a Renewal of a Certificate contained in any such Notice frivolous or vexatious, or unauthorized, to find the Person or Agent, as the Case may be, making the same liable in such Expenses as they shall deem proper, and the Amount of the Expenses so found due shall be recoverable in the Sheriffs or Justices of the Peace Small Debt Court having Jurisdiction in the District; and a certified Copy of the aforesaid finding shall be sufficient Evidence and Authority for decerning for the Amount thereof with Expenses.

Justices or Magistrates at General Meetings may hear Objections to granting Certificates.

12. It shall be lawful for the Justices of the Peace of any County or District, or for the Magistrates of any Burgh, at any General Meeting for the granting and Renewal of Certificates held within their respective Jurisdictions, to hear and determine as at present, and without the Notice required by Section Eleven, any Objections to be made verbally or in Writing by any Justice of the Peace or Magistrate, or by the Procurator Fiscal, Chief Constable, or Superintendent of Police, against the granting or renewing of any Certificate.

Power to Constables, &c. to enter Eating Houses, &c., if they believe Exciseable Liquors are trafficked in.

13. It shall be lawful for any Chief Constable, Superintendent, Lieutenant, or Inspector of Police at any Time to enter and inspect any Eating House, Toll House, Temperance Hotel, Shop, or other Place, or any Boat or Vessel, where Food or Drink of any Kind is sold to be consumed on the Premises, or in which he shall have Reason to believe that Exciseable Liquors of any Kind are being unlawfully trafficked in; and it shall also be lawful for any Constable of Police having an Authority in Writing from any Justice of the Peace or Magistrate, or from any Chief Constable, Superintendent, Lieutenant, or Inspector of Police, in any County, District, or Burgh, and which they are severally hereby authorized to grant, to enter and inspect any such Eating Houses, Toll Houses, Temperance Hotels, Shops, or Places, or any such Boats or Vessels, within such County, District, or Burgh respectively, at any Time or Times within Eight Days from the Date of such Writing, as may be specially mentioned in such Writing; and any Person who shall refuse to admit or shall not admit such Officer of Police or Constable into any such Eating House, Temperance Hotel, Shop, or other Place, Boat, or Vessel, or shall offer Obstruction to his Admission thereto, shall thereby be guilty of an Offence, and may be apprehended on a Warrant to that Effect granted by the Sheriff or by any One Justice of the Peace or Magistrate, and on being convicted thereof shall forfeit and pay a Penalty not exceeding Ten Pounds, and failing immediate Payment shall be imprisoned for a Period not exceeding Sixty Days: And it shall be lawful for any Officer of Police or Constable of any County, District, or Burgh, without any written Authority, at any Time to enter and inspect any licensed Inn and Hotel or Public House therein situated, and also, where he shall have Reason to believe that a Breach of Certificate is being committed, at any Time without written Authority to enter and inspect the Premises of any Grocer or Provision Dealer trading in Exciseable Liquors; and any Person who shall refuse to admit or shall not admit such Officer of Police or Constable into such licensed Inn and Hotel, Public House, or Premises, or shall offer Obstruction to his Admission thereto, shall thereby be guilty of an Offence, and on being convicted thereof shall forfeit and pay a Penalty not exceeding Ten Pounds, and failing immediate Payment of such Penalty shall be imprisoned for a Period not exceeding Sixty Days.

Penalty for obstructing Officers of Police, &c.

Police to report Persons licensed, from whose Premises Persons in a State of Intoxication have been seen frequently to issue, or against whom there is other Cause of Complaint.

14. The Chief Officer of Police of every County, District, Place, and Burgh in *Scotland* shall, on the First lawful Day of every Week, transmit or cause to be transmitted to the Procurator Fiscal appointed by the Justices of the Peace of such County or District, or Procurator Fiscal appointed by the Magistrates of such Burgh, respectively, a written Report containing the Names of all Persons licensed to sell Exciseable Liquors by Retail, from whose Premises Persons in a State of Intoxication have been frequently seen to issue, and of the Manner in which any special Permission granted in virtue of this Act has been exercised, and such Reports shall be brought by such Procurator Fiscal under the Consideration of the Justices of the Peace and Magistrates of every such County and Burgh respectively when assembled to grant and renew Certificates: Provided always, that within Two Days after such Report shall have been lodged with such Procurator Fiscal Notice in Writing, by Post, with Postage prepaid, shall be sent by him, addressed to each licensed Person at his licensed Premises, of his having been so reported on; and such Chief Officer of Police shall also, without undue Delay, report to the Procurator Fiscal or other Party by this Act directed to prosecute Offenders all Offences committed against the recited Acts, and this Act, or any of them, coming to his Knowledge, and shall at all Times use the Means within his Control for the Detection, and, when necessary, the Apprehension of all Offenders.

Permitting drinking Exciseable Liquors in a neighbouring House, Shed, &c., with Intent to evade the Provisions of the Act to be deemed drinking on the Premises.

15. If any Person licensed to sell, by Retail, any Exciseable Liquors, not to be consumed on the Premises, shall take or carry, or authorize or permit or suffer to be taken or carried, any such Exciseable Liquors out of or from the House, Shop, or Premises of such licensed Person, for the Purpose of being sold or hawked on his Account, or for his Benefit or Profit, or for the Purpose of being drunk or consumed for his Benefit or Profit in any other House, or in any Tent, Shed, or other Premises, of any Kind whatever, belonging to such Person, or hired, used, or occupied by him, or in which he may be interested, such Exciseable Liquors shall be deemed and taken to have been drunk or consumed upon the Premises of the Person so licensed, and such Person shall be deemed guilty of a Breach of his Certificate, and shall be liable in the Penalties and Expenses and Forfeitures for such Offence, as by the recited Acts and this Act provided.

16. Every

Persons hawking Exciseable Liquors may be apprehended, and on Conviction to be fined or imprisoned.

16. Every Person hawking Spirits or other Exciseable Liquors shall thereby be guilty of an Offence, and may be taken into Custody by any Constable or Officer of Police, or, in the Absence of any Constable or Officer of Police, by any Person whomsoever, and may be detained in any Police Office or Station House, or other convenient Place, and not later than in the Course of the First lawful Day after he shall have been so taken into Custody shall be brought before a Justice of the Peace or Magistrate, or if not so taken into Custody, or if he shall have been liberated on Bail or Pledge, may be summoned to appear before a Justice of the Peace or Magistrate, and on being convicted of such Offence shall forfeit and pay a Penalty not exceeding Ten Pounds, and in default of immediate Payment shall be imprisoned for a Period not exceeding Sixty Days.

Penalty on Persons trafficking in Exciseable Liquors without a Certificate.

17. Every Person trafficking in any Spirits or other Exciseable Liquors in any Place or Premises without having obtained a Certificate in that Behalf in Terms of this Act shall be guilty of an Offence, and on being convicted thereof shall for each such Offence forfeit and pay the full Penalties provided in the Thirtieth Section of the said first-recited Act, together with the Expenses of Prosecution and Conviction; and in default of immediate Payment thereof shall be imprisoned for the entire Periods respectively, prescribed by the said Thirtieth Section of the said first-recited Act: Provided always, that the Penalty and Term of Imprisonment thereby provided for a Third Offence shall likewise be imposed in the Case of every subsequent Offence.

Sheriff, Magistrate, or Justice may grant Warrant to summon, and Warrant to apprehend.

18. In the Case of any Person complained of for any Offence against the recited Acts or this Act, excepting for Breach of Certificate, it shall be lawful for any Sheriff, or any One Justice or Magistrate to or before whom such Complaint shall have been presented, unless by this Act otherwise provided, to grant Warrant for summoning the Person complained of, upon an Inducia of not less than Forty-eight Hours, to appear to answer to such Complaint at a Time and Place to be therein specified; and in the Case of any Person complained of for trafficking in Spirits or other Exciseable Liquors in any Place or Premises without having obtained a Certificate in that Behalf, it shall be lawful for any Sheriff or any One Justice or Magistrate, if he shall see fit, instead of granting Warrant to summon such Offender, to grant Warrant to apprehend such Offender to answer to the Complaint, and to be further dealt with as is provided by said recited Acts and this Act.

Proof of trafficking in any Shebeen.

19. In order to warrant the Conviction of any Person for trafficking in any Spirits or other Exciseable Liquors in any Place or Premises without a Certificate in that Behalf, it shall be sufficient, in the Absence of contrary Evidence, to prove that some Person other than the Owner or Occupant of such Place or Premises shall at the Time charged have been found in such Place or Premises drunk or drinking, or having had Drink supplied to him therein, and that such Place or Premises is or are by Repute kept as a Shebeen, or at the Time charged contained Drinking Utensils and Fittings usually found in Houses licensed for the Sale of Exciseable Liquors; and every Person found in any Shebeen drunk or drinking shall thereby be guilty of an Offence, and may at the Time be taken into Custody by any Officer of Police or Constable, and detained in any Police Office or Station House, or other convenient Place, and not later than in the course of the first lawful Day after he shall be so taken into Custody shall be brought before a Justice of the Peace or Magistrate, or if not so taken into Custody, or if he shall have been liberated on Bail or Pledge, may be summoned to appear before a Justice of the Peace or Magistrate, and on being convicted of such Offence shall forfeit and pay a Penalty not exceeding Ten Shillings, and in default of immediate Payment thereof shall be imprisoned for a Period not exceeding Ten Days.

Persons found in Shebeens drunk or drinking may be taken into Custody.

Warrant may be granted to seize Exciseable Liquors found in unlicensed Premises.

20. It shall be lawful for any Justice of the Peace of any County or District, or Magistrate of any Burgh, upon being satisfied by the personal Examination on Oath of a credible Witness that there is reasonable Ground for believing that Exciseable Liquors are trafficked in within any House or other Premises within such County or Burgh, as the Case may be, not licensed for the Sale thereof, or by any Person not having a Licence to sell Exciseable Liquors in or at such House or Premises, or that such Liquors are illegally kept for Sale or for the Purpose of being trafficked in at such House or Premises, to grant Warrant under his Hand authorizing any Chief Constable, Superintendent, Lieutenant, Inspector, or Sergeant of Police, with any Police Officers or Constables to enter such House or Place at all Times and to search for Exciseable Liquors, and if the same be found in such House or Place exceeding One Gallon to seize such Exciseable Liquors, together with the Vessel or Vessels in which the same are contained; and such Warrant shall continue in force for One Month from the Date thereof, and shall be a sufficient Authority to the Chief Constable, Superintendent, Lieutenant, Inspector, or Sergeant of Police therein named, and their Assistants respectively, to enter into such House or Place and seize all such Liquors as aforesaid and the Vessels containing the same, and to carry away and retain the same until disposed of as herein-after provided: And the Person occupying or using the Premises where such Liquors shall be found as aforesaid shall thereby be guilty of an Offence, and on being convicted thereof shall forfeit and pay for the First Offence a Penalty not exceeding Five Pounds nor less than Two Pounds, and in default of immediate Payment shall be imprisoned, with or without Hard Labour, for any Term not exceeding Thirty Days nor less than Ten Days, and for the Second and every subsequent Offence a Penalty not exceeding Ten Pounds nor less than Five Pounds, and in default of immediate Payment shall be imprisoned, with or without Hard Labour, for any Term not exceeding Sixty Days nor less than Thirty Days: And all such Exciseable Liquors and the Vessels containing

Penalties

containing the same so seized as aforesaid shall be forfeited and sold, without further Warrant, and the Proceeds of such Sale shall be paid into the Rogue Money Funds of the County or Police Funds of the Burgh, and where there are no Police Funds into the Corporation Funds of the Burgh, as the Case may be, in which the Premises in which such Liquors shall have been found are situate.

Penalty on disorderly Persons refusing to quit licensed Houses on Request.

21. Every Person who shall be riotous, quarrelsome, or disorderly in any Shop, House, Premises, or Place licensed for the Sale of Spirits, Wine, Porter, Ale, Beer, or other Exciseable Liquors by Retail, whether to be consumed on the Premises or not, and shall refuse or neglect to quit such Shop, House, Premises, or Place upon being requested so to do by the Occupier or Manager thereof, or his Agent or Servant, or by any Constable, and every Person who shall refuse to quit such Shop, Premises, or Place at the Time of closing prescribed by this Act, on being required to do so as aforesaid, shall thereby be guilty of an Offence, and may be taken into Custody by any Officer of Police, or Constable, and detained in any Police Office or Station House, or other convenient Place, and not later than in the course of the first lawful Day after he shall have been so taken into Custody shall be brought before a Sheriff or any One Justice of the Peace or Magistrate, or if not so taken into Custody, or if he shall have been liberated on Bail or Pledge, may be summoned to appear before a Sheriff or any One Justice of the Peace or Magistrate, and on being convicted of such Offence shall forfeit and pay a Penalty not exceeding Forty Shillings, and in default of immediate Payment shall be imprisoned for a Period not exceeding Twenty Days; and all Constables are hereby authorized and empowered to assist in expelling such riotous, quarrelsome, or disorderly Person refusing to quit the Premises at the Hour of closing from such Shops, Houses, Premises, and Places.

Persons falsely representing themselves to be Travellers, liable to a Penalty.

22. Every Person who by any wilfully false Representation shall induce any Inn and Hotel Keeper, or the Servant of any Inn and Hotel Keeper, to sell or give out to him Exciseable Liquors on any *Sunday*, or to sell or give out to him Exciseable Liquors on any other Day during Hours when the Sale of Exciseable Liquors, excepting to Lodgers or Travellers, is prohibited by the Certificate of such Inn and Hotel Keeper, shall thereby be guilty of an Offence, and on being convicted thereof by any Sheriff or any One Justice of the Peace or Magistrate shall forfeit and pay a Penalty not exceeding Five Pounds, and in default of immediate Payment shall be imprisoned for a Period not exceeding Thirty Days.

Penalty to Persons found intoxicated and incapable of taking care of themselves.

23. Every Person found in a State of Intoxication, and incapable of taking care of himself, and not under the Care or Protection of some suitable Person, in any Street, Thoroughfare, or Public Place, shall be thereby guilty of an Offence, and may be taken into Custody by any Officer of Police or Constable, and detained in any Police Office or Station House, or other convenient Place, and not later than in the course of the first lawful Day after he shall have been so taken into Custody shall be brought before a Sheriff or any One Justice of the Peace or Magistrate, or if not so taken into Custody, or if he shall have been liberated on Bail or Pledge, may be summoned to appear before such a Sheriff, Justice of the Peace, or Magistrate, and on being convicted of such Offence shall forfeit and pay a Penalty of Five Shillings, and in default of immediate Payment shall be imprisoned for a Period not exceeding Twenty-four Hours.

Penalty for harbouring Constables while on Duty.

24. Every Person licensed to sell Spirits, Wine, Porter, Ale, Beer, Cyder, Perry, or other Exciseable Liquors by Retail, whether to be drunk or consumed on the Premises or not, who knowingly harbours or entertains, or suffers to remain in the licensed Premises wherein he carries on his Business, any Constable during any Part of the Time appointed for his being on Duty, unless for the Purpose of quelling any Disturbances or restoring Order, or otherwise in the Discharge of his Duty, shall be guilty of an Offence, and on being convicted thereof shall forfeit and pay a Penalty not exceeding Five Pounds, and in default of immediate Payment shall be imprisoned for a Period not exceeding Thirty Days.

Procurator Fiscal or other Party appointed shall prosecute.

25. Every Person who, after the passing of this Act, shall commit any Breach of Certificate, or who shall in any other Manner offend against either of the recited Acts or this Act, shall be prosecuted, and all Penalties, together with the Expenses of Prosecution and Conviction to be ascertained on Conviction, shall be recovered, unless by this Act otherwise specially directed or authorized, before the Sheriff or any Two or more Justices of the Peace of the County or any Magistrate of the Burgh having Jurisdiction in the County or Burgh, as the Case may be, in which such Offender shall reside or such Offence shall have been committed, at the Instance of the Procurator Fiscal, or of such other Party as shall be specially appointed to prosecute such Class of Offences by the Justices of the Peace of the County in General Quarter Sessions assembled, or the Magistrates of the Burgh, as the Case may be, and which Appointment they are hereby specially authorized to make, and such Justices of the Peace in General Quarter Sessions, or Magistrates, as the Case may be, shall from Time to Time fix a reasonable Sum in Name of Salary, or a reasonable Rate of Remuneration by Fees for Prosecutions, and all other Business under this Act, to be paid annually to such Procurator Fiscal or other Party appointed to prosecute as aforesaid; and which Salary, or the Amount of the Account of such Fees, as the same shall be taxed by the Clerk of the Peace of the County or District, or the Town Clerk of the Burgh, as the Case may be, together with all necessary and proper Outlays attending such Prosecutions, and also the Execution of the recited Acts and this Act, shall form a proper Charge against, and shall be paid annually out of the Rogue Money, or other Fund of the County out of which the Expenses of Criminal Prosecutions are in use to be paid, and in Burghs out of the Police Funds, or, where there are no Police Funds, out of the Corporation

Corporation Funds of the Burgh, as the Case may be; and all Penalties and Expenses of Prosecutions and Convictions incurred under and imposed by the recited Acts and this Act shall, when recovered, if adjudged by any Sheriff, or Justice or Justices of the Peace, or Magistrate of any Burgh or Place other than a Royal or Parliamentary Burgh, be wholly paid into the Rogue Money Fund of the County, and, if adjudged by any Magistrate or Police Judge of any Royal or Parliamentary Burgh, be wholly paid into the Police Funds, or, where there shall be no Police Funds, into the Corporation Funds of the Burgh in which such Penalties shall be imposed respectively. Application of Penalties and Expenses.

26. Every Offence committed against the recited Acts and this Act, or any of them, may, except where inconsistent with the Provisions and Conditions of this Act, be tried and determined in a summary Manner, without any written Pleadings, or Record, or Notes of Evidence, and before the Courts, and subject to the Provisions and Conditions provided in the said recited Acts or either of them; but in any Prosecution under the recited Acts and this Act, or any of them, the Complaint and Procedure following thereupon shall be in the Form or as nearly as may be in the Form, provided by Schedule (D.) to this Act annexed; and it shall be lawful for the Sheriff, Justice or Justices, Magistrate or Magistrates, before whom such Prosecution is brought, to proceed in absence of the Accused, upon Proof by the Oath of an Officer or Constable that the Accused has been duly summoned, or to issue his or their Warrant for apprehending and bringing the Accused before him or them, as the Case may be. Offences how to be tried.

27. It shall be lawful for any Justice of the Peace or Magistrate, in any Application for the granting or renewing of a Certificate under the Provisions of the recited Acts or this Act, or in dealing with any Objection to such Applications, or in any other Matter arising under the Provisions of the said recited Acts and this Act, or any of them, to grant Warrant to summon Witnesses and Havers on behalf of any Party interested; and it shall be lawful for the Justice or Justices of the Peace, Magistrate or Magistrates, before whom respectively any such Application, Objection, or Matter shall be depending, to examine all such Witnesses and Havers on Oath or solemn Affirmation, and to do and perform all Things necessary for the due and proper Hearing and Determination of the Cause or Matter: And any Person summoned as a Witness or as a Haver to appear before any Sheriff, Justice or Justices of the Peace, or Magistrate, touching any Matter arising out of the recited Acts or this Act, either on the Part of the Complainer or of the Person complained against, or of any Person interested in such Matter, who shall neglect or refuse to appear at the Time and Place for that Purpose appointed, and who shall not make such reasonable Excuse for such Neglect or Refusal as shall be admitted and allowed by such Sheriff, Justice or Justices, or Magistrate, may, when it shall be proved on Oath that he has been duly summoned at least Twenty-four Hours before the Meeting of the Diet of the Court, be apprehended and committed to Prison under the Warrant of the said Sheriff, Justice or Justices, or Magistrate, till he finds Security to appear and give Evidence; and any Person who shall so neglect or refuse to appear, or who appearing shall refuse to be examined on Oath or solemn Affirmation, shall thereby be guilty of an Offence, and on being convicted thereof shall forfeit and pay any Sum not exceeding Five Pounds, and in default of immediate Payment shall be imprisoned for a Period not exceeding Thirty Days; and if any Person who, under Examination on Oath or solemn Affirmation before any Sheriff, Justice or Justices, or Magistrate, in any Matter arising under the Provisions of the said recited Acts or this Act, shall prevaricate or wilfully conceal the Truth, it shall be lawful to such Sheriff, Justice or Justices, or Magistrate, in open Court, without any formal Complaint and in a summary Manner, to adjudge the Person so offending to be imprisoned for any Period not exceeding Sixty Days, or to forfeit and pay a Penalty not exceeding Five Pounds, and in default of immediate Payment to be imprisoned for a Period not exceeding Thirty Days, and the Sentence awarding such Punishment shall set forth shortly the Nature of the Offence. Power to Justices or Magistrates to summon Witnesses. Punishment of Witnesses refusing to attend or prevaricating.

28. It shall be lawful for the Justice or Justices of the Peace, Sheriff, or Magistrate before whom any Person may be brought for Trial for any Offence against the recited Acts and this Act, or any of them, to adjourn the hearing of the Complaint from Time to Time as may be deemed necessary, and also, if considered fit, to order the Detention of such Person in Prison, or in any Police Office or Station House, till the next Diet of Court, unless Bail is found, or a Pledge given to an Amount not exceeding the maximum Penalty concluded for. Power to adjourn Trials and detain Offenders.

29. Nothing contained in the recited Acts or this Act shall prevent anything done which may be an Offence under this Act, but which might have been prosecuted and punished as an Offence at Common Law, or under any other Act, if this Act had not passed, from being so prosecuted and punished as if this Act had not passed. Offences may be prosecuted at Common Law.

30. For the Purpose of trying Offences against the recited Acts and this Act, or any of them, except in Cases of Breach of Certificate and of imposing Penalties and declaring Forfeitures under the same, the Expressions "Magistrate of any Burgh," "Magistrate," and "Magistrates," shall include any Judge officiating in any Court for the Trial of Police Offences under the Provisions of any Local or General Police Act; and all such Offences committed within the Jurisdiction of any such Judge may be tried by and before him in any such Court, at the Instance of the Procurator Fiscal or other Party acting as Prosecutor under the Twenty-fifth Section of this Act: And every Person offending against the Sixteenth, Nineteenth, Twenty-first, and Twenty-third Sections of this Act may, if such Procurator Fiscal or Prosecutor shall choose so to do, be prosecuted before the Court, and in the Manner provided for the Trial Offences may be tried in Police Courts. Offences specified in Sects. 16, 19, 21, & 23 of this Act may

be tried in Police Courts.

Trial of Police Offences by any General or Local Police Act in force in the County, District, or Burgh, or Place where the Offender shall reside or the Offence shall have been committed, instead of as herein otherwise provided.

Warrants, &c. may be enforced in other Counties, &c.

31. All Warrants, Orders, Interlocutors, Judgments, Sentences, and Decreets of Sheriffs, Justices, and Magistrates, issued or pronounced under the Authority of the recited Acts or of this Act, may be executed and enforced in any County, District, Burgh, or Jurisdiction other than that in which they were so issued or pronounced, provided the Concurrence of the Sheriff or any One Justice of the Peace or Magistrate of such other County, District, Burgh, or Jurisdiction respectively be endorsed thereon, by any Constable or Officer of Court of the original or of any other County, District, Burgh, or Jurisdiction, and which Concurrence all Sheriffs, Justices of the Peace, and Magistrates are hereby authorized to grant.

Fees to Clerks not to be more than authorized by Schedule (E.) to this Act.

32. It shall not be lawful for the Clerk of the Peace, or Sheriff Clerk of any County or District, or the Town Clerk of any Burgh, to demand or receive any greater or additional Fee or Remuneration for anything done under the recited Acts or this Act than is authorized by the Schedule (E.) to this Act annexed, and the Town Clerks of those Parliamentary Burghs the Magistrates of which are not at present authorized to grant Certificates shall pay to the present Clerks of the Peace in the Counties within which such Burghs are situated One Half of the Fees received by such Town Clerks in respect of Applications for Certificates and Disposal of the same under this Act and the Acts herein recited, during the Time such Clerks of the Peace shall continue to hold Office.

Power to Persons to appeal from Decisions of Sheriffs, &c. to Circuit Courts, &c.

33. It shall be competent to any Person conceiving himself aggrieved by any Warrant, Sentence, Order, Decree, Judgment, or Decision made or given by any Sheriff, Justice or Justices of the Peace, or Magistrate, in any Cause, Prosecution, or Complaint raised under the Authority of the recited Acts or of this Act, for Breach of Certificate, or for trafficking in Spirits or other Exciseable Liquors without a Certificate, to bring the Case by Appeal before the next Circuit Court of Justiciary, or where there are no Circuit Courts before the High Court of Justiciary at *Edinburgh*, in the Manner, and by and under the Rules, Limitations, Conditions, and Restrictions which shall from Time to Time be prescribed by the said High Court of Justiciary: Provided always, that such Appeal shall be competent only when founded on the Ground of Corruption or Malice, and Oppression on the Part of the Sheriff, Justice or Justices of the Peace, or Magistrate, as the Case may be, or on such Deviations in point of Form from the statutory Enactments as the Court shall think have prevented substantial Justice from having been done: Provided also, that such Appeals shall be heard and determined in open Court, and that it shall be competent to the Court to correct such Deviation in point of Form: Provided further, that Notice in Writing of such Appeal shall be given to the opposite Party, and to the Clerk of the Court pronouncing such Warrant, Sentence, Order, Decree, Judgment, or Decision, within Eight Days of the Date thereof, and that no Appeal shall be received or entertained unless the Party appealing shall, along with his Appeal, deposit with the Clerk of the Circuit Court or of the High Court of Justiciary, as the Case may be, a Certificate under the Hand of the Sheriff Clerk, Town Clerk, or Clerk of the Peace, or Clerk to the Magistrates, as the Case may be, that he has made Consignation in the Hands of such Clerk of the whole Sum and Expenses, if any, decerned for by the Warrant, Sentence, Order, Decree, Judgment, or Decision appealed from, and unless he shall have found sufficient Security for the whole Expenses which may be incurred and found due under the Appeal: Provided always, that nothing herein contained shall be held to exclude or interfere with the Right of Appeal to Quarter Sessions which at present exists, provided the Appellant shall forthwith deposit with the Clerk of the Peace the Amount of Penalty and Costs awarded against him.

Sentences and Judgments not subject to Review except as provided by this Act.

34. No Warrant, Sentence, Order, Decree, Judgment, or Decision made or given by any Quarter Sessions, Sheriff, Justice or Justices of the Peace, or Magistrate in any Cause, Prosecution, or Complaint, or in any other Matter under the Authority of the said recited Acts or of this Act, shall be subject to Reduction, Advocation, Suspension, or Appeal, or any other Form of Review or Stay of Execution, on any Ground or for any Reason whatever, other than by this Act provided.

Limitation of Actions.

35. Every Action or Prosecution against any Sheriff, Justice or Justices of the Peace, Magistrate, or Judge acting under any General or Local Police Act, or against any Sheriff Clerk, Clerk of the Peace, or Town Clerk, or any Procurator Fiscal, Superintendent, or other Officer of Police, or Constable, or other Person, on account of anything done in execution of the recited Acts and this Act, or any of them, shall be commenced within Two Months after the Cause of Action or Prosecution shall have arisen, and not afterwards.

Nothing to repeal or affect recited Act, except to give Effect to this Act.

36. Nothing herein contained shall be held to repeal or affect the Provisions of the recited Acts or either of them, except in so far only as shall be necessary to give Effect to the Provisions of this Act; and the Provisions and Enactments contained in the recited Acts, so far as not repealed, shall extend, and be construed, deemed, and taken to extend, to and form Part of this Act, in the same Manner, and as fully and to all Intents and Purposes, as if the said Provisions and Enactments were herein repeated and set forth at Length.

Interpretation of Terms.

37. In this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say,

The

The Expression "Inn and Hotel" shall in Towns and the Suburbs thereof refer to a House containing at least Four Apartments set apart exclusively for the Sleeping Accommodation of Travellers; and in Rural Districts and populous Places not exceeding One thousand Inhabitants, according to the Census last before taken, to a House containing at least Two such Apartments:

The Word "Shebeen" shall mean and include every House, Shop, Room, Premises, or Place in which Spirits, Wine, Porter, Ale, Beer, Cyder, Perry, or other Exciseable Liquors are trafficked in by Retail without a Certificate and Excise-Licence in that Behalf:

The Expression "trafficking" shall mean and include bartering, selling, dealing in, trading in, exposing or offering for Sale by Retail:

The Word "hawking" shall mean and include trafficking in or about the Streets, Highways, or other Places, or in or from any Boat or other Vessel upon the Water:

The Word "Certificate" shall mean any Certificate in Terms of this Act:

The Word "Sheriff" shall mean and include Sheriff Substitute:

The Word "Burgh" shall mean and include any Royal or Parliamentary Burgh, and the Boundaries of such Parliamentary Burghs shall for the Purposes of this and the recited Acts be the same as those within which the Magistrates of such Burghs have Jurisdiction in Matters of Police:

The Word "Constable" shall mean and include Officers of Court, Chief Constable, Superintendent of Police, and every Grade of Constable or Police Officer, or any Person belonging to any Constabulary Force in any Part of *Scotland*, as also any Sheriff Officer or Justice of Peace Constable.

38. This Act shall commence and take effect from and after the First Day of *September* next after the passing thereof. Commencement of Act.

39. This Act may be cited for all Purposes as "The Public Houses Acts Amendment (*Scotland*) Act, 1862." Short Title.

SCHEDULE (A.)

No. 1.

Form of Certificate for Inns and Hotels.

At a General Meeting for granting and renewing Certificates for the Sale of Exciseable Liquors held by Her Majesty's Justices of the Peace acting in and for the County [*or* of the Magistrates of the Burgh, *as the Case may be*,] of holden at within the said County [*or* Burgh] on the Day of in the Year One thousand eight hundred and Her Majesty's Justices of the Peace acting in and for said County [*or* the Magistrates of the said Burgh] assembled at the said Meeting did authorize and empower *A.L.*, now dwelling at , to keep an Inn and Hotel at in the Parish of and County aforesaid [*or* Burgh aforesaid] for the Sale in the said House, but not elsewhere, of Victuals, and of Spirits, Wine, Porter, Ale, Beer, Cyder, Perry, or other Exciseable Liquors, [*or* of Victuals, and of Porter, Ale, Beer, Cyder, or Perry,] [*or* of Victuals, Wine, Porter, Ale, Beer, Cyder, or Perry,] provided the said *A.L.* shall be licensed and empowered to sell such Liquors under the Authority and Permission of any Excise Licence to him or her in that Behalf granted, on the Terms and Conditions following; that is to say, that the said *A.L.* do not fraudulently adulterate the Bread or other Victuals or Liquors sold by him, or sell the same knowing them to have been fraudulently adulterated; and do not use in selling the same any Weight or Measure which is not of the legal Imperial Standard; and do not sell any Groceries or other uncooked Provisions in the said House or Premises, to be consumed elsewhere; and do not knowingly permit any Breach of the Peace, or riotous or disorderly Conduct, within the said House or Premises; and do not knowingly permit or suffer Men or Women of notoriously bad Fame, or Girls or Boys, to assemble and meet therein; and do not supply Exciseable Liquors to Girls or Boys apparently under Fourteen Years of Age, or to Persons who are in a State of Intoxication; and do not permit or suffer any unlawful Games therein; and do not keep open House, or permit or suffer any Drinking on any Part of the Premises belonging thereto, or sell or give out therefrom any Liquors, before Eight of the Clock in the Morning, or after Eleven of the Clock at Night, of any Day, with the Exception of Refreshment to Travellers or to Persons requiring to lodge in the said House or Premises; and do not open his House for the Sale of any Exciseable Liquors, or permit or suffer any Drinking therein or on the Premises belonging thereto, or sell or give out the same, on Sunday, except for the Accommodation of Lodgers and Travellers; and do maintain good Order and Rule within his House and Premises; and, lastly, do not transgress or commit any Breach of the Conditions of any Permission to sell on a public or special Occasion within his own House or elsewhere. This Certificate to continue in force, upon the Terms and Conditions aforesaid, from the Day of One thousand eight hundred and and until the Day of One thousand eight hundred and and no longer.

The above Certificate is made out according to the Deliverance in the Book or Register appointed to be kept in Terms of the Act of Parliament.

C.D., Clerk.

No. 2.

FORM OF CERTIFICATE FOR PUBLIC HOUSES.

At a General Meeting for granting and renewing Certificates for the Sale of Exciseable Liquors held by Her Majesty's Justices of the Peace acting in and for the County [*or* of the Magistrates of the Burgh, *as the Case may be*,] of holden at within the said County [*or* Burgh] on the Day of in the Year One thousand eight hundred and Her Majesty's Justices of the Peace acting in and for the said County [*or* the Magistrates of the said Burgh] assembled at the said Meeting did authorize and empower [*A. L.*], now dwelling at , to keep a Public House at in the parish of and County [*or* Burgh] aforesaid for the Sale in the said House, but not elsewhere, of Victuals, and of Spirits, Wine, Porter, Ale, Beer, Cyder, Perry, and other Exciseable Liquors, [*or* of Victuals, and of Porter, Ale, Beer, Cyder, or Perry,] [*or* of Victuals, Wine, Porter, Ale, Beer, Cyder, or Perry,] provided that the said *A.L.* shall be licensed and empowered to sell such Liquors under the Authority and Permission of any Excise Licence to him in that Behalf granted, on the Terms and Conditions following; that is to say, that the said *A.L.* do not fraudulently adulterate the Bread or other Victuals or Liquors sold by him, or sell the same knowing them to have been fraudulently adulterated; and do not use in selling the same any Weight or Measure which are not of the legal Imperial Standard; and do not sell any Groceries or other uncooked Provisions in the said House or Premises, to be consumed elsewhere; and do not knowingly permit any Breach of the Peace, or riotous or disorderly Conduct, within the said House or Premises; and do not permit or suffer Men or Women of notoriously bad Fame, or Girls or Boys, to assemble and meet therein; and do not sell or supply Exciseable Liquor to Girls or Boys apparently under Fourteen Years of Age, or to Persons who are in a State of Intoxication, and do not receive or take in, as the Price or for the Supply of Exciseable Liquors, any Wearing Apparel, Goods, or Chattels; and do not permit or suffer any unlawful Games therein; and do not keep open House, or permit or suffer any Drinking in any Part of the Premises belonging thereto, or sell or give out therefrom any Liquors, before Eight of the Clock in the Morning, or after Eleven of the Clock at Night, of any Day; and do not open his House for the Sale of any Liquors, or permit or suffer any Drinking therein, or on the Premises thereto belonging, or sell or give out the same, or any other Goods or Commodities, on Sunday; and lastly, do not transgress or commit any Breach of the Conditions of any Permission to sell on a public or special Occasion within his own House or elsewhere; and do maintain good Order and Rule within his House and Premises. This Certificate to continue in force, upon the Terms and Conditions aforesaid, from the Day of One thousand eight hundred and and no longer.

The above Certificate is made out according to the Deliverance in the Book or Register appointed to be kept in Terms of the Act of Parliament. *C.D.*, Clerk.

No. 3.

FORM OF CERTIFICATE FOR DEALERS IN EXCISEABLE LIQUORS, AND GROCERS AND PROVISION DEALERS TRADING IN EXCISEABLE LIQUORS.

At a General Meeting for granting or renewing Certificates for the Sale of Exciseable Liquors held by Her Majesty's Justices of the Peace acting in and for the County [*or* of the Magistrates of the Burgh, *as the Case may be*,] of holden at within the said County [*or* Burgh] on the Day of in the Year One thousand eight hundred and Her Majesty's Justices of the Peace acting in and for the said County [*or* the Magistrates of the said Burgh] assembled at the said Meeting did authorize and empower *A.L.*, now dwelling at , to keep Premises at in the Parish and County aforesaid [*or* Burgh aforesaid] for the Sale therein, but not elsewhere, of Spirits, Wine, Porter, Ale, Beer, Cyder, Perry, or other Exciseable Liquors, [*or* of Porter, Ale, Beer, Cyder, or Perry,] [*or* of Wine, Porter, Ale, Beer, Cyder, or Perry,] provided the said *A.L.* shall be licensed and empowered to sell such Liquors under the Authority and Permission of any Excise Licence to him in that Behalf granted, on the Terms and Conditions following; that is to say, that the said *A.L.* do not fraudulently adulterate the Liquors sold by him, or sell the same knowing them to have been fraudulently adulterated; and do not use in selling the same any Weight or Measure which is not of the legal Imperial Standard; and do not knowingly permit any Breach of the Peace, or riotous or disorderly Conduct, within the said Premises; and do not sell or supply Exciseable Liquors to Persons who are in a State of Intoxication, or to Girls or Boys apparently under Fourteen Years of Age, and do not traffick in or give any Spirits, Wine, or other Exciseable Liquors, [*or* Wine, Porter, Ale, Beer, Cyder, and Perry,] [*or* Porter, Ale, Beer, Cyder, and Perry,] to be drunk or consumed on the said Premises, and do not receive or take in, as the Price or for the Supply of Exciseable Liquors, any Wearing Apparel, Goods, or Chattels; and do not traffick in or give out therefrom

therefrom any Liquors before Eight of the Clock in the Morning, or after Eleven of the Clock at Night, of any Day; and do not open his Premises for Business, or for the Sale of any Liquors or any Goods or Commodities whatsoever, or sell or give out the same, on Sunday; and lastly, do maintain good Order and Rule within his Premises. This Certificate to continue in force, upon the Terms and Conditions aforesaid, for One Year from the Day of One thousand eight hundred and .

The above Certificate is made out according to the Deliverance in the Book or Register appointed to be kept in Terms of the Act of Parliament.

C.D., Clerk.

SCHEDULE (B.)

No. 1.

Unto the Honourable Her Majesty's Justices of the Peace for [*or* the Magistrates of the Burgh of]

The Application of [*state full Name, Designation, and present Place of Abode of Applicant*].

Humbly sheweth,

That the Applicant is desirous to obtain a Certificate for Licence for [an Inn and Hotel, *or* Public House, *or* a Dealer in Groceries and Provisions, *as the Case may be,*] at [*Place or Street, and Number*] in the Parish [*or* Burgh] of , and County of , for the ensuing Year [*or* Half Year, *as the Case may be*], in Terms of the "Public Houses Acts Amendment (Scotland) Act, 1862," and Acts therein recited, and refers to the Answers which are truly made to the subjoined Queries:

State whether it is a Renewal of a Certificate at present in Applicant's Name, or in that of another Party, or Renewal of a transferred Certificate, or a Certificate for a new House, that Applicant desires - - -

Whether Applicant has attained Twenty-one Years of Age

Whether bred to the Trade; or if not, to what other Trade or Business - - - - - -

Whether Applicant carries on or intends to carry on or follow any other Trade or Occupation - - -

Whether Applicant holds a Licence at present; and if so, state where the Premises are situated, and how long he has held the same - - - - -

Whether Applicant has any Interest in any other Business in Premises at present licensed, or for which a Certificate is sought; and if so, where those Premises are severally situated - - - - -

State the actual Rent of Premises, and the Proprietor's or Factor's Name and Designation - - - - -

Signature of Applicant

Date

No. 2.

REPORT BY JUSTICE OR MAGISTRATE.

I, One of Her Majesty's Justices of the Peace for [*or* One of the Magistrates of the Burgh of *as the Case may be*], hereby report that I personally examined the Premises described in the foregoing Application, and that the same are of suitable Construction and Accommodation for the Purpose applied for, reserving to the Justices [*or* Magistrates, *as the Case may be,*] to determine whether it be meet and convenient to grant the Certificate applied for.

J. P. *or* Magistrate.

CERTIFICATE OF CHARACTER AND QUALIFICATION.

I, One of Her Majesty's Justices of the Peace for [*or* One of the Magistrates of the Burgh of *as the Case may be*], certify, after careful Inquiry, that , designed in the foregoing Application, is [*here state Result of Inquiry touching Applicant's Character and Qualification*].

J. P. *or* Magistrate.

SCHEDULE (C.)

LIST of APPLICATIONS for CERTIFICATES for the Sale of Exciseable Liquors for the County [*or* of the County] of *or* Burgh of , for new Premises, by new Tenants or Occupants, and for Renewal of transferred Certificates.

Name, Designation, and Residence of Applicant.	Number of Street of Burgh (or Place and Parish of County) of Premises.	Class of Certificate applied for.	Name and Address of Landlord or Factor of Premises.
	For new Premises.		
	By new Tenants or Occupants.		
	For Renewal of transferred Certificate.		

SCHEDULE (D.)

No. 1.

COMPLAINT.

Unto the Honourable Her Majesty's Justices of the Peace for the County of , [*or* Sheriff of the County of *or* Magistrates of the Burgh of *as the Case may be*].

Humbly complains *A.B.*

Procurator Fiscal of Court, [*or other Party appointed to prosecute, as the Case may be,*] for the Public Interest:

That *C.D.* [*Designation*] [*in the Case of a Breach of Certificate state here* "who holds a Certificate for the Sale of Exciseable Liquors at [*name the Place*]"] has been guilty of an Offence against the Laws for the Regulation of Public Houses in Scotland, in so far as [*here state the Particulars of the Offence, specifying the Place and Time thereof, and in the Case of a Breach of Certificate, or trafficking without a Certificate, add,* such Offence is the "First," "Second," "Third," *or* "an Offence subsequent to the Third" Offence, *as the Case may be*].

May it therefore please your Honour [*or* Lordship, *as the Case may be,*] to grant Warrant to summon the said to appear before you [*or* to apprehend the said and bring him before you] to answer to this Complaint, and to be dealt with in Terms of the Public Houses Acts Amendment (Scotland) Act, 1862, and the Acts therein recited, [*if the Certificate be declared to be forfeited, add,* "and further adjudge his Certificate to be forfeited, and null and void."]

A.B.

No. 2.

WARRANT TO SUMMON.

[*Place and Date.*]

The Justice [*or* Sheriff *or* Magistrate] grants Warrant to Officers of Court to serve a Copy of this Complaint and of this Deliverance upon the therein named and designed *C.D.*, and to cite him to appear personally to answer thereto at [*here state the Place*] upon the Day of at of the Clock noon, with Certification, and also to cite Witnesses and Havers for both Parties for the same Time and Place.

G.H.,
J. P. *or* Sheriff *or* Magistrate.

No. 3.

WARRANT TO APPREHEND.

[*Place and Date.*]

The Justice [*or* Sheriff *or* Magistrate] grants Warrant to Officers of Court to search for and apprehend *C.D.*, named and designed in the foregoing Complaint, and, if necessary for that Purpose, to open any Shut or Lock-fast Places, and to bring him before any One or more, as may be competent, of Her

Her Majesty's Justices of the Peace for the County of [*or* the Sheriff of the County of *or* a Magistrate of the Burgh of] to answer thereto at the [*name the Place or Court House*], and also to cite Witnesses and Havers for both Parties for all Diets in the Case.

G.H.,
J. P. *or* Sheriff *or* Magistrate.

No. 4.

CITATION.

To *C.D.* [*Designation.*]

Take notice, That you will have to appear personally at the Place and Time specified in the foregoing Warrant to answer to the Complaint to which this Notice is attached, with Certification.

This I do this Day of

J.K.
Officer of Court.

No. 5.

MINUTE OF COURT PROCEDURE.

(When Accused appears.)

At the Day of 18 , in the Presence of of Her Majesty's Justices of the Peace for the County of [*or* Sheriff *or* Magistrate], appeared *C.D.* complained against; and the Complaint being read over to him he answers that he is Guilty [*or* Not Guilty].

[*If Accused pleads Not Guilty.*]

The Witness [*or* Witnesses] after named was examined upon Oath in support of the Complaint; viz.,

And the Witness [*or* Witnesses] after named was examined upon Oath in Exculpation; viz.,

(When Accused is absent.)

At the Day of 18 , in Presence of of Her Majesty's Justices of the Peace for the County of [*or* Sheriff *or* Magistrate], *C.D.* complained against having failed to appear, and after Proof by the Oath of Officer of Court that such Officer had duly summoned the said *C.D.*

The Witness [*or* Witnesses] after named was examined upon Oath in support of the Complaint; viz.,

No. 6.

CONVICTION.

The Justices [*or* Justice *or* Sheriff *or* Magistrate] in respect of the judicial Confession of the said *C.D.* [*or* of the Evidence adduced] convict the said *C.D.* of the Offence charged [being a Offence], and adjudge him to forfeit and pay to the Complainer the Sum of of Penalty, [*if Expenses shall be awarded*] with the Sum of of Expenses]; and in default of [immediate] Payment thereof [*or if Time is allowed, state* within Days from this Date,] adjudge him to be committed to the Prison of for the Period of from the Date of his Incarceration, unless said Sum [*or* Sums] shall be sooner paid, and grant Warrant to Officers of Court to apprehend him, and convey him to said Prison, and to the Keeper thereof to receive and detain him accordingly.

If against a Party holding a Certificate (*if the Certificate be declared to be forfeited*) *add*, "and "further adjudge his Certificate to be void and null from this Date."

A.B., J.P.,
or
G.H., J.P.,
M.N., J.P.,
or Sheriff *or* Magistrate.

SCHEDULE (E.)

The following FEES, and no others, to be payable to Clerks of the Peace, Sheriff Clerks, and Town Clerks, acting under this Act or the Acts therein recited.

	£	s.	d.
Each printed Copy of Form of Application for Certificate - - -	0	0	6
Lodging Application - - - - - - - -	0	2	6
Lodging Objection (under Section 11) - - - - -	0	2	6
Inspection of Register, or Applications, for each Hour or Part of an Hour -	0	1	0
Warrant on Complaint - - - - - - - -	0	2	0

	£	s.	d.
Each Witness examined in Trials	0	1	0
Conviction	0	2	6
Deciding Objections (under Section 11)	0	1	0
Lodging Appeal and finding Caution	0	3	0
Deciding Appeal	0	2	6
Extracts or certified Copies of any Proceedings, Warrants, or Conviction, per Sheet, written or printed, of 150 Words	0	1	0

CAP. XXXVI.

An Act to appropriate certain Portions of Land lying between High and Low Water Mark, situate in the Parishes of *Shoebury* and *Wakering* in the County of *Essex*, as Ranges for the Use and Practice of Artillery. [17th *July* 1862.]

'WHEREAS certain Lands in the Parish of *Shoebury* in the County of *Essex* have been purchased in Fee, and certain other Lands therein and in the Parish of *Wakering* in the same County have been acquired for certain Terms of Years under the "Defence Act, 1842," and the "Ordnance Board Transfer Act, 1855," and are now vested in and possessed by Her Majesty's Principal Secretary of State for the War Department in trust for Her Majesty, the Particulars of which Premises and of his Estate and Interest therein are mentioned and set forth in the Schedule to this Act, and are shown and delineated on the Map or Plan made thereof and to be deposited with the Lords Commissioners of the Admiralty: And whereas the said Lands and Premises have been used and appropriated for the Establishment of a School of Gunnery and the Practice of Artillery, and large Sums of Money have been expended in the Erection of Barracks and Quarters for Officers and Soldiers at *Shoebury* aforesaid: And whereas it is alleged that Portion of the Lands and Premises which lies between High and Low Water Mark is subject to the Rights of Passage and Anchorage of Vessels in the Water or Sea flowing over the same, and at Low Water to certain other Rights of Grounding thereon: And whereas such alleged Rights, if suffered to continue, would very much interfere with and impede the useful Purposes intended to be effected by the Acquisition of the said Lands and Premises and by the Establishment of the School of Gunnery aforesaid, and would be highly detrimental to the Public Service; and for the Reasons aforesaid it is expedient that the same should be forthwith partially extinguished and the said Premises be kept free from all the Anchorage or Grounding of Vessels, Barges, and other Craft:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

5 & 6 Vict. c. 94.
18 & 19 Vict. c. 117.

Spaces for the Practice of Artillery to be kept free and open, and to be marked by Buoys, &c.

1. So long as the Lands and Premises mentioned in the Schedule to this Act shall remain vested in or be possessed by Her Majesty's Principal Secretary of State for the War Department in trust as aforesaid, he shall from Time to Time, as Occasion may require, cause to be marked out and distinguished by Buoys, or other sufficient Marks to be erected or fixed upon the said Lands and Premises, such Spaces or Distances thereon as he may judge necessary, to be kept free from all Anchorage or Grounding of Vessels of any Kind, and to order and direct that the several Spaces or Distances so marked out and distinguished shall be and remain as Ranges for Artillery Practice, freed from all Rights of Anchorage or Grounding thereon.

Rights of Anchorage and Grounding to cease, and Notice to be given to the Admiralty, and advertised, &c.

2. Whenever the said Principal Secretary shall have marked out and appropriated any Spaces or Distances for Ranges as aforesaid, all Rights (if any) of Anchorage and Grounding over or upon the same shall absolutely cease and determine, and a Notification thereof shall be made to the Lords of the Admiralty, and be published in the *London Gazette*, and by Advertisement in some Morning Newspaper and in some local Newspaper circulated in the said County of *Essex*, and by affixing the same on the Church Doors of the said several Parishes aforesaid.

No Vessel or Person to pass over Ranges marked out pursuant to this Act.

Penalty for Offences to be recovered as in 11 & 12 Vict. c. 43.

3. If any Vessel, Barge, or other Craft, unless forced to remain thereon by Stress of Weather or other unavoidable Accident, shall anchor or ground upon any Range marked out in pursuance of this Act, then the Owner or Master of such Vessel, Barge, or other Craft, as the Case may be, shall on Conviction thereof before any Justice or Justices of the Peace forfeit and pay such a Sum not less than Forty Shillings and not exceeding Five Pounds for every Offence, as may be awarded against him, and such Penalty, and also the reasonable Costs attending the Prosecution, shall be duly ascertained and awarded, and shall be enforced and recovered as any pecuniary Penalties may be recovered under the Provisions of an Act passed in the Twelfth Year of Her Majesty, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to Summary Convictions and Orders.*

Saving Rights of Lords and Ladies of the Manors of South Shoebury and Wakering.

4. Nothing in this Act contained shall be construed to prevent the Entry of the Lords or Ladies of the Manors of *South Shoebury* and *Wakering*, their respective Servants or Agents, upon the Beach or Shore for the Purpose of exercising their Manorial or other Rights thereon, and of recovering or removing therefrom all Wrecks of the Sea, Jetsam, Flotsam, and Lagan Goods, Merchandise, or Effects whatsoever, or from exercising any other Rights reserved to the Lords or Ladies or either of them in

and

and by any Lease or Leases granted by or on behalf of them or either of them, or by any Conveyance or Assurance to the Secretary of State for the War Department: Provided always, that no Part of the Lands lying East and North of the Line marked A., B., and C. on the said Map or Plan shall ever be appropriated for any Range under the Provisions of this Act; and that nothing herein contained shall be deemed to repeal or alter any Enactments relating to Wreck, Jetsam, Flotsam, or Derelict contained in the Merchant Shipping Act, 1854, or in any Act amending the same.

5. This Act may be cited for all Purposes as "The Artillery Ranges Act, 1862." Short Title.

The SCHEDULE.

All the Land and Foreshore situate between High and Low Water Mark in the Parishes of North and South Shoebury and Wakering, in the County of Essex, being the South-western Part of certain Lands called the Maplin Sands, and lying in front of and abutting in Part upon Lands belonging to Her Majesty's Principal Secretary of State for the War Department, in other Part upon Lands belonging to the Lord of the Manor of Shoebury, in other Part upon Lands belonging to G. A. W. Welsh, Esq., and in other Part upon Lands belonging to Sir John Tyssen Tyrell, Bart., which said Lands and Foreshore are shown and delineated on the Map or Plan made thereof and deposited with the Lords Commissioners of the Admiralty by the Colours Red, Black, Green, and Brown respectively; the Lands coloured Red having been purchased by and being now vested in the said Principal Secretary and his Successors in Fee; the Lands coloured Black being held by the said Principal Secretary under a Lease bearing Date the First Day of March One thousand eight hundred and sixty-two, for the Term of Forty Years from the Twenty-fifth Day of March One thousand eight hundred and fifty-two; the Lands coloured Green being held by the said Principal Secretary under a Lease bearing Date the Fifth Day of May One thousand eight hundred and sixty, for the Term of Thirty-one Years from the Fifth Day of April One thousand eight hundred and sixty; and the Lands coloured Brown being held by the said Principal Secretary under a Lease bearing Date the Thirteenth Day of September One thousand eight hundred and fifty-four, for the Term of Fifty Years from the Twenty-fifth Day of March One thousand eight hundred and fifty-one.

C A P. XXXVII.

An Act to remove Doubts concerning, and to amend the Law relating to, the private Estates of Her Majesty, Her Heirs and Successors. [17th *July* 1862.]

'WHEREAS by the Fifth Section of the Act passed in the First Year of the Reign of Her Majesty Queen *Anne*, Chapter Seven, and intituled *An Act for the better Support of Her Majesty's Household, and of the Honour and Dignity of the Crown*, it was enacted, that every Grant, Lease, or other Assurance which from and after the Twenty-fifth Day of *March* One thousand seven hundred and two should be made or granted by Her said Majesty, Her Heirs or Successors, Kings or Queens of this Realm, under the Great Seal of *England*, Exchequer Seal, Seals of the Duchy and County Palatine of *Lancaster* or any of them, or by Copy of Court Roll, or otherwise howsoever, of any Manors, Messuages, Lands, Tenements, Rents, Tithes, Woods, or other Hereditaments, (Advowsons of Churches and Vicarages only excepted,) within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick-upon-Tweed*, or any of them, or any Part thereof, then belonging or thereafter to belong to Her Majesty, Her Heirs or Successors, or to any other Person or Persons in trust for Her Majesty, Her Heirs or Successors, in possession, reversion, remainder, use, or expectancy, whether the same were or should be in right of the Crown of *England* or as Part of the Principality of *Wales* or of the Duchy or County Palatine of *Lancaster*, or otherwise howsoever, to any Person or Persons, Body Politic or Corporate whatsoever, whereby any Estate or Interest whatsoever in Law or in Equity should or might pass from Her Majesty, Her Heirs or Successors, should be utterly void and of none Effect, unless such Grant, Lease, or Assurance should be made for some Term or Estate not exceeding Thirty-one Years or Three Lives, or for some Term of Years determinable on One, Two, or Three Lives, and unless such Grant, Lease, or Assurance respectively should be made to commence from the Date of making thereof, and if such Grant, Lease, or Assurance should be made to take effect in reversion or expectancy, that then the same, together with the Estate or Estates in possession of and in the Premises therein contained, should not exceed Three Lives or the Term of Thirty-one Years in the whole; and it was by Section Seven of the same Act enacted, that all Gifts, Grants, Alienations, Leases, and Assurances whatsoever to be had or made of any the said Manors, Messuages, Lands, Tenements, Rents, Tithes, or other Hereditaments, or of any of the Revenues therein mentioned, or Branches, or any Part thereof, contrary to the Provisions of the now reciting Act, or any of them, should be null and void without any Inquisition, Scire facias, or other Proceeding to determine or make void the same: And whereas by the Act passed in the First Year of the Reign of His Majesty King *George* the Third, Chapter One, and intituled *An Act for the Support of His Majesty's Household, and the Honour and Dignity of the Crown of* Great Britain, it was enacted, that the Revenue arising to His Majesty by Rents of Lands or for Fines of Leases of the same, or any

1 Anne, c. 7. s. 5.

1 Anne, c. 7. s. 7.

1 G. 3. c. 1.

'any of them, (except the Revenue of the Duchy of *Cornwall*,) should, from and immediately after the 'Demise of His then late Majesty King *George* the Second, be during His Majesty's Life carried to 'and made Part of the General Aggregate Fund established by the Act of the First Year of the Reign 'of His late Majesty King *George* the First, and be during the said Term issued and applied, in the 'Manner therein-after mentioned, to the Uses to which the said Fund was or should be made 'applicable: And whereas by the Act passed in the Thirty-fourth Year of the Reign of His Majesty
34 G. 3. c. 75. 'King *George* the Third, Chapter Seventy-five, and intituled *An Act for the better Management of* 'the Land Revenue of the Crown, and for the Sale of Fee-farm and other unimprovable Rents, 'further Provisions were made touching Grants, Leases, and other Assurances which should be made 'or granted by His Majesty, His Heirs or Successors, under the Great Seal, or Seal of the Exchequer, 'or either of them, of any Manors, Messuages, Lands, Tenements, or Hereditaments, within the King-'dom of *England* and Dominion of *Wales*, or any of them, or any Part thereof then belonging or 'thereafter to belong to His Majesty, His Heirs or Successors, and being within the ordering and 'Survey of the Exchequer in *England*: And whereas by the Act passed in the Session of Parliament 'held in the Thirty-ninth and Fortieth Years of the Reign of His Majesty King *George* the Third,
39 & 40 G. 3. c. 88. 'Chapter Eighty-eight, intituled *An Act concerning the Disposition of certain Real and Personal* 'Property of His Majesty, His Heirs and Successors, and also of the Real and Personal Property of 'Her Majesty and of the Queen Consort for the Time being, it was enacted, that none of the Provi-'sions or Restrictions contained in the said Acts of the First Year of Her said Majesty Queen *Anne* 'and the First and Thirty-fourth Years of the Reign of His then Majesty, should extend to any 'Manors, Messuages, Lands, Tenements, or Hereditaments, of whatsoever Tenure the same might be, 'which had at any Time theretofore been purchased by His Majesty, or should at any Time there-'after be purchased by His Majesty, His Heirs or Successors, out of any Monies issued and applied 'for the Use of His or Their Privy Purse, or with any other Monies not appropriated to any Public 'Service, or to any Manors, Messuages, Lands, Tenements, or other Hereditaments, of whatsoever 'Tenure the same might be, which had come to His Majesty, or should or might come to Him or His 'Heirs or Successors, by the Gift or Devise of, or by Descent or otherwise from any of His, Her, or 'Their Ancestors, or any other Person or Persons not being Kings or Queens of this Realm; and it 'was thereby declared, that the Intent of that Enactment was that the same should operate to all Intents 'and Purposes as from the Birth of His then Majesty; and by the same Act certain Powers of Disposi-'tion were given to His Majesty, His Heirs or Successors, over such Manors, Messuages, Lands, Tene-'ments, and Hereditaments as are therein mentioned as aforesaid, and other Provisions were thereby 'enacted concerning the same: And whereas by the Act passed in the Fourth Year of the Reign of His
4 G. 4. c. 18. 'Majesty King *George* the Fourth, Chapter Eighteen, intituled *An Act concerning the Disposition of* 'certain Property of His Majesty, His Heirs and Successors, it was enacted that all the Powers given 'to and vested in His Majesty, His Heirs and Successors, by the said Act of the Thirty-ninth and Fortieth 'George the Third, Chapter Eighty-eight, over the Manors, Messuages, Lands, Tenements, and Here-'ditaments purchased or to be purchased by Him or Them, or coming to Him or Them in manner in the 'same Act mentioned, and all other the Provisions of the same Act touching and concerning the same, 'should be and the same Powers and Provisions were by the now reciting Act extended to, and should 'be deemed, construed, and taken to extend and apply to all Manors, Messuages, Lands, Tenements, and 'Hereditaments, whether of Freehold or Copyhold or Customary or Leasehold Tenure, whereof His 'Majesty, or any Person or Persons in trust for Him, at the Time of his Accession to the Crown of this 'Realm, or whereof His Heirs or Successors, or any Person or Persons in trust for Them, at the Time of 'Their respective Accessions to the Crown of this Realm, was, were, or should be seised and possessed, 'and which before such Accession He or They respectively might have legally granted, sold, given, or 'delivered: And whereas by the Fourth Section of the Act passed in the Session of Parliament held in 'the First and Second Years of the Reign of Her present Majesty Queen *Victoria*, Chapter Ninety-five,
1 & 2 Vict. c. 95. s. 4. 'intituled *An Act to provide for the Payment of certain Pensions*, after reciting the Seventh Section of 'the said Act of the First Year of Her Majesty Queen *Anne*, Chapter Seven, and that it was expedient 'to extend the said Provision to *Ireland* and *Scotland*, it was enacted, that the said Provision should 'be deemed and taken to extend to all Parts of the United Kingdom: And whereas it is doubtful 'whether the Provisions and Restrictions contained in the said Act of the First Year of Her Majesty 'Queen *Anne* may not be held to have been by the said Act of the First and Second Years of Her 'present Majesty Queen *Victoria*, Chapter Ninety-five, extended to the private Estates of Her Majesty, 'Her Heirs or Successors: And whereas it is expedient that such Doubts should be removed, and that 'such Provisions should be made concerning the private Estates of Her Majesty, Her Heirs or Suc-'cessors, as are herein-after contained:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation of Terms. **1.** That in the Construction of this Act the Expression "private Estates of Her Majesty, Her "Heirs or Successors," shall mean (unless controlled or confined to a more limited Sense by express Words or the Context) any Manors, Messuages, Lands, Tenements, Leases, and Hereditaments, and other Real or Heritable Property and Estate, of whatsoever Tenure the same may be, whether situate

or

or arising in *England*, *Scotland*, or *Ireland*, or in any other Part of Her Majesty's Dominions, which have at any Time heretofore been purchased or acquired by Her Majesty, or shall at any Time hereafter be purchased or acquired by Her Majesty, Her Heirs or Successors, out of any Monies issued and applied for the Use of Her or Their Privy Purse, or with any other Monies not appropriated to any Public Service, and any Manors, Messuages, Lands, Tenements, Leases, and Hereditaments, and other Real or Heritable Property and Estate, of whatsoever Tenure the same may be, whether situate or arising in *England*, *Scotland*, or *Ireland*, or in any other Part of Her Majesty's Dominions which have come to Her Majesty, or shall or may come to Her Majesty, or Her Heirs or Successors, by the Gift or Devise or Disposition of, or by Descent, Inheritance, or Succession, or otherwise, from any of Her or Their Ancestors, or any other Person or Persons not being Kings or Queens of this Realm, and any Manors, Messuages, Lands, Tenements, Leases, and Hereditaments, and other Real or Heritable Property and Estate, of whatsoever Tenure the same may be, and whether situate or arising in *England*, *Scotland*, or *Ireland*, or in any other Part of Her Majesty's Dominions, which did or shall belong to Her Majesty, or Her Heirs or Successors, or to any Person or Persons in trust for Her or Them, at the Time of Her or Their respective Accessions to the Crown of this Realm, and which before such Accession She or They respectively might have legally granted, sold, given, devised, disposed, or conveyed.

Restrictions of 7 Anne, c. 7., and 1 G. 3. c. 1., and 34 G. 3. c. 75. not to extend to the private Estates of the Sovereign.

2. None of the Provisions or Restrictions contained in the said Acts of the First Year of Her Majesty Queen *Anne* and the First and Thirty-fourth Years of His Majesty King *George* the Third, or in any other Act or Acts of Parliament relating to any Manors, Messuages, Lands, Tenements, Leases, or Hereditaments, or other Real or Heritable Property or Estate vested in or belonging to Her Majesty, Her Heirs or Successors, in right of the Crown of this Realm, do or shall extend to the private Estates of Her Majesty, Her Heirs or Successors.

Leasehold Estates (other than in Scotland) to be vested in Trustees.

3. Such private Estates of Her Majesty, Her Heirs or Successors, situate or arising in any Part of Her Majesty's Dominions, except *Scotland*, as are or shall be of Leasehold Tenure, shall be vested in some Trustee or Trustees for Her Majesty, Her Heirs and Successors respectively, from Time to Time to be respectively named or appointed by Instrument in Writing under the Sign Manual of Her Majesty, Her Heirs and Successors respectively, in the same Manner as if the Second Section of the said Act of the Thirty-ninth and Fortieth Years of His Majesty King *George* the Third, Chapter Eighty-eight, had extended to all such Estates.

Private Estates of the Sovereign in Scotland held under a Superior or in Lease to be vested in Trustees.

4. Such private Estates of Her Majesty, Her Heirs or Successors, situate or arising in *Scotland*, as are or shall be held feudally directly under the Crown as Superior, may lawfully be held by Her Majesty, Her Heirs or Successors, of and under Herself or Themselves as Sovereign or Sovereigns of this Realm and Feudal Superiors, and the Dominium utile thereof shall not become *ipso facto* consolidated with the Dominium directum; and such private Estates of Her Majesty, Her Heirs or Successors, situate or arising in *Scotland*, as are or shall be held feudally under a Subject Superior, or as are or shall be held in Lease shall be vested in some Trustee or Trustees for Her Majesty, Her Heirs and Successors respectively, from Time to Time to be respectively named or appointed by Instrument in Writing under the Sign Manual of Her Majesty, Her Heirs or Successors respectively, in the same Manner as if the Second Section of the said Act of the Thirty-ninth and Fortieth Years of His Majesty King *George* the Third, Chapter Eighty-eight, had extended to all such Estates.

As to Testamentary Disposition of the private Estates of the Sovereign other than in Scotland.

5. The private Estates of Her Majesty, Her Heirs or Successors, situate or arising in any Part of Her Majesty's Dominions (except *Scotland*), may be disposed of by Her Majesty, Her Heirs or Successors, in manner provided by the Fourth Section of the said Act of the Thirty-ninth and Fortieth Years of His Majesty King *George* the Third, Chapter Eighty-eight: Provided always, that a Will or other Testamentary Disposition by Her Majesty, Her Heirs or Successors, of or concerning any such private Estates as aforesaid, shall not require Publication; and every such Will or Testamentary Disposition shall be valid and effectual, if signed by the Testator or Testatrix, or by some other Person in His or Her Presence, and by His or Her Direction, in the Presence of Two Witnesses: Provided also, that every Will or other Testamentary Disposition by Her Majesty, Her Heirs or Successors, of any such private Estates as aforesaid, made under the Authority of this Act and of the said Act of the Thirty-ninth and Fortieth Years of His Majesty King *George* the Third, Chapter Eighty-eight, or either of them, and whether made before or after the passing of this Act, shall be construed with reference to the Property comprised in such Will or Testamentary Disposition, to speak and take effect as if it had been executed immediately before the Death of the Testator or Testatrix, unless a contrary Intention shall appear by the Will or other Testamentary Disposition.

As to Disposition of the private Estates of the Sovereign in Scotland.

6. The private Estates of Her Majesty, Her Heirs or Successors, situate or arising in *Scotland*, may be disposed of by Her Majesty, Her Heirs or Successors, by Dispositions or Conveyance, either special or general, granted either Mortis causâ or Inter vivos; and all Dispositions, Conveyances, Deeds of Appointment, Commissions, Powers of Attorney, Wills, Deeds of Settlement, and other Deeds or Instruments to be made or granted by Her Majesty, Her Heirs or Successors, of or relating to the private Estates of Her Majesty, Her Heirs or Successors, situate or arising in *Scotland*, shall be valid and effectual, although not executed according to the Forms of the Law of *Scotland*, if the same shall be under the Sign Manual attested by Two or more Witnesses; and every such Disposition or Conveyance,

if granted Mortis causâ shall be valid and effectual, whether the same shall be under the Sign Manual as aforesaid, or shall be signed by some other Person in the Presence of the Granter, and by His or Her Direction in the Presence of Two or more Witnesses, who shall attest the same, although the same shall not be executed according to the Forms of the Law of *Scotland*.

As to Descent of the private Estates of the Sovereign.

7. On the Demise of Her Majesty, Her Heirs or Successors, the private Estates of Her Majesty, Her Heirs or Successors, shall, subject and without Prejudice to any Disposition which shall have been made thereof under the Authority of the said Act of the Thirty-ninth and Fortieth Years of His Majesty King *George* the Third, Chapter Eighty-eight, or of this Act, descend or go in manner prescribed by, and (according to the Nature thereof) be subject to, the Provisions and Restrictions respectively referred to in the Fifth Section of the said Act of the Thirty-ninth and Fortieth Years of His Majesty King *George* the Third, Chapter Eighty-eight.

Private Estates of the Sovereign to be subject to Taxes.

8. The private Estates of Her Majesty, Her Heirs or Successors, shall be subject to all such Taxes, Rates, Duties, Assessments, and other Impositions, Parliamentary and Parochial, as the same would have been subject to if the same had been the Property of any Subject of this Realm; and all such Rates, Taxes, Assessments, and Impositions shall, so long as such private Estates shall be vested in Her Majesty, Her Heirs or Successors, or in any Person or Persons in trust for Her Majesty, Her Heirs or Successors as aforesaid, be ascertained, rated, assessed or imposed thereon in the same Manner and Form in all respects as if the same Estates were the absolute and beneficial Estate of any of Her Majesty's Subjects; but nevertheless such Rates, Taxes, Assessments, and Impositions shall be paid and payable in manner herein-after directed, and not otherwise.

Taxes to be paid out of the Privy Purse.

9. So long as the private Estates of Her Majesty, Her Heirs or Successors, shall remain vested in Her Majesty, Her Heirs or Successors, or in any Trustee or Trustees for Her Majesty, Her Heirs or Successors as aforesaid, freed and discharged from the Provisions and Restrictions aforesaid, all Taxes, Rates, Duties, Assessments, Impositions, Rents, and other annual Payments, Fines, and other Outgoings, which shall from Time to Time be charged and chargeable upon or be or become due and payable in respect of all or any of such private Estates, shall be paid and discharged out of the Privy Purse of Her Majesty, Her Heirs or Successors, and Accounts thereof shall from Time to Time be returned to the Person or Persons for the Time being executing the Office of Privy Purse of Her Majesty, Her Heirs or Successors, or to his or their Deputy, who shall by and out of any Monies in his or their Hands applicable for the Use of Her Majesty, Her Heirs or Successors, pay and discharge the same.

Extension of Trustee Act, 1850, to the private Estates (except in Scotland), and to the Personal Estate of the Sovereign.

10. The Trustee Act, 1850, shall extend to a Trustee or Trustees of the private Estates of Her Majesty, Her Heirs or Successors, situate or arising in any Part of Her Majesty's Dominions, except *Scotland*, and to any Trustee or Trustees of any Personal Estate of Her Majesty, Her Heirs or Successors, and any Petition or other Proceeding for obtaining the Benefit of that Act for or on behalf of Her Majesty, Her Heirs or Successors, shall be by and in the Name or Names of any Person or Persons authorized in that Behalf by Her Majesty, Her Heirs or Successors, by any Instrument in Writing under the Sign Manual.

Provision as to legal Proceedings and Trust Estates in Scotland.

11. All Suits and Actions, either Real or Personal, respecting the private Estates of Her Majesty, Her Heirs and Successors, in *Scotland*, and which may not be vested in a Trustee or Trustees, may be sued, in *Scotland*, on behalf of Her Majesty, Her Heirs and Successors, by and in the Name or Names of any Person or Persons to be from Time to Time for that Purpose appointed by Her Majesty, Her Heirs or Successors, by any Writing under the Sign Manual, every such Appointment to continue only during the Pleasure of Her Majesty, Her Heirs and Successors; and all Suits and Actions in *Scotland* respecting such private Estates at the instance of other Parties may be sued and carried on by Summons or Process directed against such Person or Persons; and Her Majesty, Her Heirs or Successors, shall at all Times be entitled to require any Trustee or Trustees who may be vested in or possessed of any of the private Estates of Her Majesty, Her Heirs and Successors, in *Scotland*, to convey and dispone the same to Her Majesty, Her Heirs or Successors, or to any new Trustee or Trustees to be named or appointed by Her Majesty, Her Heirs or Successors, by Writing under the Sign Manual; and in the event of the Failure, Delay, or Inability of any such Trustee or Trustees so to convey or dispone the same, or in the event of the said Trustee or Trustees having died, it shall be competent for any Person or Persons authorized in that Behalf by Her Majesty, Her Heirs or Successors, by Writing under the Sign Manual, to apply by Petition to the Court of Session to declare that the Trust Conveyance subsists for the Benefit of Her Majesty, Her Heirs and Successors, and that Her Majesty, Her Heirs and Successors, are entitled to have the same transferred, and further to adjudge such private Estates in *Scotland* which shall be specified and described in the Petition from such Trustee or Trustees, or his or their Heirs or Heir, and to decern and declare the same to belong to Her Majesty, Her Heirs or Successors, or to such new Trustee or Trustees as may be so named and appointed, as the Case may be; and the Court of Session shall pronounce Decreet in Terms of the Prayer of such Petition, and such Decreet shall be held to be and shall have the Effect of a valid Conveyance and Disposition in due and usual Form of such private Estates as shall be specified and described in the Decreet in favour of Her Majesty, Her Heirs and Successors, or of such Trustee or Trustees, as the Case may be, and it shall be competent to register such Decreet in the General or Particular Register of Sasines in Terms of and to the

the Effect authorized by the "Titles to Lands (*Scotland*) Act, 1858," and the "Titles to Lands (*Scotland*) Act, 1860."

12. Provided that nothing in this Act contained shall take away or interfere with any Right or Remedy by any Law or Statute competent to Her Majesty, Her Heirs or Successors, in regard to the private Estates of Her Majesty, Her Heirs or Successors, or in regard to any Trusts of such Estates, or against any Trustee or Trustees, his or their Heirs, Executors, Administrators, and Assigns. Saving of the Rights and Remedies of the Sovereign.

13. This Act may be cited for all Purposes as "The Crown Private Estates Act, 1862." Short Title.

CAP. XXXVIII.

An Act to amend the Laws relating to the Sale of Spirits. [17th *July* 1862.]

'WHEREAS by the Twelfth Section of an Act passed in the Twenty-fourth Year of the Reign of King *George* the Second, Chapter Forty, intituled *An Act for granting to His Majesty an additional Duty upon Spirituous Liquors, and upon Licences for retailing the same; and for repealing the Act of the Twentieth Year of His present Majesty's Reign, intituled "An Act for granting a "Duty to His Majesty to be paid by Distillers upon Licences to be taken out by them for retailing "Spirituous Liquors," and for the more effectually restraining the retailing of distilled Spirituous Liquors; and for allowing a Drawback upon the Exportation of* British-*made Spirits; and that the Parish of* St. Mary-le-Bon *in the County of* Middlesex *shall be under the Inspection of the Head Office of Excise*, it is amongst other things enacted, that no Person or Persons whatsoever shall be entitled unto, or maintain any Cause, Action, or Suit for, or recover either in Law or Equity, any Sum or Sums of Money, Debt, or Demands whatsoever for or on account of any Spirituous Liquors, unless such Debt shall have really been and *bonâ fide* contracted at One Time to the Amount of Twenty Shillings or upwards, nor shall any particular Article or Item in any Account or Demand for distilled Spirituous Liquors be allowed or maintained where the Liquors delivered at One Time, and mentioned in such Article or Item, shall not amount to the full Value of Twenty Shillings at the least: And whereas it is expedient that the said recited Enactment should be repealed so far as is hereinafter mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Enactment as is herein-before recited shall be and the same is hereby repealed, so far only as relates to Spirituous Liquors sold to be consumed elsewhere than on the Premises where sold, and delivered at the Residence of the Purchaser thereof in Quantities not less at any One Time than a reputed Quart.

Recital of Sect. 12 of 24 G. 2. c. 40. enacting that no Action should be brought to recover any Debt for Spirituous Liquors, unless contracted at One Time to the Amount of 20*s*.

Recited Enactment repealed.

CAP. XXXIX.

An Act for enabling the Commissioners of Her Majesty's Treasury to make Arrangements with the *Red Sea* and *India* Telegraph Company. [17th *July* 1862.]

'WHEREAS in the Year One thousand eight hundred and fifty-eight a Joint Stock Company was incorporated under the "Joint Stock Companies Act," 1856, by the Name of "The *Red Sea* and *India* Telegraph Company, Limited," for the Purpose of establishing Telegraphic Communication between *India* and *England* by the *Red Sea*: And whereas by an Agreement dated the Eighteenth day of *November* One thousand eight hundred and fifty-eight, and made between Two of the Commissioners of Her Majesty's Treasury of the one Part, and the said Company of the other Part, it was amongst other things provided, that the Lords Commissioners of Her Majesty's Treasury should guarantee to the Company (subject to such Confirmation by Act of Parliament as therein-after mentioned) that during the Period of Fifty Years from the Fourth Day of *August* One thousand eight hundred and fifty-eight, the net Receipts available for Dividend upon each Half-yearly Statement of Accounts, after Payment of Working Expenses as therein-after mentioned, should be equal to Interest or Dividend at the Rate of Four and a Half *per Cent. per Annum* at the least upon the Amount of the Capital for the Time being *bonâ fide* called and paid up for the Purpose of the Company's Undertakings, not exceeding in any Case, except as therein-after mentioned, the Sum of Eight hundred thousand Pounds, and should, if and so often as during the said Period of Fifty Years, upon any Half-yearly Statement of Accounts, the net Receipts available for Dividend, after the Payment of Working Expenses, should not be equal to Interest or Dividend at the Rate of Two and a Quarter *per Cent.* for the Half Year upon the above-mentioned Amount of Capital, pay and make good such Deficiency to the Company: Provided always, that in the Calculation of the Amount to which the Company were entitled upon that Guarantee, all Capital paid up in the Course of the current Half Year should be taken to be entitled to Interest or Dividend at the above-mentioned Rate only from the Time when the same was so paid up: Provided also, that all Amounts paid by the Lords Commissioners under the Guarantee should be a Charge on the Company, to be repaid out of the future surplus Profits as therein-after provided: And whereas the said Company was afterwards incorporated, and the said Agreement confirmed by the "*Red Sea* and *India* Telegraph Act, 1859," and by a further Act, intituled *An Act for amending the* Red Sea *and* India

'*Telegraph Act*, 1859, and passed in the Year One thousand eight hundred and sixty-one, after reciting 'that Doubts were entertained whether the said Agreement empowered the said Commissioners to give 'effect to such Guarantee, except during such Time as the Line of Telegraph of the Company was in 'working Order, and that it was expedient that such Doubts should be removed, it was declared that 'the Guarantee contained in the said Agreement was not intended to be and was not conditional on the 'Line of Telegraph of the Company being in working Order: And whereas the Line of Telegraph laid 'down by the said Company, herein-after referred to as the Old Company, has ceased to transmit 'Messages: And whereas an Arrangement of which an Abstract is contained in the Schedule to this 'Act annexed has been entered into between the said Commissioners, the Old Company, and a new 'Company incorporated under the Name of "The Telegraph to *India* Company, Limited," herein 'referred to as the New Company, whereby it is agreed that on the New Company complying with 'certain Conditions required by the said Commissioners (and which Conditions have since been complied 'with), and in consideration of the New Company discharging all the Debts and Liabilities of the Old 'Company, the Cables, Lines, Stations, Concessions, and all other the Real and Personal Property of 'the Old Company, including Things in Action, should be transferred to the New Company; and that 'in consideration of such Transfer the Old Company should in exchange for the Guarantee given by 'the said Agreement receive such Compensation by way of Annuities, but subject to such Powers of 'Redemption, as is herein mentioned: And whereas the foregoing Arrangement cannot be carried into 'effect without the Authority of Parliament:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Transfer of Property from Old Company to new.

1. From and after the passing of this Act, the Cables, Lines, Stations, Concessions, and all other the Real and Personal Property of the Old Company, including Things in Action, shall vest in the New Company for all the Estate and Interest of the Old Company therein, and the said Agreement of the Eighteenth Day of *November* One thousand eight hundred and fifty-eight, and all the Covenants and Conditions therein contained, shall be deemed to be at an End, but the new Company shall be bound to fulfil the Agreement contained in the Schedule to this Act.

List of Shareholders to be made.

2. The Books of Transfer of Shares in the said Old Company shall be closed immediately on the passing of this Act, and within One Month from the Date of the passing of this Act a List of the several Persons then holding Shares or Stock in the Capital of the said Company at the Date of such Closing, duly authenticated under the Corporate Seal and by the Signature of the Secretary of the said Company, shall be delivered to the Governor and Company of the Bank of *England*, and such List shall set forth the Names, Descriptions, and Addresses of all such Persons, and the Amount of the Share or Shares held by each respectively, and the Amount which will be payable to each in respect of such Shares out of the Annuity of Thirty-six thousand Pounds herein-after referred to; and such List so authenticated shall for the Purposes of this Act be binding on all Persons whatsoever.

Charge upon Consolidated Fund of Terminable Annuities.

3. The Governor and Company of the Bank of *England*, as soon as possible after such List shall have been delivered to them, shall certify to the Commissioners of Her Majesty's Treasury that such List has been so delivered to them, and the said Commissioners are hereby authorized to charge and shall thereupon charge, under the Authority of this Act, upon the Consolidated Fund of the United Kingdom, an Annuity of Thirty-six thousand Pounds for Forty-six Years ending on the Fourth Day of *August* One thousand nine hundred and eight, payable in equal Moieties half-yearly, the First half-yearly Payment to become due on the Fourth Day of *August* One thousand eight hundred and sixty-two, and the last half-yearly Payment on the Fourth Day of *August* One thousand nine hundred and eight; and such half-yearly Payments shall be made to the said Governor and Company for and on account of the several Persons in the said Lists mentioned in the several and respective Accounts therein set forth.

Rights of Shareholders to Terminable Annuities.

4. The proportionate Parts of the said Annuity as certified in such List as being due to the several Persons therein named shall be inscribed in the Names of the several Parties in Books to be provided for the Purpose by the said Governor and Company, and all Payments becoming due from Time to Time thereon shall be payable at the Bank of *England* to the several Persons to whom such Payment shall from Time to Time be due, half-yearly, in equal Moieties on the Fourth Day of *August* and Fourth Day of *February*, and the said proportionate Parts shall be transferable in the Books of the said Governor and Company in like Manner as all other Annuities of like Kind chargeable on the Consolidated Fund of the United Kingdom, and payable by the said Governor and Company, and shall not be liable to Stamp Duty.

Delivery of Transfer Books to Bank of England.

5. Immediately after the Inscription of the said Annuity in the Books of the said Governor and Company as aforesaid, the Books of Transfer, and other Books of the *Red Sea* and *India* Telegraph Company relating to the Shares therein, shall be delivered by the said Company into the Custody of the said Governor and Company of the Bank of *England*, to be retained by them.

Redemption of Annuity.

6. The Commissioners of the Treasury may at any Time redeem the Annuity hereby granted on Payment of a Capital Sum which will be sufficient to purchase a Government Annuity at the Rate of Four Pounds Ten Shillings *per Annum* on each One hundred Pounds of the Stock or Capital of the said Old Company for the unexpired Residue of the Term.

7. There

Contribution of Revenues of India.

7. There shall be paid out of the Revenues of *India* to the Account of Her Majesty's Exchequer at the Bank of *England* in respect of the Charge hereby created, by Two half-yearly Payments on the Fourth Day of *August* and Fourth Day of *February* in each Year respectively, the annual Sum of Eighteen thousand and twenty-seven Pounds, being One Half of the Amount of the before-mentioned Annuity, and of the Cost of Management, the First of such half-yearly Payments to be made on the Fourth Day of *August* One thousand eight hundred and sixty-two, and the last on the Fourth Day of *August* One thousand nine hundred and eight.

SCHEDULE.

HEADS OF ARRANGEMENT REFERRED TO IN PREAMBLE OF ACT.

1. That the Old Company be divested of all further Responsibility in respect to the Affairs of the Red Sea and India Telegraph, with a view to transferring the entire Concern to the Hands of a New Company, on suitable Terms and Conditions.

2. That the present Guarantee of 4½ per Cent. on the paid-up Capital of the Old Company be converted into a Government Annuity of like Amount, payable at the Bank of England, as in the Case of other Annuities of like Kind.

3. The Commissioners of the Treasury shall have Power to redeem the said Annuity at any Time, on Payment to the said Company of a Capital Sum which will be sufficient to purchase a Government Annuity at the Rate of 4*l.* 10*s.* per Annum on each Hundred Pounds of the Stock or Capital of the Company for the unexpired Residue of the Term of their original Contract.

As regards the New Company.

1. That the Cables, Land Lines, Instruments, Stations, Concessions, &c. belonging to the Old Company shall be made over to the New Company free from Charge, the New Company discharging all outstanding Debts and Liabilities of the Old Company.

2. That the New Company shall use their best Endeavours to repair and restore the whole Line from Suez to Kurrachee, and to work it when completed, but shall not have Possession until Two Thirds of the Capital is subscribed, and One Third paid up, and a suitable Vessel despatched with not less than 200 Miles of new Cable on board.

3. That the Capital of the New Company shall not be less in the first instance than 100,000*l.*, with Power to increase to 250,000*l.*, if required to complete the Restoration of the Line.

4. That the New Company shall be entitled to a clear Dividend out of the Profits of 25 per Cent. on the Money paid up by them.

5. That any surplus Profits shall be applied to reimburse the Commissioners of the Treasury for the Payments they have made or will have to make annually by way of Interest or Annuity upon the Capital expended by the Old Company, after which any further Profits which may accrue shall be applied to the Creation of a Reserve Fund.

6. After the Restoration of the Line any Outlay of Capital shall be subject to the Approval of the Commissioners of the Treasury; and the Commissioners of the Treasury shall have Power to disallow Working Expenditure as excessive or unreasonable.

7. In the event of the Failure of the Company to restore the Line or maintain it in Working Order, the Commissioners of the Treasury shall have Power to take it into their own Hands again, on repaying the Capital actually expended by the New Company.

Should the Commissioners not exercise this Right, the Company shall be at liberty to dispose of the Property to reimburse their Outlay; the balance, after defraying the actual Expenditure, to be the Property of the Commissioners of the Treasury.

8. At the Expiration of 30 Years, the Commissioners of the Treasury shall have the Right of re-purchasing the Line and Property on the Terms of Repayment of the Capital expended by the Company.

9. The Failure in Clause Seven shall be defined to be the non-working of the Line from End to End, subject to a just Allowance of Time for Restoration.

10. The Accounts shall be audited at the Treasury half-yearly.

11. All Differences between the Commissioners of the Treasury and the Company shall be decided by Arbitration.

CAP. XL.

An Act to carry into effect the Treaty between Her Majesty and the United States of *America* for the Suppression of the *African* Slave Trade. [17th *July* 1862.]

'WHEREAS on the Seventh Day of *April* in the Year of our Lord One thousand eight hundred and sixty-two a Treaty was concluded and signed at *Washington*, between Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* and the United States of *America*, for the Suppression of the *African* Slave Trade, whereby it was agreed as follows:

'TREATY

'TREATY between Her Majesty and the United States of *America*, for the Suppression of the 'African Slave Trade. Signed at *Washington*, *April* 7, 1862. Ratifications exchanged 'at *London*, *May* 20, 1862.

'Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* and the United 'States of *America* being desirous to render more effectual the Means hitherto adopted for the 'Suppression of the Slave Trade carried on upon the Coast of *Africa*, have deemed it expedient to 'conclude a Treaty for that Purpose, and have named as their Plenipotentiaries; that is to say,

'Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland*, the Right 'Honourable *Richard Bickerton Pemell* Lord *Lyons*, a Peer of Her United Kingdom, a Knight 'Grand Cross of Her Most Honourable Order of the Bath, and Her Envoy Extraordinary and 'Minister Plenipotentiary to the United States of *America*;

'And the President of the United States of *America*, *William H. Seward*, Secretary of State;

'Who, after having communicated to each other their respective full Powers, found in good and 'due Form, have agreed upon and concluded the following Articles.

'ARTICLE I.—The Two High Contracting Parties mutually consent that those Ships of their 'respective Navies which shall be provided with special Instructions for that Purpose, as herein- 'after mentioned, may visit such Merchant Vessels of the Two Nations as may, upon reasonable 'Grounds, be suspected of being engaged in the *African* Slave Trade, or of having been fitted out 'for that Purpose, or of having, during the Voyage on which they are met by the said Cruizers, 'been engaged in the *African* Slave Trade, contrary to the Provisions of this Treaty; and that 'such Cruizers may detain, and send or carry away, such Vessels, in order that they may be brought 'to Trial in the Manner herein-after agreed upon.

'In order to fix the reciprocal Right of Search in such a Manner as shall be adapted to the 'Attainment of the Object of this Treaty, and at the same Time avoid Doubts, Disputes, and 'Complaints, the said Right of Search shall be understood in the Manner and according to the 'Rules following:—

'First.—It shall never be exercised except by Vessels of War, authorized expressly for that 'Object, according to the Stipulations of this Treaty.

'Secondly.—The Right of Search shall in no Case be exercised with respect to a Vessel of 'the Navy of either of the Two Powers, but shall be exercised only as regards Merchant Vessels; 'and it shall not be exercised by a Vessel of War of either Contracting Party within the Limits 'of a Settlement or Port, nor within the territorial Waters, of the other Party.

'Thirdly.—Whenever a Merchant Vessel is searched by a Ship of War, the Commander of the 'said Ship shall, in the Act of so doing, exhibit to the Commander of the Merchant Vessel the 'special Instructions by which he is duly authorized to search, and shall deliver to such Com- 'mander a Certificate, signed by himself, stating his Rank in the Naval Service of his Country, 'and the Name of the Vessel he commands, and also declaring that the only Object of the Search 'is to ascertain whether the Vessel is employed in the *African* Slave Trade, or is fitted up for 'the said Trade. When the Search is made by an Officer of the Cruizer who is not the Com- 'mander, such Officer shall exhibit to the Captain of the Merchant Vessel a Copy of the before- 'mentioned special Instructions, signed by the Commander of the Cruizer, and he shall in like 'Manner deliver a Certificate, signed by himself, stating his Rank in the Navy, the Name of the 'Commander by whose Orders he proceeds to make the Search, that of the Cruizer in which he 'sails, and the object of the Search, as above described. If it appears from the Search that the 'Papers of the Vessel are in regular Order, and that it is employed on lawful Objects, the Officer 'shall enter in the Log Book of the Vessel that the Search has been made in pursuance of the 'aforesaid special Instructions, and the Vessel shall be left at liberty to pursue its Voyage. The 'Rank of the Officer who makes the Search must not be less than that of Lieutenant in the Navy, 'unless the Command, either by reason of Death or other Cause, is at the Time held by an Officer 'of inferior Rank.

'Fourthly.—The reciprocal Right of Search and Detention shall be exercised only within the 'Distance of Two hundred Miles from the Coast of *Africa*, and to the Southward of the Thirty- 'second Parallel of North Latitude, and within Thirty Leagues from the Coast of the Island of '*Cuba*.

'ARTICLE II.—In order to regulate the Mode of carrying the Provisions of the preceding 'Article into execution, it is agreed—

'First.—That all the Ships of the Navies of the Two Nations which shall be hereafter 'employed to prevent the *African* Slave Trade shall be furnished by their respective Govern- 'ments with a Copy of the present Treaty, of the Instructions for Cruizers annexed thereto, 'marked A, and of the Regulations for the Mixed Courts of Justice annexed thereto, marked B, 'which Annexes respectively shall be considered as integral Parts of the present Treaty.

'Secondly.—That each of the High Contracting Parties shall from Time to Time communi- 'cate to the other the Names of the several Ships furnished with such Instructions, the Force

'of

'of each, and the Names of their several Commanders. The said Commanders shall hold the 'Rank of Captain in the Navy, or at least that of Lieutenant; it being nevertheless understood 'that the Instructions originally issued to an Officer holding the Rank of Lieutenant of the 'Navy, or other superior Rank, shall, in case of his Death or temporary Absence, be sufficient 'to authorize the Officer on whom the Command of the Vessel has devolved to make the Search, 'although such Officer may not hold the aforesaid Rank in the Service.

'Thirdly.—That if at any Time the Commander of a Cruizer of either of the Two Nations 'shall suspect that any Merchant Vessel under the Escort or Convoy of any Ship or Ships of 'War of the other Nation carries Negroes on board, or has been engaged in the *African* Slave 'Trade, or is fitted out for the Purpose thereof, the Commander of the Cruizer shall communi- 'cate his Suspicions to the Commander of the Convoy, who, accompanied by the Commander of 'the Cruizer, shall proceed to the Search of the suspected Vessel; and in case the Suspicions 'appear well founded, according to the Tenor of this Treaty, then the said Vessel shall be 'conducted or sent to One of the Places where the Mixed Courts of Justice are stationed, in 'order that it may there be adjudicated upon.

'Fourthly.—It is further mutually agreed, that the Commanders of the Ships of the Two 'Navies respectively, who shall be employed on this Service, shall adhere strictly to the exact 'Tenor of the aforesaid Instructions.

'ARTICLE III.—As the Two preceding Articles are entirely reciprocal, the Two High 'Contracting Parties engage mutually to make good any Losses which their respective Subjects or 'Citizens may incur by an arbitrary and illegal Detention of their Vessels; it being understood 'that this Indemnity shall be borne by the Government whose Cruizer shall have been guilty of 'such arbitrary and illegal Detention; and that the Search and Detention of Vessels specified in 'the First Article of this Treaty shall be effected only by Ships which may form Part of the Two 'Navies respectively, and by such of those Ships only as are provided with the special Instructions 'annexed to the present Treaty, in pursuance of the Provisions thereof. The Indemnification for 'the Damages of which this Article treats shall be paid within the Term of One Year, reckoning 'from the Day in which the Mixed Court of Justice pronounces its Sentence.

'ARTICLE IV.—In order to bring to Adjudication with as little Delay and Inconvenience as 'possible the Vessels which may be detained according to the Tenor of the First Article of this 'Treaty, there shall be established, as soon as may be practicable, Three Mixed Courts of Justice, 'formed of an equal Number of Individuals of the Two Nations, named for this Purpose by their 'respective Governments. These Courts shall reside, One at *Sierra Leone*, One at the *Cape of 'Good Hope*, and One at *New York*.

'But each of the Two High Contracting Parties reserves to itself the Right of changing, at its 'Pleasure, the Place of Residence of the Court or Courts held within its own Territories.

'These Courts shall judge the Causes submitted to them according to the Provisions of the present 'Treaty, and according to the Regulations and Instructions which are annexed to the present 'Treaty, and which are considered an integral Part thereof; and there shall be no Appeal from 'their Decision.

'ARTICLE V.—In case the Commanding Officer of any of the Ships of the Navies of either 'Country, duly commissioned according to the Provisions of the First Article of this Treaty, shall 'deviate in any respect from the Stipulations of the said Treaty, or from the Instructions annexed 'to it, the Government which shall conceive itself to be wronged thereby shall be entitled to 'demand Reparation; and in such Case the Government to which such Commanding Officer 'may belong binds itself to cause Inquiry to be made into the Subject of the Complaint, and to 'inflict upon the said Officer a Punishment proportioned to any wilful Transgression which he 'may be proved to have committed.

'ARTICLE VI.—It is hereby further mutually agreed, that every *British* or *American* Merchant 'Vessel which shall be searched by virtue of the present Treaty may lawfully be detained, and 'sent or brought before the Mixed Courts of Justice established in pursuance of the Provisions 'thereof, if in her Equipment there shall be found any of the Things herein-after mentioned; 'namely,

'1st.—Hatches with open Gratings, instead of the close Hatches which are usual in Merchant 'Vessels.

'2d.—Divisions or Bulkheads in the Hold or on Deck in greater Number than are necessary 'for Vessels engaged in lawful Trade.

'3d.—Spare Plank fitted for laying down as a Second or Slave Deck.

'4th.—Shackles, Bolts, or Handcuffs.

'5th.—A larger Quantity of Water in Casks or in Tanks than is requisite for the Consumption 'of the Crew of the Vessel as a Merchant Vessel.

'6th.—An

'6th.—An extraordinary Number of Water Casks, or of other Vessels for holding Liquid; 'unless the Master shall produce a Certificate from the Custom House at the Place from which 'he cleared outwards, stating that a sufficient Security had been given by the Owners of such 'Vessel that such extra Quantity of Casks or of other Vessels should be used only to hold Palm 'Oil, or for other Purposes of lawful Commerce.

'7th.—A greater Number of Mess Tubs or Kids than requisite for the Use of the Crew of the 'Vessel as a Merchant Vessel.

'8th.—A Boiler or other Cooking Apparatus of an unusual Size, and larger or capable of 'being made larger than requisite for the Use of the Crew of the Vessel as a Merchant Vessel, 'or more than One Boiler or other Cooking Apparatus of the ordinary Size.

'9th.—An extraordinary Quantity of Rice, of the Flour of *Brazil*, of Manioc or Cassada 'commonly called Farinha, of Maize, or of Indian Corn, or of any other Article of Food what- 'ever, beyond the probable Wants of the Crew; unless such Rice, Flour, Farinha, Maize, Indian 'Corn, or other Article of Food be entered on the Manifest as Part of the Cargo for Trade.

'10th.—A Quantity of Mats or Matting greater than is necessary for the Use of the Crew of 'the Vessel as a Merchant Vessel; unless such Mats or Matting be entered on the Manifest as 'Part of the Cargo for Trade.

'If it be proved that any One or more of the Articles above specified is or are on board, or have 'been on board during the Voyage in which the Vessel was captured, that Fact shall be considered 'as *primâ facie* Evidence that the Vessel was employed in the *African* Slave Trade, and she shall 'in consequence be condemned and declared lawful Prize; unless the Master or Owners shall 'furnish clear and incontrovertible Evidence, proving to the Satisfaction of the Mixed Court of 'Justice that at the Time of her Detention or Capture the Vessel was employed in a lawful Under- 'taking, and that such of the different Articles above specified as were found on board at the Time 'of Detention, or as may have been embarked during the Voyage on which she was engaged when 'captured, were indispensable for the lawful Object of her Voyage.

'ARTICLE VII.—If any One of the Articles specified in the preceding Article as Grounds for 'Condemnation should be found on board a Merchant Vessel, or should be proved to have been on 'board of her during the Voyage on which she was captured, no Compensation for Losses, 'Damages, or Expenses consequent upon the Detention of such Vessel shall in any Case be 'granted, either to the Master, the Owner, or any other Person interested in the Equipment or in 'the Lading, even though she should not be condemned by the Mixed Court of Justice.

'ARTICLE VIII.—It is agreed between the Two High Contracting Parties, that in all Cases in 'which a Vessel shall be detained under this Treaty by their respective Cruizers as having been 'engaged in the *African* Slave Trade, or as having been fitted out for the Purposes thereof, and 'shall consequently be adjudged and condemned by One of the Mixed Courts of Justice to be 'established as aforesaid, the said Vessel shall, immediately after its Condemnation, be broken up 'entirely and shall be sold in separate Parts, after having been so broken up; unless either of the 'Two Governments should wish to purchase her for the Use of its Navy at a Price to be fixed by 'a competent Person chosen for that Purpose by the Mixed Court of Justice; in which Case the 'Government whose Cruizer shall have detained the condemned Vessel shall have the First 'Option of Purchase.

'ARTICLE IX.—The Captain, Master, Pilot, and Crew of any Vessel condemned by the Mixed 'Courts of Justice shall be punished according to the Laws of the Country to which such Vessel 'belongs, as shall also the Owner or Owners, and the Persons interested in Her Equipment or 'Cargo, unless they prove that they had no Participation in the Enterprize.

'For this Purpose the Two High Contracting Parties agree that, in so far as it may not be 'attended with grievous Expense and Inconvenience, the Master and Crew of any Vessel which 'may be condemned by a Sentence of One of the Mixed Courts of Justice, as well as any other 'Persons found on board the Vessel, shall be sent and delivered up to the Jurisdiction of the 'Nation under whose Flag the condemned Vessel was sailing at the Time of Capture; and that 'the Witnesses and Proofs necessary to establish the Guilt of such Master, Crew, or other Persons 'shall also be sent with them.

'The same Course shall be pursued with regard to Subjects or Citizens of either Contracting 'Party who may be found by a Cruizer of the other on board a Vessel of any Third Power, or on 'board a Vessel sailing without Flag or Papers, which may be condemned by any competent Court 'for having engaged in the *African* Slave Trade.

'ARTICLE X.—The Negroes who are found on board of a Vessel condemned by the Mixed 'Courts of Justice, in conformity with the Stipulations of this Treaty, shall be placed at the 'Disposal of the Government whose Cruizer has made the Capture. They shall be immediately 'set at liberty, and shall remain free, the Government to whom they have been delivered 'guaranteeing their Liberty.

'ARTICLE XI.—The Acts or Instruments annexed to this Treaty, and which it is mutually 'agreed shall form an integral Part thereof, are as follows:

'(A.) Instructions for the Ships of the Navies of both Nations destined to prevent the '*African* Slave Trade.

'(B.) Regulations for the Mixed Courts of Justice.

'ARTICLE XII.—The present Treaty shall be ratified, and the Ratifications thereof shall be 'exchanged at *London* in Six Months from this Date, or sooner if possible. It shall continue 'and remain in full Force for the Term of Ten Years from the Day of Exchange of the Ratifi- 'cations, and further, until the End of One Year after either of the Contracting Parties shall have 'given Notice to the other of its Intention to terminate the same; each of the Contracting Parties 'reserving to itself the Right of giving such Notice to the other at the End of said Term of 'Ten Years. And it is hereby agreed between them, that on the Expiration of One Year after 'such Notice shall have been received by either from the other Party this Treaty shall altogether 'cease and determine.

'In witness whereof the respective Plenipotentiaries have signed the present Treaty, and have 'thereunto affixed the Seal of their Arms.

'Done at *Washington* the Seventh Day of *April* in the Year of our Lord One thousand eight 'hundred and sixty-two.

'(L.S.) LYONS.
'(L.S.) WILLIAM H. SEWARD.

'*Annex (A.) to the Treaty between Great Britain and the United States of America, for the 'Suppression of the African Slave Trade, signed at Washington on the Seventh Day of 'April One thousand eight hundred and sixty-two.*

'*Instructions for the Ships of the British and United States Navies employed to prevent the 'African Slave Trade.*

'ARTICLE I.—The Commander of any Ship belonging to the *British* or United States Navy 'which shall be furnished with these Instructions shall have a Right to search and detain any '*British* or United States Merchant Vessel which shall be actually engaged or suspected to be 'engaged in the *African* Slave Trade, or to be fitted out for the Purposes thereof, or to have been 'engaged in such Trade during the Voyage in which she may be met with by such Ship of the '*British* or United States Navy; and such Commander shall thereupon bring or send such 'Merchant Vessel (save in the Case provided for in Article V. of these Instructions) as soon as 'possible for Judgment before One of the Three Mixed Courts of Justice established in virtue of 'the IVth Article of the said Treaty; that is to say,

'If the Vessel shall be detained on the Coast of *Africa*, she shall be brought before that One of 'the Two Mixed Courts of Justice to be established at the *Cape of Good Hope* and at *Sierra 'Leone* which may be nearest to the Place of Detention, or which the Captor, on his own 'Responsibility, may think can be soonest reached from such Place.

'If the Vessel shall be detained on the Coast of the Island of *Cuba*, she shall be brought before 'the Mixed Court of Justice at *New York*.

'ARTICLE II.—Whenever a Ship of either of the Two Navies, duly authorized as aforesaid, 'shall meet a Merchant Vessel liable to be searched under the Provisions of the said Treaty, the 'Search shall be conducted with the Courtesy and Consideration which ought to be observed 'between allied and friendly Nations; and the Search shall, in all Cases, be made by an Officer 'holding a Rank not lower than that of Lieutenant in the Navy, or by the Officer who at the 'Time shall be Second in Command of the Ship by which such Search is made.

'ARTICLE III.—The Commander of any Ship of the Two Navies, duly authorized as aforesaid, 'who may detain any Merchant Vessel in pursuance of the Tenor of the present Instructions, 'shall leave on board the Vessel so detained the Master, the Mate, or Boatswain, and Two or 'Three at least of the Crew, the whole of the Negroes, if any, and all the Cargo. The Captor 'shall at the Time of Detention draw up in Writing a Declaration, which shall exhibit the State 'in which he found the detained Vessel. Such Declaration shall be signed by himself, and shall 'be given in or sent, together with the captured Vessel, to the Mixed Court of Justice before 'whom such Vessel shall be carried or sent for Adjudication. He shall deliver to the Master of 'the detained Vessel a signed and certified List of the Papers found on board the same, as well as 'a Certificate of the Number of Negroes found on board at the Moment of Detention.

'In the Declaration which the Captor is hereby required to make, as well as in the certified 'List of the Papers seized, and in the Certificate of the Number of Negroes found on board the 'detained Vessel, he shall insert his own Name and Surname, the Name of the capturing Ship, and 'the Latitude and Longitude of the Place where the Detention shall have been made.

'The Officer in charge of the detained Vessel shall, at the Time of bringing the Vessel's Papers 'into the Mixed Court of Justice, deliver into the Court a Certificate, signed by himself, and

' verified on Oath, stating any Changes which may have taken place in respect to the Vessel, her ' Crew, the Negroes, if any, and her Cargo, between the Period of her Detention and the Time of ' delivering in such Paper.

' ARTICLE IV.—If urgent Reasons, arising from the Length of the Voyage, the State of Health ' of the Negroes, or any other Cause, should require that either the whole or a Portion of such ' Negroes should be disembarked before the Vessel can arrive at the Place at which One of the ' Mixed Courts of Justice is established, the Commander of the capturing Ship may take upon ' himself the Responsibility of so disembarking the Negroes, provided the Necessity of the Dis- ' embarkation, and the Causes thereof, be stated in a proper Form. Such Certificate shall be ' drawn up and entered at the Time on the Log Book of the detained Vessel.

' ARTICLE V.—In case any Merchant Vessel detained in pursuance of the present Instruction ' should prove to be unseaworthy, or in such a Condition as not to be taken to One of the Three ' Ports where the Mixed Courts of Justice are to be established, in pursuance of the Treaty of this ' Date, the Commander of the detaining Cruizer may take upon himself the Responsibility of ' abandoning or destroying her, provided the exact Causes which made such a Step imperatively ' necessary be stated in a Certificate, verified on Oath. Such Certificate shall be drawn up and ' formally executed in Duplicate at the Time.

' In case of the Abandonment or Destruction of a detained Vessel, the Master and Crew, together ' with the Negroes and Papers found on Board, and One Copy of the sworn Certificate mentioned ' in the preceding Paragraph of this Article, shall be sent and delivered to the proper Mixed Court ' of Justice at the earliest possible Moment.

' The undersigned Plenipotentiaries have agreed, in conformity with the Eleventh Article of the ' Treaty signed by them on this Day, that the present Instructions shall be annexed to the said ' Treaty, and be considered an integral Part thereof.

' Done at *Washington*, the Seventh Day of *April* in the Year of our Lord One thousand eight ' hundred and sixty-two.

' (L.S.) LYONS.
' (L.S.) WILLIAM H. SEWARD.

' *Annex (B.) to the Treaty between Great Britain and the United States of America for the ' Abolition of the African Slave Trade, signed at Washington on the Seventh Day of ' April One thousand eight hundred and sixty-two.*

' *Regulations for the Mixed Courts of Justice.*

' ARTICLE I.—The Mixed Courts of Justice to be established under the Provisions of the Treaty, ' of which these Regulations are declared to be an integral Part, shall be composed in the following ' Manner :

' The Two High Contracting Parties shall each name a Judge and an Arbitrator, who shall be ' authorized to hear and to decide, without Appeal, all Cases of Capture or Detention of Vessels ' which, in pursuance of the Stipulations of the aforesaid Treaty, shall be brought before them.

' The Judges and the Arbitrators shall, before they enter upon the Duties of their Office, ' respectively make Oath before the principal Magistrate of the Place in which such Courts shall ' respectively reside, that they will judge fairly and faithfully ; that they will have no Preference ' either for Claimant or for Captor ; and that they will act in all their Decisions in pursuance of ' the Stipulations of the aforesaid Treaty.

' There shall be attached to each of such Courts a Secretary or Registrar, who shall be appointed ' by the Party in whose Territories such Court shall reside.

' Such Secretary or Registrar shall register all the Acts of the Court to which he is appointed, ' and shall, before he enters upon his Office, make Oath before the Court that he will conduct him- ' self with due Respect for its Authority, and will act with Fidelity and Impartiality in all Matters ' relating to his Office.

' The Salaries of the Judges and Arbitrators shall be paid by the Governments by whom they ' are appointed.

' The Salary of the Secretaries or Registrars of the Two Courts to be established in the Ter- ' ritories of *Great Britain* shall be paid by Her *Britannic* Majesty, and that of the Secretary or ' Registrar of the Court to be established in the Territories of the United States shall be paid by ' the United States Government.

' Each of the Two Governments shall defray Half of the aggregate Amount of the other Expenses ' of such Courts.

' ARTICLE II.—The Expenses incurred by the Officer charged with the Reception, Maintenance, ' and Care of the detained Vessel, Negroes, and Cargo, and with the Execution of the Sentence, ' and all Disbursements occasioned by bringing a Vessel to Adjudication, shall in case of Con- ' demnation be defrayed from the Funds arising out of the Sale of the Materials of the Vessel, ' after the Vessel shall have been broken up, of the Ship's Stores, and of such Parts of the Cargo

'as shall consist of Merchandise; and in case the Proceeds arising out of this Sale should not 'prove sufficient to defray such Expenses, the Deficiency shall be made good by the Government 'of the Country within whose Territories the Adjudication shall have taken place.

'If the detained Vessel shall be released, the Expenses occasioned by bringing her to Adjudi- 'cation shall be defrayed by the Captor, except in the Cases specified and otherwise provided for 'under Article VII. of the Treaty to which these Regulations form an Annex, and under Article 'VII. of these Regulations.

'ARTICLE III.—The Mixed Courts of Justice are to decide upon the Legality of the Detention 'of such Vessels as the Cruizers of either Nation shall detain, in pursuance of the said Treaty.

'The said Courts shall adjudge definitively and without Appeal all Questions which shall arise 'out of the Capture and Detention of such Vessels.

'The Proceedings of the Courts shall take place as summarily as possible; and for this Purpose 'the Courts are required to decide each Case, as far as may be practicable, within the Space of 'Twenty Days, to be dated from the Day on which the detained Vessel shall have been brought 'into the Port where the deciding Court shall reside.

'The final Sentence shall not in any Case be delayed beyond the Period of Two Months, either 'on account of the Absence of Witnesses or for any other Cause, except upon the Application of 'any of the Parties interested; but in that Case, upon such Party or Parties giving satisfactory 'Security that they will take upon themselves the Expense and Risks of the Delay, the Courts 'may, at their Discretion, grant an additional Delay, not exceeding Four Months.

'Either Party shall be allowed to employ such Counsel as he may think fit to assist him in the 'Conduct of his Cause.

'All the Acts and essential Parts of the Proceedings of the said Courts shall be committed to 'Writing, and be placed upon record.

'ARTICLE IV.—The Form of the Process or Mode of proceeding to Judgment shall be as 'follows:

'The Judges appointed by the Two Governments respectively shall in the first place proceed to 'examine the Papers of the detained Vessel, and shall take the Depositions of the Master or Com- 'mander, and of Two or Three at least of the principal Individuals on board of such Vessel, and 'shall also take the Declaration on Oath of the Captor, if it should appear to them necessary to do 'so, in order to judge and to pronounce whether the said Vessel has been justly detained or not, 'according to the Stipulations of the aforesaid Treaty, and in order that, according to such 'Judgment, the Vessel may be condemned or released. In the event of the Two Judges not 'agreeing as to the Sentence which they ought to pronounce in any Case brought before them, 'whether with respect to the Legality of the Detention, or the Liability of the Vessel to Con- 'demnation, or as to the Indemnification to be allowed, or as to any other Question which may 'arise out of the said Capture, or in case any Difference of Opinion should arise between them as 'to the Mode of proceeding in the said Court, they shall draw by Lot the Name of One of the 'Two Arbitrators so appointed as aforesaid, which Arbitrator, after having considered the 'Proceedings which have taken place, shall consult with the Two Judges on the Case; and the 'final Sentence or Decision shall be pronounced conformably to the Opinion of the Majority of 'the Three.

'ARTICLE V.—If the detained Vessel shall be restored by the Sentence of the Court, the 'Vessel and the Cargo, in the State in which they shall then be found (with the Exception of the 'Negroes found on board, if such Negroes shall have been previously disembarked under the Pro- 'visions of Articles IV. and V. of the Instructions annexed to the Treaty of this Date), shall 'forthwith be given up to the Master, or to the Person who represents him; and such Master or 'other Person may, before the same Court, claim a Valuation of the Damages which he may have 'a Right to demand. The Captor himself, and in his Default his Government, shall remain 'responsible for the Damages to which the Master of such Vessel, or the Owners either of the 'Vessel or of her Cargo, may be pronounced to be entitled.

'The Two High Contracting Parties bind themselves to pay, within the Term of a Year from 'the Date of the Sentence, the Costs and Damages which may be awarded by the Court; it being 'mutually agreed that such Costs and Damages shall be paid by the Government of the Country 'of which the Captor shall be a Subject.

'ARTICLE VI.—If the detained Vessel shall be condemned, she shall be declared lawful Prize, 'together with her Cargo, of whatever Description it may be, with the Exception of the Negroes 'who shall have been brought on board for the Purpose of Trade; and the said Vessel, subject to 'the Stipulations in the VIIIth Article of the Treaty of this Date, shall, as well as her Cargo, be 'sold by Public Sale for the Profit of the Two Governments, subject to the Payment of the 'Expenses herein-after mentioned.

'The Negroes who may not previously have been disembarked shall receive from the Court a 'Certificate of Emancipation, and shall be delivered over to the Government to whom the Cruizer 'which made the Capture belongs, in order to be forthwith set at liberty.

'ARTICLE VII.—The Mixed Courts of Justice shall also take cognizance of, and shall decide 'definitively and without Appeal, all Claims for Compensation on account of Losses occasioned to 'Vessels and Cargoes which shall have been detained under the Provisions of this Treaty, but 'which shall not have been condemned as legal Prize by the said Courts; and in all Cases wherein 'Restitution of such Vessels and Cargoes shall be decreed, save as mentioned in the VIIth Article 'of the Treaty to which these Regulations form an Annex, and in a subsequent Part of these 'Regulations, the Court shall award to the Claimant or Claimants, or to his or their lawful 'Attorney or Attornies, for his or their Use, a just and complete Indemnification for all Costs of 'Suit, and for all Losses and Damages which the Owner or Owners may have actually sustained 'by such Capture and Detention; and it is agreed that the Indemnification shall be as follows:

'First.—In case of total Loss, the Claimant or Claimants shall be indemnified,—

'(A.) For the Ship, her Tackle, Equipment, and Stores.

'(B.) For all Freights due and payable.

'(C.) For the Value of the Cargo of Merchandise, if any, deducting all Charges and Expenses 'which would have been payable upon the Sale of such Cargo, including Commission of Sale.

'(D.) For all other regular Charges in such Case of total Loss.

'Secondly.—In all other Cases (save as herein-after mentioned) not of total Loss, the Claimant or Claimants shall be indemnified,—

'(A.) For all special Damages and Expenses occasioned to the Ship by the Detention, and 'for Loss of Freight, when due or payable.

'(B.) For Demurrage, when due, according to the Schedule annexed to the present Article.

'(C.) For any Deterioration of the Cargo.

'(D.) For all Premium of Insurance on additional Risks.

'The Claimant or Claimants shall be entitled to Interest at the Rate of 5 (Five) *per Cent. per Annum* on the Sum awarded, until such Sum is paid by the Government to which the capturing 'Ship belongs. The whole Amount of such Indemnifications shall be calculated in the Money of 'the Country to which the detained Vessel belongs, and shall be liquidated at the Exchange 'current at the Time of the Award.

'The Two High Contracting Parties, however, have agreed, that if it shall be proved to the 'Satisfaction of the Judges of the Two Nations, and without having recourse to the Decision 'of an Arbitrator, that the Captor has been led into Error by the Fault of the Master or Commander of the detained Vessel, the detained Vessel in that Case shall not have the Right of 'receiving for the Time of her Detention the Demurrage stipulated by the present Article, nor 'any other Compensation for Losses, Damages, or Expenses consequent upon such Detention.

'*Schedule of Demurrage or daily Allowance for a Vessel of*

Tons.	Tons.		£	
100 to	120	inclusive,	5	per diem,
121 „	150	„	6	„
151 „	170	„	8	„
171 „	200	„	10	„
201 „	220	„	11	„
221 „	250	„	12	„
251 „	270	„	14	„
271 „	300	„	15	„

'and so on in proportion.

'ARTICLE VIII.—Neither the Judges nor the Arbitrators, nor the Secretaries or Registrars 'of the Mixed Courts of Justice, shall demand or receive from any of the Parties concerned in 'the Cases which shall be brought before such Courts any Emolument or Gift, under any Pretext 'whatsoever, for the Performance of the Duties which such Judges, Arbitrators, and Secretaries 'or Registrars have to perform.

'ARTICLE IX.—The Two High Contracting Parties have agreed that in the event of the Death, 'Sickness, Absence on Leave, or any other legal Impediment of One or more of the Judges or 'Arbitrators composing the above-mentioned Courts respectively, the Post of such Judge or 'Arbitrator shall be supplied *ad interim* in the following Manner:

'First.—On the Part of Her *Britannic* Majesty, and in those Courts which shall sit within 'the Possessions of Her said Majesty, if the Vacancy be that of the *British* Judge, his Place 'shall be filled by the *British* Arbitrator; and either in that case, or in case the Vacancy be 'originally that of the *British* Arbitrator, the Place of such Arbitrator shall be filled by the 'Governor or Lieutenant-Governor resident in such Possession; in his unavoidable Absence, 'by the principal Magistrate of the same, or in the unavoidable Absence of the principal Magistrate by the Secretary of the Government; and the said Court so constituted as above shall 'sit, and in all Cases brought before it for Adjudication shall proceed to adjudge the same, and 'to pass Sentence accordingly.

'Secondly.—

'Secondly.—On the Part of *Great Britain*, and in that Court which shall sit within the 'Territories of the United States of *America*, if the Vacancy be that of the *British* Judge, his 'Place shall be filled by the *British* Arbitrator; and either in that Case, or in case the Vacancy 'be originally that of the *British* Arbitrator, his Place shall be filled by the *British* Consul, or 'in the unavoidable Absence of the Consul by the *British* Vice-Consul; and in case the 'Vacancy be both of the *British* Judge and of the *British* Arbitrator, then the Vacancy of 'the *British* Judge shall be filled by the *British* Consul, and that of the *British* Arbitrator 'by the *British* Vice-Consul; but if there be no *British* Consul or Vice-Consul to fill the Place 'of *British* Arbitrator, then the United States Arbitrator shall be called in, in those Cases in 'which the *British* Arbitrator would be called in; and in case the Vacancy be both of the '*British* Judge and of the *British* Arbitrator, and there be neither *British* Consul nor Vice-'Consul to fill *ad interim* the Vacancies, then the United States Judge and Arbitrator shall sit, 'and in all Cases brought before them for Adjudication shall proceed to adjudge the same, and 'pass Sentence accordingly.

'Thirdly.—On the Part of the United States, and in that Court which shall sit within their 'Territories, if the Vacancy be that of the United States Judge, his Place shall be filled by 'the United States Arbitrator; and either in that Case, or in case the Vacancy be originally 'that of the United States Arbitrator, the Place of such Arbitrator shall be filled by the 'Judge of the United States for the Southern District of *New York*; and the said Court, 'so constituted as above, shall sit, and in all Cases brought before them for Adjudication shall 'proceed to adjudge the same, and pass Sentence accordingly.

'Fourthly.—On the Part of the United States of *America*, and in those Courts which shall 'sit within the Possessions of Her *Britannic* Majesty, if the Vacancy be that of the United 'States Judge, his Place shall be filled by the United States Arbitrator; and either in that 'Case, or in case the Vacancy be originally that of the United States Arbitrator, his Place 'shall be filled by the United States Consul, or in the unavoidable Absence of the Consul by 'the United States Vice-Consul; in case the Vacancy be both of the United States Judge 'and of the United States Arbitrator, then the Vacancy of the Judge shall be filled by the 'United States Consul, and that of the United States Arbitrator by the United States Vice-'Consul; but if there be no United States Consul or Vice-Consul to fill the Place of the United 'States Arbitrator, then the *British* Arbitrator shall be called in, in those Cases in which the 'United States Arbitrator would be called in; and in case the Vacancy be both of the United 'States Judge and of the United States Arbitrator, and there be neither United States Consul 'nor Vice-Consul to fill *ad interim* the Vacancies, then the *British* Judge and the *British* 'Arbitrator shall sit, and in all Cases brought before them for Adjudication shall proceed to 'adjudge the same, and pass Sentence accordingly.

'The chief Authority of the Place in the Territories of either High Contracting Party where 'the Mixed Courts of Justice shall sit shall, in the event of a Vacancy arising either of the Judge 'or the Arbitrator of the other High Contracting Party, forthwith give Notice of the same by the 'most expeditious Method in his Power to the Government of that other High Contracting Party, 'in order that such Vacancy may be supplied at the earliest possible Period. And each of the 'High Contracting Parties agrees to supply definitively, as soon as possible, the Vacancies which 'may arise in the above-mentioned Courts from Death or from any other Cause whatever.

'The undersigned Plenipotentiaries have agreed, in conformity with the XIth Article of the 'Treaty signed by them on this Day, that the preceding Regulations shall be annexed to the said 'Treaty, and considered an integral Part thereof.

'Done at *Washington*, the Seventh Day of *April* in the Year of our Lord One thousand eight 'hundred and sixty-two.

'(L.S.) LYONS.
'(L.S.) WILLIAM H. SEWARD.

'And whereas it is expedient that Provision should be made for giving effect to the Provisions of the 'said Treaty and Annexes:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Officers commanding Ships of Her Majesty or of the United States of America, being duly authorized, empowered to visit and search Merchant Ships

1. It shall be lawful for any Officer commanding any Ship of War of Her Majesty or of the United States of *America*, not below the Rank of Lieutenant of the Royal Navy (unless by the Death of the Commander of such Ship or otherwise the Command thereof shall have devolved upon an Officer of inferior Rank, and then for such last-mentioned Officer), and who shall be duly instructed and authorized, according to the Provisions of the said Treaty, and for any Officer not below the Rank of Lieutenant in the Royal Navy who shall be acting under the Orders of any Officer commanding a Ship of War so instructed and authorized as aforesaid, to visit and search any Merchant Vessel of either of the said Two Nations which shall upon reasonable Grounds be suspected of being engaged in the Traffic in Slaves, or of having been fitted out for that Purpose, or of having been engaged in such Traffic during the

of the Two Nations.

the Voyage in which such Vessel is met, and to detain and send or carry away such Vessel, together with its Masters, Sailors, Passengers, Slaves, and Cargo, for the Purpose of such Vessel being brought to Adjudication before One of the Mixed Courts of Justice, to be established in virtue of the Fourth Article of the said Treaty; and all such Commanders and other Officers in the Exercise of such Rights shall comply with the several Provisions and Instructions of the said Treaty which apply thereto respectively.

Ships suspected of having been fitted out for the Purpose of Traffic in Slaves liable to Search and Detention.

2. All Ships and Vessels belonging wholly or in part to Her Majesty's Subjects which shall be suspected upon reasonable Grounds of being engaged in the Traffic in Slaves, or of having been fitted out for that Purpose, or of having been engaged in such Traffic during the Voyage in which such Vessel is met, and all Boats, Apparel, and Cargoes therein, shall be subject to Search and Detention by *British* or *American* Vessels of War duly authorized for that Purpose according to the Stipulations of the said Treaty, and subject to Condemnation or other Judgment by the Judges and Arbitrators of the Mixed Courts of Justice to be appointed according to the Provisions of the said Treaty.

Her Majesty may appoint Judges and Arbitrators to decide Cases of Detention.

3. It shall be lawful for Her Majesty, by any Warrant under Her Royal Sign Manual, countersigned by One of Her Majesty's Principal Secretaries of State for the Time being, to appoint such Judges and Arbitrators as are in and by the said Treaty mentioned to be appointed by Her Majesty, and from Time to Time to supply any Vacancies which may arise in such Offices by appointing other Persons thereto, and to grant Salaries to such Judges and Arbitrators as aforesaid, not exceeding such annual Sums as the Commissioners of Her Majesty's Treasury shall from Time to Time direct; and such Judges and Arbitrators shall be empowered to examine and decide all such Cases of Detention, Captures, and Seizures of Vessels and their Cargoes as aforesaid, detained, seized, or captured under the said Treaty, as are by the said Treaty and by this Act made subject to their Jurisdiction, and to proceed therein, and give such Judgments and make such Orders therein, and do all other Things appertaining thereto, agreeably to the Provisions of the said Treaty, as fully as if special Powers for that Purpose were inserted in this Act.

Her Majesty may appoint a Secretary or Registrar to the Mixed Court.

4. It shall be lawful for Her Majesty, by any Warrant under Her Royal Sign Manual, countersigned by One of Her Majesty's Principal Secretaries of State for the Time being, to appoint a Secretary or Registrar to each of the Mixed Courts of Justice which shall be established in Her Majesty's Dominions, and from Time to Time to supply by other Appointments any Vacancy which may thereafter occur in such Office, and to grant a Salary to such Secretary or Registrar not exceeding such annual Sum as the said Commissioners of Her Majesty's Treasury shall from Time to Time direct; and such Secretary or Registrar shall be empowered to perform all the Duties of such Office set forth by the said Treaty, and to do all such Things as may be necessary for the due Discharge of the Duties of his said Office.

In case of the Death or Incapacity from Illness of any British Judge of such Courts or of the British Arbitrator.

5. In case of the Death, Sickness, Absence on Leave, or any other legal Impediment of any such *British* Judge of any of the said Courts established by virtue of the said Treaty, the *British* Arbitrator of such Court shall fill the Office of such Judge *ad interim* until the Office shall be thereafter filled by some Person appointed by Her Majesty, or until such Judge shall resume the Duties of his said Office; and in case of the Vacancy of the Office of *British* Arbitrator of the Mixed Court established by virtue of the said Treaty in the Possessions of Her Majesty, or in case of the Death, Sickness, Absence on Leave, or other Impediment of the said Arbitrator of the said Court of Justice, the Office of such Arbitrator shall be filled *ad interim* successively by the Governor or Lieutenant-Governor resident in such Possession, by the principal Magistrate in the same, and by the Secretary of the Government, until the said Office shall be filled by some Person appointed by Her Majesty, or until such Arbitrator shall resume the Duties of his said Office; and in case of the Death, Sickness, Absence on Leave, or other legal Impediment of the *British* Arbitrator in the Mixed Court of Justice established by virtue of the said Treaty within the Possessions of the United States of *America*, or in case of his assuming *ad interim* the Duties of a Judge of the said Mixed Court as aforesaid, the Office of such *British* Arbitrator shall be filled *ad interim* successively by the *British* Consul and *British* Vice-Consul resident in such Possession; and in case of such Vacancy of the Offices both of such *British* Judge and *British* Arbitrator, then that such Office of Judge shall be filled by the *British* Consul and such Office of *British* Arbitrator by the *British* Vice-Consul; and in case there shall be no *British* Consul or Vice-Consul at such Place, then it shall be lawful for the United States Arbitrator to act in all those Cases in which a *British* Arbitrator, if there were any, would be required to act; and in case of such Vacancy in the Offices both of *British* Judge and *British* Arbitrator, and there should be neither a *British* Consul nor *British* Vice-Consul resident at such Place, then it shall be lawful for the United States Judge and United States Arbitrator of such Court to sit in such Court, and in all Cases brought before them for Adjudication to adjudge the same, and pass Sentence accordingly, until the said Offices shall respectively be thereafter filled by some Person or Persons appointed by Her Majesty, or until the said *British* Judge and *British* Arbitrator shall resume the Duties of their said Offices respectively.

In case of the Death or Incapacity of the United States Judge or Arbitrator of such

6. In case of the Death, Sickness, Absence on Leave, or any other legal Impediment of any such United States Judge of the said Court established by virtue of the said Treaty within the Territories of the United States, the Place of such United States Judge shall be filled by the United States Arbitrator *ad interim* until the Office shall be thereafter filled by some Person appointed by the said United States, or until such Judge shall resume the Duties of his said Office; and in case of the Death, Sickness,

Absence

Absence on Leave of the said United States Arbitrator of such Court, or in case of his assuming *ad interim* the Duties of the United States Judge of the said Court as aforesaid, the Place of such Arbitrator shall be filled by the Judge of the United States for the Southern District of *New York;* and it shall be lawful for the said Court so constituted as aforesaid to act, and in all Cases brought before them for Adjudication to adjudge the same, and pass Sentence accordingly. Court sitting in Territories of United States.

7. In case of the Death, Sickness, Absence on Leave, or any other legal Impediment of any such United States Judge of any of the Courts established by virtue of the said Treaty which shall sit within the Possession of Her Majesty, the Place of such United States Judge shall be filled by the United States Arbitrator; and in case of the Death, Sickness, Absence on Leave, or other legal Impediment of the United States Arbitrator, or in case his assuming *ad interim* the Duties of the United States Judge of the said Mixed Court, the Office of such United States Arbitrator shall be filled by the United States Consul, or in the unavoidable Absence of the Consul by the United States Vice-Consul; and in case the Vacancy be both of the United States Judge and United States Arbitrator, then the Vacancy of the United States Judge shall be filled by the United States Consul, and that of the United States Arbitrator by the United States Vice-Consul; and if there be no United States Consul or Vice-Consul to fill the Place of the United States Arbitrator, then it shall be lawful for the *British* Arbitrator to act in all those Cases in which the United States Arbitrator would be required to act; and in case the Vacancy be both of the United States Judge and of the United States Arbitrator, and there be neither United States Consul nor Vice-Consul to fill *ad interim* the Vacancies, then it shall be lawful for the *British* Judge and the *British* Arbitrator to sit in such Court; and in all Cases brought before them for Adjudication it shall be lawful for such Court so constituted to adjudge the same, and pass Sentence accordingly, until the said Offices shall respectively be thereafter filled by some Person or Persons appointed by the United States, or until the said United States Judge and United States Arbitrator shall resume the Duties of their said Offices respectively. In case of Death, Incapacity through Illness, or other lawful Impediment of United States Judge or Arbitrator of such Courts sitting within Territories of Her Majesty.

8. Every such Judge and Arbitrator so appointed by Her Majesty, before he shall enter upon the Execution of any of the Duties of such his Office, shall take an Oath in the Presence of the principal Magistrate then residing and acting in the Colony, Settlement, or Place in which the Mixed Court shall be established, whether belonging to Her Majesty or to the United States of *America;* which Oath any such Magistrate shall be authorized to administer in the Form following; (that is to say,) Judges and Arbitrators to take an Oath.

'I *A.B.* do solemnly swear, That I will, according to the best of my Skill and Knowledge, act in the Execution of my Office as faithfully, impartially, fairly, and without Preference or Favour, either for Claimants or Captors or any other Persons, and that I will to the best of my Judgment and Power act in pursuance of and according to the Stipulations, Regulations, and Instructions contained in the Treaty between Her Majesty and the United States of America, signed at Washington on the Seventh Day of June One thousand eight hundred and sixty-two.' Form of Oath. [*See amending Act of this Session*, Cap. 90.]

And every Secretary or Registrar appointed by Her Majesty under the Provisions of the said Treaty and of this Act, before he enters on the Duties of his said Office, shall take an Oath before One of the Judges of the said Mixed Courts, who shall be empowered to administer the same in the Form following; (that is to say,) Secretary or Registrar to take an Oath.

'I *A.B.* do solemnly swear, That I will, according to the best of my Skill and Knowledge, act in the Execution of my Office, and that I will conduct myself with Respect to the Authority of the Judges and Arbitrators of the Court to which I am attached, and will act with Fidelity in all the Affairs which may belong to my Charge, and without Preference or Favour, either for Claimants or Captors or any other Persons.'

9. It shall be lawful for the said Judges or Arbitrators, or either of them, or for any such Secretary or Registrar, to administer Oaths to and take the Depositions of all Parties, Witnesses, and other Persons who may come or be brought before them to be examined, or for the Purpose of deposing in the Course of any Proceeding before the said Judges or Arbitrators under the said Treaty and this Act; and it shall also be lawful for the said Judges and Arbitrators to summon before them all Persons whom they may deem it necessary or proper to examine in relation to any Proceeding under their Cognizance, and to send for and issue Precepts for the producing all such Papers as may relate to the Matters in question before them, and to enforce all such Summonses, Orders, and Precepts by such and the like Means, Powers, and Authorities as any Court of Vice-Admiralty may do. Judges and Arbitrators may administer Oaths.

10. Every Person who shall wilfully and corruptly give false Evidence in any Examination or Deposition had or Affidavit taken in any Proceeding before the Judges or Arbitrators aforesaid under the said Treaty or this Act shall be deemed guilty of Perjury, and being thereof convicted shall be subject and liable to all the Pains and Penalties to which Persons convicted of wilful and corrupt Perjury are liable; and every such Person may be tried for any such Perjury either in the Place where the Offence was committed or in any Colony or Settlement of Her Majesty near thereto in which there is a Court of competent Jurisdiction to try any such Offence, or in Her Majesty's Court of Queen's Bench in *England;* and in case of any Prosecution for such Offence in Her Majesty's said Court of Queen's Bench the Venue may be laid in the County of *Middlesex.* Punishing Persons giving false Evidence.

11. The Pendency of any Suit or Proceeding instituted before the said Judges or Arbitrators for the Condemnation or Restitution of any Ship or Cargo of Slaves taken, seized, or detained by virtue of the said Pendency of Suits before the Mixed Court

to be a Bar to any Proceedings instituted for the Recovery of the Vessels detained.

said Treaty, or the final Adjudication, Condemnation, or Judgment or Determination thereupon, may be pleaded in Bar or given in Evidence under the General Issue, and shall be deemed in any Court whatever to be a complete Bar in any Action, Suit, or Proceeding instituted by any Person or Persons for the Recovery of any such Ship, Vessel, or Cargo, or of any Damage or for any Injury sustained in consequence of any Capture, Seizure, or Detention, or anything done in pursuance of the Provisions of the said Treaty.

Vessels equipped for Traffic in Slaves to be deemed engaged in the Slave Trade. 5 G. 4. c. 113.

12. If any of the Particulars specified in the Sixth Article of the said Treaty shall be found in the Outfit and Equipment of or on board of any such Merchant Vessel wholly or in part owned by Subjects of Her Majesty, and visited and detained in pursuance of the said Treaty, such Vessel, unless Proof be given to the contrary, shall be taken to have been engaged in the Slave Trade, or to have been fitted out for the Purpose of such Traffic, and to be equipped and employed for the Purposes declared unlawful by an Act of Parliament passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade.*

Captured Negroes to be delivered over.

13. Immediately after Sentence of Condemnation upon a Vessel charged with being concerned in illegal Slave Trade shall have been passed by the Mixed Court of Justice established under the said Treaty, all Negroes or others who were on board for the Purpose of being consigned to Slavery shall be delivered over to the Government to whom belongs the Cruiser which made the Capture.

Vessel condemned to be sold for Her Majesty's Service or broken up.

14. Any Ship or Vessel which shall be condemned under any such Authority as aforesaid may be taken into Her Majesty's Service upon Payment of such Sum as the Lord High Admiral or the Lords Commissioners of the Admiralty shall deem a proper Price for the same, or if not so taken shall be broken up and demolished, and the Materials thereof shall be publicly sold in separate Parts, and the Proceeds thereof, and of the Goods, Wares, and Merchandise laden therein, shall be paid to such Person or Persons as the Commissioners of Her Majesty's Treasury may appoint to receive the same.

Captors of Vessels entitled to the Portion of the Proceeds belonging to Her Majesty.

15. Where any Ship or Vessel employed or engaged in illicit Traffic in Slaves, in violation of the said Treaty, shall be seized by any Ship or Vessel belonging to Her Majesty duly authorized to make such Seizure under the Provisions of the said Treaty, and shall be afterwards condemned by any of the Commissioners appointed in virtue of the said Treaty, there shall be paid to the Captors the Portion to which Her Majesty is entitled, such Portion to be distributed in the Manner herein-after directed for the Distribution of Bounties on Slaves taken on board the said Vessels.

Persons found on board condemned Vessel may be sent to proper Jurisdiction to be tried.

16. For the Purpose of giving effect to the Ninth Article of the said Treaty, it shall be lawful for One of Her Majesty's Principal Secretaries of State, with respect to Persons being within the United Kingdom of *Great Britain* and *Ireland* and for the Governor, Lieutenant Governor, or principal Magistrate of any other Part of Her Majesty's Dominions, with respect to Persons being within such other Part of Her Majesty's Dominions, if he shall think fit, by Order in Writing under his Hand, to direct that the Captain, Master, Pilot, or any of the Crew of any Vessel which shall have been so condemned as mentioned in the said Ninth Article, or any other Person found on board such Vessel at the Time of Capture, shall be forthwith conveyed within the Jurisdiction of the Nation under whose Flag such Vessel so condemned as aforesaid was sailing at the Time of Capture, or to which such Vessel may belong; and when any such Order shall have been made as aforesaid, it shall be lawful to arrest and detain within any Part of Her Majesty's Dominions any Person in respect of whom any such Order shall have been made as aforesaid; and it shall be lawful for any Judge, Justice of the Peace, Headborough, Peace Officer, Constable, or other Person having the like Authority to cause to be arrested and detained, and to arrest and detain, for the Purpose of being conveyed within the proper Jurisdiction, any Person in respect of whom such Order shall have been made as aforesaid, as fully and effectually as if such Person had committed a Felony within the Jurisdiction where such Person may be.

Measures to be taken to secure Attendance of Witnesses.

17. When any such Order shall have been made, such Secretary of State, Governor, Lieutenant Governor, or other principal Magistrate making such Order shall be empowered to take all such Measures as to him shall seem requisite and expedient for the Purpose of securing the Attendance of Witnesses, and the Production of Proofs necessary to establish the Guilt of the Person or Persons with respect to whom such Order shall have been made before the Court or Judge having the proper Jurisdiction in that Behalf.

Bounty for Slaves captured.

18. There shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make Seizures under the said Treaty a Bounty of Five Pounds for every Man, Woman, and Child Slave seized and found on board a *British* or *American* Ship or Vessel taken and condemned in pursuance of the Provisions of the said Treaty and of this Act, such Bounty to be distributed to and amongst the Captors aforesaid in such Manner and Proportions as Her Majesty shall think fit to order by any Order in Council, or by any Proclamation to be made for that Purpose.

Bounty on Tonnage of Slave Ships captured and demolished.

19. Where any Ship or Vessel which shall have been seized and condemned under the Provisions of the Treaty aforesaid shall have been or shall be demolished, and the Materials thereof publicly sold in separate Parts, as well as her Cargo, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make and making such Seizures, in addition to the Amount which may be payable in respect of Her Majesty's Portion of the Proceeds of such Sale, as herein-before mentioned, a further

a further Bounty on the Tonnage of such Ship or Vessel at the Rate of Thirty Shillings for every Ton of such Tonnage.

Where no Slaves are on board a Ship seized an additional Bounty to be paid.

20. Where any Ship or Vessel having no Slaves on board shall have been seized and condemned under the Provisions of the said Treaty, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make and making such Seizure an additional Bounty upon the Tonnage of such Ship or Vessel at the Rate of Four Pounds for every Ton, and the Tonnage of all such Vessels shall be ascertained according to the Mode of ascertaining the Admeasurement of *British* Vessels, either by the Principal Officer of the Customs at the Port where the Vessel may be at the Time of Condemnation, or in default thereof by the best Evidence which can be obtained, to be certified by the Commissioners by whom such Condemnation shall be pronounced: Provided always, that in every Case in which any Ship or Vessel shall be seized with Slaves on board in which the Bounty calculated upon the Number of Slaves shall be less than the Bounty calculated upon the Tonnage, the Commanders of Her Majesty's Ships making the Seizure may elect to take the Bounty calculated according to Tonnage, instead of the Bounty which would be payable upon the Number of Slaves on board.

Bounties to be paid out of Monies to be provided by Parliament.

21. All Bounties payable under this Act shall be paid out of any Monies that may be provided by Parliament for that Purpose to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make such Seizures under the Provisions of any such Treaty or Convention, and such Bounties shall be issued and paid by Order from the Commissioners of Her Majesty's Treasury.

Bounties not liable to Payment of Fees.

22. The said Bounty, as also all Bounties payable under any of the Acts for the Abolition or Suppression of the Slave Trade, shall not hereafter be charged with Treasury Fees or Exchequer Fees of any Description.

Proof of Tonnage.

23. In order to entitle the Captors to receive the said Bounty Money, the Tonnage of the Ship or Vessel so seized and condemned shall be proved to the Commissioners of Her Majesty's Treasury by producing a Copy duly certified of the Sentence or Decree of Condemnation, or by such documentary or other Evidence as they may deem satisfactory.

Copy of Sentence of Condemnation to be produced to the Treasury.

24. In order to entitle the Captors to receive the said Bounty Money, the Number of Men, Women, and Children so taken, delivered over, and condemned shall be proved to the Commissioners of Her Majesty's Treasury, by producing a Copy, duly certified, of the Sentence or Decree of Condemnation, and also a Certificate under the Hand of the proper Officer or Officers, Military or Civil, who may be appointed to receive such Shares.

One Moiety of this Bounty only to be paid in certain Cases.

25. Where any Slaves or Persons treated as Slaves shall be seized on board any *British* or *American* Ship or Vessel taken and condemned in pursuance of the said Treaty and of this Act, but who shall not have been delivered over in consequence of Death, Sickness, or other inevitable Circumstance, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, to direct the Payment of One Moiety of the Bounty which would have been due in each Case respectively if the said Slaves had been delivered over.

Parties claiming Benefit under this Act may resort to the Court of Admiralty.

26. Any Party or Parties claiming any Benefit by Way of Bounty under the Provisions of this Act, or of the Share of the Proceeds of any *British* or *American* Vessel confiscated in pursuance of the Provisions of the aforesaid Treaty, may resort to the High Court of Admiralty for the Purpose of obtaining the Judgment of the said Court in that Behalf, and it shall be lawful for the Judge of the said High Court of Admiralty to determine thereon, and also to hear and determine any Question of joint Capture which may arise upon any Seizure made in pursuance of this Act, and also to enforce any Decrees or Sentences of the said Vice-Admiralty Courts relating to any such Seizure.

Regulations respecting Prize Agents Accounts extended to Bounties, &c.

27. All the Provisions, Rules, Regulations, Forfeitures, and Penalties respecting the Delivery by Prize Agents of Accounts for Examination, and the Distribution of Prize Money, and the accounting for and paying over the Proceeds of Prize, and the Per-centage due thereon to *Greenwich Hospital*, shall be extended to all the Bounties and Proceeds to be distributed under the Provisions of this Act to the Officers and Crew of any of Her Majesty's Ships and Vessels of War.

Treasury may order Payment of Costs awarded for Vessels of Her Majesty and of the United States of America detained but not condemned.

28. Where any Ship or Vessel belonging in whole or in part to Subjects of Her Majesty or of the United States of *America* shall have been detained and brought to Adjudication by any Officers of Her Majesty the Queen of *Great Britain* and *Ireland*, and the said Ship shall be restored by Sentence of the Mixed Court, as is mentioned in the Fifth Article of the Annex (B.) to the said Treaty, it shall be lawful for the Commissioners of Her Majesty's Treasury to direct Payment to be made out of any Monies that may be provided by Parliament as aforesaid of any Costs or Damages which may be duly awarded according to the Provisions of the said last-mentioned Article: Provided always, that nothing herein contained shall exempt such Officer from his Liability to make good the Payments so made when lawfully called upon by Order of the said Commissioners of Her Majesty's Treasury.

Treasury may repay to the Seizor of any Vessel not condemned the Expenses incurred by him.

29. When any Seizure shall be made by any of the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make such Seizures under the aforesaid Treaty, and Judgment shall be given against the Seizor, or when such Seizure shall be relinquished by him, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, to direct Payment to be made out of any Monies that may be provided by Parliament as aforesaid of such Costs and

and Expenses as the Seizor may have incurred in respect of such Seizure or any proportionate Part thereof.

No Compensation when certain Articles are found on board.

30. If any of the Things specified in the Sixth Article of the said Treaty shall be found on board any Vessel which shall be detained and brought before the said Mixed Court of Justice, neither the Master nor the Owner, nor any Persons whatsoever interested in the Equipment or Cargo of the Vessel, shall recover any Compensation or Damages for such Detention, although the said Commissioners should not pronounce any Sentence of Condemnation.

Right of Search and Detention only to be exercised with certain Limits; and not by one Nation in Ports, &c. of the other.

31. The Right of Search and Detention by the First Article of the said Treaty conferred shall be exercised only within the Distance of Two hundred Miles from the Coast of *Africa*, and to the Southward of the Thirty-second Parallel of North Latitude, and within Thirty Leagues of the Coast of the Island of *Cuba*.

32. It shall not be lawful for Vessels of War of either of the said Two Nations to exercise such Right of Search within the Limits of a Settlement or Port or within the Territorial Waters of the other Nation.

Actions or Suits for Things done in pursuance of the said Treaty or this Act.

33. If any Action or Suit shall be commenced in *Great Britain* or elsewhere against any Person or Persons for anything done in pursuance of the said Treaty or of this Act, in as far as it relates thereto, the Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance of and by the Authority of the said Treaty or of this Act, and if it shall appear so to have been done the Jury shall find for the Defendant or the Defendants, and if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant or Defendants shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall recover Treble Costs, and have the like Remedy for the same as Defendants have in other Cases by Law.

CAP. XLI.

An Act for amending "The Rifle Volunteer Grounds Act, 1860." [17th *July* 1862.]

23 & 24 Vict. c. 140.

'WHEREAS it is expedient to amend "The Rifle Volunteer Grounds Act, 1860," by extending its Provisions to Corps of Volunteer Artillery:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Definition of "Corps of Volunteer Artillery;" of "Volunteer Grounds Acts."

1. The Expression "Corps of Volunteer Artillery," as herein used, shall mean any Corps of Volunteer Artillery of which Her Majesty has accepted the Offer of Service, in pursuance of the several Acts of Parliament in that Behalf provided.

2. The Expression "Volunteer Grounds Acts" shall mean "The Rifle Volunteer Grounds Act" and this Act.

Provisions of recited Act extended to Volunteer Corps of Artillery.

3. Any Corps of Volunteer Artillery may purchase or acquire by Grant any Land for Artillery Practice, and for the Erection of Batteries, Targets, and other Accommodation for the Use of the Corps when practising with Artillery, in the same Manner and subject to the same Conditions in and subject to which a Rifle Volunteer Corps may purchase or acquire Land in pursuance of "The Rifle Volunteer Grounds Act, 1860," for the Purposes therein mentioned; and all the Provisions of "The Rifle Volunteer Grounds Act, 1860," shall extend to a Corps of Volunteer Artillery, in the same Manner as if throughout the said Act where a Rifle Volunteer Corps is named or referred to a Corps of Volunteer Artillery had also been named or referred to.

Lands, &c. held on trust for any Corps, to pass and vest in Officer in Command for Time being.

4. Where previously to the passing of this Act any Land has become vested in any Person or Persons, on trust for or on behalf of any Corps of Volunteer Artillery, such Land shall on the passing of this Act pass to and vest in the Commanding Officer for the Time being of such Corps, and his Successors in Office, for all the Estate and Interest to which the Corps is entitled in such Land, in the same Manner as if such Land had been acquired in pursuance of the Provisions of the Volunteer Grounds Acts, without Prejudice, nevertheless, to any Reservation of Rent or other Right, or to the Recovery of such Rents or the Enforcement of such Rights by any Person or Persons by whom the same might have been recovered or enforced if this Act had not passed.

Penalty on wilful Injuries to Butts and Targets.

5. If any Person wilfully commits any Damage or Injury to the Butts or Targets belonging to or lawfully used by any Corps of Volunteers, or, without the Leave of the Commanding Officer of such Corps, searches for Bullets in or otherwise disturbs the Soil forming such Butts or Targets, he shall, upon summary Conviction, incur for each Offence a Penalty not exceeding Five Pounds.

CAP. XLII.

An Act to regulate the Procedure in the High Court of Chancery and the Court of Chancery of the County Palatine of *Lancaster*. [17th *July* 1862.]

'WHEREAS the High Court of Chancery has Power in certain Cases to refuse or postpone the Application of Remedies within its Jurisdiction, until Questions of Law and Fact on which the Title to such Remedies depends have been determined or ascertained in One of Her Majesty's Courts of

'of Common Law: And whereas it is expedient that the said Power should no longer exist, and that 'in all such Cases every Question of Law and of Fact, cognizable in a Court of Common Law, arising in 'the said Court of Chancery, on which the Right of any Party to any equitable Relief or Remedy 'depends, and whether the Title to such Relief or Remedy be or be not incident to or dependent upon 'a legal Right, should be determined by or before the said Court itself: And whereas the Procedure of 'the Court of Chancery of the County Palatine of *Lancaster* has been assimilated to the Procedure of 'the said High Court in the Matters aforesaid; and it is expedient that the future Procedure of the 'said Courts should also be alike:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Court shall determine every Question of Law and Fact incident to the Relief sought.

1. In all Cases in which any Relief or Remedy within the Jurisdiction of the said Courts of Chancery respectively is or shall be sought in any Cause or Matter instituted or pending in either of the said Courts, and whether the Title to such Relief or Remedy be or be not incident to or dependent upon a legal Right, every Question of Law or Fact, cognizable in a Court of Common Law, on the Determination of which the Title to such Relief or Remedy depends, shall be determined by or before the same Court.

Where Questions of Fact may be more conveniently tried at Assizes, Issues may be directed.

2. Provided always, That whenever it shall appear to either of such Courts that any Question of Fact may be more conveniently tried by a Jury at the Assizes, or at any Sitting in *London* or *Middlesex* for the Trial of Issues in the Superior Courts of Common Law, it shall be lawful for such Court, notwithstanding anything in this Act contained, to direct an Issue to try any Question of Fact at the Assizes to be held in and for any County where the same may be conveniently tried, or at any such Sitting for the Trial of Issues in *London* or *Middlesex* as aforesaid; and (subject to such General Orders, if any, as may hereafter be made in relation thereto,) the Practice hitherto existing in such Court in reference to the Trial of Issues shall prevail in reference to the Trial of any Issues directed under this Proviso.

Provisions of 21 & 22 Vict. c. 27, to apply to this Act.

3. All the Provisions with reference to the Trial of Questions of Fact by or before the High Court of Chancery, and by or before the Court of Chancery of the said County Palatine, which are contained in "The Chancery Amendment Act, 1858," shall apply to the Determination of Questions of Fact by or before the said Courts respectively under this Act.

Proviso in Cases where Object of Suit to recover or defend Possession of Land under a legal Title.

4. Provided also, That in all Cases in which the Object of any Suit in Equity shall be to recover or to defend the Possession of Land under a legal Title, or under a Title which would have been legal but for the Existence of some outstanding Term, Lease, or Mortgage (and whether mesne Profits or Damages shall or shall not also be sought in such Suit), such Relief only shall be given in Equity as would have been proper according to the Rules and Practice of the Court if this Act had not passed; and nothing in this Act shall make it necessary for a Court of Equity to grant Relief in any Suit concerning any Matter as to which a Court of Common Law has concurrent Jurisdiction, if it shall appear to the Court that such Matter has been improperly brought into Equity, and that the same ought to have been left to the sole Determination of a Court of Common Law.

Court of Chancery may sit with Assistance of a Common Law Judge.

5. Nothing in this Act contained shall alter or affect the Power of the Judges of the High Court of Chancery to sit with the Assistance of a Judge of any of Her Majesty's Courts of Common Law.

Commencement of Act.

Short Title.

6. This Act shall commence and take effect from and after the First Day of *November* One thousand eight hundred and sixty-two, and may be cited or referred to as "The Chancery Regulation Act, 1862."

CAP. XLIII.

An Act to provide for the Education and Maintenance of Pauper Children in certain Schools and Institutions. [17th *July* 1862.]

'WHEREAS it is expedient that Facilities should be given to Guardians of the Poor to provide 'Education and Maintenance for poor Children in certain Cases where they are not empowered 'to do so by the Laws now in force:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Power to Guardians to send poor Children to Schools.

1. That the Guardians of any Parish or Union may send any poor Child to any School certified as herein-after mentioned, and supported wholly or partially by voluntary Subscriptions, the Managers of which shall be willing to receive such Child, and may pay out of the Funds in their Possession the Expenses incurred in the Maintenance, Clothing, and Education of such Child therein during the Time such Child shall remain at such School (not exceeding the total Sum which would have been charged for the Maintenance of such Child if relieved in the Workhouse during the same Period), and in the Conveyance of such Child to and from the same, and, in the Case of Death, the Expenses of his or her Burial.

Poor Law Board to certify the School.

2. The Poor Law Board may, if they think fit, upon the Application in Writing of the Managers of any such School as aforesaid, appoint such Person as they shall deem proper to examine into the Condition of the School, and to report to the said Board thereon, and, if satisfied with such Report, that Board may, by Writing under the Hand of One of their Secretaries, certify that such School is fitted for the

Reception of such Children or Persons as may be sent there by the Guardians, in pursuance of this Act; and it shall be lawful for the said Board, if at any Time they shall be dissatisfied with the Condition or Management of such School, by Notice addressed to the Managers, and signed as aforesaid, to declare that the Certificate is withdrawn from and after a Day to be specified therein, not less than Two Months after the Date thereof.

Poor Law Board may order Children to be removed from School.

3. If the Poor Law Board shall be of opinion that any Person is aggrieved by any Child being so sent or kept at such School as aforesaid, the Board may order any such Child to be removed, and the Guardians shall forthwith cause such Child to be removed from the School, and every Engagement previously entered into for the Payment of the Charges of such Child shall thereupon cease, and become void for the future.

School to be open to Inspection.

4. Every School wherein any such Child shall be received shall be open to the Visitation and Inspection of any Inspector appointed by the Poor Law Board, and he shall be empowered to make any Examination into the State and Management of the same which he shall deem requisite, and the Condition and Treatment of the said Children therein, and shall make his Report thereon to the said Board; and the Guardians by whom any Child may have been sent to any such School as aforesaid may from Time to Time appoint any one of their Body to visit and inspect such School, and such School shall at all reasonable Times be open to such Visitation or Inspection.

Guardians to bring back Child to Parish or Union.

5. The Guardians may at any Time, at their Discretion, and shall, upon the Requisition of the Managers of the School, or upon the Withdrawal of the Certificate, as herein provided, cause any such Child to be removed from any such School, and brought back to their Parish or Union.

Description of Child to be sent to School.

6. No Child shall be sent to such School unless he or she be an Orphan, or deserted by his or her Parents or surviving Parent, or be One whose Parents or surviving Parent shall consent to the sending of such Child to the said School.

Continuance in School not to be compulsory.

7. Nothing herein contained shall enable the Guardians to keep any Child in any School against the Will of such Child, if above the Age of Fourteen, or of the Parents or surviving Parent of such Child, whatever be the Age of the Child.

Charge of Expenses how to be borne.

8. The Expenses incurred by the Guardians in respect of any Child under this Act shall be charged to the same Fund and in the same Manner as the Relief otherwise supplied to such Child would be charged.

Child not to be sent to certain Schools.

9. No Child shall be sent under this Act to any School which is conducted on the Principles of a Religious Denomination to which such Child does not belong.

Interpretation of "School."

10. The several Words used in this Act shall be construed as in the Act of the Fourth and Fifth Years of *William* the Fourth, Chapter Seventy-six; and the Word "School" shall extend to any Institution established for the Instruction of blind, deaf, dumb, lame, deformed, or idiotic Persons, but shall not apply to any certified Reformatory School.

Extent of Act.

11. This Act shall not extend to *Scotland* or *Ireland*.

CAP. XLIV.

An Act to amend the Law relating to the giving of Aid to discharged Prisoners.

[17th *July* 1862

4 G. 4. c. 64. (1823.)

'WHEREAS by the Thirty-ninth Section of an Act passed in the Session holden in the Fourth Year of King *George* the Fourth, Chapter Sixty-four, intituled *An Act for consolidating and amending the Laws relating to the building, repairing, and regulating of certain Gaols and Houses of Correction in* England *and* Wales, and herein-after referred to as "the Gaol Act," it is provided that it should be lawful for any One or more of the Visiting Justices of any Prison to which that Act extended, from whence any Prisoner should be discharged, to direct that such moderate Sum of Money should be given and paid to any and every such Prisoner so discharged who should not have the Means of returning to his or her Family or Place of Settlement, or resorting to any Place of Employment or honest Occupation, as, in the Judgment of such Justice or Justices, should be requisite and necessary for such Purpose, under all the Circumstances attending the Case of any such Prisoner; and that such Sum of Money should be paid by the Keeper of such Prison, to or for the Use of such Prisoner for the Purpose aforesaid, and that all such Sums should be provided for, either out of such Bequests or Benefactions as therein mentioned, or in such Manner as is by the Gaol Act directed with respect to the Expense of the Support and Maintenance of the Prisoners in the Prisons to which such Act extends: And whereas divers Societies, herein-after referred to as "Discharged Prisoners Aid Societies," have been formed in divers Parts of *England*, by Persons subscribing voluntarily, for the Purpose of finding Employment for discharged Prisoners, and enabling them by Loans and Grants of Money to live by honest Labour: And whereas it is expedient that Power should be given to the Visiting Justices of Prisons to give Aid under the said Act to discharged Prisoners through the Medium of a Discharged Prisoners Aid Society, in Cases where such Society has been previously certified by the Justices having Jurisdiction over such Gaol or House of Correction, at some Court of General or Quarter Sessions, or at some Quarterly Sessions held by them, to be a Society approved of by them:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice

and

and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Justices to grant Certificates of Approval of Prisoners Aid Societies; and to revoke or suspend the same.

1. The Justices having Jurisdiction over any Gaol or House of Correction to which the Gaol Act extends may, at any Court of General or Quarter Sessions, or at any Quarterly Sessions, upon the Application of any One or more Member or Members of a Prisoners Aid Society, and after examining the Rules of such Society, and receiving such Evidence as they think fit as to the Condition of such Society, issue a Certificate under the Hand of their Chairman to the Effect that such Society is approved of by them for the Purposes of this Act; and they may, at any future Court of General or Quarter Sessions, or at any future Quarterly Sessions, upon due Cause shown, by a Writing under the Hand of their Chairman, revoke or suspend such Certificate; and any Society in respect of which such Certificate as aforesaid has been granted and remains in force shall be deemed to be a "Certified Prisoners Aid Society," and to be entitled to such Privileges as are herein-after mentioned.

Relief may be afforded by "Certified Prisoners Aid Society."

2. Where a Prisoner is discharged from any Prison to which the said Gaol Act extends, the Visiting Justices of such Prison, instead of directing that such moderate Sum of Money shall be paid by the Keeper of such Prison to or for the Use of such Prisoner for the Purpose aforesaid, may if they think fit direct that such Sum, not exceeding in any Case Two Pounds, shall be paid to the Treasurer of a certified Prisoners Aid Society on their receiving from such Society an Undertaking in Writing, signed by the Secretary thereof, that the same shall be applied for the Benefit of such Prisoner: Provided that if it shall not be possible for the Society so to apply such Sum for the Benefit of such Prisoner, the same or so much thereof as shall not have been so applied shall be applied by such Society for the Benefit of such other Prisoner or Prisoners discharged from the said Gaol as the said Visiting Justices shall direct.

Funds out of which Repayments provided.

3. All Sums paid to a certified Prisoners Aid Society under this Act shall be provided for out of the same Funds and in the same Manner as is by the said Gaol Act directed with respect to the Sums therein authorized to be given or paid as herein-before recited to discharged Prisoners.

CAP. XLV.

An Act to amend "The *West Indian* Incumbered Estates Acts, 1854 and 1858."

[17th *July* 1862.]

'WHEREAS it is expedient that "The *West Indian* Incumbered Estates Acts, 1854 and 1858," should be amended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may for all Purposes be cited as "The *West Indian* Incumbered Estates Act, 1862."

17 & 18 Vict. c. 117. and 21 & 22 Vict. c. 96., and this Act to be as One.

2. "The *West Indian* Incumbered Estates Act, 1854," (herein-after called "the Principal Act,") "The *West Indian* Incumbered Estates Act, 1858," (herein-after called "the First Amendment Act,") and this Act shall, so far as is consistent with the Context and Objects of such Acts, be construed as One Act, and the Principal Act, the First Amendment Act, and this Act (herein-after referred to as "these Acts"), may for all Purposes be cited as "The *West Indian* Incumbered Estates Acts, 1854, 1858, 1862."

Power to appoint Receivers of Lands after absolute Order for Sale.

3. When the Commissioners shall have made an absolute Order for the Sale of any Lands under these Acts, they shall have the same Powers of appointing a Receiver or Receivers of such Lands, or any Part thereof, as the Court of Chancery in *England* has of appointing a Receiver of the Rents and Profits of any Lands within the Jurisdiction of such Court in a Suit relating to such Lands, and the Receiver or Receivers so appointed shall from the Date of such Appointment have and possess all the Powers, Authorities, Rights, and Privileges which Receivers appointed by the Court of Chancery in *England* have in respect of the Lands over which they are appointed Receivers, subject to such general Rules as the Commissioners in *England* shall from Time to Time make under the Principal Act.

Security by and Remuneration of Receivers.

4. Every Receiver so appointed by the Commissioners shall give such Security for the due Performance of his Office as the Commissioners shall require, and shall be entitled to such Remuneration by Salary, Commission, or otherwise, as the Commissioners shall direct, subject to such general Rules as the Commissioners in *England* shall from Time to Time make under the Principal Act, and the Balance, due to such Receiver in respect of such Salary, Commission, or other Remuneration, or in respect of such Sums as he may have properly expended in the Management and Cultivation of such Lands, shall be a Charge on such Lands in priority to all Incumbrances thereon.

Fees and Commissions.

5. It is hereby declared that the Term "Fees" in the Thirteenth Section of the Principal Act includes as well fixed Payments or Charges in respect of Proceedings under these Acts, as also Commissions or Per-centages on the Amount of the Purchase Monies of Lands sold under these Acts.

Provision as to Acts coming into operation.

6. Where Her Majesty, by Order in Council, has directed or shall direct the Principal Act, or the Principal Act and the First Amendment Act, to come into operation in any of the Colonies mentioned in the Schedule to the Principal Act, or where any of such Colonies has presented or shall present an Address to Her Majesty, praying Her Majesty to issue such Order, then and in every such Case such Order and such Address respectively shall apply and be construed to apply as well to this Act as to the Principal Act, or as to the Principal Act and the First Amendment Act (as the Case may be).

CAP.

CAP. XLVI.

An Act for the better Regulation in certain Cases of the Procedure in the High Court of Chancery in *Ireland*. [17th *July* 1862.]

'WHEREAS the High Court of Chancery in *Ireland* has Power in certain Cases to refuse or postpone the Application of Remedies within its Jurisdiction until Questions of Law and Fact on which the Title to such Remedies depends have been determined or ascertained in One of Her Majesty's Courts of Common Law: And whereas it is expedient that the said Power should no longer exist, and that in all such Cases every Question of Law and of Fact, cognizable in a Court of Common Law, arising in the said Court of Chancery, on which the Right of any Party to any equitable Relief or Remedy depends, and whether the Title to such Relief or Remedy be or be not incident to or dependent upon a legal Right, should be determined by or before the said Court itself: And whereas by "The Chancery Regulation Act, 1862," passed in this present Session, Provision has been made for the better Regulation in such Cases of the Procedure in the Court of Chancery in *England* by taking away such Power, and providing for the Determination of such Questions in the Court itself, and it is expedient that similar Provisions should be made for the Court of Chancery in *Ireland*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited and referred to as "The Chancery Regulation (*Ireland*) Act, 1862."

Interpretation of Terms.

2. The Words "High Court of Chancery," "Court of Chancery," and "Court," when used in this Act, shall mean and include the Lord Chancellor, the Master of the Rolls, and any Master in Chancery, or any Judge or Judges by whom any Cause, Cause Petition, or Matter depending in the Court of Chancery in *Ireland* may, by the Law and Practice of that Court, be now or at any Time hereafter heard.

Court shall determine every Question of Law and Fact incident to the Relief sought.

3. In all Cases in which any Relief or Remedy within the Jurisdiction of the Court of Chancery in *Ireland* is or shall be sought in any Cause, Cause Petition, or Matter instituted or pending in that Court, and whether the Title to such Relief or Remedy be or be not incident to or dependent upon a legal Right, every Question of Law or Fact cognizable in a Court of Common Law, on the Determination of which the Title to such Relief or Remedy depends, shall be determined by or before the same Court.

Where Questions of Fact may be more conveniently tried at Assizes, Issues may be directed.

4. Provided always, That whenever it shall appear to the Court that any Question of Fact may be more conveniently tried by a Jury at the Assizes, or at any Sitting in the County of *Dublin* or in the County of the City of *Dublin* for the Trial of Issues in the Superior Courts of Common Law, it shall be lawful for such Court, notwithstanding anything in this Act contained, to direct an Issue to try any Question of Fact at the Assizes to be held in and for any County where the same may be conveniently tried, or at any such Sitting for the Trial of Issues in the County or City of *Dublin* as aforesaid; and (subject to such General Orders, if any, as may hereafter be made in relation thereto,) the Practice hitherto existing in such Court in reference to the Trial of Issues shall prevail in reference to the Trial of any Issues directed under this Proviso.

Provisions of 21 & 22 Vict. c. 27. to apply to this Act.

5. All the Provisions with reference to the Trial of Questions of Fact by or before the High Court of Chancery in *Ireland*, which are contained in "The Chancery Amendment Act, 1858," shall apply to the Determination of Questions of Fact by or before the said Court under this Act.

Proviso in Cases where Object of Suit to recover or defend Possession of Land under a legal Title.

6. Provided also, That in all Cases in which the Object of any Suit in Equity shall be to recover or to defend the Possession of Land under a legal Title, or under a Title which would have been legal but for the Existence of some outstanding Term, Lease, or Mortgage (and whether mesne Profits or Damages shall or shall not also be sought in such Suit), such Relief only shall be given in Equity as would have been proper according to the Rules and Practice of the Court if this Act had not passed; and nothing in this Act shall make it necessary for a Court of Equity to grant Relief in any Suit concerning any Matter as to which a Court of Common Law has concurrent Jurisdiction, if it shall appear to the Court that such Matter has been improperly brought into Equity, and that the same ought to have been left to the sole Determination of a Court of Common Law.

Court of Chancery may sit with Assistance of Common Law Judge.

7. Nothing in this Act contained shall alter or affect the Power of the High Court of Chancery, or the Court of Appeal in Chancery in *Ireland*, to sit with the Assistance of a Judge of any of Her Majesty's Courts of Common Law.

Act not to affect general Practice of Court.

8. Nothing in this Act contained shall, except in the Cases and to the Extent herein-before specially provided, be deemed in any Manner to vary, alter, or affect the Law, Practice, or Procedure of the High Court of Chancery in *Ireland* as to any Cause, Cause Petition, or Suit or Matter depending in that Court or the Hearing or Disposal of the same; and in Cases to which the Provisions of this Act apply all Orders and Decrees made by the Court, whether involving the Determination of a legal Right or otherwise, shall be subject to Re-hearing or Appeal in all respects as any other Decrees or Orders of the Court may now be re-heard or appealed from, subject to the Rules and Regulations as to Re-hearing and Appeal which may from Time to Time be applicable to such Decrees and Orders respectively.

Commencement of Act.

9. This Act shall commence and take effect from and after the First Day of *November* One thousand eight hundred and sixty-two.

CAP.

CAP. XLVII.

An Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for *England* and *Wales*. [29th *July* 1862.]

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The Acts for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and have in their Seventeenth Annual General Report certified their Opinion that such Inclosures would be expedient; but the same cannot be proceeded with without the previous Authority of Parliament:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Inclosures in Schedule may be proceeded with.

1. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with: Provided always, that the Provisional Order of the Inclosure Commissioners for *England* and *Wales*, dated the Ninth Day of *January* One thousand eight hundred and sixty-two, regarding the Parish of *Chigwell*, shall be and hereby is amended, to the Effect that Fifty Acres at or near the Spot marked A. on the Plan thereto annexed be allotted for the Purposes of Exercise and Recreation, such Fifty Acres to be contributed by the Lords and Commoners in proportion to the Allotments to be made to them respectively.

Proviso as to Chigwell.

Short Title.

2. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use either the Expression "The Annual Inclosure Act, 1862," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Kirkoswald	Cumberland	25th April 1861.
Crane Mead and Amwell Marsh	Hertford	10th August 1861.
Llanfechell Mountain	Anglesey	14th November 1861.
Huntingfield Manor	Suffolk	12th December 1861.
Chigwell	Essex	9th January 1862.
Wouldham	Kent	9th January 1862.
Thingwall	Chester	12th December 1861.
Plenmeller Common	Northumberland	15th January 1862.
Barking Common Allotments	Essex	25th January 1862.
Dagenham Common Allotments	Essex	25th January 1862.

CAP. XLVIII.

An Act respecting the Establishment and Government of Provinces in *New Zealand*, and to enable the Legislature of *New Zealand* to repeal the Seventy-third Section of an Act intituled *An Act to grant a Representative Constitution to the Colony of* New Zealand. [29th *July* 1862.]

'WHEREAS by an Act of the Session holden in the Fifteenth and Sixteenth Years of Her Majesty, intituled *An Act to grant a Representative Constitution to the Colony of* New Zealand, it was provided that certain Provinces therein mentioned should be established in the said Colony, and that in every such Province there should be a Provincial Council, and that there should be in the said Colony a General Assembly competent to make Laws for the Peace, Order, and good Government of the same; and by the Sixty-ninth Section of the said Act it was further provided, that it should be lawful for the said General Assembly to constitute new Provinces in the said Colony, and to appoint the Number of Members of which the Provincial Councils thereof should consist, and to alter the Boundaries of any Provinces for the Time being existing; provided always, that any Bill for any of the said Purposes should be reserved for the Signification of Her Majesty's Pleasure thereon: And whereas by an Act of the Session holden in the Twentieth and Twenty-first Years of Her Majesty, intituled *An Act to amend an Act for granting a Representative Constitution to the Colony of* New Zealand, it was enacted that the Sixty-ninth Section of the said first-recited Act should be repealed, and that it should be lawful for the said General Assembly to alter, suspend, or repeal all or any of the Provisions of the said Act, except certain Sections therein specified: And whereas the said General Assembly, by an Act passed in a Session holden in the Twenty-first and Twenty-second Years of Her Majesty, intituled *An Act to provide for the Establishment of new Provinces in* New Zealand, or, more shortly, "The New Provinces Act, 1858," did authorize the Governor of the said Colony to establish such new Provinces in manner therein mentioned, and the said Governor did

15 & 16 Vict. c. 72.

20 & 21 Vict. c. 53.

'establish

'establish certain new Provinces accordingly: And whereas Doubts are entertained whether it was 'competent to the said General Assembly to make such Provision and to the said Governor to establish 'such new Provinces as aforesaid: And whereas for the removing of such Doubts, an Act was passed 'in the now last Session of Parliament, intituled *An Act to declare the Validity of an Act passed by* 'the General Assembly of New Zealand, *intituled* "*An Act to provide for the Establishment of new* 'Provinces in New Zealand:" And whereas it is expedient to repeal the said last-mentioned Act of 'Parliament, and to make fresh Provision respecting the Establishment of new Provinces in *New* 'Zealand:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

24 & 25 Vict. c. 30.

24 & 25 Vict. c. 30. repealed.

1. The said last-mentioned Act of Parliament shall be and the same is hereby repealed.

"New Provinces Act, 1858," confirmed.

2. The said "New Provinces Act, 1858," (except so far as the same shall have been altered by any Act subsequently passed by the said General Assembly,) shall be and be deemed to have been from the Date of the passing thereof valid and effectual for all Purposes whatever, and all Matters and Things done under and in pursuance of Authority created or given or expressed to be created or given by the same Act shall be deemed to have been of the same Force and Effect as if the said Act and everything therein contained had from the above-mentioned Date been actually so valid as aforesaid.

General Assembly to provide for the Establishment of new Provinces in New Zealand.

3. Subject to the Conditions herein-after mentioned, it shall be lawful for the said General Assembly, by any Act or Acts to be by them from Time to Time passed, to establish or provide for the Establishment of new Provinces in the Colony of *New Zealand*, and to alter or to provide for the Alteration of the Boundaries of any Provinces for the Time being existing in the said Colony, and to make Provision for the Administration of any such Provinces, and for the passing of Laws for the Peace, Order, and good Government thereof, and therein to repeal or alter any of the Provisions of the Two first herein-before recited Acts of Parliament relating to such Provinces, or to the Superintendents and Provincial Councils thereof.

General Assembly not to make Laws inconsistent with Provisions herein mentioned.

4. It shall not be lawful for the General Assembly to make any Law inconsistent with the following Provisions; that is to say,

(1.) In every Province of *New Zealand* there shall be an Officer designated the Superintendent, who, unless any Provision shall be made to the contrary in any Act of the General Assembly, shall be capable of being elected and acting as a Member of the Council of the same Province:

(2.) No Provincial Law shall take effect until it shall have received the Assent in Writing either of the said Superintendent or of the Governor of *New Zealand:*

(3.) In giving or refusing his Assent to any Provincial Law, or in reserving the same for the Signification of the Governor's Pleasure, the Superintendent shall conform to such Instructions in Writing as he may from Time to Time receive from the Governor:

(4.) In case the Superintendent shall assent to any Provincial Law he shall forthwith transmit to the Governor an authentic Copy thereof:

(5.) It shall be lawful for the Governor at any Time after the Date of such Assent, and until the Expiration of Three Months after such authentic Copy of any Provincial Law shall have been received by him, to declare by Proclamation his Disallowance of such Law, and such Disallowance shall make void and annul the same from and after the Day of the Date of such Proclamation or any subsequent Day to be named therein:

(6.) It shall not be lawful for the Council or other Legislative Body of any Province to pass, or for the Superintendent or Governor to assent to, any Bill appropriating any Money to the Public Service, unless the Superintendent or Governor shall first have recommended to the Council to make Provision for the specific Service to which such Money is to be appropriated, and no such Money shall be issued or made issuable except by Warrants to be granted by the Superintendent or Governor:

(7.) It shall not be lawful for any such Council or other Body as aforesaid to pass, and for the said Superintendent or Governor to assent to, any Law which shall be repugnant to the Law of *England* or to any Enactment of the said General Assembly.

Limitation of Governor's Powers of Assent to Bills.

5. It shall not be competent to the Governor of *New Zealand* to assent to any Bill passed by the Legislature of *New Zealand* which shall repeal or alter any of the Provisions of the Nineteenth Clause of the first herein-before recited Act of Parliament, but the said Governor (unless he shall refuse his Assent to such Bill) shall reserve the same for the Signification of Her Majesty's Pleasure.

Parts of Two first-recited Acts repealed.

6. So much of the Two first herein-before recited Acts of Parliament as is inconsistent with the Provisions of this Act is hereby repealed.

Application of Acts to future Provinces.

7. Subject to the Provisions of this Act, and of the said New Provinces Act, the said Two first herein-before recited Acts of Parliament shall apply to all Provinces at any Time existing in *New Zealand*, in like Manner and subject to the same Conditions as the same apply to Provinces established by the first herein-before recited Act of Parliament.

Power to General Assembly to

8. 'And whereas it is expedient to enable the General Assembly of *New Zealand* to repeal the 'Seventy-third Section of the first herein-before recited Act of Parliament:' Be it further enacted as follows (that is to say): It shall be lawful for the said General Assembly to alter or repeal all or any of

of the Provisions contained in the said Section; and no Act passed by the said General Assembly, nor any Part of such Act, shall be or be deemed to have been invalid by reason that the same is repugnant to any of the said Provisions. repeal or alter Sect. 73 of 15 & 16 Vict. c. 72.

9. In the Construction of this Act the Term "Governor" shall mean the Person for the Time being lawfully administering the Government of *New Zealand*. "Governor."

CAP. XLIX.

An Act to authorize the Completion, after His Royal Highness *Albert Edward* Prince of *Wales* shall attain the Age of Twenty-one Years, of Arrangements commenced during His Minority, under the Provisions of an Act passed in the Session of Parliament held in the Seventh and Eighth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to enable the Council of His Royal Highness* Albert Edward *Prince of* Wales *to sell and exchange Lands and enfranchise Copyholds Parcel of the Possessions of the Duchy of* Cornwall, *to purchase other Lands; and for other Purposes.* [29th *July* 1862.]

'WHEREAS by an Act passed in the Session of Parliament held in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act to enable the Council of His Royal Highness* Albert Edward *Prince of* Wales *to sell and exchange Lands and enfranchise Copyholds Parcel of the Possessions of the Duchy of* Cornwall, *to purchase other Lands; and for other Purposes*, certain Powers of selling, exchanging, and enfranchising Lands Parcel of the Possessions of the Duchy of *Cornwall*, and of purchasing other Lands, are vested in the Council of His Royal Highness *Albert Edward* Prince of *Wales* and Duke of *Cornwall*, to be exercised during the Minority of His said Royal Highness, with divers Provisions incident thereto or connected therewith: And whereas divers Contracts, Treaties, Arrangements, and Negotiations have been and may hereafter during the Minority of His said Royal Highness be entered into or commenced, under the Powers of the said recited Act, by the Council of His said Royal Highness, which it will not be practicable to complete previously to His Royal Highness attaining the Age of Twenty-one Years, and it is expedient that such Provision should be made in respect thereof as is herein-after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 7 & 8 Vict. c. 65.

1. That on and after the Ninth Day of *November* One thousand eight hundred and sixty-two it shall be lawful for His Royal Highness *Albert Edward* Prince of *Wales* to complete or to direct the Completion of all Contracts, Treaties, Arrangements, and Negotiations which shall have been entered upon or commenced, but which shall not have been completed, by the Council of His Royal Highness, under the Powers of the herein-before recited Act, previously to the Ninth Day of *November* One thousand eight hundred and sixty-two, and that for this Purpose the Powers and Authorities by the same Act vested in or given to the Council of His said Royal Highness during His Minority shall, on and after the Ninth Day of *November* One thousand eight hundred and sixty-two, be vested in and may be exercised by His said Royal Highness, or in or by such Person or Persons as His said Royal Highness shall from Time to Time appoint, depute, or nominate to act therein on His Behalf. The Prince of Wales, on attaining the Age of 21, may complete Contracts, &c. entered into by His Council.

2. The several Provisions in the said recited Act contained incident to or connected with the Exercise of the Powers thereby given shall continue in force and be applicable in all Transactions carried on under the Authority of this Act. Provisions of recited Act continued by this Act.

3. Provided always, That no Person claiming under any Deed or Instrument by which any Sale, Enfranchisement, Exchange, or Grant shall be made or purport to be made under the Authority of this Act shall be bound or concerned to inquire whether such Sale, Enfranchisement, Exchange, or Grant is in fact authorized by this Act or not, or whether it is or is not within the Provisions and the true Intent and Meaning of this Act, but every Deed or Instrument by which any Sale, Enfranchisement, Exchange, or Grant shall purport to be made under the Authority of this Act shall be good, valid, and effectual, as against His said Royal Highness, His Heirs and Successors, for the Purposes for which the same shall have been executed. Persons claiming by Deeds made under this Act not bound to prove Deeds so made.

CAP. L.

An Act to amend certain Provisions of the Acts of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapters Ninety-six, Ninety-seven, Ninety-nine, and One hundred, respectively, relating to Summary Jurisdiction in *Ireland*. [29th *July* 1862.]

'WHEREAS it is expedient to amend certain Provisions of the Acts of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapters Ninety-six, Ninety-seven, Ninety-nine, and One hundred, respectively, relating to Summary Jurisdiction in *Ireland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, 24 & 25 Vict. cc. 96. 97. 99. and 100.

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commencement of Act.

1. This Act shall commence and take effect on the First Day of *September* One thousand eight hundred and sixty-two.

As to Prosecution of Offences made punishable on Summary Conviction in Ireland.

2. From and after the Commencement of this Act every Offence by this Act and the said recited Acts, respectively, made punishable on Summary Conviction in *Ireland*, may be prosecuted before any Justice or Justices sitting in Petty Sessions in *Ireland*, or before any Two Justices sitting out of Petty Sessions, (when the Offender shall be unable to procure Bail for his Appearance at Petty Sessions,) or before any Divisional Justice of the Police District of *Dublin* Metropolis; and no Stipendiary Magistrate in *Ireland*, not being a Justice of the Police District in *Dublin* Metropolis, shall have any further or other Jurisdiction than any other Justice of the Peace in respect of any such Offence.

Provisions in 24 & 25 Vict. cc. 96. and 97. relating to Mode of compelling Appearances not to extend to Ireland.

All such Proceedings, &c. to be subject to Provisions of 14 & 15 Vict. c. 93. and 21 & 22 Vict. c. 100.

3. The Provisions contained in the One hundred and fifth Section of the said Act of the last Session, Chapter Ninety-six, and in the Sixty-second Section of the said Act of the same Session, Chapter Ninety-seven, relating to the Mode of compelling the Appearance of Persons punishable on Summary Conviction, shall not extend to *Ireland*; and from and after the Commencement of this Act, whenever Information shall be given to any Justice or Justices in *Ireland* that any Person has committed or is suspected to have committed any Offence within the Limits of the Jurisdiction of such Justice or Justices for which such Persons shall be punishable upon a Summary Conviction, all Proceedings as to compelling the Appearance of any Person against whom any such Complaint shall have been made, or of any Witness, and as to the Hearing and Determination of such Complaints, and as to the making and executing of any Orders relating thereto, shall be subject in all respects to the Provisions of "The Petty Sessions (*Ireland*) Act, 1851," as the same is amended by "The Petty Sessions Clerk (*Ireland*) Act, 1858," when the Case shall be heard in any Petty Sessions District, and to the Provisions of the Acts relating to the divisional Police Offices when the Case shall be heard in the Police District of *Dublin* Metropolis, so far as the said Provisions shall be consistent with any special Provisions of this Act.

Penalty on stealing Trees, Shrubs, &c. (under the Value of 5*l.*) growing anywhere.

4. Any Person who shall steal, or shall cut, break, root up, or otherwise destroy or damage with Intent to steal, the whole or any Part of any growing Tree, Sapling, Shrub, or Underwood, or any growing Fruit or Vegetable Production, or any growing cultivated Root or Plant, shall (in case the Value of the Property stolen or the Amount of the Injury done shall not exceed Five Pounds) pay to the Party aggrieved the Value of the Property stolen or the Amount of the Injury done, and shall also be liable to a Fine not exceeding Five Pounds, or to be imprisoned for any Period not exceeding Three Months; and the Offences in this and the following Sections mentioned may be prosecuted summarily before One or more Justices of the Peace, as herein-before mentioned.

Penalty on stealing Trees, Plants, &c. severed from the Soil or Turf Fuel (not exceeding 40*s.* in Value).

5. Any Person who shall steal, or damage with Intent to steal, the whole or any Part of any Tree, Sapling, Shrub, or Underwood, or any cultivated Plant, Root, Fruit, or Vegetable Production severed from the Soil, or any Turf or Peat manufactured or partly manufactured for Fuel, (in case the Value of such Article or Articles stolen, or the Amount of the Injury done shall not exceed Forty Shillings,) shall pay to the Party aggrieved the Value of the Property stolen, or the Amount of the Injury done, and shall also be liable to a Fine not exceeding Five Pounds, or to be imprisoned for a Term not exceeding Three Months.

Penalty on Persons possessing Carcases of Sheep, &c. without accounting for the same.

6. Whenever any credible Witness shall prove upon Oath, before a Justice of the Peace, that there is reasonable Cause to suspect that any of the Articles of Property following; that is to say, the Carcase of any Sheep or Lamb, or the Head, Skin, or any Part thereof, or the Fleece of any Sheep or Lamb, has been stolen or unlawfully taken, and is to be found in any House or other Place, it shall be lawful for such Justice to issue a Warrant to search such House or Place for such Articles of Property; and any Person in whose Possession or on whose Premises any of the said Articles of Property shall be found by virtue of any such Search Warrant (or by any Member of the Constabulary or Metropolitan Police Forces when executing any Warrant or otherwise acting in the Discharge of his Duty), and who shall not satisfy the Justice before whom he shall be brought, that he came lawfully by the same, or that the same was on his Premises without his Knowledge or Assent, may be committed by such Justice to Gaol until the next Day of holding Petty Sessions for the District, unless he shall enter into a Recognizance with One or more Sureties to appear at such Petty Sessions; and if such Person shall not account for the same in manner aforesaid, he shall, on Summary Conviction by such Justice or Justices as aforesaid, and at his or their Discretion, either be committed pursuant to the Provisions of "The Petty Sessions (*Ireland*) Act, 1851," to be imprisoned for a Term not exceeding Three Months, or be liable to a Fine not exceeding Five Pounds.

Penalty on Workmen making away with Goods (not exceeding 5*l.* in Value) committed to his Care.

7. Any Artificer, Workman, Journeyman, Apprentice, Servant, or other Person who shall unlawfully dispose of, or retain in his Possession without the Consent of the Person by whom he shall be hired, retained, or employed, any Goods, Wares, Work, or Materials committed to his Care or Charge (the Value of such Goods, Wares, Work, or Materials not exceeding the Sum of Five Pounds), shall pay to the Party aggrieved such Compensation as the Justices shall think reasonable, and shall also be liable to a Fine not exceeding Forty Shillings, or to be imprisoned for a Term not exceeding One Month.

8. Any

Penalty on stealing Poultry (not exceeding 5s. in Value).

8. Any Person who shall steal, or injure with Intent to steal, any Turkey, Goose, or other Poultry, (where the Value of such Poultry so stolen or injured shall not exceed Five Shillings,) shall be liable to a Fine not exceeding Twenty Shillings, or to be imprisoned for a Period not exceeding Two Weeks.

Assault Cases may be proceeded with, &c.

9. It shall be lawful for the Justices at Petty Sessions, if they shall so think fit, to proceed against any Person or Persons charged with being guilty of an Assault, pursuant to the Provisions of the Statute Twenty-fourth and Twenty-fifth *Victoria*, Chapter One hundred, Section Forty-two, notwithstanding that the Party aggrieved may decline or refuse to prefer a Complaint.

Summary Jurisdiction in Cases of Assault on Peace Officers and others.

10. 'And whereas by the Act of the Twenty-fourth and Twenty-fifth of *Victoria*, Chapter One 'hundred, Section Thirty-eight, certain Assaults therein specified on Peace Officers and others are made 'Misdemeanors, and punishable with Imprisonment for a Term not exceeding Two Years, with or 'without Hard Labour, and it is desirable also to give a summary Jurisdiction in petty Cases for the 'same Offence:' Be it enacted, That Two Justices of the Peace shall have a concurrent Jurisdiction to punish such Assaults under the Forty-second Section of the said Act, if they shall consider the Offence so trivial as not to require being dealt with by a superior Tribunal.

Extent of Act.

11. This Act shall extend to *Ireland* only.

CAP. LI.

An Act for confirming, with Amendments, certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, relating to *Carrickfergus*, *Deal*, *Oban*, *Saint Ives*, *Tobermory*, and *Hastings*. [29th *July* 1862.]

'WHEREAS a Provisional Order made by the Board of Trade under The General Pier and Harbour 'Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, is not of any 'Validity or Force whatever until the Confirmation thereof by Act of Parliament: And whereas it is 'expedient that the several Provisional Orders made by the Board of Trade under the said Acts and 'set out in the Schedule hereto should be confirmed, with Amendments, by Act of Parliament:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Orders in Schedule confirmed, except the Clauses named herein.

1. The several Provisional Orders set out in the Schedule hereto shall be and are hereby confirmed, except that

The Clause numbered 13 in the *Carrickfergus* Harbour Order,
The Clause numbered 6 in the *Deal* and *Walmer* Pier Order,
The Clause numbered 12 in the *Saint Ives* Harbour Order,
The Clause numbered 4 in the *Mishuish* Pier, *Tobermory*, Order,
And the Clause numbered 20 in the *Hastings* Pier and Harbour Order,

shall be deemed to be and the same are by this Act expunged from the said Orders respectively, which Orders shall, with the Omission of the said several Clauses, be valid and effectual, and be construed as if the same several Clauses had never been inserted therein.

Short Title.

2. This Act may be cited as The Pier and Harbour Orders Confirmation Act, 1862.

The SCHEDULE of Provisional Orders.

1. CARRICKFERGUS.—Improvement of the Harbour.
2. DEAL.—Construction of a Pier.
3. OBAN.—Improvement of the Harbour.
4. SAINT IVES.—Improvement of the Harbour.
5. TOBERMORY.—Construction of a Pier.
6. HASTINGS.—Construction of a Pier.

CARRICKFERGUS.

Provisional Order of the Board of Trade for the Improvement, Maintenance, and Regulation of the Harbour of Carrickfergus in the County of the Town of Carrickfergus.

Preamble.

Whereas, under The General Pier and Harbour Act, 1861, the Municipal Commissioners of the Borough of Carrickfergus, as owners of the Port of Carrickfergus, made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying for (among other things) a Provisional Order under the said Act for executing the works hereinafter mentioned, with power for the said Commissioners to levy and recover rates according to the schedule in the memorial referred to:

And whereas the estimated expenditure on the proposed works is Six thousand pounds and no more:

And whereas, within the time in the said Act limited in this behalf, the promoters deposited copies of the said memorial, and of the plans, sections, and working drawings of the proposed works, at the office of the Clerk of the Peace for the County of the Town of Carrickfergus, and notice of such deposit was published according to the requirements of the said Act:

And whereas the promoters deposited at the Admiralty Office copies of the said memorial, plans, sections, and working drawings, and on the application of the promoters the Lords of the Admiralty have given their sanction to the proposed works:

And whereas the promoters prepared a schedule of rates to be levied at the proposed works, and published the same, according to the requirements of the said Act, and deposited a printed copy thereof at the office of the said Clerk of the Peace, and transmitted a copy thereof to the Board of Trade, and therewith a statement showing the state of the existing works, and the rates then leviable thereat, the average revenue derived at such works for the three years specified in the said Act, the estimated amount of the rates to be levied at the existing works, and also at the proposed works, and the estimated amount proposed to be expended on the works:

And whereas the Board of Trade, at the time in the said Act appointed in this behalf, took the said schedule and statement into consideration, and made such inquiries and obtained such further information in reference to the several matters therein set forth as they deemed expedient:

And whereas the said schedule was prepared, published, deposited, and transmitted as aforesaid before the passing of The General Pier and Harbour Act, 1861, Amendment Act:

And whereas it appears to the Board of Trade to be expedient that the same should be authorized by a Provisional Order, and accordingly the Board of Trade have finally adjusted and fixed the schedule of rates hereto annexed, such rates not exceeding the rates specified in the schedule so prepared, published, deposited, and transmitted as aforesaid:

And whereas the consent in writing of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues to the making of this Provisional Order has been obtained:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do, by this their Provisional Order in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, Order,—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

Carrickfergus Harbour Commissioners.

Incorporation of Commissioners.

1. The Municipal Commissioners for the Borough of Carrickfergus, and their successors in office, shall be and are hereby, for the purposes of this Order, incorporated by the name of The Carrickfergus Harbour Commissioners, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes, but subject to the restrictions, of this Order.

The Undertakers.

2. The Carrickfergus Harbour Commissioners, herein-after called the Commissioners, shall be the Undertakers of the works authorized by this Order.

Commissioners Clauses Act incorporated.

3. The Commissioners Clauses Act, 1847,—except the following sections thereof, namely, sections 6 to 55 (both inclusive), and 84, 96, 97, and 98,—shall be incorporated with this Order.

Borrowing.

4. The Commissioners may borrow on mortgage or bond at interest such sums of money as may be required for the purposes of the works authorized by this Order, not exceeding in the whole the sum of 6,000*l.*

Sinking Fund.

5. In order to create a sinking fund for the discharge of the principal money so borrowed, the Commissioners shall yearly set apart the surplus revenue of the Harbour, and shall deposit the same in some joint stock bank of issue in Ireland, to be increased by accumulation in the way of compound interest or otherwise, until the time when the accumulated fund shall be sufficient to pay off the principal money borrowed, or any such part thereof as the Commissioners may think ought to be then paid off, and the Commissioners shall then apply such accumulated fund in such payment accordingly; but so that the Commissioners shall not allow any sum exceeding 500*l.* to remain so deposited for a longer time than six calendar months without applying the same in such payment as aforesaid.

Re-borrowing.

6. Any money borrowed under this Order and discharged by means of the sinking fund aforesaid shall not be re-borrowed; but any money borrowed and discharged otherwise than by means of such sinking fund may be re-borrowed, if required for the purposes of this Order, and so toties quoties.

Receiver.

7. The mortgagees of the Commissioners may enforce the payment of the arrears of interest, or of the arrears of principal and interest, due to them on their respective mortgages, by the appointment of a receiver. The amount to authorize a requisition for a receiver shall be 1,000*l.*

8. Every

8. Every part of the money borrowed under this Order shall be applied only for purposes authorized by this Order. Money to be applied to purposes of Order.

Taking of Lands.

9. For the purposes of this Order, the Commissioners may from time to time, by agreement, enter on, take, or use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works, and also all or any part of the lands described in schedule (A.) to this Order annexed. Power to take specified lands by agreement.

10. The Lands Clauses Consolidation Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order. Lands Clauses Acts incorporated.

Works.

11. Subject to the provisions of this Order, the Commissioners may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans. Power to make works.

12. The works by this Order authorized comprise the following :— Description of Pier and Breakwater.

(1.) A pier on the eastern side of the Harbour, commencing near the landward end of the existing pier or quay, and running in a southerly direction for 600 feet, then with a cant to the westward for 100 feet ; the first 350 feet of the pier to be of stone work, the remainder of open pile work ;

(2.) A stone breakwater to protect the same, 400 feet in length, lying about 550 feet to the westward of and parallel to the pier, with an easterly cant at the south end;

with a clear width of entrance between the pier and the breakwater of 400 feet.

Rates.

13. The Commissioners shall not construct any work on any part of the shore or bed of the sea below high-water mark without the previous consent of Her Majesty, Her heirs and successors, signified in writing under the hand of one of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and then only according to such plan and under such restrictions and regulations as the last-mentioned Commissioners or one of them approve of, such approval being signified as last aforesaid. After any such work is constructed with such consent as aforesaid, the Commissioners shall not alter or extend the same without first obtaining the like consent and approval. If any work be commenced, constructed, altered, or extended contrary to this provision, the Commissioners of Her Majesty's Woods, Forests, and Land Revenues may, at the expense of the Commissioners incorporated by this Order, abate and remove it or any part of it, and restore the site thereof to its former condition. The amount of such expense shall be a debt due to the Crown from the Commissioners incorporated by this Order, and shall be recoverable as such, with costs, or the same may be recovered with costs as a penalty is recoverable from those Commissioners. Consent of Commissioners of Woods and Forests.

14. The Commissioners may demand and receive in respect of the vessels, goods, and things described in Schedule (B.) hereto, any sums not exceeding the rates in that Schedule specified. Power to take rates according to Schedule (B.)

15. Officers of Customs being in the execution of their duty, shall at all times have free ingress, passage, and egress, on, into, along, through, and out of the Pier and Harbour, by land, and with their vessels, and otherwise, without payment. Custom House Officers exempt from rates.

16. The Commissioners shall apply all rates received under this Order, and all other moneys coming to their hands from the existing Harbour, or new works, or the lands or property connected therewith, for the purposes and in the order following, and not otherwise :— Application of rates and moneys received by the Commissioners.

(1.) In paying the costs of and connected with the preparation and making of this Order :

(2.) In paying the expenses of the maintenance, management, and regulation of the existing Harbour and new works, and the lands and property connected therewith :

(3.) In paying the interest on any money borrowed under this Order, and any sum payable on account of the principal thereof :

(4.) In paying the rent of the property described in schedule (A.) hereto, and in fining down such rent in pursuance of any agreement in that behalf made or to be made :

(5.) As to the surplus revenue of the Harbour, that is to say, so much of the rates and other moneys aforesaid, as may remain after making the several payments before in this provision directed,— in creating a sinking fund in manner before in this Order specified.

General Provisions.

17. The following provisions of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections 16, 17, 18, and 19. Lifeboats, tide gauges, &c.

18. The Commissioners shall not purchase for extraordinary purposes lands exceeding in extent in the whole two acres. Lands for extraordinary purposes.

19. The Commissioners shall have the appointment of meters and weighers within the Harbour. Meters and weighers.

20. The

Steam engines, diving bells, lighters, &c.

20. The Commissioners may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels, as they may think necessary for effectuating any of the purposes of this Order; and may demand and receive such sums for the use of the same as they may think reasonable.

Pilotage, lights, buoys, and beacons,

21. The Commissioners shall be a Pilotage Authority and a Local Authority within the meaning of The Merchant Shipping Act, 1854, with all the powers by that Act conferred on pilotage authorities and on local authorities.

Part V. of 24 & 25 Vict. c. 47. to apply.

22. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to Carrickfergus Harbour as altered under this Order.

Short Title.

23. This Order may be cited as The Carrickfergus Harbour Order, 1862.

Board of Trade, Whitehall.
Dated this 19th day of May 1862.

(Signed) T. H. Farrer,
Assistant Secretary.

SCHEDULES.

SCHEDULE (A.)

A tenement and premises situate in the Irish quarter of the town of Carrickfergus, known as Wilson's or Barnett's Quay, comprised and particularly described in an agreement dated the 1st day of November 1861, and made between William Davys Duncan Wilson, Esq., of the one part, and the Municipal Commissioners of the Borough of Carrickfergus of the other part.

SCHEDULE (B.)

I.—Rates on Vessels using or entering the existing Harbour or new Works.

		s.	d.
For every vessel	per register ton	0	2

All pleasure boats, boats entirely open, and fishing boats, exempt.

II.—Rates on Goods shipped or unshipped, received or delivered, within the existing Harbour or at the new Works.

Bricks	per ton	0	1½
Cattle—bulls, cows, oxen, and horses	each	0	1
Cattle—calves, pigs, sheep, and lambs	per score	0	3
Cloverseed	per sack	0	1½
Coals	per ton	0	1½
Deals	per 120	1	0
Flour	per ton	0	1½
Gunpowder	per barrel	0	0½
Iron	per ton	0	1½
Lead	per ton	0	1½
Meal	per ton	0	1½
Salt rock	per ton	0	1
Slates	per ton	0	1½
Stones	per ton	0	1½
Timber of all kinds, except deals	per load of 50 feet	0	2

All other Goods not particularly enumerated above.

Light goods	per barrel bulk	0	1
Heavy goods	per ton	0	2

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified, a proportion of the respective rate shall be charged.

Five cubic feet not exceeding 2½ cwt. to be rated as a barrel bulk; but, when the weight of 5 cubic feet is greater than 2½ cwt., then 2½ cwt. to be rated as a barrel bulk.

III.—Rates for the Use of Cranes, Weighing Machines, and Sheds provided at the existing Harbour or new Works.

1st. Rates of Craneage.

	s.	d.
All goods or packages not exceeding 1 ton	0	1½
Exceeding 1 ton and not exceeding 2 tons	0	2
Exceeding 2 tons and not exceeding 3 tons	0	3
Exceeding 3 tons and not exceeding 4 tons	0	4
Exceeding 4 tons and not exceeding 5 tons	0	5
Exceeding 5 tons and not exceeding 6 tons	0	6
Exceeding 6 tons	0	7

2nd. Weighing Machines.

For goods weighed, 1*d.* for each ton or part of a ton.

3rd. Shed Dues.

For each ton of goods of 8 barrels bulk, or for each ton of goods of 20 cwt., which shall remain in the sheds or on the quays of the harbour for a longer time than 48 hours, the sum of 3*d.*, and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 48 hours.

DEAL.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Deal in the County of Kent.

Whereas, under The General Pier and Harbour Act, 1861, the promoters of the Deal and Walmer Pier made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, setting forth the necessity of a Pier at Deal in the County of Kent, and praying their Lordships to approve of the project thus submitted, and to grant a Provisional Order for its execution, containing powers and privileges for the complete execution of the works, and for the levying of rates and tolls, not exceeding those in the memorial referred to : Preamble.

And whereas the estimated expenditure on the proposed works is twelve thousand pounds and no more :

And whereas, within the time in the said Act limited in this behalf, the promoters deposited copies of the said memorial and of the plans, sections, and working drawings of the proposed works at the office of the Clerk of the Peace for the County of Kent, and notice of such deposit was published according to the requirements of the said Act :

And whereas the promoters deposited at the Admiralty Office copies of the said memorial, plans, sections, and working drawings, and on the application of the promoters the Lords of the Admiralty have given their sanction to the proposed works :

And whereas the promoters prepared a schedule of rates to be levied at the proposed works, and published the same, according to the requirements of the said Act, and deposited a printed copy thereof at the office of the said Clerk of the Peace, and transmitted a copy thereof to the Board of Trade, and therewith a statement showing the probable or estimated amount of the rates to be levied at the proposed works, and also the estimated amount proposed to be expended on the works :

And whereas the Board of Trade, at the time in the said Act appointed in this behalf, took the said schedule and statement into consideration, and made such inquiries and obtained such further information in reference to the several matters therein set forth as they deemed expedient :

And whereas the said schedule was prepared, published, deposited, and transmitted as aforesaid before the passing of The General Pier and Harbour Act, 1861, Amendment Act :

And whereas it appears to the Board of Trade to be expedient that the same (with the omission of part thereof) should be authorized by a Provisional Order, and accordingly the Board of Trade have finally adjusted and fixed the schedule of rates hereto annexed, such rates not exceeding the rates specified in the said schedule so prepared, published, deposited, and transmitted as aforesaid :

And whereas the consent in writing of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues to the making of this Provisional Order has been obtained :

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever) :

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, Order,—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force :—

1. The Deal and Walmer Pier Company, Limited, herein-after called the Company, shall be the undertakers of the works authorized by this Order. The Undertakers.

2. For the purposes of the works by this Order authorized, the Company may from time to time, by agreement, enter on, take, or use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works. Power to take specified lands by agreement.

3. The Lands Clauses Consolidation Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order. Lands Clauses Acts incorporated.

4. Subject to the Provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans. Power to make works.

5. The

Description of Pier.

5. The works by this Order authorized comprise the following:—

A pier on iron piles carried out from the South Esplanade, Deal, into the sea to a distance of 920 feet, with a general width of 20 feet, and a width at the head of 40 feet.

Consent of Commissioners of Woods and Forests.

6. The Company shall not construct any work on any part of the shore or bed of the sea below high-water mark without the previous consent of Her Majesty, Her heirs and successors, signified in writing under the hand of one of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and then only according to such plan and under such restrictions and regulations as the said Commissioners, or one of them, approve of, such approval being signified as last aforesaid. After any such work is constructed with such consent as aforesaid, the Company shall not alter or extend the same without first obtaining the like consent and approval. If any work be commenced, constructed, altered, or extended contrary to this provision, the said Commissioners may, at the expense of the Company, abate and remove it, or any part of it, and restore the site thereof to its former condition. The amount of such expense shall be a debt due to the Crown from the Company, and shall be recoverable as such, with costs, or the same may be recovered with costs as a penalty is recoverable from the Company.

Power to take rates according to Schedule.

7. The Company may demand and receive in respect of the vessels, goods, persons, and things in the Schedule hereto described, any sums not exceeding the rates in that Schedule specified.

Custom House Officers exempt from rates.

8. Officers of Customs being in the execution of their duty, shall at all times have free ingress, passage, and egress, to, on, along, and from the Pier by land, and with their vessels, and otherwise, without payment.

Lands for extraordinary purposes.

9. The Company shall not purchase for extraordinary purposes lands exceeding in extent in the whole two acres.

Meters, &c.

10. The Company shall have the appointment of meters and weighers on the Pier.

Steam engines, diving bells, lighters, &c.

11. The Company may provide such steam-engines, steam-vessels, piling engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels, as they may think necessary for effectuating any of the purposes of this Order; and may demand and receive such sums for the use of the same as they may think reasonable.

Part V. of 24 & 25 Vict. c. 47. to apply.

12. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the Harbour by this Order authorized.

Short Title.

13. This Order may be cited as The Deal and Walmer Pier Order, 1862.

Board of Trade, Whitehall.
Dated this 19th day of May 1862.

(Signed) T. H. Farrer,
Assistant Secretary.

SCHEDULE.

I.—Rates on Vessels using the Pier.

		s.	*d.*
For every vessel under the burden of 15 tons	per ton	0	4
For every vessel of the burden of 15 tons, and under 50 tons	per ton	0	6
For every vessel of the burden of 50 tons, and under 100 tons	per ton	0	8
For every vessel of the burden of 100 tons, and under 150 tons	per ton	0	10
For every vessel of the burden of 150 tons, and upwards	per ton	1	0
All lighters for any vessel in the roads shall be exempt from rates; but if the vessel do not use the Pier, every lighter shall pay for each trip	per ton	0	2
All boats entirely open, landing or taking on board goods or dried or salted fish	each	0	6
All drave or large boats using the pier with fresh fish	each	0	4

II.—Rates on Goods shipped or unshipped at the Pier.

Ale	per hogshead	0	6
Ale (bottled)	per barrel bulk	0	3
Anchor	per cwt.	0	9
Anchor stock	per foot run	0	2
Bark	per ton	1	0
Bedding (seaman's)		0	3
Beef or pork	per ton	1	4
Beef or pork	per barrel	0	2
Blubber	per ton of 252 gallons	1	0
Bone dust	per ton	0	8
Bones of cattle	per ton	0	6
Bottles	per gross	0	2
Bricks	per 1,000	0	8
Butter	per barrel	0	4
Casks (empty), not being returned packages	per puncheon	0	3
Other casks in proportion.			

		s.	d.
Cattle :			
Bulls	each	0	3
Cows and oxen	each	0	2
Calves	each	0	0½
Horses	each	0	2
Pigs	each	0	0½
Sheep	per score	0	6
Lambs	per score	0	3
Chalk	per ton	0	8
Cheese	per cwt.	0	4
Chimney cans	per 100	1	4
Clay (fire manufactured)	per ton	0	6
Clay (common)	per ton	0	2
Cloth, haberdashery, &c.	per barrel bulk	0	2
Coaches :			
Chaises and other four-wheeled carriages	each	0	8
Gigs, carts, and other two-wheeled carriages	each	0	6
Coals (Scotch, English, smithy, and culm)	per ton	0	3
Copper	per ton	1	4
Corks	per barrel bulk	0	2
Corn :			
Wheat and malt	per quarter	0	3
Barley, beans, peas, tares, oats, rye, buckwheat, and Indian corn	per quarter	0	2
Crystal	per barrel bulk	0	2
Dissolved bones and other artificial manures	per ton	0	8
Dogs (sporting only)	each	0	2
Drugs	per barrel bulk	0	3
Earthenware	per crate	0	8
Eggs	per barrel bulk	0	2
Fish (dried and salted)	per ton	1	4
Haddocks, cod, salmon, and all fresh fish not enumerated	per barrel bulk	0	2
Flax	per ton	1	4
Flour	per sack	0	2
Flour	per barrel	0	1½
Fruit	per bushel or sieve	0	2
Glass	per barrel bulk	0	3
Groceries, viz. :			
Almonds, figs, cinnamon, currants, pepper, pimento, plums, prunes, raisins, and the like	per barrel bulk	0	3
Guano	per ton	0	8
Gunpowder	per barrel	0	3
Hams, bacon, or tongues	per cwt.	0	3
Hardware	per barrel bulk	0	3
Hares and rabbits	per dozen	0	2
Any less quantity		0	1
Hay	per ton	0	8
Hemp	per ton	1	4
Herrings (fresh)	per cran	0	1
Herrings (cured)	per barrel	0	3
Hides :			
Ox, cow, or horse (salted or dried)	per ton	1	4
Calf skins	per 120	0	10
Sheep skins	per 120	0	10
Lamb skins	per 120	0	5
Hoops of wood	per 1,500	1	0
Household furniture (new)	per barrel bulk	0	1
Household furniture (belonging to parties changing their residences only)	per 10 barrels bulk	0	6
Husbandry utensils	per ton	1	4
Husbandry utensils	per barrel bulk	0	2
Iron :			
Bar, bolt, and rod	per ton	1	4
Pig and old	per ton	0	8
Manufactured, cast, and wrought	per cwt.	0	2
Chain cables	per ton	1	4

		s.	d.
Kelp	per ton	0	8
Lead (all kinds)	per ton	1	4
Leather (tanned and dressed)	per ton	1	4
Lime	per chaldron of 16 bolls	1	4
Limestone	per ton	0	3
Loam or moulding sand	per ton	0	3
Machinery	per ton	1	4
Machinery	per barrel bulk	0	3
Manure (street)	per ton	0	2
Masts and spars, 10 inches in diameter and upwards	each	4	6
Under 10 inches	each	3	0
Meal	per bag of 280 lbs.	0	2
Meat (fresh)	per ton	1	4
Meat (fresh)	per barrel	0	2
Milk	per 3 large pitchers	0	0½
Musical instruments	per barrel bulk	0	3
Oils	per ton	1	0
Ores:			
Copper, iron, lead, and other ores	per ton	0	8
Oysters	per bushel	0	3
Passengers' luggage, not exceeding 4 barrels bulk, free. All above 4 barrels bulk	per barrel bulk	0	3
Peats	per ton	0	3
Pitch	per barrel	0	3
Porter	per hogshead	0	4
Porter (bottled)	per barrel bulk	0	2
Potatoes	per ton	0	6
Poultry, including pigeons, game, &c.	per dozen	0	1
Any less quantity		0	0½
Rags (linen)	per ton	1	4
Other rags, old rope, and the like	per ton	0	10
Rape cakes	per ton	0	8
Salt	per ton	0	10
Seeds:			
Flax and rape	per hogshead	0	6
Flax	per barrel	0	3
Flax, in bulk	per quarter	0	2
Clover	per ton	1	4
Garden	per ton	1	4
Hemp and canary	per ton	1	4
Rye grass	per 8 bushels	0	2
Shrimp baskets	each	0	2
Skin, seal	per 120	0	8
Slates, under size	per 1,000	0	6
Sizeable	per 1,000	0	10
Over size	per 1,000	1	4
Spirits (Foreign and British)	per hogshead of 56 gallons	0	8
Stones:			
Rubble	per ton of 16 cubic feet	0	2
Hewn ashlar freestone	per ton of 16 cubic feet	0	4
Rough ashlar freestone	per ton of 16 cubic feet	0	3
Pavement not exceeding 3 inches thick	per 70 feet	0	4
Pavement above 3 inches thick	per 16 cubic feet	0	4
Scythe stones	per score	0	1
Mill stones	each	0	8
Steel	per ton	1	4
Sugar	per ton	1	4
Tallow	per ton	1	4
Tar	per barrel	0	2
Tea	per chest	0	3
Tiles (roofing)	per 1,000	0	9
Tiles or pipes for draining	per 1,000	0	8
Tin of all kinds	per ton	1	4

		s.	d.
Tobacco	per ton	2	6
Treenails, under 2 feet in length	per 1,000	0	6
Treenails, exceeding 2 feet in length	per 1,000	1	0
Turnips	per ton	0	6
Turpentine	per hogshead	0	8
Vegetables	per cartload	0	2
Vinegar	per hogshead	0	6
Vitriol	per carboy	0	2
Whalebone	per ton	2	6
Wine	per hogshead	0	8
Wine (bottled)	per barrel bulk	0	4
Wood :			
Fir, pine, and other descriptions not enumerated	per load of 50 feet	0	10
Oak or wainscot	per load of 50 feet	1	0
Firewood	per fathom	0	6
Laths and lathwood	per fathom of 216 cubic feet	2	6
Handspokes	per 120	0	10
Oars	per 120	2	6
Spars, under 22 feet in length, above 2½ and under 4 inches in diameter	per 120	2	6
Spars, 2½ inches in diameter and under	per 120	1	4
Spars, 22 feet in length and upwards, and not exceeding 4 inches in diameter	per 120	6	6
Spars of all lengths, above 4 and under 6 inches in diameter	per 120	12	0
Spokes of wheels not exceeding 2 feet in length	per 120	0	4
Exceeding 2 feet in length	per 120	0	6
Wedges	per 1,000	1	0
Pipe staves, and others in proportion	per standard hundred	1	0
Lignum vitæ, fustic, logwood, mahogany, and rosewood	per ton	1	4
Wool	per cwt.	0	2
Yarn	per ton	1	4
Zinc	per ton	1	4

All other Goods not particularly enumerated in the above Table.

Light goods	per barrel bulk	0	2
Heavy goods	per ton	1	4

In charging the rates on goods, the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates shall be charged.

Five cubic feet, not exceeding 2½ cwt., to be rated as a barrel bulk; but when the weight of 5 cubic feet is greater than 2½ cwt., then 2½ cwt. to be rated as a barrel bulk.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1*st. Rates of Craneage.*

	s.	d.
All goods or packages not exceeding 1 ton	0	3
Exceeding 1 ton, and not exceeding 2 tons	0	4
Exceeding 2 tons, and not exceeding 3 tons	0	6
Exceeding 3 tons, and not exceeding 4 tons	0	8
Exceeding 4 tons, and not exceeding 5 tons	0	10
Exceeding 5 tons, and not exceeding 6 tons	1	0
Exceeding 6 tons, and not exceeding 7 tons	1	2
Exceeding 7 tons, and not exceeding 8 tons	1	4
Exceeding 8 tons, and not exceeding 9 tons	1	8
Exceeding 9 tons, and not exceeding 10 tons	2	0
Exceeding 10 tons	3	0

2*nd. Weighing Machines.*

For goods weighed, for each ton or part of a ton		0	1

3*rd. Shed Dues.*

For each ton of goods of 8 barrels bulk, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the Pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 48 hours.

	s.	d.
For any portmanteau, trunk, parcel, or other article of passengers luggage, for each day or part of a day, per package	0	2

IV.—RATES ON PASSENGERS LANDING ON OR EMBARKING FROM THE PIER.

	£	s.	d.
For every passenger or other person who shall land on the said Pier from, or embark from it on board of, any ship, vessel, packet, or passage boat, not being boats or vessels used for pleasure only, for each and every time, any sum not exceeding	0	0	2
For every person who shall land on the said Pier from, or embark from it on board of, any boat or vessel used for pleasure only, for each and every time, any sum not exceeding	0	0	6
For every person who shall use the said Pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time, any sum not exceeding	0	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Deal or parish of Walmer, and using the said Pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	1	0	0

OBAN.

Provisional Order of the Board of Trade for the Improvement, Maintenance, and Regulation of the Harbour of Oban in the County of Argyll.

Preamble. Whereas under The General Pier and Harbour Act, 1861, the Most Honourable John Marquess of Breadalbane made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, representing that the Pier at the Harbour of Oban, in the County of Argyll, belonging to him, was constructed by his predecessors at their own expense, and that the same being now inadequate to the wants of the community, he is desirous to execute additional works at the said Pier and Harbour under the authority of the said Act:

And whereas the estimated expenditure on the proposed works is one thousand three hundred and forty pounds and no more:

And whereas, within the time in the said Act limited in this behalf, the promoter deposited copies of the said memorial and of the plans, sections, and working drawings of the proposed works with the Sheriff Clerk of the County of Argyll, at Inverary, and notice of such deposit was published according to the requirements of the said Act:

And whereas the promoter deposited at the Admiralty Office copies of the said memorial, plans, sections, and working drawings, and on his application the Lords of the Admiralty have given their sanction to the proposed works:

And whereas the consent in writing of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues to the making of this Provisional Order has been obtained:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and the General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, Order,—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

The Undertaker. 1. The said John Marquess of Breadalbane, or the proprietor of the said Pier for the time being, shall be the Undertaker of the works authorized by this Order.

Power to take specified lands by agreement. 2. For the purposes of the works authorized by this Order, the Undertaker may from time to time, by agreement, enter on, take, or use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated. 3. The Lands Clauses Consolidation (Scotland) Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Power to make works. 4. Subject to the provisions of this Order, the Undertaker may, on the lands taken by him under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Time for completion of works. 5. The time for the completion of the works authorized by this Order shall be two years after the passing of an Act confirming this Order.

Rates, Lifeboats, &c. 6. The provisions of The Harbours, Docks, and Piers Clauses Act, 1847, with respect to rates and to the collection and recovery of rates, and sections 16, 17, 18, and 19 of that Act, shall not be incorporated with this Order.

7. Officers

7. Officers of Customs being in the execution of their duty, shall at all times have free ingress, passage, and egress, on, into, along, through, and out of the Pier and Harbour, by land, and with their vessels, and otherwise, without payment. Custom House Officers exempt from rates.

8. Nothing in this Order shall be deemed to enable the Undertaker to purchase, or to enable any person to sell or convey to the Undertaker, for extraordinary purposes, lands exceeding in extent in the whole two acres. Lands for extraordinary purposes.

9. The Undertaker shall have the appointment of meters and weighers on and within the Pier and Harbour. Meters and weighers.

10. This Order may be cited as The Oban Harbour Order, 1862. Short Title.

Board of Trade, Whitehall.

Dated this 19th day of May 1862. (Signed) T. H. Farrer, Assistant Secretary.

SAINT IVES.

Provisional Order of the Board of Trade for the Improvement, Maintenance, and Regulation of the Harbour of Saint Ives in the County of Cornwall.

Whereas, under The General Pier and Harbour Act, 1861, the Saint Ives Harbour Commissioners made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying the Board of Trade to make a Provisional Order under the said Act, and thereby to empower such Commissioners (among other things) to make and maintain a pier and other accommodation connected therewith at Saint Ives, in the County of Cornwall, and to take land on lease or otherwise by agreement to an extent to be limited in such Order, and to levy and recover rates at such works not exceeding the amounts specified in the Schedule of rates thereto annexed, and to raise money for the purposes of such works, and thereby also to regulate the borrowing powers of such Commissioners, and therein to specify such terms and conditions to be observed by such Commissioners for the formation, management, and maintenance of such works as to the Board of Trade might seem fit: Preamble.

And whereas the estimated expenditure on the proposed works is twenty thousand pounds and no more:

And whereas, within the time in the said Act limited in this behalf, the promoters deposited copies of the said memorial and of the plans, sections, and working drawings of the proposed works at the office of the Clerk of the Peace for the County of Cornwall, and notice of such deposit was published according to the requirements of the said Act:

And whereas the promoters deposited at the Admiralty Office copies of the said memorial, plans, sections, and working drawings, and on the application of the promoters the Lords of the Admiralty have given their sanction to the proposed works:

And whereas the promoters prepared a schedule of rates to be levied at the proposed works, and published the same, according to the requirements of the said Act, and deposited a printed copy thereof at the office of the said Clerk of the Peace, and transmitted a copy thereof to the Board of Trade, and therewith a statement showing the state of the existing works, the probable or estimated amount of the rates to be levied at the existing works, and also at the proposed works, and also the estimated amount proposed to be expended on the works:

And whereas a certain objection to the said schedule was forwarded in writing to the Board of Trade within the time in the said Act limited in this behalf:

And whereas the Board of Trade, at the time in the said Act appointed in this behalf, took the said schedule and statement into consideration and made such inquiries and obtained such further information in reference to the several matters therein set forth and to the objection aforesaid as they deemed expedient:

And whereas the said Schedule was prepared, published, deposited, and transmitted as aforesaid before the passing of The General Pier and Harbour Act, 1861, Amendment Act:

And whereas it appears to the Board of Trade to be expedient that the same, as modified on the objection aforesaid, should be authorized by a Provisional Order, and accordingly the Board of Trade have finally adjusted and fixed the schedule of rates hereto annexed, such rates not exceeding the rates specified in the schedule so prepared, published, deposited, and transmitted, and so modified as aforesaid:

And whereas the consent in writing of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues to the making of this Provisional Order has been obtained:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do, by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue

virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, Order,—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force :—

Commissioners.

The Undertakers. (16 & 17 Vict. c. cxxix.)

1. The Saint Ives Harbour Commissioners, constituted by The Saint Ives Harbour Act, 1853, hereinafter called the Commissioners, shall be the Undertakers of the works authorized by this Order.

Commissioners Clauses Act incorporated.

2. The Commissioners Clauses Act, 1847, except section 54, shall be incorporated with this Order.

Borrowing.

3. The Commissioners may borrow on mortgage or bond at interest such sums of money as may be required for the purposes of the works authorized by this Order, not exceeding in the whole the sum of 25,000*l.*

Sinking Fund.

4. The sum to be yearly set apart as a sinking fund for the purposes and according to the provisions of section 84 of The Commissioners Clauses Act, 1847, shall be one-fiftieth part of the sums so borrowed.

Re-borrowing.

5. Any money borrowed under this Order and discharged by means of the sinking fund shall not be re-borrowed, but any money borrowed and discharged by any means other than the sinking fund may be re-borrowed, and so toties quoties.

Receiver.

6. The mortgagees of the Commissioners may enforce the payment of the arrears of interest, or of the arrears of principal and interest, due to them on their respective mortgages, by the appointment of a receiver. The amount to authorize a requisition for a receiver shall be 1,000*l.*

Money to be applied to purposes of Order.

7. Every part of the money borrowed under this Order shall be applied only for purposes authorized by this Order.

Taking of Lands.

Power to take specified lands by agreement.

8. For the purposes of the works authorized by this Order, the Commissioners may from time to time, by agreement, enter on, take, or use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

9. The Lands Clauses Consolidation Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Works.

Power to make works.

10. Subject to the provisions of this Order, the Commissioners may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of Pier.

11. The works by this Order authorized comprise the following :—

A pier 600 feet in length, running 540 feet below high-water mark, in a south-easterly direction, into a depth of water of 30 feet at time of high-water, and of 6 feet at time of low-water.

Consent of Commissioners of Woods and Forests.

12. The Commissioners shall not construct any work on any part of the shore or bed of the sea below high-water mark without the previous consent of Her Majesty, Her heirs and successors, signified in writing under the hand of one of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and then only according to such plan and under such restrictions and regulations as the last-mentioned Commissioners, or one of them, approve of, such approval being signified as last aforesaid. After any such work is constructed with such consent as aforesaid, the Saint Ives Harbour Commissioners shall not alter or extend the same without first obtaining the like consent and approval. If any work be commenced, constructed, altered, or extended contrary to this provision, the Commissioners of Her Majesty's Woods, Forests, and Land Revenues may, at the expense of the Saint Ives Harbour Commissioners, abate and remove it, or any part of it, and restore the site thereof to its former condition. The amount of such expense shall be a debt due to the Crown from the Saint Ives Harbour Commissioners, and shall be recoverable as such, with costs, or the same may be recovered with costs as a penalty is recoverable from them.

Restriction on removal of existing Pier.

13. The now existing pier shall not be removed until the pier by this Order authorized to be made is completed to the extent of 400 feet in length.

Rates.

Power to take rates according to Schedule to this Order.

14. The Commissioners may demand and receive in respect of the vessels, goods, and things in the Schedule hereto described, any sums not exceeding the rates in that Schedule specified.

Custom House Officers exempt from Rates.

15. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress, on, into, along, through, and out of the Pier and Harbour, by land, and with their vessels, and otherwise, without payment.

Application of Rates and other moneys re-

16. Subject to the provision, in the prescribed manner, of a sinking fund for the discharge of any principal money borrowed under this Order, the Commissioners shall apply the rates received by them under

under this Order, and all other moneys coming to their hands under or by virtue of the same, for the purposes and in the order following, and not otherwise :— ceived under Order.

(1.) In paying the expenses of and connected with the preparation and making of this Order :

(2.) In paying to the Mayor, Aldermen, and Burgesses of the Borough of Saint Ives the sum of 25*l.* on the 2nd day of February in each year :

(3.) In making, maintaining, and regulating the Harbour and the Pier and works authorized by this Order :

(4.) In paying the interest on any money borrowed under this Order, and any principal money payable on account thereof.

General Provisions.

17. The following provisions of The Saint Ives Harbour Act, 1853, shall be incorporated with this Order, as if they were repeated in terms in this Order, with the substitution of the term "this Order" for the term "this Act," namely, sections 23, 33 (as far as it defines the limits of the Harbour), 35, 40, 44, 48, 52, 54, 55, 56, and 57. Incorporation of parts of 16 & 17 Vict. c. cxxix.

18. The Commissioners shall not purchase for extraordinary purposes lands exceeding in extent in the whole two acres. Lands for extraordinary purposes.

19. The Commissioners shall have the appointment of meters and weighers on and within the Pier and Harbour. Meters and weighers.

20. This Order may be cited as The Saint Ives Harbour Order, 1862. Short Title.

Board of Trade, Whitehall.

Dated this 19th day of May 1862. (Signed) T. H. Farrer, Assistant Secretary.

SCHEDULE.

I.—Rates for Vessels entering or using the Harbour.

	s.	*d.*
For each sein boat or dipper used or kept afloat within the said Harbour at any time during the year, the yearly sum (to be considered as due on the Thirty-first day of December in each year) of	3	0
For each tow boat used or kept afloat within the said Harbour at any time during the year, the yearly sum (to be considered as due on the Thirty-first day of December in each year) of	1	6
For each follower used or kept afloat within the said Harbour at any time during the year, the yearly sum (to be considered as due on the Thirty-first day of December in each year) of	1	0
For every drift boat (being boats generally used for deep-sea fishing) belonging to the Harbour of Saint Ives, above the size of five tons, per ton per annum, to be considered as due on first using the Harbour after the first day of March in each year	1	0
For every tackler or other boat not exceeding the size of five tons (not being a sein boat, dipper, tow boat, follower, ship's boat, or punt,) belonging to the Harbour of Saint Ives, per annum, to be considered as due on first using the Harbour after the first day of March in every year	5	0
For every vessel (other than those herein-before specifically mentioned, entering the Harbour, for every ton register measurement thereof	0	2
And if the same shall remain in the Harbour more than two months continuously, then for every month or part of a month during which the same shall remain in the Harbour after the first two months the further sum per ton register measurement of	0	0½

II.—Rates for Goods shipped or unshipped, received or delivered, in the existing Harbour or at the new Pier.

		s.	*d.*
Acid water, acid vegetable, or mineral	per pipe	1	0
Ditto ditto	per hogshead	0	6
Ditto ditto	per firkin	0	3
Ditto ditto	per jar	0	2
Acorns	per ton of forty bushels	1	0
Ale, beer, or porter	per butt or pipe	1	0
Ditto	per hogshead	0	6
Ditto	per barrel	0	3
Ditto	per kilderkin	0	1½
Ditto	in bottles, per dozen	0	1
Alabaster	per ton	1	0
Alkanet root	per cwt.	0	4

		s.	d.
Alum	per cwt.	0	2
Almonds	per cwt.	0	3
Aloes	per cwt.	0	4
Amber	per cwt.	0	4
Ambergris	per cwt.	1	0
Anacardium, or the cashew nut	per bushel	0	1
Anchors	per cwt.	0	1
Anchovies	per barrel	0	2
Angelica	per cwt.	0	3
Animals, stuffed	each	0	6
Annatto	per cwt.	0	4
Anniseeds	per cwt.	0	3
Antimony	per cwt.	0	3
Anvils	per cwt.	0	1
Apples or pears	per cwt.	0	3
Arrow root and powder	per cwt.	0	3
Arsenic	per ton	1	0
Ashes, barilla	per cwt.	0	1
Pearl and pot	per cwt.	0	2
Black	per cwt.	0	1
Bleaching	per cwt.	0	2
Common Irish	per cwt.	0	1
Soda	per cwt.	0	1
Asphaltum	per cwt.	0	1
Bacon or pork	per cwt.	0	2
Bagging	per cwt.	0	4
Ballast	per ton register measurement of vessel	0	1
Bark, tanners, chopped	per ton	1	0
Ditto, rinds, not ground	per ton	1	0
Angustina	per cwt.	0	4
Birch and larch	per ton	1	0
Quercitron	per ton	2	0
Sassafras	per cwt.	0	4
Winteranus	per cwt.	0	4
Baskets	per dozen	0	1
Basket rods	per thousand	0	3
Bass rope	per cwt.	0	2
Bedposts, mahogany	per set	0	6
Others	per set	0	4
Beef or pork	per tierce	0	6
Ditto	per barrel	0	4
Ditto	per half barrel and smaller package	0	2
Beehives	per dozen	0	2
Beer, spruce	per barrel of 32 gallons	0	8
Bell metal	per cwt.	0	2
Bellows, smiths	each	0	6
Bellows, common	per dozen	0	6
Berries, bay	per cwt.	0	1
Juniper	per cwt.	0	1
Yellow	per cwt.	0	1
Biscuit or bread	per cwt.	0	2
Blacking	per cwt.	0	2
Blackjack	per ton	0	4
Blocks, heel	per gross	0	2
Last	per dozen	0	1
Ship	per dozen	0	1
Blubber	per cwt.	0	1
Blue	per cwt.	0	2
Bobbins	per cask	1	0
Bone dust	per quarter	0	2
Bones	per ton	1	6
Books	per cwt.	0	4
Borax	per cwt.	0	2

		s.	d.
Bottles, loose, empty	per gross	0	2
In baskets or carboys	full	0	6
Bowls of wood	per dozen	0	2
Boxes, iron for wheels	per cwt.	0	1
Bran	per ton	1	0
Brandy	per hogshead	1	6
Ditto	(in transitu)	1	0
Brass, new	per cwt.	0	2
Old	per cwt.	0	1
Bricks, common	per thousand	1	0
Fire	per thousand	2	0
Scouring	per thousand	1	6
Slabjacks	per dozen	0	1½
Brimstone	per cwt.	0	1
Bristles	per 12 lbs.	0	1
Brooms, birch	per gross	0	2
Brooms and brush handles	per gross of 12 dozen	0	6
Brush heads and stocks	per hundred	0	1
Brushes, hair, rush, or whalebone	per dozen	0	2
Bugles and beads	per cwt.	0	3
Bullion	per package	1	0
Bullrushes	per bundle	0	1
Butter	per cask	0	3
,,	per firkin	0	1½
,,	per pot	0	1
Cakes, linseed or rape	per cwt.	0	1
Calamine	per cwt.	0	1
Calaminaris, lapis	per cwt.	0	1
Calves velves	per cwt.	0	3
Camphor	per cwt.	0	6
Candles, tallow	chest of 14 dozen	0	6
,, ,,	half chest	0	3
,, wax	per 12 lbs.	0	1
Canella alba	per cwt.	0	4
Canes	per bundle	0	6
Cantharides	per cwt.	1	0
Canvass	per bolt	0	1
Caoutchouc	per cwt.	0	4
Capers	per cwt.	0	6
Capillaire	per 100 gallons	1	0
Carboys, empty	each	0	1
Cards, wool	per dozen	0	1
Carriages or coaches	each	10	6
Gigs	each	5	0
For guns	each	1	6
Carts	each	2	6
Hand	each	1	0
Casks, empty	per ton, not returned	0	2
Cassia buds	per cwt.	0	6
Fistula	per cwt.	0	4
Cattle, viz. :			
Asses and mules	each	1	0
Bulls, cows, and oxen	each	1	6
Calves and lambs	each	0	6
Horses	each	2	0
Pigs or sheep	each	0	6
Sucking pigs	each	0	3
Cavaire	per cwt.	0	2
Cement	per cwt.	0	1
Chairs, not mahogany	per dozen	2	0
Mahogany	per dozen	2	6
Chalk	per ton	0	2
Charcoal	per pack	0	1

		s.	d.
Cheese	per cwt.	0	2
Chesnuts	per bushel	0	1
Chimney pots (earthenware)	each	0	1
China	per hogshead	1	6
"	per tierce	1	0
Chirt stones	per ton	0	6
Cocoa	per cwt.	0	3
Chocolate	per cwt.	0	3
Cider or perry	per hogshead	0	6
In bottles	per dozen	0	1
Cinnabar	per cwt.	0	9
Cinnamon	per cwt.	1	0
Citron preserves	per cwt.	0	4
Clay, pipe and potters	per ton	0	2
China	per ton	0	3
Cloth	packs not exceeding 1 cwt.	0	4
Linen or woollen, bale, pack, or truss	per cwt.	0	4
Cloths, linen, woollen, or cotton, in boxes	per foot	0	1
Clocks	per dozen	2	0
Wood	per dozen	1	0
Clog soles	per gross	0	6
Clover seed	per cwt.	0	3
Cloves	per cwt.	1	0
Coals (besides bushelage)	per ton	0	3
Cobalt	per ton	1	0
Ore	per ton	0	4
Coculus indicus	per cwt.	0	4
Cocoa nuts	per 100	0	2
Coffee	per cwt.	0	3
Colouring for potter	per barrel of 36 gallons	0	6
Columbo root	per 100	0	4
Copper	per cwt.	0	1
Ore	per ton	0	4
Furnaces	per twenty gallons	0	2
Copperas, barrel or bag	per cwt.	0	2
Coral	per cwt.	2	0
Cordage	per cwt.	0	1
Cordials	per case of 1 dozen	0	1
"	per hogshead	1	0
Corks	per 10 gross	0	2
Cork	per cwt.	0	3
Corn, viz.:			
Wheat	per quarter	0	2
Barley	per quarter	0	1
Oats	per quarter	0	1
Flour	per sack of 280 pounds	0	2½
Ditto	per barrel	0	2
Bere and bigg	per quarter	0	2
Barley meal	per bag	0	2
Indian corn	per quarter	0	1
Ditto meal	per bag	0	1
Oatmeal	per bag	0	1
Beans and peas	per quarter	0	2
Rye	per quarter	0	1
Cotton, raw	per cwt.	0	3
Cradles	each	0	2
Crease, earthenware	per dozen	0	0½
Cranberries	per five gallons	0	1
Cream of tartar	per cwt.	0	4
Crystal	per box or package	0	6
Cubebs	per cwt.	0	6
Culm	per ton	0	3
Currants	per butt	1	6

		s.	d.
Dates	per cwt.	0	3
Dogs, and other animals not enumerated	each	0	6
Down, eider	per cwt.	0	9
Drugs, in casks, hampers, or boxes	at per foot	0	1
Dyers stuff	per cwt.	0	4
Earth, black	per ton	1	0
Brown	per ton	1	0
Fullers	per ton	1	0
Red	per ton	1	0
Yellow	per ton	1	0
Earthenware, coarse, in bulk	per potters dozen	0	3
In crates	at per foot	0	0¼
Eggs	per gross of twelve dozen	0	1
Emery	per cwt.	0	2
Stones	per cwt.	0	1
Empty bags and sacks (not returned)	per cwt.	0	2
Epsom salts	per cwt.	0	2
Essence of lemons and limes	per hundred pounds	2	0
Essential oils	per cwt.	0	9
Euphorbium	per cwt.	0	4
Feathers	per cwt.	0	6
Felt	per cwt.	0	1
Figs	per cwt.	0	2
Filtering stones	each	0	1
Fish, fresh	per cwt.	0	1
Pilchards, cured	per hogshead	0	3
Herrings, cured	per barrel	0	4
other cured fish (not before specified)	per cwt.	0	1
Flag stones	per hundred feet	1	2
Flax, rough	per ton	1	8
	per dozen hanks	0	1
Floor cloth	per cwt.	0	4
Flower roots, plants, or trees, in packages	at per foot	0	1
Free stones	per ton	1	2
Fruit, green or dried	per cwt.	0	1
Furniture, household, cases	at per cubic foot	0	1
Fuel, patent	per ton	0	4
Flock	per bag	0	3
Galbanum	per cwt.	0	4
Guano	per ton	1	0
Gallangal	per cwt.	0	4
Galls	per cwt.	0	4
Gates, iron or wood	each	0	2
Gentian root	per cwt.	0	4
Ginger	per cwt.	0	3
Gingerbread	per box	0	4
Ginseng	per cwt.	0	4
Glass	per crib, slide, or case	0	6
Glauber salts	per cwt.	0	2
Glue	per cwt.	0	1
Grapes	per barrel or per jar	0	2
	per half barrel or box	0	1
Granite	per ton	0	2
Grates or stoves	per foot	0	2
Gravel or sand	per ton	0	2
Grease or greaves	per cwt.	0	1
Groats	per cwt.	0	2
Gums	per cwt.	0	4
Gunpowder	per 100 lbs.	0	3
Haberdashery and hosiery in bales	per cwt.	0	4
Ditto ditto in boxes	per foot	0	1
Hair, tanners	per cwt.	0	2½
Bull, cow, ox, goat, and horse	per cwt.	0	3
Hams	per cwt.	0	2

		s.	d.
Hanks for sails	per dozen	0	0½
Hardware	per cwt.	0	2
Harrows	each	0	4
Hats	per box, per foot	0	1
Hay	per load or ton	0	6
Hay rakes	per dozen	0	2
Hemp	per ton	1	8
Hides, wet or dry	for every 100 in number	3	6
Hide fleshings	per cwt.	0	2½
Roundings or glue pieces	per cwt.	0	2½
Honey	per gallon	0	1
Hoofs	per cwt.	0	1
Hoops for mast, or white hoops	per dozen	0	1
per load	per load	1	0
Hops	per bag	1	0
	per pocket	0	6
	per end	0	3
Horns, ox and cow, each	per 100	0	4
Hurdles	per dozen	0	2
Indigo	per cwt.	1	6
Iron	per ton	1	0
Iron hoops	per cwt.	0	1
Iron horseshoes	per cwt.	0	1
Iron ploughshares	per cwt.	0	1
Stamp heads	per ton	1	0
Furnaces	at per 20 gallons	0	1
(Cast) hollow ware	per cwt.	0	3
Ore	per ton	0	4
Wire and nail rods	per cwt.	0	1
Irons, Bakers, and Pudding Pans	per cwt.	0	1
Patten	per gross	0	6
Isinglass	per cwt.	0	6
Ivory	per cwt.	1	0
Black	per cwt.	0	1
Jack screws	per pair	0	6
or fishing lines	per dozen	0	1
Junk or old rope	per cwt.	0	1
Kelp	per ton	0	6
Lac, gum, stick, seed, and shell	per cwt.	0	4
Ladles	per gross	0	6
Lamp black	per cwt.	0	4
Lanthorns, horn or glass	per dozen	0	1
Lard	per cwt.	0	2
Laths, per 1,000 of 4 feet, and other lengths in proportion		0	4
Lead ore	per ton	0	4
Lead, pigs of	per ton	1	0
Sheet	per cwt.	0	1
Leather, tanned	per cwt.	0	2
wrought	per cwt.	0	3
Lemons	per chest	0	4
	per box	0	2
Lemon, lime, and orange juice	per hogshead	1	0
Lime, burnt	per ton	0	6
Limestone	per ton	0	2
Linen or woollen rags	per cwt.	0	1
Cloth	per cwt.	0	4
Lint cloth, not in bales	per piece	0	3
Liquor, in bottles	per case or box	0	6
Logwood, logwood chips	per cwt.	0	3
Maccaroni	per cwt.	0	4
Mace	per cwt.	1	0
Machinery, steam and other iron engines, and parts of the same	per cwt.	0	1
Ditto, foundation plates, bobs, and pumps for engines	per cwt.	0	1
Ditto, wood and iron mixed	per foot	0	1

		s.	d.
Madder and madder roots	per cwt.	0	4
Malt	per quarter	0	2
Manganese	per ton	0	4
Manure (not enumerated)	per ton	0	2
Mats	per dozen	0	1
Maunds or hampers, empty, imported	per dozen	0	1
Melting pots	per dozen	0	1
Millboards	per 120 boards	0	6
Millinery	per foot	0	1
Mops and brushes	per dozen	0	3
Mother-of-pearl shell	per cwt.	0	4
Mundic	per ton	0	2
Munjeet	per cwt.	0	4
Muriate of lime, potash, and soda, each	per cwt.	0	1
Musical instruments	per foot	0	1
Muskets	per dozen	0	6
Mustard	per firkin of 72 lbs.	0	3
,,	per firkin of 36 lbs.	0	2
Nails	per cwt.	0	1
Natron	per ton	1	8
Nests of trunks	per foot	0	1
Nutmegs	per cwt.	1	0
Nuts, French	per Winchester bushel	0	1
Nux vomica	per cwt.	0	4
Oakum	per cwt.	0	1
Oars	per dozen	0	3
Ochre	per cwt.	0	1
Oil, large cans for lighthouses containing 30 gallons, and so in proportion		1	0
Oil, castor	per cwt.	0	4
sperm	per hogshead	1	0
pilchard	per ton	1	0
sweet and lamp, and all oils not enumerated	per hogshead	0	10
in flasks	per chest	0	4
	per half chest	0	2
Oil cake	per ton	1	0
Olives	per barrel	0	2
	per jar	0	1
Onions	per cwt.	0	1
Oranges	per box	0	2
	per chest	0	4
Orange and lemon peel, and buds	per cwt.	0	3
Orchilla weed	per cwt.	0	4
Ox bows	per dozen	0	2
Paints and painters colours	per cwt.	0	2
Paintings, pictures, and pier glasses	per foot	0	3
Pans, warming	per dozen	0	3
brass	per cwt.	0	6
Paper, stationers	per cwt.	0	4
common	per cwt.	0	1½
Pattens, wood	per gross	0	6
Pepper	per cwt.	0	3
Pewter	per cwt.	0	2
Phials, in packages	per foot	0	1
Pick hilts	per gross	1	0
Pickles	per dozen bottles	0	1
Pimento	per bag of 100 lbs.	0	3
Pins	per cwt.	0	4
Pipes for smoking	per hogshead	1	0
	per box or barrel	0	6
Plaister of Paris	per cwt.	0	1
Ploughs	each	0	6
Plums	per cwt.	0	3
Potatoes	per bushel of 2 cwt.	0	1

		s.	d.
Potash	per cwt.	0	1
Powder, hair	per cwt.	0	2
Preserves	per cwt.	0	4
Prunes	per cwt.	0	2
Pumice stone	per ton	0	1
Puncheons empty, and pipes not returned	each	0	2
Quern stones	each	0	6
Quicksilver	per case or package	0	6
Quills, stationers'	per 1,000	0	2
miners	per cwt.	0	9
Raisins and figs	per cwt.	0	2
Rape seed	per quarter	0	4
Rice	per tierce of 4 cwt.	0	8
Rope, coil	per cwt.	0	1
under a hundredweight in proportion.			
Yarn	per cwt.	0	1
Rum	per puncheon, and so in proportion	2	0
Rye grass seeds	per bushel of 24 gallons	0	1
Sago	per cwt.	0	2
Sails	per cwt.	0	4
Sal gem rock salt	per ton	0	6
Salt, fine	per ton	0	4
coarse, for curing fish	per ton	0	3
Saltpetre	per cwt.	0	2
Scythe stones	per 100	0	3
Scythes	per dozen	0	2
Scuttles, coal, copper, or tinplate	per dozen	0	3
Scoops, boat	per dozen	0	1
Fish	per dozen	0	2
Malt	per dozen	0	3
Seed, garden, or agricultural grass seeds	per cwt.	0	3
Segars	per cwt.	0	6
Shakes, not returned, per hogshead, and so in proportion		0	2
Shot, bird	per cwt.	0	3
Shovel handles	per dozen	0	1
Shumac	per cwt.	0	2
Sieves	per dozen	0	3
Silk, raw	per cwt.	1	0
Thrown	per cwt.	2	0
Waste	per cwt.	0	6
Manufactured	per foot on package	0	2
Skins, badger, bear, beaver, deer, elk, ermine, fisher, fox, leopard, lion, martin, otter, panther, seal, tiger	per score	1	0
Horse	per score	0	3
Calf	per score	0	3
Sheep and kid	per dozen	0	3
Cat, chinchilli, mink, raccoon, seal, (hair)	per score	0	6
Goat, fitch, musk-quash, neutria, swan	per score	0	3
Coney, hare, mole	per score	0	1
Slabs, marble	per ton	1	0
Slates, writing	per gross	0	3
Rags	per dozen	0	0½
Scantle	per 1,000	0	3
Common helling	per 1,000	0	2
Slate, earth or tombstones	per foot	0	0¼
Snuff	per cwt.	0	4
Soap	per cwt.	0	2
Soda, sal	per ton	1	0
Soda water	per dozen	0	2
Solder and spelter	per cwt.	0	1½
Spades, garden	per dozen	0	6
Spars. *See* Timber.			
Spermaceti	per cwt.	0	4

		s.	d.
Spokes for wheels	per dozen	0	2
Naves, for wheels	per dozen	0	2
Sponge	per cwt.	1	0
per package	under quarter of cwt.	0	6
Stamp lifters	per dozen	0	6
Starch	per cwt.	0	2
Steel	per cwt.	0	2
Stone, Caen, for millstones	per 100	3	6
Stones, grinding	per cwt.	0	1
not enumerated	per ton	1	0
Straw bonnets, in bales, cases, or casks, or otherwise	per foot	0	1
Plait ditto ditto	per foot	0	2
Succades and sweetmeats	per cwt.	0	4
Sugar, soft	per cwt.	0	1
refined, in barrels or bags	per cwt.	0	2
candy	per box	0	2
refined	per hogshead	1	4
Sulphur	per cwt.	0	3
Talc	per cwt.	0	4
Tallow	per cwt.	0	1
Tanners poles	per cwt.	0	6
Tapioca	per cwt.	0	3
Tar, pitch, or rosin	per barrel	0	2
Tarras	per cwt.	0	1
Tea	per chest	1	6
	per quarter chest	0	6
	per box	0	3
Terra Japonica	per ton	2	0
Tessera	per barrel	0	2
Thrashing machines	each	2	6
Thrumbs	per cwt.	0	4
Tiles, pan	per score	0	1
Paving	per score	0	1
Malt kilns	per score	0	1
Timber, not enumerated	per load of fifty feet	0	6
Staves, pipe	per 120	0	6
Hogshead	per 120	0	2
Split or sawn staves	per 1,000	1	0
Spars, under 4 inches	per dozen	0	4
under 6 inches	per dozen	0	8
under 8 inches	per dozen	1	0
Mast pieces, under 12 inches	each	0	3
Treenails or trunnels	per 1,000	0	3
Ufers, under 24 feet	per 100	1	0
above 24 feet	per 100	1	6
Wainscot boards	per 100	1	6
Handspikes	per 100	0	6
Lathwood	per fathom	1	0
Lignum vitæ	per cwt.	0	1
Tin, in blocks, ingots, or barrels	per ton	1	0
Tin ore	per ton	0	8
Plate	per box	0	2
Tobacco	per cwt.	0	3
Tongues	per dozen	0	1
Tortoiseshell	per cwt.	1	0
Tow	per ton	1	8
Toys in boxes	per foot	0	1
Treacle or molasses	per puncheon	0	10
Ditto	per half puncheon	0	5
Ditto	per small cask	0	3
Trees for saddles	per dozen	0	3
Trenchers	per gross	0	2
Trucks	each	0	3

		s.	d.
Trundle sticks	per 1,000	0	3
Turnips	per ton	1	0
Turpentine	per cwt.	0	6
Twine or netting	per cwt.	0	3
Types	per cwt.	0	6
Valonia	per ton	2	0
Varnish	per barrel	0	6
Vegetables, shipped	per cwt.	0	1
Venice turpentine	per cwt.	0	4
Verdigris	per cwt.	0	1
Vermicelli	per cwt.	0	6
Vinegar	per pipe	1	0
Ditto	per hogshead	0	6
Ditto	per firkin	0	3
Waste, Braziers, Buttonmakers, Furriers, Soapers, Tanners, Vitriol, Sugar bakers	per cwt.	0	1
Wax	per cwt.	0	2
Whalebone fins	per cwt.	0	4
Ditto ditto	per 12 lbs.	0	2
Wheelbarrows	each	0	4
Whetstones	per gross	0	2
Whip sticks	per bundle	0	1
Whiskey	per puncheon	2	0
Whiting	per cwt.	0	1
Wick yarn, pack	per cwt.	0	3
Wine, foreign	per pipe, all sorts	2	0
British	per pipe	1	6
or strong waters	per hogshead	1	0
	per barrel	0	6
British	per hogshead	0	9
	per firkin	0	3
and liquors in bottles	per dozen	0	2
Winnowing machines	each	2	6
Wool, packs of British	per cwt.	0	3
Spanish, and all other	per cwt.	0	6
Worsted yarn	per cwt.	0	2
Yams	per package	0	2
Zaffree	per cwt.	0	4
Zedoary	per cwt.	0	4

And all other goods and merchandise not herein enumerated five per centum on the amount of the freight thereof.

III.—Rates on Pilchards.

Pilchards caught by means of boats using the harbour, whether landed within the harbour or not, and cured within the municipal borough of St. Ives, for every hogshead		0	6
Pilchards caught by means of boats using the harbour, whether landed within the harbour or not, but not cured within the said municipal borough, for every three thousand fish		0	6

TOBERMORY.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Tobermory in the Island of Mull and County of Argyll.

Preamble. Whereas, under The General Pier and Harbour Act, 1861, Frederick William Caldwell, of Mishnish, in the Island of Mull and County of Argyll, made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying that a Provisional Order might be granted to authorize and empower him, his heirs and assigns, (among other things) to construct and maintain a pier at Tobermory in the Island and County aforesaid, to be called Mishnish Pier, and to levy and recover the rates in the memorial referred to:

And

And whereas the estimated expenditure on the proposed works is One thousand and four hundred pounds and no more:

And whereas, within the time in the said Act limited in this behalf, the promoter deposited copies of the said memorial and of the plans, sections, and working drawings of the proposed works in the office at Inverary of the Principal Sheriff Clerk of the County of Argyll, and notice of such deposit was published according to the requirements of the said Act:

And whereas the promoter deposited at the Admiralty Office copies of the said memorial, plans, sections, and working drawings, and on his application the Lords of the Admiralty have given their sanction to the proposed works:

And whereas the promoter prepared a schedule of rates to be levied at the proposed works, and published the same according to the requirements of the said Act, and deposited a printed copy thereof in the office of the said Principal Sheriff Clerk, and transmitted a copy thereof to the Board of Trade, and therewith a statement showing the probable or estimated amount of the rates to be levied at the proposed works and the estimated amount proposed to be expended on the works:

And whereas the Board of Trade, at the time in the said Act appointed in this behalf, took the said schedule and statement into consideration, and made such inquiries and obtained such further information in reference to the several matters therein set forth as they deemed expedient:

And whereas the said schedule was prepared, published, deposited, and transmitted as aforesaid, before the passing of The General Pier and Harbour Act, 1861, Amendment Act:

And whereas it appears to the Board of Trade to be expedient that the same should be authorized by a Provisional Order, and accordingly the Board of Trade have finally adjusted and fixed the schedule of rates hereto annexed, such rates not exceeding the rates specified in the schedule so prepared, published, deposited, and transmitted as aforesaid:

And whereas the consent in writing of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues to the making of this Provisional Order has been obtained:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do, by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, Order,—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

1. The said Frederick William Caldwell, his heirs and assigns, shall be the undertakers of the works authorized by this Order. Undertakers.

2. Subject to the provisions of this Order, the undertakers may, in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans. Works.

3. The works authorized by this Order comprise the following:— Description of Pier.

A pier or jetty, 100 feet in length, or thereabouts, extending in a south-easterly direction from the end of a roadway or approach to be constructed along the northern shore of Tobermory Bay, such roadway or approach running for 160 feet or thereabouts in a south-easterly direction from the termination of the present roadway.

4. The undertakers shall not construct any work on any part of the shore or bed of the sea below high-water mark without the previous consent of Her Majesty, Her heirs and successors, signified in writing under the hand of one of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and then only according to such plan and under such restrictions and regulations as the said Commissioners, or one of them, approve of, such approval being signified as last aforesaid. After any such work is constructed with such consent as aforesaid, the undertakers shall not alter or extend the same without first obtaining the like consent and approval. If any work be commenced, constructed, altered, or extended contrary to this provision, the said Commissioners may, at the expense of the undertakers, abate and remove it, or any part of it, and restore the site thereof to its former condition. The amount of such expense shall be a debt due to the Crown from the undertakers, and shall be recoverable as such, with costs, or the same may be recovered with costs as a penalty is recoverable from the undertakers. Consent of Commissioners of Woods and Forests.

5. The undertakers may demand and receive in respect of the vessels, goods, persons, and things in the Schedule hereto described, any sums not exceeding the rates in that Schedule specified. Rates according to Schedule to this Order.

6. Officers of Customs being in the execution of their duty, shall at all times have free ingress, passage, and egress, on, into, along, from, and out of the pier by land, and with their vessels, and otherwise, without payment. Custom House Officers exempt from rates.

7. The following provisions of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections 16, 17, 18, 19, 49, and 50. Parts of Harbours Clauses Act excepted.

Borrowing.

8. The undertakers may borrow on mortgage or bond, at interest, such sums of money as may be required for the purposes of the works authorized by this Order, not exceeding in the whole the sum of 1,400*l.* They shall regularly keep down the interest accruing on the money so borrowed, and shall not allow such interest to accumulate, and shall repay the money borrowed within 50 years from the time of borrowing.

Application of rates.

9. The rates received under this Order shall be applicable for the purposes and in the order following, and not otherwise :—

(1.) In the maintenance of the works authorized by this Order :

(2.) In payment of the interest accruing on any money borrowed under the authority of this Order, and in repayment of the principal of such money :

(3.) To the proper use of the undertakers.

Short Title.

10. This Order may be cited as The Mishnish Pier, Tobermory, Order, 1862.

Board of Trade, Whitehall. (Signed) T. H. Farrer,
Dated this 19th day of May 1862. Assistant Secretary.

SCHEDULE.

I.—Rates on Vessels using the Pier.

		s.	d.
For every decked or partly decked vessel :—			
Under the burden of twenty tons	per ton	0	4
Of the burden of twenty tons and not exceeding one hundred tons	per ton	0	6
Of the burden of one hundred tons and upwards	per ton	0	10

II.—Rates on Herring Boats, &c.

For every herring boat, and every undecked boat coming to the pier with herrings or fresh fish, or landing or taking on board goods or dried or salted fish, each		0	4

III.—Rates on Passengers.

For every person landing from or embarking in any vessel at the pier		0	3

IV.—Rates on Animals and Goods shipped or unshipped at the Pier.

Ale, beer, or porter	per hogshead	0	4
Bark, in bulk	per ton	1	0
Beef, fresh or salted, or other provisions	per barrel	0	2
Bones	per ton	0	6
Bone-dust	per ton	0	8
Bricks	per 1,000	0	8
Butter	per cwt.	0	2
Carriages with four wheels	each	0	8
Carriages with two wheels	each	0	6
Cattle, viz. :—			
Bulls	each	0	3
Cows and oxen	each	0	2
Calves	each	0	0½
Horses, asses, and mules	each	0	2
Pigs	each	0	0½
Sheep	per score	0	6
Lambs	per score	0	3
Chalk	per ton	0	8
Cheese	per cwt.	0	6
Cloth, haberdashery, &c.	per barrel bulk	0	2
Coach or cart wheels	per pair	0	3
Coal	per ton	0	3
Copper	per ton	1	4
Cordage	per ton	5	0
Dogs (sporting only)	each	0	2
Earthenware	per crate	0	8
Eggs	per barrel bulk	0	2
Empty barrels	each	0	0½
Fish, salted or dry	per barrel bulk	0	2
Flax	per ton	1	4
Flour	per sack	0	2
Ditto	per barrel	0	1½
Fowls and ducks, live	per dozen	0	2
Geese and turkeys, live	each	0	1
Glass	per barrel bulk	0	3

		s.	d.
Grain, viz., wheat and malt	per quarter	0	3
Barley, bear, pease, beans, oats, and all other descriptions of grain	per quarter	0	2
Grease	per cwt.	0	2
Groceries	per barrel bulk	0	3
Guano and artificial manures	per ton	0	8
Hardware	per barrel bulk	0	3
Hay	per ton	0	8
Hemp and cotton, unwrought	per ton	1	4
Herrings, fresh	per cran	0	1
Ditto, cured	per barrel	0	3
Hides	per ton	1	4
Iron, pig or old	per ton	0	8
Ditto, bar, bolt, or rod	per ton	1	4
Kelp	per ton	0	8
Lathwood	per fathom	2	6
Lead of all kinds, and zinc	per ton	1	4
Leather	per ton	1	4
Lime	per chaldron	1	4
Limestone	per ton	0	3
Machinery	per ton	1	4
Manure	per ton	0	2
Meal and flour	per bag of 280 lbs.	0	2
Milk	per 3 large pitchers	0	0½
Millstones	each	0	8
Oakum	per ton	2	6
Oil	per tun	1	0
Oil-cake	per ton	1	0
Peats	per ton	0	3
Potatoes	per ton	0	6
Poultry, including pigeons, game, and other birds	per dozen	0	1
Ropes and rags (old)	per ton	0	10
Salt	per ton	0	10
Sand	per ton	0	3
Seeds	per 8 bushels	0	2
Slates, under size	per 1,000	0	6
Ditto, sizeable	per 1,000	0	10
Ditto, over size	per 1,000	1	4
Soda water or lemonade	per gross of 144 bottles	1	0
Spirits	per hogshead of 56 gallons	0	8
Stones, paving or dressed	per ton	0	4
Ditto, others	per ton	0	3
Stucco	per ton	0	6
Sugar	per ton	1	4
Tallow	per ton	1	4
Tar	per barrel	0	2
Tea	per chest	0	3
Tiles or pipes for draining	per 1,000	0	8
Ditto, roofing	per 1,000	0	9
Timber, unwrought, of all kinds	per load of 50 cubic feet	0	10
Wine in cask	per hogshead	0	8
Ditto in bottle	per barrel bulk	0	4
Wool	per cwt.	0	2
Yarn	per ton	1	4
All other unenumerated articles to pay at landing or shipping :—			
If by measurement	per barrel bulk	0	2
If by weight	per ton	1	4

Articles which can be measured to pay by barrel bulk, all others by weight.

In charging the rates on goods, the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified, a proportion of the respective rate shall be charged.

Five cubic feet, not exceeding two and a half hundredweight, to be rated as a barrel bulk ; but when the weight of five cubic feet is greater than two and a half hundredweight, then two and a half hundredweight to be rated as a barrel bulk.

V.—Rates for the Use of Sheds, Cranes, and Weighing Machines.

1.—*Sheds.*

For each ton of goods of 8 barrels bulk, or for each ton of goods of 20 cwt., which shall remain in any shed or on the Pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 48 hours.

2.—*Cranes.*

	s.	*d.*
All goods or packages not exceeding one ton	0	3
Exceeding one ton and not exceeding two tons	0	4
Exceeding two tons and not exceeding three tons	0	6
Exceeding three tons and not exceeding four tons	0	8
Exceeding four tons and not exceeding five tons	0	10
Exceeding five tons and not exceeding six tons	1	0
Exceeding six tons and not exceeding seven tons	1	2
Exceeding seven tons and not exceeding eight tons	1	4
Exceeding eight tons and not exceeding nine tons	1	8
Exceeding nine tons and not exceeding ten tons	2	0
Exceeding ten tons	3	0

3.—*Weighing Machines.*

For goods weighed, 1*d.* for each ton or part of a ton.

HASTINGS.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier and Harbour at Hastings in the County of Sussex.

Preamble. Whereas, under The General Pier and Harbour Act, 1861, the promoters of the Hastings Pier and Harbour made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, setting forth the necessity of a Pier and Harbour at Hastings in the County of Sussex, and praying their Lordships to approve of the project thus submitted, and to grant a Provisional Order for its execution, containing powers and privileges for the complete execution of the works, and for the levying of rates and tolls, not exceeding those in the memorial referred to, and also for the incorporation of a Company, with power to transfer the execution of the proposed works to the Mayor and Corporation of Hastings:

And whereas the estimated expenditure on the proposed works is seventy-five thousand pounds and no more:

And whereas, within the time in the said Act limited in this behalf, the promoters deposited copies of the said memorial and of the plans, sections, and working drawings of the proposed works at the office of the Clerk of the Peace for the County of Sussex, and notice of such deposit was published according to the requirements of the said Act:

And whereas the promoters deposited at the Admiralty Office copies of the said memorial, plans, sections, and working drawings, and on the application of the promoters the Lords of the Admiralty have given their sanction to the proposed works:

And whereas the promoters prepared a schedule of rates to be levied at the proposed works, and published the same, according to the requirements of the said Act, and deposited a printed copy thereof at the office of the said Clerk of the Peace, and transmitted a copy thereof to the Board of Trade, and therewith a statement showing the probable or estimated amount of the rates to be levied at the proposed works, and also the estimated amount proposed to be expended on the works:

And whereas certain objections to the said schedule were forwarded in writing to the Board of Trade, within the time in the said Act limited in this behalf:

And whereas the Board of Trade, at the time in the said Act appointed in this behalf, took the said schedule and statement into consideration, and made such inquiries and obtained such further information in reference to the several matters therein set forth and to the objections aforesaid as they deemed expedient:

And whereas the said schedule was prepared, published, deposited, and transmitted as aforesaid before the passing of The General Pier and Harbour Act, 1861, Amendment Act:

And whereas it appears to the Board of Trade to be expedient that the same, as modified on the objections aforesaid, and with the omission of part thereof, should be authorized by a Provisional Order, and accordingly the Board of Trade have finally adjusted and fixed the schedule of rates hereto annexed, such rates not exceeding the rates specified in the schedule so prepared, published, deposited, and transmitted, and so modified as aforesaid:

And whereas the consent in writing of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues to the making of this Provisional Order has been obtained:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, Order,—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

Hastings Pier and Harbour Company.

Incorporation of Company.

1. The following persons, namely, The Honourable William Henry Yelverton, Charles Appleyard, William Browne, and Henry Aldridge Parry, and all other persons and corporations who have subscribed or shall subscribe to the undertaking by this Order authorized, and their executors, administrators, successors, and assigns respectively, shall be and are hereby united into a company for the purpose of making and maintaining the Pier and Harbour and works by this Order authorized, and for the other purposes of this Order; and for those purposes shall be, and are hereby incorporated by the name of The Hastings Pier and Harbour Company; and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property, for the purposes, but subject to the restrictions, of this Order.

The undertakers.

2. The Hastings Pier and Harbour Company, herein-after called the Company, shall be the undertakers of the works authorized by this Order.

Companies Clauses Act incorporated.

3. The Companies Clauses Consolidation Act, 1845, shall be incorporated with this Order.

Capital.

4. The capital of the Company shall be 80,000*l.* in 16,000 shares of 5*l.* each.

Calls.

5. No call shall exceed 2*l.* per share; successive calls shall not be made at a less interval than three months.

Borrowing.

6. The Company may borrow on mortgage or bond, at interest, such sums of money as may be required for the purposes of the works authorized by this Order; but no money shall be so borrowed until the whole of the capital of 80,000*l.* is subscribed for or taken, and until one half thereof is paid up, and until the Company prove to the Justice who is to certify under The Companies Clauses Consolidation Act, 1845, section 40, before he so certifies, that all such capital has been subscribed for bonâ fide, and is held by subscribers or their assigns, and for which such subscribers or their assigns are legally liable.

Receiver.

7. The mortgagees of the Company may enforce the payment of the arrears of interest, or of the arrears of principal and interest, due on their respective mortgages, by the appointment of a receiver. The amount to authorize a requisition for a receiver shall be 1,000*l.*

No interest or dividend on calls.

8. The Company shall not out of any money raised by calls or borrowing pay interest or dividend to any shareholder on the amount of calls made in respect of shares held by him; but this provision shall not prevent the Company paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the provisions of The Companies Clauses Consolidation Act, 1845.

Money not to be used for deposit under Standing Orders, &c.

9. The Company shall not out of any money so raised pay or deposit any money that may be required to be paid or deposited in relation to any application to Parliament or the Board of Trade.

Money to be applied to purposes of Order.

10. Every part of the money so raised shall be applied only for purposes by this Order authorized.

First general meeting.

11. The first general meeting of the Company shall be held within three months after the passing of an Act of Parliament confirming this Order.

Number of Directors.

12. The number of Directors shall be five, with power to the Company to reduce the number, but not below three.

Quorum of Directors.

13. The quorum of a meeting of Directors shall be three, unless and until the number of Directors be reduced to three, when the quorum shall be two.

First Directors.

14. The four persons herein-before named, and such other qualified person as the said four persons, or any two of them, shall nominate, shall be the first Directors.

Qualification of Directors.

15. The qualification of a Director elected by the shareholders, or nominated as aforesaid, shall be the possession in his own right of 20 shares.

Taking of Lands.

Power to take specified lands by agreement.

16. For the purposes of the works by this Order authorized, the Company may from time to time, by agreement, enter on, take, or use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

17. The

Lands Clauses Acts incorporated.

17. The Lands Clauses Consolidation Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Works.

Power to make works.

18. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of Pier and Harbour.

19. The works by this Order authorized comprise the following:—

(1.) A pier, commencing from the site of the Old Fort on the west, and extending about 1,650 feet in a southerly direction, then taking a curve to the eastward, and running in an easterly direction for 1,230 feet:

(2.) A pier or breakwater, commencing about 1,200 feet eastward of the other, from the "Rock-a-Nore," and being carried to the extent of 1,650 feet in a line nearly parallel to the western pier.

Consent of Commissioners of Woods and Forests.

20. The Company shall not construct any work on any part of the shore or bed of the sea below high-water mark without the previous consent of Her Majesty, Her heirs and successors, signified in writing under the hand of one of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and then only according to such plan and under such restrictions and regulations as the said Commissioners, or one of them, approve of, such approval being signified as last aforesaid. After any such work is constructed with such consent as aforesaid, the Company shall not alter or extend the same without first obtaining the like consent and approval. If any work be commenced, constructed, altered, or extended contrary to this provision, the said Commissioners may, at the expense of the Company, abate and remove it, or any part of it, and restore the site thereof to its former condition. The amount of such expense shall be a debt due to the Crown from the Company, and shall be recoverable as such, with costs, or the same may be recovered with costs as a penalty is recoverable from the Company.

Rates.

Power to take rates according to Schedule to this Order.

21. The Company may demand and receive in respect of the vessels, goods, persons, and things in the Schedule hereto described, any sums not exceeding the rates in that Schedule specified.

Custom House Officers exempt from rates.

22. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress, on, into, along, through, and out of the Pier and Harbour, by land, and with their vessels, and otherwise, without payment.

General Provisions.

Lands for extraordinary purposes.

23. The Company shall not purchase for extraordinary purposes lands exceeding in extent in the whole two acres.

Meters and weighers.

24. The Company shall have the appointment of meters and weighers on and within the Pier and Harbour, subject to this restriction,—that so long as the Hastings Local Board of Health shall, under any powers given or to be given to them by any Act of Parliament, appoint a sufficient number of persons to be meters of coals within the Borough of Hastings, the Company shall from time to time appoint and license the same persons and no others to be meters of coals on and within the Pier and Harbour, and shall not levy any rate in respect of the weighing of coal.

Steam engines, diving bells, lighters, &c.

25. The Company may provide such steam-engines, steam-vessels, piling engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels as they may think necessary for effectuating any of the purposes of this Order; and may demand and receive such sums for the use of the same as they may think reasonable.

Pilotage, lights, buoys, and beacons.

26. The Company shall be a Pilotage Authority and a Local Authority within the meaning of The Merchant Shipping Act, 1854, with all the powers by that Act conferred on pilotage authorities and on local authorities.

Part V. of 24 & 25 Vict. c. 47. to apply.

27. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the Pier and Harbour authorized by this Order.

Power to Company to transfer Pier and Harbour to Corporation of Borough on demand of Corporation.

28. If at any time after the passing of an Act confirming this Order, the Mayor, Aldermen, and Burgesses of the Borough of Hastings, by the Council of the Borough, shall express in writing under their Corporate Seal to the Company their desire to become the owners of the Pier and Harbour and works by this Order authorized, the Company may and shall, by deed under their Common Seal, transfer to the Council the Pier and Harbour and works, or proposed Pier and Harbour and works; and thereupon the Council shall have (as far as may be) all the powers and rights by this Order granted to the Company in relation to the Pier and Harbour and works: Provided nevertheless as follows:—

(1.) No such deed of transfer shall have any effect unless and until the terms thereof are approved by the Board of Trade:

(2.) If the Company and the Council differ as to the terms of transfer, the difference shall be settled by an arbitrator appointed by the Board of Trade:

(3.) Nothing

(3.) Nothing in this Order or in any such deed of transfer shall empower the Council to rate or otherwise involve the Borough of Hastings for or in respect of the construction or maintenance of the Pier and Harbour and works by this Order authorized.

29. This Order may be cited as The Hastings Pier and Harbour Order, 1862. Short Title.

Board of Trade, Whitehall.
Dated this 23rd day of May 1862. (Signed) T. H. Farrer, Assistant Secretary.

SCHEDULE.

I.—Rates on Vessels using the Pier or entering or using the Harbour.

		s.	d.
For every vessel shipping or unshipping goods	per registered ton	0	9
For every other vessel	per registered ton	0	6
All lighters from any vessel in the roads shall be exempt from rates, but if the vessel do not use the Pier or enter the Harbour, every lighter shall pay for each trip	per ton	0	2
All boats entirely open, landing or taking on board goods, or dried or salted fish	each	0	6
All drave or large boats using the Pier or entering the Harbour with fresh fish	each	0	4

II.—Rates of Goods shipped or unshipped at the Pier or Harbour.

Ale	per hogshead	0	6
Ale, bottled	per barrel bulk	0	3
Anchor	per cwt.	0	9
Anchor stock	per foot run	0	2
Bark	per ton	1	0
Bedding (seaman's)		0	3
Beef or pork	per ton	1	4
Beef or pork	per barrel	0	2
Blubber	per ton of 252 gallons	1	0
Bone dust	per ton	0	8
Bones of cattle	per ton	0	6
Bottles	per gross	0	2
Bricks	per 1,000	0	8
Butter	per barrel	0	4
Canvas sails	per barrel bulk	0	2
Casks, empty, not being returned packages	per puncheon	0	3
Other casks in proportion.			
Cattle :—			
Bulls	each	0	3
Cows and oxen	each	0	2
Calves	each	0	0½
Horses	each	0	2
Pigs	each	0	0½
Sheep	per score	0	6
Lambs	per score	0	3
Chalk	per ton	0	8
Cheese	per cwt.	0	4
Chimney cans	per 100	1	4
Clay, fire, manufactured	per ton	0	6
Clay, common	per ton	0	2
Cloth, haberdashery, &c.	per barrel bulk	0	2
Coaches :—			
Chaises, and other four-wheeled carriages	each	0	8
Gigs, carts, and other two-wheeled carriages	each	0	6
Coals, Scotch, English, smithy, and culm	per ton	0	3
Copper	per ton	1	4
Corks	per barrel bulk	0	2
Corn, viz.:—			
Wheat and malt	per quarter	0	3
Barley, beans, peas, tares, oats, rye, buckwheat, and Indian corn	per quarter	0	2
Crystal	per barrel bulk	0	2
Dissolved bones and other artificial manures	per ton	0	8
Dogs (sporting only)	each	0	2
Drugs	per barrel bulk	0	3

		s.	d.
Earthenware	per crate	0	8
Eggs	per barrel bulk	0	2
Fish, dried and salted	per ton	1	4
Haddocks, cod, salmon, and all fresh fish not enumerated	per barrel bulk	0	2
Flax	per ton	1	4
Flour	per sack	0	2
Flour	in barrel	0	1½
Fruit	per bushel or sieve	0	2
Glass	per barrel bulk	0	3
Groceries, viz.:—			
Almonds, figs, cinnamon, currants, pepper, pimento, plums, prunes, raisins, and the like,	per barrel bulk	0	3
Guano	per ton	0	8
Gunpowder	per barrel	0	3
Hams, bacon, or tongues	per cwt.	0	3
Hardware	per barrel bulk	0	3
Hares and rabbits	per dozen	0	2
Any less quantity		0	1
Hay	per ton	0	8
Hemp	per ton	1	4
Herrings, fresh	per cran	0	1
Ditto, cured	per barrel	0	3
Hides:—			
Ox, cow, or horse, salted or dried	per ton	1	4
Calf skins	per 120	0	10
Sheep skins	per 120	0	10
Lamb skins	per 120	0	5
Hoops of wood	per 1,500	1	0
Household furniture, new	per barrel bulk	0	1
Household furniture belonging to parties changing their residences only	per 10 barrels bulk	0	6
Husbandry utensils	per ton	1	4
Ditto	per barrel bulk	0	2
Iron:—			
Bar, bolt, and rod	per ton	1	4
Pig and old	per ton	0	8
Chain cables	per ton	1	4
Manufactured, cast and wrought	per cwt.	0	2
Kelp	per ton	0	8
Lead of all kinds	per ton	1	4
Leather, tanned and dressed	per ton	1	4
Lime	per chaldron of 16 bolls	1	4
Limestone	per ton	0	3
Loam or moulding sand	per ton	0	3
Machinery	per ton	1	4
Machinery	per barrel bulk	0	3
Manure, street	per ton	0	2
Masts or spars, ten inches in diameter and upwards	each	4	6
Under ten inches	each	3	0
Meal	per bag of 280 lbs.	0	2
Meat, fresh	per ton	1	4
Meat, fresh	per barrel	0	2
Milk	per three large pitchers	0	0½
Musical instruments	per barrel bulk	0	3
Oils	per tun	1	0
Ores:—			
Copper, iron, lead, and other ores	per ton	0	8
Oysters	per bushel	0	3
Oysters	per firkin or smaller bushel	0	3
Passengers' luggage, not exceeding four barrels bulk, free.			
All above four barrels bulk	per barrel bulk	0	3
Peats	per ton	0	3
Pitch	per barrel	0	3
Porter	per hogshead	0	4

		s.	d.
Porter, bottled	per barrel bulk	0	2
Potatoes	per ton	0	6
Poultry, including pigeons, game, &c.	per dozen	0	1
Any less quantity		0	0½
Rags, linen	per ton	1	4
Other rags, old rope, and the like	per ton	0	10
Rape cakes	per ton	0	8
Salt	per ton	0	10
Seeds, flax and rape	per hogshead	0	6
Flax	per barrel	0	3
Flax	per quarter	0	2
Clover	per ton	1	4
Seeds, garden	per ton	1	4
Hemp and canary	per ton	1	4
Rye grass	per 8 bushels	0	2
Shrimp baskets	each	0	2
Skins, seal	per 120	0	8
Slates	per ton	0	6
Spirits, foreign and British	per hogshead of 56 gallons	0	8
Stones, rubble	per ton of 16 cubic feet	0	2
Hewn ashlar freestone	per ton of 16 cubic feet	0	4
Rough ashlar freestone	per ton of 16 cubic feet	0	3
Stones, pavement, not exceeding 3 inches thick	per 70 feet	0	4
Pavement, above 3 inches thick	per 16 cubic feet	0	4
Scythe stones	per score	0	1
Millstones	each	0	8
Steel	per ton	1	4
Sugar	per ton	1	4
Tallow	per ton	1	4
Tar	per barrel	0	2
Tea	per chest	0	3
Tiles, roofing	per 1,000	0	9
Tiles or pipes for draining	per 1,000	0	8
Tin of all kinds	per ton	1	4
Tobacco	per ton	2	6
Treenails under 2 feet in length	per 1,000	0	6
Treenails exceeding 2 feet in length	per 1,000	1	0
Turnips	per ton	0	6
Turpentine	per hogshead	0	8
Vegetables	per cartload	0	2
Vinegar	per hogshead	0	6
Vitriol	per carboy	0	2
Water	per ton	0	6
Whalebone	per ton	2	6
Wine	per hogshead	0	8
Wine, bottled	per barrel bulk	0	4
Wood :—			
Fir, pine, and other descriptions not enumerated	per load of 50 feet	0	10
Oak or wainscot	per load of 50 feet	1	0
Firewood	per fathom	0	6
Laths and lathwood	per fathom of 216 cubic feet	2	6
Handspokes	per 120	0	10
Oars	per 120	2	6
Spars under 22 feet in length, above 2½ and under 4 inches diameter	per 120	2	6
Spars, 2½ inches in diameter and under	per 120	1	4
Spars, 22 feet in length and upwards and not exceeding 4 inches in diameter	per 120	6	6
Spars of all lengths, above 4 and under 6 inches in diameter	per 120	12	0
Spokes of wheels not exceeding 2 feet in length	per 120	0	4
Spokes of wheels exceeding 2 feet in length	per 120	0	6
Wedges	per 1,000	1	0
Pipe staves and others in proportion	per standard hundred	1	0
Lignum vitæ, fustic, logwood, mahogany, and rosewood	per ton	1	4

		s.	d.
Wool	per cwt.	0	2
Yarn	per ton	1	4
Zinc	per ton	1	4

All other Goods not particularly enumerated above.

Light goods	per barrel bulk	0	2
Heavy goods	per ton	1	4

In charging the rates on goods the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates shall be charged.

Five cubic feet, not exceeding 2½ cwt. to be rated as a barrel bulk; but when the weight of five cubic feet is greater than 2½ cwt. then 2½ cwt. to be rated as a barrel bulk.

III.—Rates for the Use of Cranes, Weighing Machines, and Sheds.

1st. Rates of Craneage.

	s.	d.
All goods or packages not exceeding one ton	0	3
Exceeding one ton, and not exceeding two tons	0	4
Exceeding two tons, and not exceeding three tons	0	6
Exceeding three tons, and not exceeding four tons	0	8
Exceeding four tons, and not exceeding five tons	0	10
Exceeding five tons, and not exceeding six tons	1	0
Exceeding six tons, and not exceeding seven tons	1	2
Exceeding seven tons, and not exceeding eight tons	1	4
Exceeding eight tons, and not exceeding nine tons	1	8
Exceeding nine tons, and not exceeding ten tons	2	0
Exceeding ten tons	3	0

2nd. Weighing Machines.

For goods weighed, 1*d.* for each ton, or part of a ton.

3rd. Shed Dues.

For each ton of goods of 8 barrels bulk, or for each ton of goods of 20 cwt. which shall remain in the sheds or other works of the Pier, or on the quays of the Harbour, for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 48 hours.

And for every portmanteau, trunk, parcel, or any other article of passengers luggage, for each day or part of a day — per package 0 2

IV.—Rates on Passengers landing on or embarking from the Pier.

	£	s.	d.
For every passenger or other person who shall land on the said Pier, from, or embark from it on board of any ship, vessel, packet or passage boat, not being boats or vessels used for pleasure only, for each and every time, any sum not exceeding	0	0	2
For every person who shall land on the said pier from, or embark from it on board of any boat or vessel used for pleasure only, for each and every time, any sum not exceeding	0	0	6
For every person who shall use the said Pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time, any sum not exceeding	0	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Hastings, or sending men on and using the said Pier and other works, for the purpose of going on or returning from their own vessels, boat, or wherry, an annual sum not exceeding	1	0	0

CAP. LII.

An Act to amend an Act of the Twenty-fourth and Twenty-fifth Years of the Reign of Her Majesty, to prevent the future Grant by Copy of Court Roll and certain Leases of Lands and Hereditaments in *England* belonging to Ecclesiastical Benefices. [29th *July* 1862.]

'WHEREAS an Act was passed in the Session of Parliament held in the Twenty-fourth and Twenty-fifth Years of the Reign of Her present Majesty, Chapter One hundred and five, intituled *An Act to prevent the future Grant by Copy of Court Roll and certain Leases of Lands and Hereditaments in* England *belonging to Ecclesiastical Benefices:* And whereas Doubts are entertained whether, notwithstanding the said Act, Leases and Grants by Copy of Court Roll of the

24 & 25 Vict. c. 105.

'Manors,

'Manors, Lands, Tenements, and Hereditaments mentioned or referred to in the Preamble thereof may 'not still be lawfully made, in Cases where the Grantor takes no Fine, Premium, or Foregift as a 'Consideration for any such Grant: And whereas it is expedient to amend the said Act to the Effect 'after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

How far Prohibition in recited Act as to making of Grants, &c. is to extend.

1. The Prohibition to make any Grant by Copy of Court Roll or Lease contained in the First Section of the said Act shall not only extend to Grants of the said Manors, Lands, Tenements, and Hereditaments made in consideration of any Fine, Premium, or Foregift, but shall also extend to all Grants and Leases of such Manors, Lands, Tenements, and Hereditaments made for any longer Term, or in any other Way than according to the Provisions of the several Statutes mentioned in the said First Section and in the Third Section of the said Act hereby amended.

Powers of Prebendaries as to Sale, Exchange, &c.

2. The Prebendary of any Prebend, not being a Prebend of any Cathedral or Collegiate Church, shall have such and the same Powers of Sale, Exchange, and Enfranchisement as by the Third Section of the said Act are given to Rectors, Vicars, Perpetual Curates, and Incumbents; and the Provisions and Enactments contained in the said Third Section shall apply to Sales, Exchanges, and Enfranchisements made by any such Prebendary, and to the Proceeds thereof.

CAP. LIII.

An Act to facilitate the Proof of Title to, and the Conveyance of, Real Estates.

[29th *July* 1862.]

'WHEREAS it is expedient to give Certainty to the Title to Real Estates, and to facilitate the 'Proof thereof, and also to render the dealing with Land more simple and economical:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Extent of Act.

1. This Act shall apply to *England* only.

PART I.

AS TO THE REGISTRATION OF REAL ESTATES, AND THE TITLE THERETO.

Registry to be established.

2. There shall be established a Registry of the Title to Landed Estates.

Limits of Registry.

3. The Registry shall be confined to Estates of Freehold Tenure, and Leasehold Estates in Freehold Lands.

By whom Application for Registration to be made.

4. Application may be made for Registration of Title, by any of the following Persons; *viz.*,

1. The Owner of the Fee Simple:
2. Persons who collectively are Owners of the Fee Simple, or have the Power of acquiring the same:
3. Persons who have the Power of appointing the Fee Simple:
4. Trustees for Sale of the Fee Simple:
5. The Owner of the First Estate of Freehold and first vested Estate of Inheritance:
6. Any Purchaser of a Fee Simple, where his Contract empowers him so to do, or the Vendor consents:
7. Any Person authorized by the Court of Chancery to make such Application.

Application may be made, although the Estate of the Person applying may be subject to Charges and Incumbrances.

Proceedings to obtain Registration of a Title as indefeasible.

Examination of Title with Guarantee.

5. On Application for the Registration of a Title as indefeasible, the Title shall be examined by the Registrar and Examiners of Title herein-after mentioned in such Manner as General Orders shall direct: No Title shall be accepted for Registration as indefeasible unless it shall appear to be such as a Court of Equity would hold to be a valid marketable Title.

Reference of Questions of Title.

6. Any Question, Doubt, or Dispute as to any Matter of Title that may arise in the course of such Investigation may be referred to such Judge of the Court of Chancery as the Lord Chancellor shall appoint to hear Applications under this Act.

Particulars to be furnished to Registrar.

7. If the Title shall (either absolutely or subject as aforesaid) appear to be good and marketable, the Applicants shall furnish to the Registrar, and he shall examine and settle for the Purposes of Registration:

First, an exact Description of the Lands to be registered:

Secondly, a Statement of the Persons, or Classes or Descriptions of Persons, that are or may become entitled to such Lands, and of the Estates, Powers, and Interests that exist, or may arise or become vested in such Persons respectively:

Thirdly, a Statement of the Mortgages, Charges, and Incumbrances affecting such Lands or any Part thereof, and of the Persons entitled thereto, both at Law and in Equity:

Copies of such Description and Statements when settled by the Registrar shall be delivered back to the Applicants: Any Objection to the same or to any Part thereof, if not allowed by the Registrar, shall, at the Request of the Applicants, be referred to and decided by the Judge of the Court of Chancery.

May be verified on Oath.

8. If required by the Registrar, the Description of the Land furnished by the Applicant shall be verified by his own Oath or the Oaths of Persons having full Means of Information.

Claim to Mines and Minerals.

9. It shall be stated in the Description of the Land to be so furnished by the Applicant whether he does or does not claim to be entitled to all or any Part of the Mines and Minerals under such Land, and unless in such Description Mines or Minerals shall be expressly mentioned, they shall be deemed not to be included therein; and if in such Description Mines or Minerals shall be expressly mentioned, it shall be the Duty of the Registrar to have especial Regard thereto in all subsequent Inquiries to be made by him with respect to such Lands, and in the Investigation of the Title thereto, and also in the Service of such Notices as herein-after mentioned.

Identity of Lands to be established.

10. The Identity of the Lands with the Parcels or Descriptions contained in the Title Deeds shall be fully established, and the Registrar shall have Power by such Inquiries as he shall think fit to ascertain the Accuracy of the Description and the Quantities and Boundaries of the Lands; and, except in the Case of incorporeal Hereditaments, a Map or Plan shall be made and deposited as Part of the Description.

Notice of Intention to register.

11. When such Description has been settled, and the Registrar is satisfied with the Title shown to the Land, and with the Result of the Inquiries made, he shall require such Notices as General Orders shall direct to be given by public Advertisement of his Intention to register such Land with an indefeasible Title, at the Expiration of a Period not less than Three Months from the Date of such Advertisement.

Contents of Notice.

12. Such Notice shall contain a Copy of the Description of the Land as proposed to be registered and the Names and Descriptions of the Applicants for Registration: A Copy of such Notice shall be served on every adjoining Occupier, and the Person (if any) to whom such Occupier pays Rent, and on the Lord of the Manor in any Case in which the Lands are situate within or held of any Manor, and also on every Person not having already had Notice of the Application, who shall appear to have or claim any Estate or Interest in or Right over the Land, or any Part thereof, and on such other Persons as under the special Circumstances of each Case shall be deemed necessary.

The Notice shall also state the Place, Time, and Manner at and in which any Party may be heard to show Cause against such Registration.

Cause may be shown against Registration.

13. At the Time and Place named in the Notice, or at such Time and Place as General Orders shall direct, any Person may attend and show Cause before the Registrar, by Affidavit or otherwise, against the Registration, or claim that the same should be subject to any Conditions or Reservations; the Registrar may decide on such Objection or Claim, or may refer the same to the Judge of the Court of Chancery: If the Registrar decide, either Party may appeal from his Decision to the said Court, in manner herein-after directed.

Completion of Registration.

14. If at the Expiration of the Time named in such Notice there shall be no Objection to the Registration applied for or none allowed, and no Appeal pending, or, if any Appeal shall be then pending, as soon as any Objection to such Registration shall have been finally disallowed by the Court of Appeal, or the Appeal withdrawn, the Registrar shall complete such Registration in manner following; that is to say,

First, the Registrar shall enter in a Book to be called "The Register of Estates with an indefeasible Title" such Description of the Estate as shall be finally approved of, and shall annex thereto any Map or Plan which shall be deemed necessary, and shall distinguish the Estate so entered by a particular Number or Numbers, and the Entry shall refer to another Book to be entitled "The Record of Title to Lands on the Registry:"

Secondly, in the last-mentioned Book, under the same Number or Numbers, shall be entered in concise Terms an exact Record of the existing Estates, Powers, and Interests in the Land so registered as aforesaid, and the Names and Descriptions of the Persons or Classes of Persons that are or may become entitled thereto respectively:

Thirdly, in a Book to be entitled "The Register of Mortgages and Incumbrances" shall be entered under the same Number or Numbers an Account of all the Charges and Incumbrances affecting the Lands or any Part thereof, or the Estate or Interest therein of any Person named in the Record of Title.

Books may be inspected.

15. Subject to such Directions as may be given by General Orders, the aforesaid Books of Registry may be inspected by the Owners of the Estates and Interests, or of the Mortgages and Incumbrances recorded therein, or their respective Solicitors or Agents: No other Person shall be permitted to inspect such Books, except under an Order of the Court of Chancery.

As to the Record of Title.

As to Exception, &c. in Record of Title.

16. In the Record of Title so made as aforesaid it shall be competent for the Registrar to specify or define any Exception or Qualification or Condition affecting the whole of the Interests so recorded, or any of them, and also to reserve expressly the Right of any Person or Class of Persons, and to describe any

any outstanding Right or Possibility of Claim or Interest subject to which such Registration is made; and if there shall be any disputed Question of Boundary between the Applicants and any Proprietor of adjoining Land which shall not have been previously determined by any competent Authority, it shall be competent for the Parties or either of them to object in Writing to the Determination of such Question by the Registrar, or by a Judge of the Court of Chancery, under this Act; and if any such Objection shall be made, the Registrar shall specify upon the Record of Title the Existence of such disputed Question of Boundary, and that the Registration is made subject thereto.

Any Question as to true Construction of any Deed, &c. to be referred by Registrar to a Judge of Court of Chancery.

17. If in making up, or afterwards continuing, such Record of Title as aforesaid, any Question shall arise as to the true Construction or legal Validity or Effect of any Deed, Instrument, or Will, or as to the Persons entitled, or the Extent or Nature of the Estate, Right, or Interest, Power or Authority of any Person or Class of Persons, or the Mode in which any Entry ought to be made in the Record of Title, or any doubtful or uncertain Right or Interest stated or dealt with by the Registrar, it shall be competent for the Registrar, or for any of the Parties interested, to refer the same to a Judge of the Court of Chancery: If on such Reference the Judge, having regard to the Parties appearing before him, shall think proper to decide the Question, he shall have Power to do so, or to direct any Proceeding at Law or in Equity to be instituted for that Purpose, or at his Discretion, and without deciding such Question, to direct such particular Form of Entry to be made on the Record of Title as under the Circumstances shall appear to be right.

Registrar may refer in Record of Title to Deed, &c. for Estates of Parties.

18. In any Case described in the preceding Section, the Registrar may, at the Request of the Parties or at his own Discretion, refer in the Record of Title to the Deed, Will, or other Instrument for the Estates and Interests of the Parties, instead of setting out or describing the same: Provided always, that in every Case in which such Deed, Will, or other Instrument shall be so referred to, a Copy thereof (which shall be verified and printed in the Manner herein-after directed with respect to Deeds or Instruments conveying, mortgaging, or charging the Estate or Interest of any Proprietor on the Register,) shall be delivered to the Registrar by the Parties applying for Registration, and shall be preserved in the Registry; and for the Purposes of any subsequent Sale, Mortgage, or Contract for valuable Consideration by any Person appearing thereby to have any Estate or Interest in the Land to which the Record of Title so made up shall relate, such Copy shall be conclusive Evidence of the Contents of the said Deed, without the Production of the Original thereof.

Persons entitled to Principal Money, &c. not to be entered in Record of Title unless Registrar thinks fit.

19. The Names of the Persons entitled to the Proceeds of any Trust for Sale of the Lands so registered, or to any Principal Money to be raised by virtue of any Charge under the Trusts of any Estate or Term, shall not be entered in the Register unless the Registrar shall think fit so to do, but the Estate of the Trustees shall be defined and the Purpose of the Trust shortly described.

When an indefeasible Title shall arise.

Persons described in Record of Title to be deemed as possessed of such Estates, &c.

20. Subject to any Exception, Qualification, or Condition mentioned in such Record of Title, and to any Right or Interest thereby reserved, and to any registered Charges or Incumbrances, and to such Charges and Interests (if any) as are herein declared not to be Incumbrances, the Persons originally and from Time to Time named and described in such Record of Title as aforesaid shall, for the Purposes of any Sale, Mortgage, or Contract for valuable Consideration by such Persons respectively, be and be deemed to be as from the Date of registering such Record by the Registrar, or from such Time as shall be fixed by him therein, absolutely and indefeasibly possessed of and entitled to such Estates, Rights, Powers, and Interests as shall be defined and expressed in such Record against all Persons, and free from all Rights, Interests, Claims, and Demands whatsoever, including any Estate, Claim, or Interest of Her Majesty, Her Heirs and Successors.

Informality not to prejudice Entry in Record of Title.

21. No Entry in such Record of Title as aforesaid shall be set aside or called in question as against any Person who may afterwards become interested therein under any Sale, Mortgage, or Contract for valuable Consideration, by reason of any Irregularity or Informality in the Proceedings previous to the making thereof.

Before Registration Applicant, &c. to make Oath that all Deeds, &c. have been made known to Registrar.

22. Before the final Registration of any Land with an indefeasible Title, the Applicant and his Solicitor or Agent, or certificated Conveyancer, and such other Person or Persons as the Registrar shall require, shall make Oath that all Deeds, Wills, and Writings relating to the Title of the Lands, or any Part thereof, and all Facts material to the Title thereto, and all Charges, Liens, Incumbrances, Contracts, and Dealings affecting the same or any Part thereof, or giving any Right as against the Applicant, have to the fullest Extent of their respective Knowledge, Information, and Belief been made known to the Registrar.

Power to Registrar to refuse Registration.

23. If at any Time before Registration the Registrar is of opinion that any further or other Evidence is necessary, he may refuse to complete the Registration until such further or other Evidence shall have been produced.

Power to Registrar to demand Security for Costs.

24. The Registrar shall, before taking any Proceeding on an Application for Registration with an indefeasible Title, require the Applicant to give such Security for Costs as General Orders shall direct; and it shall be lawful for the Registrar and for the Judge of the Court of Chancery respectively to order the Costs and Expenses properly incurred of any Person properly appearing upon any Proceeding taken under this Act for the Purpose of such Registration to be paid by the Applicant.

Proceedings

Proceedings for Registration without an indefeasible Title.

Registration without Guarantee of Title may be made under certain Conditions.

25. Application for Registration without an indefeasible Title may be made by any Person, subject to the following Conditions:

1. The Applicant shall prove to the Satisfaction of the Registrar that he, or some Person under whom he claims, has been in the actual Enjoyment or Receipt of the Rents and Profits of the Land as Owner of the Fee Simple thereof, continuously and without Interruption, for a Period of Ten Years immediately preceding the Time of such Application:
2. The last Deed or Will (if any) under which the Applicant derives Title shall be produced to the Registrar:

   If the Applicant claims as Heir-at-Law, Evidence shall be given that the Ancestor was in the Enjoyment of the Estate as Owner thereof at the Time of his Decease:
3. The Rules above enacted as to the Description of the Land to be registered shall apply, and the Registrar shall adopt the same Course, and take the same Proceedings, for the Purpose of ascertaining the Accuracy of the Description of the Lands and of the Boundaries thereof, as are herein-before directed with respect to Registration with an indefeasible Title:
4. A Statutory Declaration shall be made by the Applicant and his Solicitor or Agent, or certificated Conveyancer, and, if necessary, any other Person whose Evidence may be deemed necessary by the Registrar, that they respectively believe the Applicant to be, either alone or jointly with other Persons to be named and described, (and subject to any Qualification, Condition, or Exception which shall be stated,) well entitled to the Fee Simple of the Lands proposed to be registered:
5. If the Land be registered, the Registrar shall, in the Record of Title, define the Time, Event, or Circumstances from and after which an indefeasible Title shall attach: When the Time has arrived, the Event happened, or the defined Circumstances exist, a Judge of the Court of Chancery may, upon Proof thereof, and if there be no other Objection, after such and the like Notices as are herein-before required in case of an Application for Registration of a Title as indefeasible shall have been duly given, direct a Transfer of the Land to the Register of Estates with an indefeasible Title, and thereupon the Registrar shall make up a proper Record of the Title to such Land, and the Applicant and other Persons named in such Record of Title shall have the same Estates, Rights, and Privileges as if the Land had been registered with an indefeasible Title:
6. Subject to the Enactments herein contained, the Registration of any Person as Owner of Land without an indefeasible Title shall not prejudice any Estate, Right, or Interest created or existing at or before the Date of such Registration.

Registration of Leasehold Estates.

Leasehold Estates may be registered in like Manner as Freehold Lands.

26. Leasehold Estates, namely, Lands demised for Terms of Years of which Fifty Years are still to come and unexpired, or demised for Lives or for Years determinable with Lives, and in which Two Lives at least are still subsisting, may be registered with an indefeasible Title in a similar Manner and subject to the same or similar Directions and Rules of Proceeding as are herein contained with respect to Freehold Lands: Such Application may be made by Persons having such Estates and Interests in the Leasehold Estates as are similar or correspondent to the Estates and Interests of the Persons entitled to apply for the Registry of Freehold Land: No indefeasible Title shall, in the case of a Leasehold, extend to the Title of the Lessor or Grantor of the same: Such further Directions shall be observed with regard to Leasehold Estates as shall be given from Time to Time by General Orders.

General Provisions as to Title.

Charges and Liabilities not to be deemed Incumbrances.

27. The following Charges and Liabilities shall not be deemed Incumbrances within the Meaning of this Act; namely,

1. Land Tax, Succession Duty, Tithe Rentcharges, Rents payable to the Crown:
2. Public Rights of Way, Liability to repair Highways by reason of Tenure, Rights of Way, Watercourses, and Rights of Water, and other Easements or Servitudes, Rights of Common, Manorial Rights and Franchises:
3. Leases or Agreements for Leases not exceeding Twenty-one Years, where there is an actual Occupation under the same:

Nevertheless, where any such Charges or Liabilities appear or are discovered in the course of Proceeding prior to Registration, the Registrar shall, in such Manner as he shall think fit, notice in the Register the Existence of such Charges or Liabilities.

Land may be registered as One Estate.

28. Land entered on the Register may, at the Option of the Proprietor, be registered as One Estate or as separate Estates; but the Particulars of each Estate, and any Transactions relating thereto, shall, subject to any Regulations to the contrary that may be made by General Order, form a separate Record in the Register, distinguished by a separate Number, or in such other Manner as the Registrar may determine.

29. If

Registered Land made subject to certain Conditions, &c.

29. If Land registered or proposed to be registered, or any Part thereof, be subject, or be agreed to be made subject to any Condition, as, for Example, that it shall not be built upon, or used in a particular Manner, or any other legal Condition, Notice thereof shall be entered in the "Record of Title," and any Transfer, Demise, or Charge of such Land shall be subject to such Condition; but it shall be lawful for the Court of Chancery to discharge, alter, or modify any such Condition upon hearing all Parties who may be entitled to claim under or against the same.

Notice of Registration to be given by Registrar.

30. So soon as any Land is registered, if there shall appear to be any Charge or Incumbrance affecting such Land or any Part thereof which is entered in the Register of Incumbrances (the Owner of which has not had Notice of the Application), Notice of such Registration shall be immediately given by the Registrar to the Person entitled or interested in such Charge or Incumbrance.

Judicial Declaration of Title.

31. If any judicial Declaration of the Title to any Land shall be made by the Court of Chancery under any Act which may be passed in the present Session for the Purpose of enabling Persons having Interests in Land to obtain a judicial Declaration of their Title to the same, so as to enable them to make an indefeasible Title to Persons claiming under them, as Purchasers for valuable Consideration, the Land as to which any such Declaration may be made may, at the Option of the Person obtaining the same, be entered upon the Register of Estates with an indefeasible Title under this Act when and so soon as the Time allowed for appealing under any such Act as last aforesaid shall have expired, or (if any Appeal shall be prosecuted) when and so soon as any such Declaration shall be affirmed by the last Court of Appeal, or the Appeal withdrawn; and the Title to such Land, as the same shall be declared by the Court, shall in such Case be entered upon the Record of Title to Lands on the Registry under this Act, and such Land shall thenceforth be subject to the Provisions of this Act, in the same Manner in all respects as if the Registration thereof had been made by virtue of Proceedings duly taken for the Registration of an indefeasible Title thereto under this Act.

Every Estate, &c. to be entered in Record of Title after Registration of Land.

32. From and after the Registration of any Land, every Estate or Interest, Use, Trust, Mortgage, Charge, Lien, Right, or Title granted, declared, arising, becoming vested, or in any Manner created, or coming into existence, in, to, upon, out of, or affecting such Land or any Part thereof (except as herein excepted), shall be entered, described, or noticed in the Record of Title or Register of Incumbrances to be so kept as aforesaid.

Estates registered subject to existing Law.

33. Subject to the Enactments herein contained, the Estates and Interests of all registered Proprietors shall remain subject to the existing Law, and may be dealt with, assured, devised, and transmitted by Descent or Representation according to the ordinary Rules of Law and Equity.

Registered Proprietor, with Consent, may close Register.

34. The registered Proprietor of Land may, with the Consent of all Persons appearing by the Register to be interested in such Land, remove the same from the Register, and thereupon the Register shall as respects such Land be deemed to be closed.

Caveat against Entry of Land on Register.

Caveats may be lodged with Registrar, &c.

35. Any Person having or claiming such an Interest in Land as entitles him to object to any Disposition thereof being made without his Consent may lodge a Caveat with the Registrar, to the Effect that the Cautioner is entitled to Notice of any Application that may be made for Registration of such Land, and appointing a Place within *Great Britain* for the Service of such Notice.

Caveat to be supported by Affidavit.

36. The Caveat shall be supported by an Affidavit, stating the Nature of the Interest of the Cautioner, and such other Matters as may be required by the Registrar.

How Notice to be served.

37. Notice may be served on the Cautioner either personally or by sending it through the Post to the Address stated in the Caveat.

No Registration to be made till Ten Days after Notice.

38. After a Caveat has been lodged, no Registration shall be made of any Lands to which such Caveat refers until Notice has been served on the Cautioner to appear and oppose such Registration, and Ten Days have expired since the Date of the Service of such Notice, or until the Cautioner has entered an Appearance, which may first happen.

Compensation when to be made.

39. If any Person wrongfully and without reasonable Cause, lodges a Caveat with the Registrar, he shall be liable to make, to any Person who may have sustained Damage by the lodging of such Caveat, such Compensation as a Judge of the Court of Chancery shall deem just.

Caveat not Title of any Person.

40. A Caveat lodged in pursuance of this Act shall not prejudice the Claim or Title of any Person, and shall have no Effect whatever, except to entitle the Cautioner to receive such Notice as is herein-before mentioned of any Application made for Registration of Land.

PART II.

Simplification of Title by Judicial Sales.

Sales by Court of Chancery.

Sales of Land by Court.

41. Sales may be made by the Court of Chancery of Land with an indefeasible Title, upon the Application, by Petition or otherwise, as General Orders may direct, of any of the Persons who are herein-before empowered to apply for Registration of Title.

Application to be served on Parties.

42. Such Application shall be served on such Persons as the Court shall think fit, before a preliminary Order is made.

43. By

Court shall provide for Examination of Title, &c. before making Order for Sale.

43. By its preliminary Order or Orders, the Court shall provide for the Examination of the Title to the Land, and the Ascertainment of a correct Description thereof, and shall also make such Inquiries as to the Parties interested, either as Incumbrancers, Owners, or otherwise, and direct such Notices to be given as are herein-before directed on the Occasion of Application to the Registrar for Registration of an indefeasible Title, and shall also direct such other Notices, if any, to be given as it thinks necessary to enable it to form a Judgment as to the Propriety of a Sale, and shall hear by themselves, their Counsel or Agents, any Persons interested in such Land who may apply to them to be heard, and shall, upon the Conclusion of such Inquiries, and after hearing such Parties, if any, as aforesaid, make such Order as to the Sale of such Lands as it thinks just.

Security for Costs.

44. Before making any Order the Court may require the Applicant to give Security for Costs.

Payment of Purchase Money as Court may direct;

45. The Purchase Money on any Sale made by the Court shall be paid as the Court may direct; and the Court may make an Order vesting the Land in the Purchaser, subject or not, as the Case may require, to the Incumbrances specified in such Order, and subject in all Cases to such Charges or Interests as may be subsisting thereon, and are herein-before declared not to be Incumbrances within the Meaning of this Act.

to exonerate Purchaser from Liability.

46. The Payment of the Purchase Money in manner directed by the Court shall exonerate the Purchaser from all Liability whatsoever with respect to the same.

Vesting Order to be stamped.

47. Any Vesting Order by the Court shall bear the same Stamp as if it were a Conveyance made by an ordinary Vendor.

Applicant for Sale and his Solicitor may be examined concerning Title before Vesting Order made.

48. Before any Vesting Order is made as aforesaid, the Applicant for the Sale or his Solicitor may be personally examined by the Court, or required to give satisfactory Evidence as to the Fact that all Settlements, Deeds, Wills, and Instruments of Title, and all Charges and Incumbrances affecting the Title to the Land which is the Subject of the Application, and all Facts material to such Title, have been disclosed, and that there is not to their or either of their Knowledge, Information, or Belief any Deed, Charge, or Incumbrance affecting the Title to the said Land, nor any Fact material to the said Title, not fully and fairly disclosed as aforesaid: The Court may require any Person proposing to make an Affidavit in pursuance of this Section to state in his Affidavit what Means he has had of becoming acquainted with the several Matters referred to in this Section, and if the Court is of opinion that any further or other Evidence is necessary, it shall not make such Vesting Order until such further or other Evidence is produced.

Where Sales are made under 20 Vict. c. 120. the Court may make Order as under this Act.

49. Where any Sale of the Fee Simple of Land is about to be made under the Order of the Court of Chancery, in pursuance of an Act passed in the Twentieth Year of the Reign of Her present Majesty, Chapter One hundred and twenty, and intituled *An Act to facilitate Sales and Leases of Settled Estates*, or of any Act amending the same, or in pursuance of any other Order of the Court, the Court of Chancery may, on the Application of any Parties interested in such Sale, take such Steps as are herein-before directed, and, if satisfied of the Propriety of so doing, may make an Order directing the Land to be put up for Sale with an indefeasible Title, and also an Order vesting the Land in a Purchaser, and any such Vesting Order shall have the same Effect as if it had been made on an Application to the Court under this Part of this Act.

Vesting Order to confer on Person in whom Land is vested an Estate in Fee Simple, with all Rights, &c.

50. Every Vesting Order made by the Court of Chancery in pursuance of this Part of this Act shall confer on the Person in whom the Land is vested an Estate in Fee Simple, together with all Rights, Privileges, and Appurtenances therewith enjoyed, or reputed as belonging or appurtenant thereto, subject to the Incumbrances, Exceptions, or Qualifications, if any, appearing in the Order, and subject also to such Charges and Interests, if any, as are herein-before declared not to be Incumbrances, but free from all other Estates, Rights, Incumbrances, and Interests whatsoever, including all Estates, Interests, and Claims of Her Majesty, Her Heirs and Successors.

Case in which Court may make a qualified Vesting Order.

51. Where upon an Application being made for a Sale by the Court of Chancery it is proposed that a good Title should be shown to the Purchaser for a limited Period only, the Court may make a qualified Vesting Order, declaring by a Statement contained in such Order, or by Endorsement thereon, or by such other Manner as the Court thinks fit, that the Title is to be deemed to commence from the Date of some specified Instrument or at or on some specified Time or Event.

Effect of qualified Vesting Order.

52. A qualified Vesting Order shall not affect or prejudice any Estate, Title, or Interest in or to such Land created or arising prior to the Date at which the Title is stated to commence, but, save as aforesaid, shall have the same Effect as an absolute Vesting Order.

Court may require Production of Deeds, &c.

53. The Court of Chancery may, in the course of any Proceedings relating to Land wherein a Vesting Order is sought to be obtained, require all Persons having any Deeds or Evidences of Title relating to such Land, who are bound by Law so to do, to produce the same to the Court, upon such Terms and subject to such Conditions as the Court may think just.

Distribution of Monies paid into Bank.

54. The Court of Chancery shall determine the Rights and Priorities of the several Persons entitled to or interested in any Money payable under this Part of this Act, and shall distribute the same among such Persons in accordance with such Rights and Priorities.

As to Disposal of Money not

55. Where any Money is payable in pursuance of this Act, and is not immediately distributable, or the Parties entitled thereto cannot be ascertained, or where from any other Cause the Court thinks

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it expedient for the Protection of the Rights of the Parties interested therein, it may order such Money to be placed to such Account as the Court directs, in trust to attend the Orders of the Court, and it may by its Order declare the Trusts affecting such Money so far as it has ascertained the same, or state the Facts found by it in relation to the Rights and Interests therein, and generally the Court may make such Orders with respect to any such Money, and the Investment or Application thereof, or the Payment thereof out of Court, as the Circumstances of the Case require. immediately distributable.

56. When the Court of Chancery has made a Vesting Order of Land in pursuance of this Part of this Act, all such Deeds and Evidences of Title delivered to the Court as relate exclusively to the Land, and which the Purchaser is entitled to, shall be delivered to him; and all other Deeds and Evidences of Title delivered to the Court relating to the Land or to any Part thereof shall be returned to the Parties entitled to the Custody thereof, but previously to the same respectively being so delivered or returned they shall be stamped or otherwise marked in such Manner as to give Notice to any Person inspecting such Deeds or Evidences of Title of the Proceedings taken by the Court in relation to the Land or any Portion of the Land comprised in such Deeds. As to Disposal of Deeds after Vesting Order made.

57. Every such Vesting Order may direct the Registrar to enter the Name of the Person entitled on the Register as the Proprietor of the Land with an indefeasible or qualified Title, as the Case may be, and in such Case the Order shall state the Name and Description of the Person entitled, and describe the Lands to be registered, with the Addition of the Incumbrances, if any, affecting such Lands, and such other Matters as the Court thinks fit to insert therein, including, in the Case of an Applicant entitled only to a qualified Vesting Order, a Statement of the Time or Event at or on which the Title, as registered, is to commence. Vesting Order to direct Entry on Register. Contents of Vesting Order.

58. The Registration of any Person as First Proprietor of Land with a qualified Title shall not affect or prejudice the Right of any Person claiming any Estate, Title, or Interest created or arising prior to the Time or Event at or on which the Title is stated on the Register to commence, but, save as aforesaid, shall have the same Effect as Registration with an indefeasible Title. Registration with a qualified Title not to affect prior Claims.

59. Where upon the First Registration of the Land under a Vesting Order Notice of any Incumbrance affecting such Land has been entered on the Register, the Registrar shall, on Proof of the Discharge of such Incumbrance, enter a Memorandum of such Discharge on the Register, and upon such Entry being made the Incumbrance shall be deemed to be discharged. Entry of Discharge of Incumbrance.

60. Where any Order has been made by the Court of Chancery vesting Land in a Purchaser, or where any Person has been registered with an indefeasible Title under a Vesting Order, any Person aggrieved by such Order or Registration may apply to the Court of Chancery to be reimbursed for any Injury he may have sustained, out of any Purchase Money that may be remaining in Court. Compensation to Persons aggrieved.

61. In every Proceeding under this Act the Court shall have full Power and Discretion as to the giving or withholding Costs and Expenses, and as to the Persons by whom and the Funds out of which the same shall in the first instance or ultimately be paid, repaid, and borne, and may direct the same to be paid to or apportioned among such Persons as it sees fit. As to Costs and Expenses.

62. The Lord Chancellor may from Time to Time assign the Duties by this Part of this Act vested in the Court of Chancery to any particular Judge or Judges of that Court, and may appoint such new or additional Clerk or Clerks as to him may seem necessary for enabling such Judge or Judges duly to execute the Duties imposed on it, and every such additional Clerk shall receive out of the Suitors Fee Fund such Salary as the Lord Chancellor may think proper. As to Assignment of Duties.

PART III.

As to the Transfer of registered Land.

63. All registered Land, and every Part thereof, may be conveyed, charged, settled, dealt with, or affected in or by any of the following Modes or Dispositions; that is to say, Conveyance, &c. of registered Land.

First, by a Statutory Disposition in any of the Forms described in this Act:

Secondly, by Endorsement on the Land Certificate:

Thirdly, by Deposit of the Land Certificate:

Fourthly, by any Deed, Will, Judgment, Decree, or Instrument by which such Land, if not registered, might now according to Law be conveyed, charged, settled, devised, dealt with, or affected:

But no equitable Mortgage or Lien on registered Land shall be created by a Deposit of Title Deeds.

64. On the Occasion of any Sale, Mortgage, or other Disposition of registered Land, or of any Estate thereon, the Parties or their Agents, duly authorized, may attend at the Registry Office to complete the Transaction: The Description of the Land and of the Estate therein proposed to be conveyed shall be taken from the "Register of Estates" and "Record of Title," and inserted under the Superintendence of the Registrar in One of the Statutory Forms of Conveyance described in the Schedule hereto; and such Conveyance shall be executed by the Parties or their Agents in the Presence of and attested by such Persons as the Registrar shall approve of, and shall then and there (together with the Powers of Attorney) be delivered to the Registrar for the Purposes of Registration, who shall make the proper Entries in the Register accordingly. Attendance of Parties at Registry Office on Sale, &c. of registered Land.

Transfer of Land.

Forms of Conveyance in Schedule of registered Land.

65. The registered Proprietor of any Land, Estate, or Interest may convey or charge the same by the Forms of Conveyance mentioned in the Schedule hereto, and the same shall be as complete and effectual as any other Form of Conveyance would have been either at Law or in Equity.

Forms of Conveyance in Schedule as effectual as other Forms.

66. The Persons taking under the Statutory Forms of Conveyance mentioned in the Schedule to this Act shall take as fully and effectually as if the Estates, Rights, Powers, and Authorities expressed to be created and given by such Forms respectively had been conveyed, created, or granted by any of the Modes of Assurance now known to the Law.

Forms may be modified or altered.

67. The Forms contained in the Schedule may be modified or altered in Expression to suit the Circumstances of every Case, and the Conveyances made in such altered Forms shall be equally valid and effectual.

As to Land Certificates.

Registrar to deliver Land Certificates.

68. The Registrar shall, upon Request, deliver to every Person who is named or described in the Record of Title as the Owner of any Estate or Interest in Lands upon the Registry a Certificate (herein called a Land Certificate) under the Seal of the Office, and signed by the Registrar, which Certificate shall contain, first, a Copy of the Description of the same Lands as appearing in the Registry of Estates, with all the Entries relating thereto, and secondly, a Copy of the Entries relating to the same Lands appearing in the Record of Title, and thirdly, a Copy of the Entries in the Registry of Incumbrances of the Mortgages, Charges, Claims, and Liens on or affecting the Estate and Interest of such Owner; and such Certificate shall certify whether such Lands are registered with or without an indefeasible Title, and shall be distinguished by the Number under which the Lands are registered in "The Register of Estates," and shall contain all such other Particulars as are material or useful for the Purpose of manifesting the exact Nature of such Owner's Estate and Interest.

Registrar, at Request of Holder, to compare Certificate with Registry.

69. At the Request of the Holder, the Registrar shall at any Time compare such Land Certificate with the Registry, and, if there has been no Alteration, shall certify at the Foot of such Certificate that it contains a true Statement of the Entries in the Registry, and shall sign the same, and add the Date of such Signature: Any Alteration or Omission which can be conveniently made in a Land Certificate, or any Addition thereto, so as to make the same correspond with any Alteration in the Registry, may be made and signed by the Registrar, if he shall think fit: A new Land Certificate may be granted on the Delivery up of the former Certificate: A Certificate shall be granted to any Person who shall appear by the Register of Incumbrances to be entitled to any Mortgage, Charge, or Incumbrance on registered Lands, which Certificate shall contain a Description of the Lands and the Particulars of the Incumbrance.

Registered Proprietors desirous of selling, &c. may obtain special Land Certificate.

70. Whenever any registered Proprietor shall be desirous of selling, mortgaging, or settling any registered Land or Estate therein he may obtain from the Registrar a special Land Certificate for that Purpose, which shall contain an exact Description of the Land proposed to be so dealt with taken from the Register of Estates, and shall also state the Nature of the Estate and Interest of such Proprietor therein, and the Particulars of the Incumbrances, if any, affecting the Land described: Such Certificate shall be conclusive Evidence of the Title of the registered Proprietor to the Land as appearing by the Record of Title: No Entry shall be made by the Registrar in the Registry of any Deed, Instrument, Act, or Transaction affecting the Land comprised in such special Certificate, and the Estate of the registered Proprietor described therein, except on the Delivery up of such Certificate, until Fourteen Days have expired from and after the Day of the Date thereof: A Note of such special Certificate shall be entered in the Record of Title and in the Register of Incumbrances, and also on the original Land Certificate.

Certificate to be Evidence.

71. Every Land Certificate shall be Evidence of the several Matters therein contained.

Conveyance of Lands by Endorsement.

72. The Lands, and the Estate therein of the Owner, described in such Land Certificate, may be effectually conveyed or charged by Endorsement thereon, according to any of the Forms of Assurance by Endorsement contained in the Schedule to this Act.

Deposit of Certificate.

73. The Deposit of the Land Certificate shall, for the Purpose of creating a Lien on the Estate and Interest of the Depositor, have the same Effect as a Deposit of the Title Deeds of the Estate would have had before the passing of this Act; and any Agreement or Memorandum in Writing relating to such Deposit shall be chargeable with the same Stamp Duty as an Agreement accompanied with a Deposit of the Title Deeds would be chargeable with.

Estates, &c. in Land may be created by Will, &c.

74. Every Person having a sufficient Estate or Interest in registered Land, may by Will, Deed, or other Instrument create the same Estates and Interests in, and enter into the same Contracts and Engagements with respect to such Land as he might do if the Land were not registered: Provided always, that no unregistered Estate or Interest, Contract or Engagement, for the Registration whereof Provision is made by this Act, shall prevail against the Title of any subsequent Purchaser for valuable Consideration duly registered under this Act.

On Conveyance of Estate, &c. on Register, Deed or

75. On the Execution of any Deed or Instrument conveying, mortgaging, or charging the Estate or Interest of any Proprietor on the Register, the Original, or a Copy of such Deed or Instrument, shall be sent to the Registrar by the Grantee or Person taking Benefit under the same: Such Copy shall be compared with the Original in such Manner as the Registrar shall direct, who shall require the Original

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to be produced or inspected for that Purpose in such Manner as he shall think fit; and such original Deed or Instrument shall in every such Case be stamped or endorsed so as to give Notice of the Registration thereof under this Act to every Person to whom the same may be afterwards produced. Copy to be sent to Registrar.

76. So soon as the Original or the Copy of any Deed or Instrument in Writing whatsoever affecting registered Land, or creating or affecting any Estate or Interest therein, has been received by the Registrar, such Deed or Instrument, and the Estate and Right created thereby, shall be deemed to have been duly entered on the Registry: An Official Note of Reference to such Deed or Instrument shall forthwith on Receipt thereof be made by the Registrar in "The Record of Title," or "Register of Incumbrances," as the Case may be: Provided always, that such Deed or Instrument, and the Estate and Right created thereby, shall not be deemed to have been entered upon the Registry so as to affect any Land comprised in any such special Certificate as herein-before mentioned, until after the Expiration of the Time herein-before limited for the Entry of any Deed, Instrument, Act, or Transaction affecting such Land. When Deed received by Registrar, Estate created to be deemed duly registered.

77. Notice of every Instrument transferring, or in anywise dealing with or affecting the Ownership of or the Right to receive Money due on any Mortgage, Charge, or Incumbrance entered on the Registry, shall be given to the Registrar, who shall note the same in the "Registry of Incumbrances." Notice when to be sent to Registrar.

78. Where the Estate or Interest of a registered Proprietor is transmitted on his Death to any other Person by Descent, Will, or Representation, such other Person shall be entered on the Register in the Place of the deceased Proprietor: If such Person cannot be ascertained, or there shall be any Doubt, Dispute, or Litigation touching the Ownership of the Estate of such deceased Proprietor, it shall be lawful for the Court of Chancery to appoint a Person to be registered in the Room of such deceased Proprietor as the Representative of such Estate or Interest. Where Estate transmitted to any Person by Descent such Person to be registered.

79. On the Application of any Devisee for Registration of a Will, or of his Estate or Interest under the same, the Registrar may require Notice to be given to the Heir at Law of the Testator. Notice to Heir at Law of Application, &c.

80. On the Bankruptcy of any registered Proprietor, the Assignee or Assignees of his Estate shall be entitled to be registered in his Place. Assignees of Bankrupts to be registered.

81. In lieu of a Copy of a Will, a Memorial thereof, containing a Copy of all the Provisions in the Will relating to or affecting any registered Land, may be delivered to the Registrar for the Purpose of Registration: Provided that the Registrar shall ascertain the Sufficiency of the Memorial by an Examination of the Will or a Copy thereof. Memorial of Will may be registered instead of Copy.

82. The Execution of the original Deed, Will, or Instrument so proposed to be registered, and the Exactness of every Copy or Memorial delivered for Registration, shall be proved in such Manner as the Registrar shall from Time to Time require. Execution to be proved as Registrar may require.

83. Memorials of Descents, Deaths, Marriages, and of the Evidence thereof respectively, and such other Memorials and Evidence of Matters relating to registered Lands as the Registrar shall, on the same being delivered to him, deem important, shall be registered, but all such Documents shall be printed for that Purpose. Memorials of Descents, &c. to be registered, &c.

84. On receiving any Instrument hereby directed to be registered, the Registrar shall make an Official Note of the Effect of every such Instrument, Judgment, Order, or Decree in the Record of the Title of the Person whose Estate or Interest is affected thereby, and he shall also enter on the Record of Title a Reference to the Book and Page of the Book containing such registered Instrument or Memorial. Registrar to note Effect of Instruments, &c.

85. An Official Note of an Instrument entered on the Register may consist of a Reference to such Instrument, or of an Extract therefrom, or of a short Statement of the Effect or Nature thereof, or of an Intimation that no Disposition is to take place without the Consent of some Person named in such Instrument, or of such Matters and in such Form as the Registrar shall deem right, or as shall be from Time to Time directed or allowed by any General Order. Official Note, what to contain.

86. For the Purpose of Registration a printed Copy of every Deed or Instrument not testamentary under or by virtue of which any Interest or Right is claimed in or to any registered Land may be delivered to the Registrar, but if the Original or a written Copy of any such Deed or Instrument be delivered to the Registrar, the same shall be printed by his Order, but at the Expense of the Person registering the same. Printed Copy of Deed, &c. to be delivered to Registrar.

87. The Registrar, upon the Application of the Person entitled under any registered Instrument, or upon its being proved that the Purpose of such Instrument is determined or satisfied, may remove the same from the Register and erase or cancel any Official Note thereof, and thereupon such Instrument and any Memorial thereof may be destroyed or otherwise dealt with as the Registrar may think fit. Registrar in certain Cases may erase Official Note.

88. No Dealing with any registered Land, nor any Instrument or Transaction affecting the same, or any Estate or Interest therein, shall be completed, entered, or noticed on the Register until the Registrar shall be satisfied that the Stamp and *ad valorem* Duties which would be payable to Government in respect of the same Matters have been duly paid. No Dealing with registered Land effectual until Stamp and ad valorem Duties paid.

PART IV.

General Provisions to facilitate Registration.

Money Charge not ascertained, &c. may be referred to Judge at Chambers.

89. If on the Examination of any Title it shall appear that the Land or any Part of it is subject to any Money Charge or Incumbrance, the Ownership of which is not ascertained or the Right to which is doubtful or uncertain, or to any doubtful or uncertain Right or Claim which may be estimated or compensated by Money, and does not involve a Right to the Land itself otherwise than as a Security for Money, the Case may, at the Request of the Applicant for Registration, be referred to a Judge of the Court of Chancery sitting in Chambers for the Purpose of determining whether such Right or Claim and the Costs of any Party entitled by virtue thereof can be justly provided for by Payment of Money into Court, and if so to fix the Sum to be so paid in, and direct the Investment and Application of the Interest thereof; and after such Payment shall have been made the Land and the Title thereto shall be wholly discharged from such Right, Claim, Charge, or Incumbrance as fully as if the same had never existed.

Judge may order Money not distributable, &c. to be paid into Court of Chancery.

90. Where any Part of the Money arising from the Sale of a registered Estate is not immediately distributable, or the Persons entitled thereto cannot be fully ascertained, it shall be competent for One of the Judges of the Court of Chancery, on any Application for that Purpose made with the Concurrence of the Registrar, to direct any Sum of Money arising from such Sale to be paid into the Court of Chancery, or otherwise invested, and to declare the Account or Purpose to or for which such Money is to be transferred or holden, and afterwards to make all such Orders touching such Money, and the Investment, Application, and Distribution thereof, as the Circumstances of the Case may require.

Deeds to be stamped.

91. When an Estate is entered on the Register, whether with or without an indefeasible Title, all such Deeds and Evidences of Title as shall be produced to the Registrar, under any of the Provisions aforesaid, shall be stamped or endorsed in such a Manner, under the Direction of the Registrar, as to give Notice to any Person to whom such Deeds or Instruments may be afterwards produced that the Land, or some Portion of the Land comprised therein, has been registered under this Act.

Judge may decide Questions of Priority of Incumbrances, &c.

92. If in any Proceeding under this Act any Question shall arise respecting the Priority of any Charges or Incumbrances, Claims or Interests, it shall be competent to the Registrar to report the same to a Judge of the Court of Chancery, who shall have Power to summon all Parties interested to attend him either in Court or at Chambers, and to decide all Questions touching the Priority and relative Rights of the Parties, as fully as if they were Parties to a Suit instituted for the Purpose.

As to Restraint of Conveyance.

As to Restrictions on Conveyance, &c. of Land.

93. Where the registered Proprietor of any Land or Charge is desirous for his own Sake, or at the Request of some Person beneficially interested in such Land or Charge, to place Restrictions on transferring or charging such Land or Charge, such Proprietor may, upon Application to the Registrar, direct that no Transfer shall be made of or Charge created on such Land or Charge, unless the following Things, or such of them as he may prescribe, are done; (that is to say,)

Unless Notice of any Application for a Transfer or Creation of a Charge is transmitted by Post to such Address as he may specify to the Registrar:

Unless the Consent of some Person or Persons, to be named by such Proprietor, is given to the Transfer or Creation of a Charge:

Unless some such other Matter or Thing is done as may be required by the Applicant and approved by the Registrar.

Registrar to make a Note of such Restrictions.

94. The Registrar shall thereupon make a Note of such Directions on the Record of Title of such Proprietor, or otherwise as he shall think fit, and no Transfer shall be made or Charge created except in conformity with such Directions; and any such Directions may at any Time be withdrawn or modified at the Instance of all the Persons for the Time being appearing to the Registrar to be interested in such Directions, and shall also be subject to be set aside by the Order of a Judge of the Court of Chancery.

Court of Chancery may exercise Powers of 13 & 14 Vict. c. 60.

95. For the Purpose of authorizing or compelling a Transfer to be made of any registered Land or Charge, the Court of Chancery may exercise all such Powers as are vested in it by the Trustee Act, 1850, or by any Act amending the same, in relation to Transfers of Stock.

Caution.

Person interested may lodge Caution with Registrar.

96. Any Person interested under an Agreement, or otherwise howsoever, in any Land or Charge registered in the Name of any other Person, may lodge a Caveat with the Registrar to the Effect that no Disposition of such Land or Charge be made until Notice has been served upon the Cautioner.

Caution to be supported by Affidavit.

97. The Caveat shall be supported by an Affidavit made by the Cautioner or his Agent, in such Form as the Registrar shall direct, stating the Nature of the Interest of the Cautioner, and such other Matters as may be required by the Registrar.

Statutory Disposition of

98. After any such Caveat has been lodged in respect of any Land or Charge, the Registrar shall not register any Disposition thereof until he has served Notice on the Cautioner, warning

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him that his Caveat will cease to have any Effect after the Expiration of Twenty-one Days next ensuing the Date of such Notice; and after the Expiration of such Time as aforesaid the Caveat shall cease, unless an Order to the contrary is made by the Court of Chancery, and upon the Caveat so ceasing the Land or Charge shall be dealt with in the same Manner as if no Caveat had been lodged. Land not to be registered until Notice served on Cautioner.

99. If before the Expiration of the said Period of Twenty-one Days the Cautioner, or some other Person on his Behalf, appears before the Registrar, and enters into a Bond, with sufficient Security, conditioned to indemnify every Person against any Damage that may be sustained by reason of any Disposition of the Property being delayed, the Court of Chancery may thereupon, if it thinks fit so to do, make an Order on the Registrar requiring him to delay registering any Disposition of the Property for such further Period as is mentioned in the Order. Cautioner to give Security against Damage sustained by Delay, &c.

100. If any Person lodges a Caveat with the Registrar, he shall be liable to make, to any Person who may have sustained Damage by the lodging of such Caveat, such Compensation as a Judge of the Court of Chancery shall deem just. Compensation for lodging Caution without reasonable Cause.

Injunction.

101. The Court of Chancery may, without Prejudice to the Exercise of any other Power of the Court, upon the Application of any Person interested in any registered Land made in such Manner as the Court directs, issue an Order restraining for a Time, or until the Occurrence of an Event to be named in such Order, or generally until further Order, any Disposition of any Land or Charge. Court may issue Order restraining Disposition of Land, &c.

102. The Court may make or refuse any such Order, and annex thereto any Terms or Conditions it may think fit, and discharge such Order when granted, with or without Costs, and generally act in the Premises in such Manner as the Justice of the Case requires; and the Registrar, without being made a Party to the Proceedings, upon being served with such Order or an official Copy thereof, shall obey the same. Court of Chancery may annex Terms, &c. to such Order.

103. Nothing contained in this Act shall take away or affect the existing Jurisdiction of Courts of Equity, on the Ground of actual Fraud. Jurisdiction of Equity Courts.

104. The Provisions of the several Acts of Parliament now in force relating to the Registries which have been established in the Counties of *Middlesex* and *York* shall cease to be applicable to any Land situate in the said Counties respectively, so soon as the same Land has been put upon the Register under the Provisions of this Act, and whilst it remains thereon. Acts relating to Registries in Middlesex and York not to apply, &c.

Penalty on Fraud, &c.

105. If in any Proceeding to obtain the Registration of any Land, or any Land Certificate or Certificate of Title, or otherwise in any Transaction relating to Land which is, or is proposed to be put upon the Registry, any Person acting either as Principal or Agent shall, knowingly and with Intent to deceive, make or assist or join in or be privy to the making of any material false Statement or Representation, or suppress, conceal, or assist or join in or be privy to the suppressing, withholding, or concealing from any Judge, or the Registrar, or any Person employed by or assisting the Registrar, any material Document, Fact, or Matter of Information, every Person so acting shall be deemed to be guilty of a Misdemeanor, and on Conviction shall be liable to be imprisoned for a Term not exceeding Three Years, and either with or without Hard Labour, or to be fined such Sum as the Court by which he is convicted shall award: The Act or Thing done or obtained by means of such Fraud or Falsehood shall be null and void to all Intents and Purposes, except as against a Purchaser for valuable Consideration without Notice. Person making false Statement guilty of Misdemeanor.

106. No Proceeding or Conviction for any Act hereby declared to be a Misdemeanor shall affect any Remedy which any Person aggrieved by such Act may be entitled to, either at Law or in Equity, against the Person who has committed such Act. As to Persons aggrieved by Proceeding, &c. for Misdemeanor.

107. Nothing in this Act contained shall entitle any Person to refuse to make a complete Discovery by Answer to any Bill in Equity, or to answer any Question or Interrogatory in any Civil Proceeding, in any Court of Law or Equity, or in the Court of Bankruptcy; but no Answer to any such Bill, Question, or Interrogatory shall be admissible in Evidence against such Person in any Criminal Proceeding. Answers to Bills, Questions, &c. not admissible in Evidence.

OFFICE OF LAND REGISTRY, POWERS OF COURT OF CHANCERY, AND MISCELLANEOUS.

108. An Office, to be called the Office of Land Registry, shall be established, and the Business of such Office shall be conducted by a Registrar, with the Aid of such Number of Assistant Registrars not exceeding Three, Examiners of Title, Clerks, Messengers, and Servants as the Lord Chancellor may fix with the Consent of the Commissioners of Her Majesty's Treasury. Establishment of Office of Land Registry.

109. The Registrar shall be a Serjeant-at-Law or Barrister of Ten Years standing at least: He shall be appointed by Her Majesty by Letters Patent, and shall hold his Office during good Behaviour: Upon any Vacancy occurring in the Office of Registrar, Her Majesty may, by Letters Patent, appoint a Person to fill such Vacancy. Appointment of Registrar.

110. The Assistant Registrars and Examiners of Title shall be appointed by the Lord Chancellor, and may be removed by him for Negligence, Want of Skill, Untrustworthiness, or Inability to perform their Appointment of Assistant Registrars and

Examiners of Title.

their Duties; the Clerks shall be also appointed by the Lord Chancellor, and shall hold their Offices during his Pleasure; and upon any Vacancy occurring in the Office of any Assistant Registrar, Examiner of Title, or Clerk, the Lord Chancellor may appoint another Person in his Place: The Messengers and Servants shall be appointed by the Registrar, and shall hold their Office during the Pleasure of the Registrar; and all such Assistant Registrars, Clerks, Messengers, and Servants shall, in the Execution of their Duties, conform to such Regulations as may be issued by the Registrar.

Salaries of Officers.

111. There shall be paid out of Monies to be provided by Parliament,

To the Registrar a Salary of Two thousand five hundred Pounds a Year:

To the Assistant Registrars, Clerks, Messengers, and Servants, such Salary as the Lord Chancellor, with the Consent of the Commissioners of the Treasury, shall determine:

All incidental Expenses of carrying this Act into effect.

Retiring Pension of Registrar.

112. Her Majesty may, by Letters Patent under the Great Seal of the United Kingdom, grant to any Registrar, after a Service of Twenty Years if he shall have then attained the Age of Sixty Years, or in the event of his being disabled by permanent Infirmity from the Performance of the Duties of his Office, a Pension by way of Annuity not exceeding Two Thirds of his Salary to continue during his Life.

Superannuation of Officers other than Registrar.

113. The Lord Chancellor may, with the Consent of the Commissioners of Her Majesty's Treasury, order to be paid to any Officer or Person employed in the Registry Office, other than the Registrar and Examiners of Title, who is disabled by permanent Infirmity from the Performance of the Duties of his Office, or who has attained the Age of Sixty Years, and has served in the Registry Office for Twenty Years, and is desirous of resigning, such Superannuation Allowance as is authorized with respect to Persons in the permanent Civil Service of the State by "The Superannuation Act, 1859."

GENERAL PROVISIONS.

Crown, &c. Lands.

114. With respect to Lands vested in Her Majesty, Her Heirs or Successors, either in right of the Crown or of the Duchy of *Lancaster* or otherwise, or vested in any Public Officer or Body in trust for the Public Service, the Public Officer or Body having the Management thereof, if any, or, if none, then such Person as Her Majesty, Her Heirs or Successors, shall by Writing under Her Sign Manual appoint, may and shall (whether the Land be vested in him or them or not) represent the Owner of such Lands for all the Purposes of this Act, and shall be entitled to such Notices, and may make and enter any such Application or Caveat, and do all such other Acts, as any Owner of Lands for an Estate in Fee Simple is entitled to receive, make, enter, or do under the Provisions of this Act; and with respect to Lands belonging to the Duchy of *Cornwall*, such Person as the Duke of *Cornwall* for the Time being, or as the Personage for the Time being entitled to the Revenues and Possessions of the Duchy of *Cornwall*, shall in Writing appoint, may and shall act as and represent the Owner of such Lands for all the Purposes of this Act, and shall be entitled to receive such Notices, and may make and enter any such Application or Caveat, and do all such other Acts as any Owner of Lands for an Estate in Fee Simple is entitled to receive, make, enter, or do under the Provisions of this Act; and it shall be sufficient that any Oaths, Affidavits, or Declarations required by this Act be taken or made by any such Public Officer, Body, or Person as in this Section mentioned, or by any Person nominated in Writing by any such Public Officer, Body, or Person, and in either Case, without any Solicitor joining in any Affidavit or Declaration; and it shall not be necessary for any such Public Officer, Body, or Person as in this Section mentioned to enter into any such Bond as in this Act mentioned, nor to give any Security for Costs, nor shall they or any of them be liable in Damages except for any Acts done wrongfully and without reasonable Cause.

Provision as to Applications made by married Women.

Examinations may be taken under 3 & 4 W. 4. c. 74.

115. Where any married Woman is desirous of making any Application, giving any Consent, or doing any Act, or becoming Party to any Proceeding under this Act, her Husband's Concurrence shall be required, and she shall be examined apart from her Husband touching her Knowledge of the Nature and Effect of the Application or other Act, and it shall be ascertained that she is acting freely and voluntarily; and such Examination may be taken by the Court or by such Persons as are authorized to take Acknowledgments of Deeds by married Women under the Act of the Third and Fourth Years of King *William* the Fourth, Chapter Seventy-four, "for the Abolition of Fines and Recoveries, and "for the Substitution of more simple Modes of Assurance;" and the Form and Manner in which such Examination is to be certified to the Court shall be determined by the General Rules and Orders to be made under this Act: A married Woman entitled to her separate Use, and not restrained from Anticipation, shall for the Purposes of this Act be deemed a Feme Sole.

Provision for other Persons under Disability.

116. Where any Person who (if not under Disability) might have made any Application, given any Consent, done any Act, or been Party to any Proceeding under this Act, is a Minor, Idiot, or Lunatic, the Guardian or Committee of the Estate respectively of such Person may make such Applications, give such Consents, do such Acts, and be Party to such Proceedings, as such Person respectively, if free from Disability, might have made, given, done, or been Party to, and shall otherwise represent such Person for the Purposes of this Act; where there is no Guardian or Committee of the Estate of any such Person as aforesaid, being infant, idiot, or lunatic, or where any Person the Committee of whose Estates if he were idiot or lunatic would be authorized to act for and represent such Person under

under this Act is of unsound Mind or incapable of managing his Affairs, but has not been found idiot or lunatic under an Inquisition, it shall be lawful for the Court of Chancery to appoint a Guardian of such Person for the Purpose of any Proceedings under this Act, and from Time to Time to change such Guardian; and where the Court sees fit it may appoint a Person to act as the next Friend of a married Woman for the Purpose of any Proceeding under this Act, and from Time to Time remove or change such next Friend.

Registrars, &c. may administer Oaths, &c.

117. The Registrars and Assistant Registrars are hereby empowered to administer Oaths and take Statutory Declarations in lieu of Oaths in all Proceedings under this Act.

As to Loss of Land Certificate.

118. If any Land Certificate is lost or destroyed, the Registrar may, upon being satisfied of the Fact of such Loss or Destruction, grant a new Land Certificate in the Place of the former one, and shall state upon the Face thereof that it is granted in substitution for the former Certificate; but no such new Certificate shall be of any avail against any Person who may have already derived Title under the former Certificate.

Granting new Certificates.

119. The Registrar may, upon the Delivery up to him of a Land Certificate, grant a new Certificate in the Place of the one delivered up.

Lord Chancellor to make Rules and Orders for carrying into effect Purposes of Act.

120. The Lord Chancellor, with the Advice and Assistance of any Two of the Judges of the Court of Chancery, shall from Time to Time make such General Rules and Orders as he may see fit for carrying the Purposes of this Act into effect, and for regulating the Times, Form and Mode of Procedure, and generally the Practice of the Court in respect of the Matters of this Act, and such Rules and Orders may from Time to Time be rescinded or altered by the like Authority; and all such Rules and Orders shall take effect as General Orders of the Court.

As to Assignment of Duties and Appointment of additional Clerks.

121. The Lord Chancellor may from Time to Time assign the Duties vested in the Court of Chancery in relation to the Matters of this Act to any particular Judge or Judges of that Court, and may appoint such new or additional Clerk or Clerks as to him may seem necessary for enabling such Judge or Judges duly to execute such Duties; and every such additional Clerk shall receive out of the Suitors Fee Fund such Salary as the Lord Chancellor may think proper.

Forms to be printed and promulgated.

122. The Registrar shall, with the Sanction of the Lord Chancellor, frame, and cause to be printed and promulgated, as he sees Occasion, Forms of Applications, and Directions indicating the Particulars of the Information to be furnished when any Application is made to him under this Act, and also Forms of Instruments, and such other Forms and Directions as he may deem requisite or expedient for facilitating Proceedings under this Act.

Seal of Land Registry Office.

123. A Seal shall be prepared for the Land Registry Office; and any Instrument purporting to be sealed with such Seal shall be admissible in Evidence.

Addresses of Proprietors to be registered.

124. A Place of Address shall be given to the Registrar for every Person in *England* whose Name is entered on the Register of Title as Proprietor of Land, of a Charge, or as Cautioner, or as entitled to receive any Notice, or in any other Character.

Registrar may frame General Orders.

125. The Registrar shall, with the Sanction and under the Direction of the Lord Chancellor, from Time to Time frame General Orders for regulating the Manner of registering Land, the Examination of Titles, the Transfer, Transmission, and Withdrawal of Official Notes and Caveats, the keeping the Registers of Title and Assurances, and generally for the due Execution of the Provisions of this Act, and for giving Effect to the Objects thereof.

Such Orders to have effect as Act of Parliament.

126. Any General Orders so made by the Registrar with such Sanction as aforesaid shall be of the same Force as if enacted by Parliament: They may from Time to Time be rescinded, added to, amended, or altered in like Manner.

Fees.

Registrar to determine Amount of Fees.

127. The Registrar shall, with the Sanction of the Lord Chancellor, determine the Amount of Payments to be made with respect to the following Matters:

The First Entry on the Register of Title of Land and Charges on Land:

The Registration of Transfers, and Transmissions of Land and Charges, and all other Matters to be done by the Registrar:

The Registration of Instruments and the Withdrawal of such Instruments:

And the Registrar may, with the like Sanction, from Time to Time alter any Amounts so determined, but all Payments mentioned in this Section shall be paid into the Receipt of Her Majesty's Exchequer, and carried to the Account of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Matters to be considered in determining Amount of Fees.

128. In determining the Amount of Fees payable in respect of Entries on the Register of Title under this Act, regard shall be had to the following Matters:

1. In the Case of the Registration of Land or of any Transfer of Land on the Occasion of a Sale,—to the Value of the Land as determined by the Amount of Purchase Money:
2. In the Case of the Registration of Land, or of any Transfer of Land not upon a Sale,—to the Value of the Land, to be ascertained in such Manner as may be directed by General Order:

3. In

3. In the Case of Registration of a Charge, or of any Transfer of a Charge,—to the Amount of such Charge:

Subject, nevertheless, to the Qualifications following:

A maximum Amount shall be fixed, and in Cases where the Value of any Land or the Amount of any Charge exceeds such Maximum, Fees may be made payable in respect of such Excess on such a reduced Scale as may be thought expedient:

Where increased Labour is thrown on the Registrar by reason of the Severance of the Parcels of an Estate, the Entry of a new Description of Parcels, or of any other Matter, an increased Sum may be charged.

Collection of Fees.

129. The following Rules shall be observed with respect to the Collection of Fees:

1. All Fees payable in respect of Registration shall be received by Stamps denoting the Amount of Fees payable, and not in Money:
2. When any Fee is payable in respect of a Document, a Stamp denoting the Amount of Fee shall be affixed to such Document:
3. The Commissioners of Inland Revenue shall provide everything that is necessary for the Collection of the Monies hereby directed to be paid by Stamps.

Stamp Acts applied to Stamps under this Act.

130. The several Acts for the Time being in force relating to Stamps under the Care or Management of the Commissioners of Inland Revenue shall apply to the Stamps to be provided in pursuance of this Act, and to any Document on which such Stamps may be impressed, and to collecting and securing the Sums of Money denoted by Stamps, and to preventing, detecting, and punishing all Frauds, Forgeries, and other Offences relating thereto, as fully as if such Provisions had been herein repeated and specially enacted with reference to the said last-mentioned Stamps and Sums of Money respectively.

Lord Chancellor may fix Scale of Costs.

131. The Lord Chancellor may from Time to Time fix a Scale of Fees to be paid to the Examiners of Title, and also of Costs to be paid to Solicitors or certificated Conveyancers, in respect of any Service rendered by them in any Matter relating to Proceedings under this Act; and he may from Time to Time alter any such Scale when fixed, and any Scale of Costs so fixed may, if the Lord Chancellor thinks fit, be based on an *ad valorem* Principle.

Costs may, in certain Cases, be raised by Mortgage.

132. Where Registration is made on the Application of Parties who cannot make a valid Charge on the Fee Simple, the Court of Chancery may declare that the Costs and Expenses of Registration may be raised by a Mortgage of the Fee Simple, and the same shall be charged accordingly.

Orders to be laid before Parliament.

133. All General Orders, Scales of Fees, and Costs made and fixed under this Act, shall be laid before Parliament forthwith, if Parliament is sitting, or if not, within Fourteen Days after the next Sitting of Parliament.

Proceedings in Court of Chancery.

Applications to Court of Chancery to be by Summons.

134. All Applications to be made to the Court of Chancery under this Act may be made by Summons in Chambers; and any Power by this Act given to the Court of Chancery may, subject to any Order by the Lord Chancellor as aforesaid, be exercised by any Judge of the Court sitting in Chambers; such Judge shall have the Power of directing any Matter before him to be argued in Court, and of directing any Bill to be filed or Action to be brought that may be necessary: Any Person aggrieved by an Order made by a Judge of the Court of Chancery may appeal to the Court of Appeal in Chancery, in such Manner, within such Time, and subject to such Regulations and Limitations, as the Lord Chancellor may prescribe; and any Order made by the Court of Appeal in Chancery on Appeal shall be subject to Reversal or Modification by the House of Lords, in like Manner as Decrees made by the Court of Chancery; provided that such Appeal is made within such Time and subject to such Regulations as the House of Lords may provide by any Standing Order.

Extension to Solicitors of Counties Palatine of Durham and Lancaster.

135. Any Proceeding, Matter, or Thing whatsoever directed or required by the Provisions of this Act to be done or performed by Solicitors of the High Court of Chancery, either in the Exercise of their Profession of Solicitors or as attesting Witnesses to any Deed or Instrument for the Transfer of Land, Mortgage, Document, or other Instrument under the Provisions of this Act, or in any other Manner whatsoever, shall and may be done, exercised, and performed by any Solicitor of the Courts of Chancery of the Counties Palatine of *Durham* and *Lancaster*.

Forms.

Forms.

136. The Forms in the Schedule hereto shall be used in all Matters to which they refer: The Registrar, with the Sanction of the Lord Chancellor, may from Time to Time make such Alterations in such Forms contained in the Schedule hereto as he deems requisite: He shall publish any Form, when altered, in the *London Gazette*, and upon such Publication being made it shall have the same Force as if it were included in the Schedule to this Act.

Inspection of Register.

Inspection of Register.

137. Subject to such Regulations as may be imposed, and to the Payment of such Sums as may be fixed by the Registrar with the Sanction of the Lord Chancellor, any Person registered as Proprietor of any Estate or Interest in any Land or Charge, and any Person authorized by any such Proprietor, or by an Order of the Court of Chancery, but no other Person, may inspect and make Copies of and Extracts from any Register or Document in the Custody of the Registrar relating to such Land or Charge.

Fraud.

Fraud a Misdemeanor.

138. If any Person fraudulently procures, assists in fraudulently procuring, or is privy to the fraudulent Procurement of any Order of the Court of Chancery in relation to registered Land, or fraudulently procures, assists in fraudulently procuring, or is privy to the fraudulent Procurement of the Entry on the Register of any Caveat or Notice of a Charge, or of the Erasure from the Register or Alteration on the Register of any Caveat or Notice of a Charge, such Person shall be deemed to be guilty of a Misdemeanor; and any Order procured by Fraud, and any Act consequent on such Order, and any Entry, Erasure, or Alteration so made by Fraud, shall be void as between all Parties or Privies to such Fraud.

Punishment.

139. Any Person convicted of a Misdemeanor under the last preceding Section shall be liable to Imprisonment for any Term not exceeding Three Years, with or without Hard Labour, or to be fined such Sum as the Court by which he is convicted shall think just.

Interpretation of Terms.

140. In the Construction of this Act (except where the Context or other Provisions require a different Construction), the Word "Person" shall include Her Majesty, Her Heirs and Successors, and the Duke of *Cornwall* for the Time being, and also a Body Politic or Corporate; the Word "Possession" shall include Receipt of the Rents and Profits; the Word "Land" shall include Messuages, Tenements, and Hereditaments, corporeal or incorporeal; and the Word "Incumbrance" shall mean any legal or equitable Mortgage in Fee or for any less Estate, and also any Money secured or charged on Land by a Trust, or by Judgment, Decree, or Order of any Superior Court of Law or Equity, and also any Legacy, Portion, Lien, or other Charge whereby a gross Sum of Money is secured to be paid, and also any annual or periodical Charge which by the Instrument creating the same, or by any other Instrument, is made repurchasable on Payment of a gross Sum of Money, and also any Arrear remaining unpaid of any annual or periodical Charge, for Payment of which Arrear a Sale of any Land charged therewith might be decreed by a Court of Equity.

SCHEDULE.

FORM OF TRANSFER OF LAND.

Dated this Day of

I *A.B.* of, *&c.*, in consideration of [Five thousand Pounds] paid to me, grant to *C.D.*, *&c.*, and his Heirs for ever, all [*insert Description*].

(*Signed and sealed by A.B.*)

Witness,
E.F of, *&c.*,
A Solicitor of the High Court of Chancery,
or a certificated Conveyancer.

FORM OF MORTGAGE.

Dated this Day of

I *A.B.*, in consideration of [Five thousand Pounds] lent to me by *C.D.*, grant to *C.D.* and his Heirs the Hereditaments as described in the Schedule, to secure to *C.D.* the Payment of the Principal Sum of [Five thousand Pounds] on the Day of and Interest at Five per Cent. in the meantime, half-yearly. *C.D.* shall have Power to sell on default of Payment of the Principal or Interest or any Part thereof respectively.

(*Signed and sealed, &c.*)

Witness (*as above*).

FORM OF TRANSFER BY INDORSEMENT.

I, the within named *A.B.*, in consideration of [Five thousand Pounds] paid to me by *C.D.*, transfer to *C.D.* the within mentioned Lands.

Dated, *&c.* (*Signature and Seal.*)

Witness (*as above*).

FORM OF TRANSFER OF CHARGE.

I, the within named *A.B.*, in consideration of [Five thousand Pounds] paid to me, do transfer to *C.D.* the within mentioned Mortgage.

Dated, *&c.* (*Signature and Seal.*)

Witness, *&c.*

FORM OF POWER OF ATTORNEY TO MAKE TRANSFERS.

I *A.B.* do appoint *C.D.* my Attorney to transfer to *E.F.*, absolutely [*or* by way of Mortgage, *as the Case may be,*] all my Lands as entered and described in the Register of Estates under No. 129 and my Estate therein.

(*Signed and sealed.*)

Witness,
A.B.,
Solicitor of the Court of Chancery,
or, a certificated Conveyancer.

CAP. LIV.

An Act to make further Provision respecting Lunacy in *Scotland*. [29th *July* 1862.]

20 & 21 Vict. c. 71. 21 & 22 Vict. c. 89.

'WHEREAS an Act was passed in the Twentieth and Twenty-first Year of the Reign of Her present Majesty, intituled *An Act for the Regulation of the Care and Treatment of Lunatics, and for the Provision, Maintenance, and Regulation of Lunatic Asylums, in* Scotland; and another Act was passed in the Twenty-first and Twenty-second Year of the Reign of Her present Majesty, intituled *An Act to amend an Act of the last Session, for the Regulation of the Care and Treatment of Lunatics, and for the Provision, Maintenance, and Regulation of Lunatic Asylums, in* Scotland: And whereas it is expedient to continue the General Board of Commissioners in Lunacy constituted by first-recited Act, and to amend certain of the Provisions of the said Acts:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation of Terms.

1. The following Words and Expressions when used in this Act shall have the Meanings hereby assigned to them:

"Board" shall mean the General Board of Commissioners in Lunacy for *Scotland* constituted by the said first-recited Act:

"Secretary" shall mean the Secretary of the Board for the Time being:

"Lunatic Wards of a Poorhouse" shall mean those Wards or Parts of a Poorhouse sanctioned by the Board for the Reception and the Detention of Pauper Lunatics:

"Medical Person" shall mean any Person registered as a Practitioner in Medicine or Surgery, pursuant to the Act Twenty-first and Twenty-second *Victoria*, Chapter Ninety:

"Lunatic," when used in this and the recited Act, shall mean and include every Person certified by Two Medical Persons to be a Lunatic, an insane Person, an Idiot, or a Person of unsound Mind:

"Pauper Lunatic" shall mean and include any Lunatic towards the Expense of whose Maintenance any Allowance is given or made by any Parochial Board:

"Sheriff" shall include Sheriffs Substitute:

"Superintendent" shall mean the Person or Persons having the Management or Charge of any Asylum, and shall include the Proprietor and all Persons having any pecuniary Interest therein, or in the Profits to be derived therefrom, and also the Governor of any Poorhouse in which Pauper Lunatics are kept, and the Proprietor or any Person or Persons having a pecuniary Interest in any other Licensed House for the Reception of Lunatics.

Appointment of Deputy Commissioners.

2. The Provisions of the said Act in regard to the Appointment of Deputy Commissioners shall be and are hereby continued until the First Day of *August* One thousand eight hundred and sixty-four.

Board may license Lunatic Wards of Poorhouses.

3. It shall be lawful for the Board to license Lunatic Wards of Poorhouses for the Reception and Detention, on the Order of the Sheriff, of such Pauper Lunatics only who are not dangerous, and do not require curative Treatment, subject to such Rules and Conditions as the Board may prescribe; and the Board may also, if they shall be satisfied that good Reasons exist therefor, continue all Licences that have been already granted to Lunatic Wards of Poorhouses.

Board may sanction the Reception of Pauper Lunatics in Poorhouses.

4. It shall be lawful for the Board to sanction the Reception of Pauper Lunatics into Lunatic Wards of Poorhouses without the Order of the Sheriff, according to Forms and subject to Regulations approved of by the Board, and at any Time to withdraw such Sanction; and any Governor or Keeper of a Poorhouse who shall receive any such Lunatic without an Order by the Sheriff or Sanction of the Board, or detain any such Lunatic for more than Seven Days after the Withdrawal of such Sanction, shall be liable in a Penalty not exceeding Ten Pounds.

Board may grant Special Licences for Reception in Houses of not more than Four Lunatics.

5. It shall be lawful for the Board to grant Special Licences to Occupiers of Houses, for the Reception and Detention therein of Lunatics, not exceeding Four in Number, subject to such Rules and Regulations as the Board may appoint, and to exempt the Holders of such Special Licences from the Payment of any Fee, or of any Sum whatever in respect thereof; and, except in so far as expressly exempted by the Board, the Holders of such Licences shall be subject to the whole Provisions applicable to the Keepers or Superintendents of Private Asylums in the recited Acts and this Act contained; and the Board, in the Case of a Lunatic who is a Pauper, on the Application of the Inspector of the Poor of the Parish liable at the Time for the Maintenance or interim Maintenance of such Lunatic, or in any other Case, on the Application of any one legally entitled to make the same, accompanied by Medical Certificates in the Forms herein-after prescribed, may sanction the Reception and Detention of such Lunatic in any House so specially licensed: Provided that no Lunatic shall be received into any such House without the Sanction of the Board, granted according to the Forms and Regulations approved of by them; and any Person receiving any Lunatic into any House specially licensed as aforesaid, or being concerned in the Disposal of such Lunatic without the Sanction of the Board, shall be liable to a Penalty not exceeding Ten Pounds.

Provision for allowing Persons to enter

6. If any Person desirous of being received into any Public, Private, or District Asylum, or into any House specially licensed for the Reception of Lunatics as aforesaid, shall make a Declaration to that Effect before the Sheriff of the County in which such Asylum or House is situate, and shall produce

to

to such Sheriff a Certificate by a Medical Person that his Reception into and Treatment in such Asylum or House would be beneficial to his Case, and a written Consent by the Superintendent of such Asylum or House to receive him, it shall be lawful for such Sheriff to grant an Order for his Reception into such Asylum or House, which shall be a sufficient Warrant to such Superintendent to receive him accordingly, and to subject him to the Rules and Regulations of such Asylum or House: Provided always, that the said Superintendent shall, within Three clear Days after such Reception, and subject to a Penalty of Fifty Pounds in case of Default, transmit to the Board, and also to the said Sheriff, a Statement of all the Circumstances connected with such Application and Reception, together with his Opinion of the State of Mind of the Person so received, and of the Expediency or otherwise of his being detained in such Asylum or House, and shall make a similar Report once every Month thereafter, so long as such Person shall remain in such Asylum or House, under a similar Penalty; which Penalties may be sued for and recovered by the Secretary to the Board, and applied as Fees received for Licences are directed to be applied by the first-recited Act; provided that it shall always be competent to such Person to depart from such Asylum or House unless the Superintendent thereof shall certify to the said Sheriff that he considers such Person to be in a State of Mind dangerous to himself or others; and it shall be lawful for the Board or for the said Sheriff respectively, if they or he shall see Cause, to order the immediate Discharge of such Person from the said Asylum or House, or to make such other Order as to them or him may in the Circumstances seem proper.

Asylum voluntarily.

7. It shall be lawful for the Board to grant Licences to any charitable Institution established for the Care and Training of imbecile Children, and supported in whole or in part by private Subscription, without exacting any Licence Fee therefor, and such Licence may be in Name of the Superintendent of such Institution for the Time being.

Board may license charitable Institutions for imbecile Children without Fee.

8. With the Sanction of the Board, Agreements and Arrangements may be made for the Reception and Detention of all or any of the Pauper Lunatics of any District, County, or Parish in any Public, Private, District, or Parochial Asylum or Hospital within or beyond the Limits of such District, County, or Parish.

Care of Pauper Lunatics.

9. Subject to the Provisions of the said first-recited Act and this Act, the Board, on a full Consideration of the Circumstances, may determine from Time to Time whether the Accommodation for any District is adequate, or what Addition ought to be made thereto, or whether a new District Asylum ought to be erected, and may in the event of a District Board failing to take such Steps as the Board may consider requisite toward providing Accommodation for the District, or contracting with an existing Asylum to such an Extent and in such Way as the Board may consider necessary, represent such Failure to One of Her Majesty's Principal Secretaries of State, who may thereupon communicate such Representation to the District Board, and after considering any Answer which may be made thereto, within such Time as he may appoint, such Secretary of State may authorize the Board to apply to the Court of Session in either Division, or during Vacation to the Lord Ordinary on the Bills, by summary Petition in Common Form, and the Court or Lord Ordinary shall, unless sufficient Cause be shown to the contrary, on advising such Petition, appoint a Person at whose Sight and Instance the whole Powers and Duties of the District Board relative to the providing of such Accommodation shall be performed, at the Expense of the District Board.

Secretary of State may authorize the Board to apply to Court of Session.

10. Any County or Parish which has, prior to the Date of the recited Act, provided Accommodation for its lunatic Paupers in whole or in part, to the Satisfaction of the Board, or which shall be entitled to such Accommodation in any existing Asylum, shall have such Relief, partial or total, from Assessments for building, furnishing, or maintaining an Asylum for the District within which such County or Parish is situate as the Board may consider reasonable.

Counties, &c. providing Asylum Accommodation to be relieved from Assessments.

11. In the Case of any District Asylum where it shall appear to the Board, or to the District Board (the Consent of the Board being previously obtained), that it is desirable to acquire additional Ground for the Use of such Asylum, it shall be lawful for the District Board to acquire such additional Ground from the Proprietor or Proprietors of the Land immediately adjoining; and in the event of the Parties failing to agree as to the Price to be paid for such additional Ground, the same shall be settled and determined in the Manner prescribed by "The Lands Clauses Consolidation (*Scotland*) Act, 1845," with respect to the Purchase and Value of Land otherwise than by Agreement: Provided always, that the Land so to be taken does not form Part of any Garden or Pleasure Ground, and shall not exceed Five Acres in Extent: Provided also, that if the Ground from which the same is taken forms Part of a Property not exceeding Twenty Acres in Extent, it shall be lawful for the Proprietor of the same to require that the Remainder of such Property shall also be acquired in the same Manner by such District Board.

Additional Grounds to District Asylums.

12. If in any District there shall be no District Asylum, it shall be lawful for the District Board of such District, with the Sanction of the Board, to dissolve itself, and on the Requisition and Order of the Board such District Board may again at any Time be revived; and where there is no District Asylum the Expenses incurred by the District Board may be paid by the Prison Board out of the Prison Assessments, or where any Ground has been acquired for the Erection of a District Asylum and now found not to be requisite either in whole or in part, it shall be lawful for the District Board to sell and dispose of the same or of any Part thereof, and to repay the Proceeds, after Payment of all Expenses and Liabilities incurred

Where there is no Asylum District Board may dissolve itself.

incurred by the Board, to the Commissioners of Supply for the County or Magistrates of the Burgh, as the Case may be.

District Boards may make Provision for Payment of Interest on borrowed Monies.

13. Notwithstanding anything in the said recited Acts to the contrary implied or expressed with respect to the borrowing of Money for the Purposes of said Acts, it shall be lawful for any District Board to make Provision for Repayment of Monies so borrowed, and of the Interest thereof, by annual Instalments of a fixed and uniform Amount, so long as any Part of the Principal Sums so borrowed remains unpaid.

Lunatics to be admitted by Order of the Sheriff and on Medical Certificate.

14. The Thirty-fourth Section of the first-rected Act is hereby repealed; and in lieu thereof, subject to the following Provisions, the Sheriff of any County in *Scotland* may grant an Order for the Reception into and Detention in any Asylum, Lunatic Ward of a Poorhouse, or House as before provided, of any Lunatic, if such Lunatic be resident or be found within such County, or if the Asylum, Lunatic Ward, or House mentioned in such Order be situate within such County; but no such Order shall be granted unless upon a Petition subscribed by the Party applying for the same, accompanied by a Statement of Particulars in the Form of Schedule (C.) to the first-recited Act annexed, and setting forth the Degree of Relationship or other Capacity in which the Petitioner stands to such Lunatic, and also accompanied by Certificates in the Form of Schedule (D.) to the first-recited Act annexed, bearing Date within Fourteen clear Days next preceding the Date of the Petition, under the Hands of Two Medical Persons, having no immediate or pecuniary Interest in the Asylum in which the Lunatic shall be placed, but One of whom may notwithstanding be the Medical Superintendent or Consulting or Assistant Physician of such Asylum, not being a Private Asylum; and such Orders shall be in the Form of Schedule (E.) to the first-recited Act annexed; and no Superintendent of any such Public, Private, or District Asylum or House shall receive or detain any Person as a Lunatic therein, unless there shall be produced to and left with such Superintendent such Order by the Sheriff, dated within Fourteen clear Days prior to the Reception of such Lunatic, or if such Order be granted by the Sheriff of *Orkney* and *Shetland*, within Twenty-one clear Days prior thereto; provided that the Superintendent of any Public, Private, or District Asylum may receive and detain therein, for any Period not exceeding Three Days, and without any Order by the Sheriff, any Person as a Lunatic, whose Case is duly certified to be One of Emergency by One Medical Person qualified as aforesaid.

Sheriff may commit dangerous Lunatics.

15. The Eighty-fifth Section of the first-recited Act is hereby repealed, and in lieu thereof when any Lunatic shall have been apprehended, charged with Assault or other Offence inferring Danger to the Lieges, or when any Lunatic shall be found in a State threatening Danger to the Lieges, or in a State offensive to public Decency, it shall be lawful for the Sheriff of the County in which such Lunatic may have been apprehended or found, upon Application by the Procurator Fiscal or Inspector of the Poor, or other Person, accompanied by a Certificate from a Medical Person, bearing that the Lunatic is in a State threatening such Danger, or in a State offensive or threatening to be offensive to public Decency, forthwith to commit such Lunatic to some Place of safe Custody; and the Sheriff shall thereupon direct Notice to be given, in some Newspaper circulated in the County within which such Lunatic was apprehended or found, of such Commitment, and that it is intended to inquire into the Condition of such Lunatic on an early Day to be named, and shall also direct Notice of the Application to be given to the Inspector of Poor of the Parish within which the Lunatic has been apprehended or found (where the Application is not presented by the Inspector of such Parish), and such further Notice as he shall think fit; and if the Inspector of the Parish does not within Twenty-four Hours undertake, to the Satisfaction of the Sheriff, to make due Arrangements for the safe Custody of such Lunatic, the Sheriff shall accordingly proceed to take Evidence of the Condition of such Lunatic, and upon being satisfied that he is a Lunatic, and in a State threatening Danger to the Lieges or offensive to public Decency, he shall commit the Lunatic to any Asylum; and an Order authorizing the Superintendent of the Asylum to which the Lunatic may be committed to receive the Lunatic, and authorizing the Transmission of the Lunatic to such Asylum, shall be granted by the Sheriff in respect of every such Commitment; and such Lunatic shall be detained in such Asylum until cured, or until Caution shall be found for his safe Custody, in which last Case it shall be lawful for the Sheriff, upon Application to that Effect, and on being satisfied as to such Caution, and the Safety and Propriety of such Custody, to authorize the Delivery of the Lunatic to the Person so finding Security; and the Sheriff, at the Time of granting Warrant to commit such Lunatic to an Asylum, or thereafter in Proceedings following on the said Application, shall pronounce a Judgment finding the Amount of the Expenses connected with the said Application, Inquiry, and Procedure, as the same shall be taxed, and shall grant Decree for such Expenses against the Parish within which the Lunatic shall have been apprehended or found at large, and in favour of the Procurator Fiscal, or other Person (except the Inspector of the Poor) at whose Instance such Application shall have been made and such Inquiry and Procedure conducted, and shall also grant Decree against such Parish and in favour of the Procurator Fiscal or other such Person (except the Inspector of Poor), or in favour of the Superintendent or Keeper of the Asylum to which the Lunatic shall have been committed, for such Sum as may be necessary for the Maintenance of such Lunatic; and every such Decree shall be final and conclusive, and not subject to Review or Reduction in any way or by any Process whatsoever; but the Parish so decerned against and paying such Expenses and Cost of Maintenance shall have Relief and Recourse therefor against the Lunatic and his Estate, and

any

any of his Relatives legally liable for his Maintenance, and also against the Parish of Settlement of such Lunatic in the event of the Parish in which the Lunatic was apprehended or found at large not being the Parish of Settlement as accords of Law.

On Application of Person at whose Instance a Lunatic is detained Board may authorize his Removal or Liberation on Probation without an Order of the Sheriff.

16. The Board may, on the Application of the Person at whose Instance any Lunatic is detained, or in the Absence of such Person on the Application of the nearest known Relative of such Lunatic, and in the Case of a Pauper Lunatic on the Application of the Inspector of Poor of the Parish by which the Expense of the Maintenance of the Lunatic is defrayed, authorize the Removal or Transfer of any such Lunatic from any Asylum or House in which he is detained to any other Asylum or House legally set apart for the Reception and Detention of such Persons, and without any Order of the Sheriff; and also on the like Application respectively may grant Authority for the Liberation on Trial or Probation of any Lunatic from any such Asylum or House for such Time and under such Regulations as the Board may consider necessary or proper; and during such Period of Probation or Trial the Warrant and Certificates on which the Detention of such Lunatic proceeded shall, in the event of his requiring to be again received into any such Asylum or House, be sufficient for his Reception and Detention therein without a new Warrant and Certificate; and the Superintendent of any such Asylum or House shall be bound to receive any such Lunatic into his Establishment without any Order from the Sheriff, but shall, in all other respects, in so far as not inconsistent with this Act, be bound to comply with the whole other Provisions relating to the Reception, Detention, and Liberation of Lunatics in the recited Acts and this Act contained, under the Penalties therein and herein provided.

Superintendent to give Intimation of Recovery of a Lunatic.

17. When it shall appear to the Superintendent of any Asylum or House that any Lunatic detained therein has so far recovered that he may be safely liberated without Risk or Injury to the Public or the Lunatic, such Superintendent shall grant a Certificate to that Effect, or procure one from the ordinary Medical Attendant of such Asylum or House, and shall transmit a Copy thereof to the Person at whose Instance such Lunatic is detained, or in the Absence of such Person to the nearest known Relative of the Lunatic, and in the Case of a Pauper Lunatic to the Person or Parish by whom the Expense of the Maintenance of the Lunatic is defrayed; and on the Failure, within Fourteen Days from the Despatch of such Copy Certificate of the Person to whom the same was transmitted to take Steps for the Liberation of such recovered Lunatic, such Superintendent shall intimate the Facts to the Board, who may direct such Inquiry into the Circumstances as they deem necessary, and if satisfied that the Lunatic has recovered, or that he may be safely liberated without Risk or Injury to the Public or himself, the Board may order his Discharge forthwith.

If Parochial Board neglect to provide for Removal of a Pauper Lunatic, Board may take necessary Measures.

18. If any Parochial Board, after Intimation shall have been made to them in Terms of Section One hundred and twelve of the first-recited Act, and after Requisition by the Board, shall refuse or neglect for Twenty-one Days after such Requisition to provide for the Removal of a Pauper Lunatic to an Asylum, House, or Lunatic Ward of a Poorhouse, the Board may take such Measures as are necessary for the Removal of such Lunatic to an Asylum, House, or Lunatic Ward of a Poorhouse, and the whole Expense of such Removal, and all subsequent Expenses incurred by the Board for Maintenance and otherwise in respect of such Lunatic, shall be recoverable by the Board, by ordinary Process, from the Parochial Board refusing or neglecting to remove such Pauper Lunatic as aforesaid; but subject to any Right of Relief which such Parochial Board may legally have against the Parish ultimately liable for the Maintenance and Support of such Lunatic.

Insane Prisoners may, on Expiry of Sentence, be detained in General Prison.

19. If at any Time within Sixty Days of the Expiration of the Sentence of any Convict or other Prisoner confined in the General Prison at *Perth*, it is certified, on Soul and Conscience, by Two or more Medical Persons, that they have personally visited and carefully examined the Prisoner within the said Sixty Days, and that he is in their Opinion insane, and that his Insanity is of a Kind which renders it advisable that he should be detained in the Lunatic Department of the said General Prison rather than in a Lunatic Asylum, it shall be lawful for One of Her Majesty's Principal Secretaries of State, by a Writing under his Hand, to authorize such Prisoner to be detained in the said General Prison after the Expiration of his Sentence, and such Prisoner may thereupon be detained accordingly; provided that it shall at any Time thereafter be lawful for Her Majesty to give such Order for the safe Custody of such Prisoner during Her Majesty's Pleasure in such Place and in such Manner as to Her Majesty shall seem fit.

Orders may be carried out in General Prison.

20. If any Person, having been charged under an Indictment or Criminal Libel, shall be ordered by the Court, under the Provisions of the first-recited Act, to be kept in strict Custody until Her Majesty's Pleasure shall be known, such Order, whether the General Prison at *Perth* be mentioned therein or not, or whether the Name of any other Prison or Place be mentioned therein or not, shall be deemed and is hereby declared to be an Order which may be carried into effect in the said General Prison (unless such Order expressly directs that such Person shall not be removed to the said General Prison); and the Person to whom such Order applies may (excepting in the Case above provided) be removed thereto, under the Provisions for the Removal of Prisoners contained in the "Prisons (*Scotland*) Administration Act, 1860," and shall be detained in such Prison until Her Majesty's Pleasure be known; and it shall thereafter be lawful for Her Majesty to give such Order for the safe Custody of such Person during Her Majesty's Pleasure, in such Place and in such Manner as to Her Majesty shall seem fit; provided that within Eight Days after the Reception of such Person within the said General Prison,

Prison, Intimation of such Reception, under the Hand of the Governor of the General Prison, shall be transmitted to One of Her Majesty's Principal Secretaries of State, and also to the Secretary of the Board.

Orders to be intimated to Managers of Prisons.

21. When any such Order shall be pronounced, the Clerk of Court shall within Eight Days of the Date thereof send Intimation of such Order, as nearly as may be, in the Terms provided in Section Fifty-nine of the said Prisons Administration Act, to the Managers appointed under the said Act.

Sentences for less than Nine Months may be carried out in General Prison.

22. If it shall be certified on Soul and Conscience by Two Medical Persons that they have personally visited and carefully examined a Prisoner confined under Sentence in a Local Prison, in Terms of the said Prisons Administration Act, and that such Prisoner is insane, the Sentence, although for a shorter Period than Nine Months, shall be deemed to be a Sentence which may be carried into effect in the said General Prison, and such Prisoner may be removed thereto, in Terms of the Provisions of the said Prisons Administration Act for the Removal of Prisoners.

Insane Prisoners may be removed to an Asylum.

23. If, within Fourteen Days of the Period when a Prisoner in the said General Prison would fall to be liberated by Expiry of Sentence or otherwise, it shall be certified on Soul and Conscience by Two Medical Persons that they have personally visited and carefully examined such Prisoner, and that he is insane, such Prisoner may be removed back to the Local Prison to which he had been committed until liberated in due Course of Law, and such Removal may be carried out in Terms of the Provisions of the said Prisons Administration Act for the Removal of Prisoners; and if Arrangements shall have been completed for the Reception of such Prisoner within a Lunatic Asylum in any Part of *Scotland* in which he can be lawfully received and detained, he may be removed to such Asylum as if the same were such Local Prison, in Terms of such Provisions for the Removal of Prisoners.

Secretary of State may give Orders for Custody of Persons, &c.

24. The Provisions of the first-recited Act and of this Act, authorizing Her Majesty to give Orders for the safe Custody of any Person during Her Pleasure, may be carried into effect by a Writing under the Hand of One of Her Principal Secretaries of State, and such Writing shall be binding on all Persons concerned.

Certain Provisions of recited Acts repealed.

General Board continued.

25. Sections Twenty-two and Twenty-three of the first-recited Act, and such other of the Provisions of the recited Acts as are inconsistent with this Act, are hereby repealed; and the General Board of Commissioners as established by the said first-recited Act and this Act shall be continued until Parliament shall otherwise determine.

CAP. LV.

An Act for the Settlement of a Loan due from the Island of *Jamaica* to the Imperial Government. [29th *July* 1862.]

'WHEREAS by an Imperial Statute passed in the Session holden in the Second and Third Years of the Reign of King *William* the Fourth, Chapter One hundred and twenty-five, and an Act passed by the Legislature of the Island of *Jamaica* in the Fourth Year of His said Majesty, the Sum of Two hundred thousand Pounds was advanced out of the Imperial Exchequer for the Benefit of the said Island, and the Repayment of the said Principal Sum on or before the Fifth Day of *February* One thousand eight hundred and forty-four, together with Interest at the Rate of Four Pounds *per Centum*, was secured by a Charge on the Revenues of the said Island: And whereas by an Act of the Imperial Parliament, passed in the Session holden in the Third and Fourth Years of the Reign of Her present Majesty, Chapter Forty, and an Act of the Legislature of the said Island, passed in the Seventh Year of the Reign of Her present Majesty, the Time for the Repayment of the said Principal Sum was extended to the Fifth Day of *February* One thousand eight hundred and fifty-four, on Condition that such Sum should be paid by Ten equal Instalments of Twenty thousand Pounds each, commencing on the Fifth Day of *February* One thousand eight hundred and forty-five, with Interest after the Rate aforesaid, to be computed from the Fifth Day of *February* One thousand eight hundred and forty-four: And whereas up to the Fifth Day of *February* One thousand eight hundred and sixty-two there is due on account of the said Loan, in respect of Principal and Interest, a Sum amounting in the whole to Two hundred and forty-nine thousand five hundred and eighty-two Pounds and Twopence: And whereas it has been agreed on the Part of the Imperial Government, in consideration of the Financial Difficulties of the said Island, and with a view of promoting its good and quiet Government, that the Debt so due from the said Island shall be commuted for a Perpetual Annuity of Six thousand four hundred Pounds, payable annually out of the Revenues of the said Island, and to be applied in manner herein-after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commutation of Debt for a fixed Annuity.

1. If within the Period of One Year from the Date of the passing of this Act the Legislature of the said Island of *Jamaica* pass an Act making the Sum of Six thousand four hundred Pounds payable annually out of such Revenues of the said Island to such Persons and in such Manner as is herein-after mentioned, and if such Payment is duly made at the Times herein-after mentioned, or within Forty Days afterwards, the said Debt of Two hundred and forty-nine thousand five hundred and eighty-two Pounds and Twopence shall be deemed to be extinguished, otherwise the same shall remain in full Force,

Force, and shall become payable from and after such Time as the Governor may, by Message to the Legislature of the Island, determine.

Charge of Annuity.

2. The said Sum of Six thousand four hundred Pounds shall be charged by way of Perpetual Annuity on the Duties and Sources of Revenue mentioned in the Schedule annexed hereto.

The Charge so created shall be postponed to the Sum of Thirty thousand Pounds appropriated to the Payment of the Principal and Interest of the Public Debt, and to the Sum of Twenty-five thousand Pounds appropriated to defraying certain Expenses of the Government of the Island, in pursuance of an Act of the Legislature of the said Island passed in the Seventeenth Year of the Reign of Her present Majesty, Chapter Twenty-nine, but shall have Priority over all other Charges.

The said Annuity of Six thousand four hundred Pounds shall be deemed to become due on the Thirtieth Day of *June* and the Thirty-first Day of *December* in every Year, but shall be paid to such Persons and at such Time or Times as the Governor of the said Island for the Time being may by Warrant under his Hand from Time to Time direct.

The said Annuity of Six thousand four hundred Pounds shall be applied in Payment of such Expenses of the Government of the said Island and Objects connected therewith, and of the local Improvements therein, as the Governor of the said Island may from Time to Time direct, in pursuance of such Instructions as may from Time to Time be issued by One of Her Majesty's Principal Secretaries of State.

Saving Clause.

3. Save as herein-before provided, and save in the event of the Conditions of this Act being complied with, nothing herein contained shall affect or prejudice the Right of the Imperial Government to recover the Debt so due as aforesaid from the Island of *Jamaica*, or any Act of the Imperial Government or of the Legislature of the Island relating thereto.

SCHEDULE.

All Duties or Sums of Money authorized to be collected under any of the following Acts; that is to say,

Under an Act of the Legislature of the Island of Jamaica, passed in the Seventeenth Year of the Reign of Her present Majesty, Chapter Twenty-nine, and intituled "An Act for the better "Government of this Island, and for raising a Revenue in support thereof:"

Under the Thirty-eighth Section of an Act of the Legislature of the said Island, passed in the Twenty-first Year of the Reign of Her present Majesty, Chapter Thirty-four, and intituled "An "Act to provide Funds for the Improvement and Repair of the main Roads and Bridges to be "transferred to the Management of Main Road Commissioners, to appropriate the Land and "Quit-rent Taxes, and declare the same redeemable for that Purpose."

All Duties larger or equal in Amount to the Duties under the first-mentioned Act which may be collected or raised under any other Act of the said Legislature.

CAP. LVI.

An Act to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts.

[29th *July* 1862.]

14 & 15 Vict. c. 38.

'WHEREAS by an Act of the Fifteenth Year of Her Majesty, Chapter Thirty-eight, "to facilitate "Arrangements for the Relief of Turnpike Trusts, and to make certain Provisions respecting "Exemptions from Tolls," herein-after referred to as the Principal Act, Power is given to One of Her Majesty's Principal Secretaries of State to make Provisional Orders for reducing the Rate of Interest and for extinguishing the Arrears of Interest on Mortgage Debts charged or secured on the Revenues of Turnpike Roads, in Cases where such Revenues are insufficient for the Payment in full of the Interest charged thereon: And whereas by the Act of the Session of the Twenty-fourth and Twenty-fifth Years of the Reign of Her present Majesty, Chapter Forty-six, the Principal Act is extended to Turnpike Roads the Acts relating to which are continued by any Annual Turnpike Acts Continuance Act, although their Revenues are not insufficient for such Payments as aforesaid: And whereas, in pursuance of the Principal Act, and the said Act extending the same, the several Provisional Orders referred to in the Schedule hereto have been made by Her Majesty's Principal Secretary of State for the Home Department, and there are stated in the said Schedule the Dates of such Orders, and such Particulars relating thereto as are therein specified: And whereas it is expedient that the said Provisional Orders should be confirmed and made absolute:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders in * Schedule confirmed.

1. The several Provisional Orders the Dates of which are set forth in the First Column of the said Schedule are hereby confirmed, and the Provisions thereof shall be of the like Force and Effect as if they had been expressly enacted by Parliament.

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SCHEDULE.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Dates from which reduced Rate of Interest to commence.
1861.		£ s. d.		
29 Oct.	11 Geo. 4. c. 113., "An Act for more "effectually repairing the Road from "the Town of Rickmersworth in the "County of Hertford, through the "Village of Pinner, to or near the Swan "Public House at Sudbury Common "in the Turnpike Road leading from "Harrow to London."	2,400 0 0	3*l.* per Cent.	25 Dec. 1860.
4 Nov.	11 Geo. 4. c. 32., "An Act for repairing, "amending, and maintaining the Road "from Congleton in the County of "Chester to a Branch of the Leek "Turnpike Road at Thatchmarsh "Bottom in the Parish of Hartington in "the County of Derby, and from the "Lowe to the Havannah Mills in the "said County of Chester."	4,675 0 0	1*l.* per Cent.	30 June 1861.
4 Nov.	10 Geo. 4. c. 92., "An Act for improving "and maintaining the Road from the "Town of Kingston-upon-Hull to Kirk-"Ella in the County of the said Town."	2,890 0 0	3*l.* 10*s.* per Cent.	31 Dec. 1860.
6 Nov.	4 Geo. 4. c. 120., "An Act for repairing "the Roads from Oxdown Gate in "Popham Lane to the City of Win-"chester, and from the said City through "Hursley to Chandler's Ford, and from "Hursley aforesaid to the Turnpike "Road at Romsey, and from the Hun-"dred at Romsey, through Chilworth, "to the River at Swathling in the "County of Southampton; and from "the said Turnpike Road at Romsey, "through Ringwood in the said County, "to Longham Bridge and Wimborne "Minster in the County of Dorset," so far as the same relates to the Romsey and Ringwood or Third Division of Road.	1,000 0 0	3*l.* per Cent.	17 Dec. 1860 (Arrears extinguished).
11 Nov.	1 Geo. 4. c. 5., "An Act for enlarging the "Term and Powers of Two Acts of His "late Majesty, for repairing the Road "from Buildwas Bridge to join the "Watling Street Road at Tern Bridge "in the County of Salop."	1,108 0 0	2*l.* 10*s.* per Cent.	31 Dec. 1861.
11 Nov.	11 Geo. 4. c. 26., "An Act for maintaining "the Road from Catterick Bridge in the "County of York, by the Towns of "Yarm and Stockton, and through the "Town of Sedgefield, to the City of "Durham."	6,970 0 0	3*l.* per Cent.	5 Sept. 1831.
11 Nov.	4 Geo. 4. c. 41., "An Act for more effec-"tually repairing the Road from Alfreton "in the County of Derby to the Town "of Derby."	6,605 0 0	4*l.* per Cent.	31 Dec. 1861.

Turnpike Trusts Arrangements.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Dates from which reduced Rate of Interest to commence.
1861.		£ s. d.		
15 Nov.	11 Geo. 4. c. 85., "An Act for more effectually repairing the Road from Blackburn to Walton Cop within Walton-in-le-Dale in the County of Lancaster."	7,506 10 0	3*l.* per Cent.	1 Jan. 1862.
19 Nov.	10 Geo. 4. c. 23., "An Act for repairing the Road from Stockershead at the Top of Charing Hill to a Place called Bagham's Cross in the Parish of Chilham in the County of Kent."	2,075 0 0	One Penny per Cent.	31 Dec. 1860.
29 Nov.	11 Geo. 4. c. 37., "An Act for more effectually repairing the Road from Wootton Bassett in the County of Wilts to the Two Mile Stone in the Turnpike Road leading from Swindon to Marlborough in the said County."	3,150 0 0	1*l.* per Cent.	1 Jan. 1862 (Arrears extinguished).
5 Dec.	11 Geo. 4. c. 95., "An Act for more effectually repairing and improving certain Roads between the Towns of Derby, Mansfield, and Nutthall in the Counties of Derby and Nottingham."	6,400 0 0	3*l.* per Cent.	26 April 1862.
9 Dec.	11 Geo. 4. c. 81., "An Act for more effectually repairing and improving the Road from Wendover to the Town of Buckingham in the County of Buckingham."	4,500 0 0	4*l.* per Cent.	31 Dec. 1861.
11 Dec.	11 Geo. 4. c. 96., "An Act for making and maintaining a new Turnpike Road from the Town of Kingston-upon-Hull in the County of the said Town to Hedon in the County of York."	11,562 16 3	1*l.* 15*s.* per Cent.	31 Dec. 1860 (Arrears extinguished).
1862.				
29 Jan.	11 Geo. 4. c. 19., "An Act for more effectually repairing and improving the Roads from the Town of Malmesbury to Copped Hall Turnpike, Sutton Benger Church, and Dauntsey Gate, in the County of Wilts."	7,560 0 0	2*l.* per Cent.	31 Dec. 1861.
17 Feb.	11 Geo. 4. c. 103., "An Act for more effectually repairing and improving the Roads from Saltfleet to the Town of Horncastle, and other Roads therein mentioned, all in the County of Lincoln."	4,541 13 0	3*l.* per Cent.	1 Aug. 1862.
12 Mar.	5 Geo. 4. c. 90., "An Act for making and maintaining a Turnpike Road from the Turnpike Road leading from Bradford to Wakefield in the West Riding of the County of York, near Holme Lane End in the Parish of Birstal in the said Riding, to the Turnpike Road leading from Birstal to Huddersfield in the said Riding at the Township of Heckmondwike in the Parish of Birstal aforesaid, with a Branch Road therefrom."	2,500 0 0	4*l.* per Cent.	31 Dec. 1861.

Turnpike Trusts Arrangements. — *Windsor Castle (Bakehouse).*

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Dates from which reduced Rate of Interest to commence.
1862.		£ s. d.		
19 Mar.	11 Geo. 4. c. 6., "An Act for more effectually repairing and improving the "Road from Horsham to the Road "leading to Guildford at Aldford Cross "Ways, with Two Branches therefrom, "and for making and maintaining a new "Branch of Road to communicate therewith, all in the Counties of Sussex "and Surrey," so far as the same relates to the Old Roads.	13,887 12 0	10*s.* per Cent.	31 Dec. 1861.
8 May	11 Geo. 4. c. 105., "An Act for improving "and maintaining the Turnpike Roads "from the Wirksworth Turnpike Road "in the Hamlet of Ideridgehay to the "Town of Duffield, and from the "Market Place in Wirksworth to the "Turnpike Road leading from Derby "to Brassington, and from the said "Market Place to the Turnpike Road "leading from Wirksworth Moor to "Matlock Bath, all in the County of "Derby," so far as the same relates to the Ideridgehay and Duffield Road.	2,862 10 0	2*l.* per Cent.	1 July 1862 (Arrears extinguished).
8 May	Ditto Ditto so far as the same relates to the Wirksworth and Hulland Ward Road.	3,075 0 0	1*l.* 10*s.* per Cent.	1 July 1862 (Arrears extinguished).
30 June	4 Geo. 4. c. 83., "An Act for amending "and maintaining the Roads from the "North Gate of the City of Winchester, "over Worthy Cow Down, through "Whitchurch and other Places, to Newtown River, and from Worthy Cow "Down aforesaid through Wherwell to "Andover in the County of Southampton," so far as the same relates to the Whitchurch or First District.	2,475 0 0	3*l.* per Cent.	31 Dec. 1861 (1 Year's Arrears extinguished).
30 June	4 Geo. 4. c. 121., "An Act for more effectually repairing the Roads leading "from a Place called the Welsh Harp "in the Township of Stonnall in the "County of Stafford to Stone Bridge, "and from Castle Bromwich to Birmingham in the County of Warwick."	1,100 0 0	4*l.* per Cent.	24 June 1862.

CAP. LVII.

An Act to authorize the Sale of Her Majesty's Bakehouse in *Peascod Street, Windsor*, and the Application of the Proceeds in the Purchase of Land or Buildings to be held with *Windsor Castle*. [29th *July* 1862.]

'WHEREAS Her most Gracious Majesty in right of Her Crown is or claims to be absolutely entitled to the Land and Hereditaments described in the Schedule to this Act, and the same 'are now in the actual Occupation of Her Majesty in connexion with Her Royal Residence of *Windsor* '*Castle*: And whereas the said Land and Hereditaments being situate at some Distance from the said 'Castle, and being otherwise inconvenient for Her Majesty's Use, it is expedient that the same should

'be

'be sold, and the Proceeds thereof applied, under the Direction of the Commissioners of Her Majesty's 'Treasury, as herein-after mentioned:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Land and Hereditaments in Schedule to be sold.

1. It shall be lawful for the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and they are hereby required, with the Consent or by the Direction in Writing of the Commissioners of Her Majesty's Treasury, to make Sale of, convey, and dispose of, for and on behalf of Her Majesty, Her Heirs or Successors, all the said Land and Hereditaments described in the said Schedule to this Act, either altogether or in Lots, and either at one Time or at several Times, for such Price or Prices, and in such Manner as the said Commissioners of Her Majesty's Treasury shall direct or approve of.

Proceeds to be applied in the Purchase of other Lands to be annexed to Windsor Castle.

2. The net Proceeds of such Sale as aforesaid, after discharging the Expenses thereof, shall be laid out and applied by the said Commissioners of Her Majesty's Woods, Forests, and Land Revenues, under the Direction of the Commissioners of Her Majesty's Treasury, in the Purchase of other Lands, Buildings, or Hereditaments, either in one Parcel or several Parcels, adjoining or near to the said Royal Residence of *Windsor Castle*, and such as may be conveniently annexed thereto or be held and enjoyed therewith, and the same shall thereupon be conveyed to and vested in Her Majesty, Her Heirs and Successors, as Part of the Hereditary Possessions of the Crown.

Commissioner of Woods, &c. managing Crown Lands in Berks may act.

3. All Acts to be done and Powers to be executed under this Act by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues may be done or executed by such One of the same Commissioners as may for the Time being have the Management and Direction of the Land Revenues of the Crown in the County of *Berks*.

General Saving.

4. Saving and reserving always to all Persons and Bodies Politic or Corporate soever, excepting the Queen's Majesty, Her Heirs and Successors, all such Right, Title, Interest, Claim, and Demand whatsoever (if any), in, to, or out of the said Buildings, Land, and Hereditaments comprised in the Schedule to this Act or any Part thereof, as they or any of them had before the passing of this Act, or could or might have enjoyed in case this Act had not been passed.

The SCHEDULE above referred to.

All that Piece of Land situate on the South Side of Peascod Street in the Borough of Windsor, having a Frontage to the said Street of Thirty-three Feet Three Inches or thereabouts, and extending in Depth on the West Side One hundred and seventy-seven Feet or thereabouts, on the South Side Forty-four Feet Nine Inches or thereabouts, and on the East Side One hundred and ninety-eight Feet Six Inches or thereabouts, and containing about Seven hundred and ninety-two Yards Superficial or thereabouts, together with the Sheds and other Erections and Buildings thereon, all which Premises are commonly known by the Name of the Old Bakehouse.

CAP. LVIII.

An Act to make further Provision with respect to the raising of Money for erecting and improving Parochial Buildings in *Scotland*. [29th *July* 1862.]

'WHEREAS it is expedient that Provision should be made for raising the Money required for the 'Erection and Improvement of Parochial Buildings in *Scotland* by annual Assessments extending 'over a limited Period:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows;

Interpretation.

1. The Expression "Parochial Building" in this Act shall mean and include Church, Manse, Churchyard, Walls, Schoolhouse, and Schoolmaster's House respectively; and the Word "Sheriff" shall include Sheriff Substitute.

Heritors may resolve that Expense of Parochial Buildings may be raised by annual Assessments.

2. The Heritors of any Parish in *Scotland* in which any new or additional Parochial Building is to be erected, or any existing Parochial Building is to be improved or enlarged, may at any Meeting of such Heritors resolve that the Money required to defray the Expense of the Erection, Improvement, or Enlargement of such Parochial Building shall be raised by annual Assessments extending over any Period not exceeding Ten Years; and on the Adoption of such Resolution such annual Assessments for the Period specified therein shall be imposed, levied, and recovered on and from the Heritors of such Parish in the same Manner, and with the same Liabilities and Rights of Relief, as Assessments for the Erection, Improvement, or Enlargement of such Parochial Building are or may be levied under the Authority of any existing Act relating thereto, or otherwise according to the Law of *Scotland*.

Power to borrow Money.

3. On the Adoption of such Resolution it shall be lawful for the Heritors of such Parish, if they think fit, to borrow the Money required to defray the Expense of the Erection, Improvement, or Enlargement of such Parochial Building, and in security of the Repayment of the Money so borrowed, and the Interest thereof, to charge and assign the said annual Assessments by a Bond and Assignation, signed by any Two Heritors authorized to sign the same at the Meeting at which it shall be resolved to

borrow such Money; and in case of Nonpayment of the Money so borrowed or any Instalment thereof, and the Interest thereon, when the same become due, the Creditor in or Person having Right to such Bond and Assignation shall have the same Rights and Remedies for the Recovery of the Sums, Principal and Interest, due or to become due under such Bond and Assignation as are competent to the Heritors of such Parish by any existing Act, or otherwise by the Law of *Scotland*, for levying and recovering Assessments for the Erection, Improvement, or Enlargement of such Parochial Building.

Procedure in Cases where there is only One Heritor in a Parish.

4. Where there is only One Heritor in any Parish in which any new or additional Parochial Building is to be erected, or any existing Parochial Building is to be improved or enlarged, such Heritor may apply by summary Petition to the Sheriff of the County in which such Parish is situate for Authority to raise the Money required to defray the Expense of the Erection, Improvement, or Enlargement of such Parochial Building by annual Assessments extending over any Period not exceeding Ten Years, and to borrow the Money required for that Purpose, and to charge and assign such annual Assessments in security of the Payment thereof and of the Interest thereon; and on considering such Petition the Sheriff shall order Intimation thereof to be given by Advertisement inserted once in each of Two successive Weeks in a Newspaper published or generally circulated in such County; and after such Intimation it shall be lawful for the Sheriff to grant Warrant and Authority to such Heritor to raise the Money so required by annual Assessments as aforesaid, and to charge and assign the same in security of the Repayment of the Money to be borrowed, and the Interest thereof, by a Bond and Assignation signed by such Heritor; and the Creditor in or Person having Right to such Bond and Assignation shall have the same Rights and Remedies for the Recovery of the Sums, Principal and Interest, due and to become due under such Bond and Assignation, as are herein-before provided with respect to Bonds and Assignations signed by any Two Heritors.

Money borrowed to be repaid by annual Instalments.

5. The Money borrowed to defray the Expense of erecting, improving, or enlarging any Parochial Building shall be repaid by annual Instalments of not less in any One Year than One Tenth Part of the Principal Sum borrowed, exclusive of the Payment of Interest thereon.

CAP. LIX.

An Act to render Owners of Dogs in *Ireland* liable for Injuries to Sheep. [29th *July* 1862.]

'WHEREAS it is expedient to amend the Law as to the Liability of the Owners of Dogs for Injuries done to Sheep by such Dogs:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Owner of Dog to be liable in Damages for any Injury committed by his Dog.

Recovery of Damages.

1. The Owner of every Dog shall be liable in Damages for Injury done to any Sheep by his Dog; and it shall not be necessary for the Party seeking such Damages to show a previous mischievous Propensity in such Animal, or the Owner's Knowledge of such previous mischievous Propensity, or that the Injury was attributable to Neglect on the Part of such Owner: Such Damages shall be recoverable by the Owner of the Sheep killed or injured in any Court of competent Jurisdiction; where the Amount of the Damages claimed shall not exceed Five Pounds, the same shall be recoverable in a summary Way before any Justice or Justices sitting in Petty Sessions under the Provisions of "The Petty Sessions, *Ireland*, Act, 1851," or of any Act amending the same.'

Who shall be deemed the Owner of the Dog.

2. The Occupier of any House or Premises where any Dog was kept or permitted to live or remain, at the Time of such Injury, shall be deemed to be the Owner of such Dog, and shall be liable as such, unless the said Occupier can prove that he was not the Owner of such Dog at the Time the Injury complained of was committed, and that such Dog was kept, or permitted to live or remain, in the said House or Premises without his Sanction or Knowledge: Provided always, that where there are more Occupiers than One in any House or Premises let in separate Apartments, or Lodgings, or otherwise, the Occupier of that particular Part of the Premises in which Part such Dog shall have been kept, or permitted to live or remain, at the Time of such Injury, shall be deemed to be the Owner of such Dog.

Extent of Act.

3. This Act shall extend to *Ireland* only.

CAP. LX.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively. [29th *July* 1862.]

CAP. LXI.

An Act for the better Management of Highways in *England*. [29th *July* 1862.]

'WHEREAS it is expedient to amend the Law relating to Highways in *England*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Preliminary.

Limits of Act.

1. This Act shall not extend to *Scotland* or *Ireland*.

Definition of "County" and "Borough;"

2. The Word "County" in this Act shall not include a "County of a City" or "a County of a Town," but where a County, as herein-before defined, is divided into Ridings or other Divisions having a separate Court of Quarter Sessions of the Peace, it shall mean each such Division or Riding, and not the entire County; and for the Purposes of this Act all Liberties and Franchises, except the Liberty of *Saint Albans* which shall be considered a County, and except Boroughs as herein-after defined, shall be considered as forming Part of that County by which they are surrounded, or if partly surrounded by Two or more Counties, then as forming Part of that County with which they have the longest common Boundary; the Word "Borough" shall mean a Borough as defined by the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Seventy-six, "for the Regulation "of Municipal Corporations in *England* and *Wales*," or any Place to which the Provisions of the said Act have been or shall hereafter have been extended.

Of "Parish," "Highway District," and "Highway Board;"

3. The Word "Parish" shall include any Place maintaining its own Highways; the Expressions "Highway District" and "Highway Board" shall refer only to Highway Districts formed and Highway Boards constituted in pursuance of this Act.

Of "Principal Act" and "Highway Acts."

4. The Act passed in the Session holden in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Fifty, and intituled *An Act to consolidate and amend the Laws relating to Highways in that Part of* Great Britain *called* England, is herein-after distinguished as "the Principal Act;" and this Act and the Principal Act, and the other Acts amending the Principal Act, are herein-after included under the Expression "the Highway Acts."

Formation of Highway Districts.

Power to Justices, in General or Quarter Sessions assembled, to issue Provisional Orders for forming Highway Districts.

5. Any Five or more Justices of a County may by Writing under their Hands require the Clerk of the Peace to add to or send with the Notice required by Law to be given of the holding of Courts of General or Quarter Sessions a Notice in the Form marked (A.) in the Schedule, or as near thereto as Circumstances admit, that at the Court therein mentioned a Proposal will be made to the Justices to divide the County or some Part thereof into Highway Districts or to constitute the whole or some Part thereof a Highway District, and also require the Clerk of the Peace to send by Post in a prepaid Letter Notices in the aforesaid Form to the Churchwardens or Overseers of every Parish mentioned in the said Notice; and upon such Requisition being complied with the Justices assembled at the Court of General or Quarter Sessions mentioned in the Notice may entertain such Proposal, and make a Provisional Order dividing their County or some Part thereof into Highway Districts, or constituting the whole or some Part of their County a Highway District, for the more convenient Management of Highways, but such Order shall not be of any Validity unless it is confirmed by a Final Order of the Justices assembled at some subsequent Court of General or Quarter Sessions: Provided that when it is proposed that only a Part of a County shall be divided into a Highway District not less than Two out of the Five Justices making such Proposal shall be resident in the said District.

Regulations as to the making, &c. of Orders of Justices.

6. The following Regulations shall be enacted as to the Making, Confirmation, and Approval of the Orders of Justices for forming Highway Districts:—

1. The Justices making a Provisional Order under this Act shall appoint some subsequent Court of General or Quarter Sessions, to be held within a Period of not more than Six Months, for the taking into consideration the Confirmation of the Provisional Order by a Final Order:
2. The Clerk of the Peace shall add to or send with the Notice required by Law to be given of the holding of Courts of General or Quarter Sessions a Notice in the Form marked (B.) in the Schedule hereto, or as near thereto as Circumstances admit, of the Appointment so made by the Justices in relation to the Confirmation of the Provisional Order:
3. The Justices assembled at the appointed Court of General or Quarter Sessions may make a further Order quashing the Provisional Order, or confirming it with or without Variations, or respiting the Consideration of such Provisional Order to some subsequent Court of General or Quarter Sessions, provided,—
   - Firstly, that where the Variations made extend to altering the Parishes constituting any Highway District or Districts as formed in the Provisional Order, the Order shall be deemed to be provisional only, and shall be dealt with accordingly:
   - Secondly, that where a Respite is made to any subsequent General or Quarter Sessions, the Clerk of the Peace shall give Notice of such Respite in manner in which he is required to give Notice in respect of Sessions at which a Provisional or Final Order is proposed to be made:
4. The Provisional Order shall state the Parishes to be united in each District, the Name by which the District is to be known, and the Number of Waywardens (such Number to be at least One) which each Parish is to elect:
5. In addition to the foregoing Matters, the Provisional Order may and the Final Order shall state the Time, not being more than Seven Days after the First Election of Waywardens in pursuance of this Act, and the Place at which the First Meeting of the Highway Board is to be held in the District:

6. Notice of the Provisional and Final Orders shall as soon as possible after the making thereof be given by the Clerk of the Peace, by publishing a Copy in the *London Gazette* and in One or more Newspapers circulating in the County, or if the whole County is not affected by such Order in One or more Newspapers circulating in the District affected by such Orders, and by sending a Copy by Post in a prepaid Letter to the Overseers of every Parish within the proposed Highway District, and there shall be added to the Notice of the Provisional Order the Date of the Sessions at which the Confirmation of such Order will be considered.

Restrictions on Formation of Highway Districts.

7. The following Restrictions shall be imposed with respect to the Formation of Highway Districts in pursuance of this Act:

Firstly, there shall not be included in any Highway District formed in pursuance of this Act any of the following Places; that is to say,

Any Part of a County to which the Act passed in the Session holden in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter Sixty-eight, and intituled *An Act for the better Management and Control of the Highways in* South Wales, extends:

The *Isle of Wight:*

Any District constituted under the Public Health Act, 1848, and the Local Government Act, 1858, or either of such Acts:

Any Parish or Place the Highways of which are at the Time of the passing of this Act, or may be within Six Months afterwards, under the Superintendence of a Board established in pursuance of Section Eighteen of the Principal Act, unless with the Consent of such Board:

Any Parish or Place within the Limits of the Metropolis as defined by the Act passed in the Session holden in the Eighteenth and Nineteenth Years of Her Majesty, Chapter One hundred and twenty, and intituled *An Act for the better Local Management of the Metropolis:*

Any Parish or Place, or Part of a Parish or Place, the Highways whereof are maintained under the Provisions of any Local Act of Parliament:

Secondly, there shall not be included in any Highway District formed in pursuance of this Act any Parish or Place or Part of a Parish or Place within the Limits of a Borough without the Consent, firstly, of the Council of such Borough, and, secondly, of the Vestry of the Parish which, or Part of which, is proposed to be included:

Thirdly, where any Parish separately maintaining its own Highways is situate in more than One County the whole of such Parish shall, for the Purposes of this Act, be deemed to be within the County within which the Church of such Parish, or (if there be no Church) the greater Part of such Parish, is situate:

Lastly, where a Parish separately maintaining its own Poor is divided into Townships, Tithings, Hamlets, or Places, each of which separately maintains its own Highways, it shall be lawful for the Justices, if they think fit, in their Provisional Order to combine such Townships, Tithings, Hamlets, and Places, and to declare that no separate Waywardens shall be elected for such Townships, Tithings, Hamlets, and Places, and that such Parish shall be subject to the same Liabilities in respect of all the Highways within it which were before maintained by such Townships, Tithings, Hamlets, and Places separately, as if all their several Liabilities had attached to the whole Parish; and that a Waywarden or Waywardens shall be elected for such Parish as a whole; and where such Order is made, all the Provisions herein contained in relation to Parishes within the Meaning of this Act shall be applicable to the Parish formed by such Combination.

Legal Objections to Formation of District.

Rules as to Objections and Evidence.

8. No Objection shall be made at any Trial or in any legal Proceeding to the Validity of any Orders or Proceedings relating to the Formation of a Highway District, after the Expiration of Three Calendar Months from the Date of the Publication in the Gazette of the Order under which the District is formed; and the Production of a Copy of the *London Gazette* containing a Copy of the Order of Justices forming a Highway District shall be receivable in all Courts of Justice, and in all legal Proceedings, as Evidence of the Formation of the District and of the Matters in the said Order mentioned.

Highway Board.

Constitution of Highway Board.

9. There shall be enacted, with respect to the Constitution of the Highway Board in each Highway District, the Provisions following; (that is to say,)

(1.) The Highway Board shall consist of the Waywardens elected in the several Places within the District, in manner herein-after mentioned, and of the Justices acting for the County and residing within the District:

(2.) The Board shall be a Body Corporate, by the Name of the Highway Board of the District to which it belongs, having a perpetual Succession and a Common Seal, with a Power to acquire and hold Lands for the Purposes of the Highway Acts, without any Licence in Mortmain:

(3.) No

(3.) No Act or Proceeding of the Board shall be questioned on account of any Vacancy or Vacancies in their Body:

(4.) No Defect in the Qualification or Election of any Person or Persons acting as Members or Member of the Board or Committee of a Board shall be deemed to vitiate any Proceedings of such Board in which he or they have taken part in Cases where the Majority of Members Parties to such Proceedings are duly entitled to act:

(5.) Any Minute made of Proceedings at Meetings of the Board or of Committees of the Board, if signed by any Person purporting to be the Chairman of the Board or Committee of the Board, either at the Meeting of the Board or Committee of the Board at which such Proceedings took place, or at the next ensuing Meeting of the Board or Committee of the Board, shall be receivable in Evidence in all legal Proceedings without further Proof; and until the contrary is proved every Meeting of the Board or Committee of the Board in respect of the Proceedings of which Minutes have been so made shall be deemed to have been duly convened and held, and all the Members thereof to have been duly qualified:

(6.) No Member of a Board, by being Party to, or executing in his Capacity of Member, any Contract, or other Instrument on behalf of the Board, or otherwise lawfully exercising any of the Powers given to the Board, shall be subject to be tried or prosecuted, either individually or with others, by any Person whomsoever; and the Bodies or Goods or Lands of the Members shall not be liable to Execution of any legal Process by reason of any Contract or other Instrument so entered into, tried, or executed by them, or by reason of any other lawful Act done by them in execution of any of the Powers of the Board; and the Members of the Board may apply any Monies in their Hands for the Purpose of indemnifying themselves against any Losses, Costs, or Damages they may incur in execution of the Powers granted to them:

(7.) The Rules contained in the Schedule hereto with respect to the Proceedings of Highway Boards, and the other Matters therein contained, shall be observed in the same Manner as if such Rules were enacted in the Body of this Act.

Election of Waywardens.

Election of Waywardens.

10. The following Regulations shall be observed with respect to the Election of Waywardens in Highway Districts:

In every Parish forming Part of a Highway District there shall be elected every Year for the Year next ensuing a Waywarden, or such Number of Waywardens as may be determined by Order of the Justices:

Such Waywarden or Waywardens shall be elected in every Parish forming Part of a Highway District at the Meeting and Time and in the Manner, and subject to the same Qualification and the same Power of Appointment in the Justices in the event of no Election taking place, or in the event of a Vacancy, at, in, and subject to which a Person or Persons to serve the Office of Surveyor would have been chosen or appointed if this Act had not passed:

The Justices shall in their Provisional Order make Provision for the Election of a Waywarden or Waywardens in Places where no Surveyor or Surveyors were elected previously to the Place forming Part of a Highway District:

A Waywarden shall continue to act until his Successor is appointed, and shall be re-eligible.

Consequences of Formation of Highway District.

Consequences of Establishment of Highway Board.

11. At and after the First Meeting in any Highway District of the Board of such District the following Consequences shall ensue:

All such Property, Real and Personal, including all Interests, Easements, and Rights in, to, and out of Property, Real and Personal, and including Things in Action, as belong to or are vested in, or would but for this Act have belonged to or been vested in, any Surveyor or Surveyors of any Parish forming Part of the District, shall pass to and vest in the Highway Board of that District for all the Estate and Interest of such Surveyor or Surveyors as aforesaid, but subject to all Debts and Liabilities affecting the same:

All Debts and Liabilities incurred in respect of any Property transferred to the Highway Board may be enforced against the Board to the Extent of the Property transferred:

All such Powers, Rights, Duties, Liabilities, Capacities, and Incapacities (except the Power of making, assessing, and levying Highway Rates) as are vested in or attached to, or would but for this Act have become vested in or attached to, any Surveyor or Surveyors of any Parish forming Part of the District, shall vest in and attach to the Highway Board:

All Property by this Act transferred to the Board shall be held by them upon trust for the several Parishes or Places now maintaining their own Highways within their District to which such Property belongs, or for the Benefit of which it was held previously to the Formation of the District.

Appointment

Appointment of Officers.

Power to Highway Board to appoint Officers.

12. The Highway Board of a District shall, at their First Meeting or at some Adjournment thereof, by Writing under their Seal, appoint a Treasurer, Clerk, and District Surveyor; they may also at any Meeting, if they think fit, appoint an Assistant Surveyor; they may from Time to Time remove any of such Officers, and appoint others in the Room of such as may be so removed, or as may die or resign; they may also, out of any Monies in their Hands, pay such Salaries as they think reasonable to the Clerk and District and Assistant Surveyor, and to the Treasurer, if they think necessary: Provided that before the Treasurer enter upon his Office the Board shall take sufficient Security from him for the due Performance of the Duties of his Office; but no Appointment except the first, to any of the Offices specified in this Section, shall be made unless Notice in Writing has been sent to every Member of the Board.

Two Offices not to be held by the same Person.

13. Not more than One Office of Treasurer, Clerk, and District or Assistant Surveyor of the same Highway Board shall be held by the same Person, or by Persons in Partnership with each other, or by Persons in the Relation of Employer and Clerk, Agent, or Servant, one of the other, or of the Partner of either of them; and if any Person accepts or holds the Office of Treasurer, Clerk, or District or Assistant Surveyor, contrary to this Provision, he shall be liable to a Penalty not exceeding Fifty Pounds.

Duties of Treasurer.

14. The Treasurer of each Highway Board shall receive, and hold to the Account of such Board, all Monies paid to or for the Use of such Board, and shall make Payments thereout under Orders of such Board, and shall once in every Three Months, on or at such Days or Times as the Board may direct, or oftener if required by the Board, make up an Account of all Monies received and paid by him, and deliver the same to the Clerk of the Board.

Duties of Clerk.

15. The Clerk of every Highway Board shall in Person, or by such Deputy as may be allowed by such Board, attend all Meetings of the Board, and shall conduct the Correspondence thereof, and enter and keep, in Books to be provided for the Purpose, Notes, Minutes, or Copies, as the Case may require, of the Meetings, Acts, Orders, Resolutions, Proceedings, and Correspondence of such Board, and shall keep all Books, Papers, and Documents committed to his Charge, and shall perform all such other Duties as the Board may direct.

Duties of District Surveyor.

16. The District Surveyor shall act as the Agent of the Board in carrying into effect all the Works and performing all the Duties by this Act required to be carried into effect or to be performed by the Board, and he shall in all respects conform to the Orders of the Board in the Execution of his Duties, and the Assistant Surveyor, if any, shall perform such Duties as the Board may require, under the Direction of the District Surveyor.

Works and Duties of Board.

Board to maintain Highways.

17. The Highway Board shall maintain in good Repair the Highways within their District, and shall, subject to the Provisions of this Act, as respects the Highways in each Parish within their District, perform the same Duties, have the same Powers, and be liable to the same legal Proceedings as the Surveyor of such Parish would have performed, had, and been liable to if this Act had not passed. It shall be the Duty of the District Surveyor to submit to the Board at their First Meeting in every Year an Estimate of the Expenses likely to be incurred during the ensuing Year for maintaining and keeping in repair the Highways in each Parish within the District of the Board, and to deliver a Copy of such Estimate as approved or modified by the Board so far as the same relates to each Parish to the Waywarden of such Parish.

Proceedings where Roads are out of repair.

18. Where Complaint is made to any Justice of the Peace that any Highway within the Jurisdiction of the Highway Board is out of Repair, the Justice shall issue Two Summonses, the one addressed to the Highway Board and the other to the Waywarden of the Parish liable to the Repair of such Highway, requiring such Board and Waywarden to appear before the Justices at some Petty Sessions, in the Summons mentioned, to be held in the Division where such Highway is situate; and at such Petty Sessions, unless the Board undertake to repair the Road to the Satisfaction of the Justices, or unless the Waywarden deny the Liability of the Parish to repair, the Justices shall direct the Board to appear at some subsequent Petty Sessions to be then named, and shall either appoint some competent Person to view the Highway, and report to them on its State at such other Petty Sessions, or fix a Day, previous to such Petty Sessions, at which Two or more of such Justices will themselves attend to view the Highway.

At such last-mentioned Petty Sessions, if the Justices are satisfied, either by the Report of the Person so appointed, or by such View as aforesaid, that the Highway complained of is not in a State of complete Repair, it shall be their Duty to make an Order on the Board limiting a Time for the Repair of the Highway complained of; and if such Highway is not put in complete and effectual Repair by the Time limited in the Order, the Justices in Petty Sessions shall appoint some Person to put the Highway into repair, and shall by Order direct that the Expenses of making such Repairs together with a reasonable Remuneration to the Person appointed for superintending such Repairs, and amounting to a Sum specified in the Order, together with the Costs of the Proceedings, shall be paid by the Board; and any Order made for the Payment of such Costs and Expenses may be removed into the Court

of

of Queen's Bench, in the same Manner as if it were an Order of General or Quarter Sessions, and be enforced accordingly.

All Expenses so directed to be paid by the Board in respect of the Repairs of any Highway shall be deemed to be Expenses incurred by the Board in repairing such Highway, and shall be recovered accordingly.

The Highway Board may appear before the Justices at Petty Sessions by their District Surveyor or Clerk, or any Member of the Board.

When Obligation to repair is disputed.

19. When, on the Hearing of any such Summons respecting the Repair of any Highway, the Liability to repair is denied by the Waywarden on behalf of his Parish, or by any Party charged therewith, the Justices shall direct a Bill of Indictment to be preferred, and the necessary Witnesses in support thereof to be subpœnaed, at the next Assizes to be holden in and for the said County, or at the next General Quarter Sessions of the Peace for the County, Riding, Division, or Place wherein such Highway is situate, against the Inhabitants of the Parish, or the Party charged therewith, for suffering and permitting the said Highway to be out of Repair; and the Costs of such Prosecution shall be paid by such Party to the Proceedings as the Court before whom the Case is tried shall direct, and if directed to be paid by the Parish shall be deemed to be Expenses incurred by such Parish in keeping its Highways in repair, and shall be paid accordingly.

Expenses.

Expenses how charged.

20. The Salaries of the Officers appointed for each District, and any other Expenses incurred by any Highway Board for the common Use or Benefit of the several Parishes within such District, shall be annually charged to a District Fund, to be contributed by and charged upon the several Parishes within such District in proportion to the Average of the Expenditure incurred during the Three last preceding Years in such Parishes respectively in maintaining and keeping in repair the Highways thereof; but the Expenses of maintaining and keeping in repair the Highways of each Parish within the District, and all other Expenses in relation to such Highways, except such Expenses as are in this Act authorized to be charged to the District Fund, shall be a separate Charge on each Parish.

Mode of defraying Expenses.

21. For the Purpose of obtaining Payment from the several Parishes within their District of the Sums due from them, the Highway Board shall order Precepts to be issued to the Overseers of the said Parishes, stating the Sum to be contributed by each Parish, and requiring the Overseers of such Parish, within a Time to be limited by the Precept, to pay the Sum therein mentioned to the Treasurer of the Board, and the Overseers shall comply with the Requisition of such Precept by paying the Sums to be contributed by their respective Parishes out of any Monies in their Hands applicable to the Relief of the Poor, but no Contribution required to be paid by any Parish at any one Time in pursuance of this Act shall exceed the Sum of Tenpence in the Pound, and the Aggregate of Contributions required to be paid by any Parish in any One Year in pursuance of this Act shall not exceed the Sum of Two Shillings and Sixpence in the Pound, except with the Consent of Four Fifths of the Ratepayers of the Parish in which such Excess may be levied, present at a Meeting specially called for the Purpose, of which Ten Days previous Notice has been given by the Waywarden of such Parish, and then only to such Extent as may be determined by such Meeting: Provided, that in any Parish where, for a Period of not less than Seven Years immediately preceding the passing of this Act, it has been the Custom of the Surveyor of Highways for such Parish to levy a Highway Rate in respect of Property not subject by Law to be assessed to Poor Rates, the Monies payable in pursuance of the Precept of the Highway Board shall not be paid by the Overseers, but may be raised and paid by the Waywarden of such Parish out of a Highway Rate, to be assessed and levied in manner and in respect of the Property in and in respect of which the same would have been assessed and levied if this Act had not passed.

Provision where Parish as defined by Act not coextensive with Parish maintaining its own Poor.

22. Where any Parish as defined by this Act, and in this Section called a Highway Parish, is not a Parish separately maintaining its own Poor, in this Section called a Poor Law Parish, the Highway Board shall issue their Precept or Precepts to the Overseers of the Poor Law Parish, or of the several Poor Law Parishes if more than One, of which such Highway Parish forms Part, and in the Precept or Precepts so issued shall specify the Part or Parts of the Poor Law Parish or Poor Law Parishes constituting the Highway Parish in which the Sum required by the Board is to be levied, and if there be more than One such Parish shall apportion among such Parts the Amounts to be levied in each Parish.

Where any Highway Parish is so situate that there are no Overseers to be found to whom the Precepts of the Board may be issued, or it is uncertain to what Overseers such Precepts should be issued, the Precepts of the Highway Board shall be directed to the Waywarden of such Parish, and it shall be his Duty to levy the Sums therein required to be levied.

Power to Overseers, &c. to levy Rates for making Payments to Highway Board.

23. Subject to the above-mentioned Restrictions as to the Amount of Rates to be levied in pursuance of this Act, all Overseers or other Persons to whom Precepts of a Highway Board are hereby directed or authorized to be issued shall have the same Powers, Remedies, and Privileges for and in respect of levying the Rates hereby authorized to be levied for making Payments to a Highway Board as they would have in the Case of levying ordinary Rates for the Relief of the Poor.

 24. If

Mode of enforcing Payments to Highway Boards.

24. If any Payment required to be made by the Overseers of any Parish, or other Persons authorized to levy Rates by this Act, of Monies due to a Highway Board is in arrear, it shall be lawful for any Two Justices, on Application under the Hand of the Chairman for the Time being of such Board, to summon the said Overseers or other Persons to show Cause at Petty Sessions why such Payment has not been made; and the Justices at such Petty Sessions, after hearing the Complaint preferred on behalf of the Board, may, if they think fit, cause the Amount of Payment in arrear, together with the Costs occasioned by such Arrear, to be levied and recovered from the said Overseers or other Persons or any of them, in like Manner as Monies assessed for the Relief of the Poor may be levied and recovered, and the Amount of such Arrear, together with the Costs aforesaid, when levied and recovered, to be paid to the said Board.

Accounts.

Accounts to be made up to 25th March, and Statement to be published.

25. The Accounts of every Highway Board shall be made up and balanced to the Twenty-fifth Day of *March* in every Year, and for the Space of Seven clear Days immediately following shall be open for the Inspection at the Office of the Clerk, or any other convenient Place, of every Ratepayer in the several Parishes within the District, between the Hours of Ten and Four; at the Expiration of such Time the Accounts shall be audited by such Board, and signed by the Chairman, on or before the Twenty-fifth Day of *April*; and such Board shall cause a Statement showing the Receipt and Expenditure in respect of each Parish, and the apportioned Part of Expenditure chargeable thereto; in respect of the District Fund, and such other Particulars, and in such Form, as the Secretary of State may direct, as herein-after mentioned, to be printed and sent within Thirty Days after the said Audit, by Post or otherwise, to each Member of the Board and to the Overseers of every Parish within the District; and the Clerk of the Board shall furnish a Copy of such Statement to any Ratepayer within the District on his Application, and on the Payment of a Sum not exceeding One Penny.

Power to appeal in respect of Account of Board.

26. Where a Waywarden or any Ratepayer of any Parish is of opinion that the Amount charged to his Parish for maintaining and keeping the Highways therein, or in respect of the other Expenses in relation to such Highways, is more than the Sum that has actually been expended in his Parish, or than ought to have been charged thereto, he may appeal to the Justices assembled at any Court of General or Quarter Sessions held within the Period of Four Months from the Time at which the Accounts were audited by the Board, but no such Appeal shall be entertained unless Notice of the Intention to appeal, specifying the Amount complained of, is given to the Board by the Appellant in Writing under his Hand within Fourteen Days after the Statement of such Accounts shall have been sent to the Overseers of such Parish.

On the Hearing of such Appeal the Court may rectify the Accounts complained of, and may also rectify the Sum to be contributed to the Common Fund, and calculated on the Expenditure complained of.

If the Appellant is successful the Costs shall, unless the Court otherwise orders, be paid by the Board, and shall be charged to the Parishes within the Jurisdiction of the Board other than the Parish to which Appellant belongs, in the same Proportions in which such Parishes contribute to the Common Fund of the Board.

If the Appellant is unsuccessful the Board, if the Waywarden be the Appellant, may charge the Costs of the Appeal to the Parish to which the Appellant belongs, in the same Manner as if they were Expenses incurred in repairing the Roads in such Parish, and may levy the Sum accordingly, and may carry the Sum so levied to the Account of the several Parishes within the Jurisdiction of the Board other than the Parish to which the Appellant Waywarden belongs, in the same Manner as if they were Expenses contributed by such Parishes to the Common Fund of the Board; but if some Ratepayer other than the Waywarden is the Appellant the Court may order the Costs of the Appeal to be paid by such Appellant, and such Costs shall be recoverable in the same Manner as a Penalty is recovered under this Act.

Clerk to transmit Statement to Secretary of State. Penalty for Neglect.

27. The Clerk to every Highway Board shall, within such Thirty Days after the said Audit, transmit such Statement to One of Her Majesty's Principal Secretaries of State; and any such Clerk who shall not within the Time aforesaid transmit the said Statement to the said Secretary of State shall for every such Offence, upon a summary Conviction for the same before Two Justices of the Peace, be liable to a Penalty not exceeding Ten Pounds.

Abstract of Statements to be laid before Parliament.

28. The Secretary of State shall cause the Statements so transmitted to be abstracted, and the Abstracts thereof to be laid before both Houses of Parliament, with the other Statements in relation to Highways required to be abstracted and laid before Parliament by the Act of the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter Thirty-five.

Secretary of State may cause Form of Statement to be prepared.

29. It shall be lawful for One of Her Majesty's Principal Secretaries of State to cause to be prepared such Forms for such Statement as he may from Time to Time deem suitable, and also from Time to Time to alter the Forms for the annual Statement prescribed by the said Act of the Twelfth and Thirteenth Years of Her Majesty, but no Statement shall be transmitted under that Act concerning Parishes wholly within a Highway District under this Act.

30. The

Quarterly Account to be sent to Overseers.

30. The Highway Board shall, at the End of each Quarter, deliver or send in a prepaid Letter to the Overseers of every Parish an Account of the Expenses of maintaining and keeping in repair the Highways within their respective Parishes during the preceding Quarter.

Officers appointed by Highway Board to account to them when required.

31. All Officers appointed by the Highway Board shall, as often as required by them, render to them or to such Persons as they appoint a true, exact, and perfect Account in Writing under their respective Hands, with the Proper Vouchers, of all Monies which they may respectively to the Time of rendering such Accounts have received and disbursed on account or by reason of their respective Offices, and in case any Money so received by any such Officer remains in his Hands the same shall be paid to the Board, or to such Person or Persons as they in Writing under their Hands empower to receive the same; and if any Officer refuses or wilfully neglects to render and give such Account, or to deliver up such Vouchers, or for the Space of Fourteen Days after being thereunto required by the Board refuses or wilfully neglects to give up to them or to such Person or Persons as they appoint all Books, Papers, Writings, Tools, and Things in his Hands, Custody, or Power relating to the Execution of his Office, it shall be lawful for any Justice of the Peace for the County where the Officer so making Default is or resides, upon Application made to him for that Purpose by or on behalf of the Board, to make Inquiry of and concerning any such Default as aforesaid in a summary Way, as well by the Confession of the Party as by the Testimony of any credible Witness or Witnesses upon Oath, and by Warrant under his Hand and Seal to cause such Money as may appear to him to be due and unpaid to be levied by Distress and Sale of the Goods and Chattels of such Officer, rendering to him the Overplus (if any), on Demand, after Payment of the Money remaining due and deducting the Charges and Expenses of making such Distress and Sale; and if sufficient Distress cannot be found, or if it appears to any such Justice in manner aforesaid that any such Officer has refused or wilfully neglected to give such Account, or to deliver up all Books, Papers, Writings, Tools, Matters, and Things in his Custody or Power relating to the Execution of his Office, the Justice shall commit him to the House of Correction or Common Gaol of the County where such Offender is or resides, there to remain without Bail until he gives a true and perfect Account and verifies the same in manner aforesaid, and produces and delivers up the Vouchers relating thereto, and pays the Money (if any) remaining in his Hands as aforesaid according to the Direction of the Board, or has compounded with the Board for such Money and paid such Composition (which Composition the Board are hereby empowered to make and receive), or until he delivers up such Books, Papers, and Writings, Tools, Matters, and Things as aforesaid, or has given Satisfaction to the Board concerning the same; but no Officer who may be committed on account of his not having sufficient Goods and Chattels as aforesaid shall be detained in Prison by virtue of this Act for any longer Time than Six Calendar Months.

Supplemental Provisions.

Provision as to Extra-parochial Places.

32. Where in pursuance of an Act passed in the Twentieth Year of the Reign of Her present Majesty, Chapter Nineteen, and intituled *An Act for the Relief of the Poor in Extra-parochial Places*, any Place is declared to be a Parish, or where Overseers of the Poor are appointed for any Place, such Place shall for the Purposes of this Act be deemed to be a Parish separately maintaining its own Highways; and where in pursuance of the same Act any Place is annexed to any adjoining Parish, or to any District in which the Relief of the Poor is administered under a Local Act, such Place shall for the Purposes of this Act be deemed to be annexed to such Parish or District for the Purposes of the Maintenance of the Highways, as well as for the Purposes in the said Act mentioned.

Provision for outlying Part of Parishes.

33. Where Part of a Parish is not contiguous to the Parish of which it is a Part, such outlying Part may at the Discretion of the Justices be annexed to a District, and, when so annexed, it shall, for all the Purposes of the Highway Acts, be deemed to be a Parish separately maintaining its own Highways.

Expenses of Repair of Highways may be recovered from Party liable to repair ratione tenuræ.

34. Where any Highway which any Body Politic or Corporate or Person is liable to repair by reason of Tenure of any Land, or otherwise howsoever, shall be adjudged in the Manner provided by the Principal Act to be out of Repair, the Highway Board of the District in which such Highway is situate may, if they see fit, direct their Surveyor to repair the same, and the Expenses to be incurred in such Repair shall be paid by the Party liable to repair as aforesaid; and it shall be lawful for any Justice, upon the Application of any Person authorized in this Behalf by the Highway Board, to summon the Party liable to pay such Expenses to appear before Two Justices at a Time and Place to be named in such Summons, and upon the Appearance of the Parties, or in the Absence of either of them, it shall be lawful for such Justices to hear and determine the Matter, and make such Order, as well as to Costs or otherwise, as to them may seem just.

Highways repairable ratione tenuræ may be made repairable by the Parish.

35. Where any Person or Corporation is liable, by reason of Tenure of Lands or otherwise, to repair any Highway situate in a Highway District, the Person or Corporation so liable may apply to any Justice of the Peace for the Purpose of making such Highway a Highway to be repaired and maintained by the Parish in which the same is situate; and such Justice shall thereupon issue Summonses requiring the Waywarden of such Parish, the District Surveyor, and the Party so liable to repair such Highway as aforesaid, to appear before Two or more Justices in Petty Sessions assembled, and the Justices at such Petty Sessions shall proceed to examine and determine the Matter, and shall, if they think fit, make an Order under their Hands that such Highway shall thereafter be a Highway to be thereafter

repaired and maintained by the Parish, and shall in such Order fix a certain Sum to be paid by such Person or Corporation to the Highway Board of the District, in full Discharge of all Claims thereafter in respect of the Repair and Maintenance of such Highway; and in default of Payment of such Sum the Board may proceed for the Recovery thereof in the same Manner as for the Recovery of Penalties or Forfeitures recoverable under this Act: Provided always, that when the Sum so fixed to be paid in full Discharge of all Claims thereafter in respect of the Repair and Maintenance of such Highway exceeds Fifty Pounds, the same, when received, shall be invested in the Name of the Highway Board of the District in some Public Government Securities, and the Interest and Dividends arising therefrom shall be applied by such Board towards the Repair and Maintenance of the Highways within the Parish in which such Highway is situate; but when such Sum does not exceed Fifty Pounds the same or any Part thereof, at the Discretion of such Highway Board, shall from Time to Time be applied by such Board towards the Repair and Maintenance of the Highways within such Parish: Provided that any Person aggrieved by any Order of Justices made in pursuance of this Section may appeal to a Court of General or Quarter Sessions holden within Four Months from the Date of such Order; but no such Appeal shall be entertained unless the Appellant has given to the other Party to the Case a Notice in Writing of such Appeal, and of the Matter thereof, within Fourteen Days after such Order, and Seven clear Days at the least before such Sessions, and has entered into a Recognizance, with Two sufficient Sureties, before a Justice of the Peace, conditioned to appear at the said Sessions, and to try such Appeal, and to abide the Judgment of the Court thereupon, and to pay such Costs as may be by the Court awarded; and upon such Notice being given, and such Recognizance being entered into, the Court at such Sessions shall hear and determine the Matter of the Appeal, and shall make such Order thereon, with or without Costs to either Party, as to the Court may seem meet:

From and after the making of such Order by the Justices, or by the Court on Appeal, as the Case may require, such Highway shall be repaired in like Manner and at the like Expense as Highways which a Parish is liable to repair.

Provision as to Roads laid out.

36. Where the Inhabitants of any Parish are desirous of undertaking the Repair and Maintenance of any Driftway, or any private Carriage or Occupation Road, within their Parish, in return for the Use thereof, the District Surveyor may, at the Request of the Inhabitants of such Parish assembled in a Vestry duly convened for the Purpose, and with the Consent in Writing of the Owner and the Occupier of every Part thereof, apply to the Justices in Petty Sessions to declare such Driftway or Road to be a public Highway to be repaired at the Expense of the Parish; and upon such Application being made it shall be lawful for the Justices to declare the same to be a public Carriageroad to be repaired at the Expense of the Parish.

Surveyor of Highway Board exempted from Turnpike Tolls.

37. No Toll shall be demanded by virtue of any Act of Parliament on any Turnpike Road from the Surveyor of a Highway Board when executing or proceeding to execute his Duties as such Surveyor, and all Provisions applicable to the Exemptions in the Act of the Third Year of King *George* the Fourth, Chapter One hundred and twenty-six, shall apply to the Case of the Exemptions conferred by this Enactment.

Limiting Jurisdiction of Justices.

38. No Justice of the Peace shall act as such in any Matter in which he has already acted as a Member of the Highway Board, and in which the Decision of such Board is appealed against.

Power to alter Highway Districts.

39. Any Highway District formed under this Act may from Time to Time be altered by the Addition of any Parishes in the same or in any adjoining County, or the Subtraction therefrom of any Parishes, and new Highway Districts may be formed by the Union of any existing Highway Districts in the same or in any adjoining County, or any Parishes forming Part of any existing Highway Districts, or any Highway District may be dissolved; but any such Alteration of existing Districts, or Formation of new Districts, or Dissolution of any District, shall be made by Provisional and Final Orders of the Justices; and all the Provisions of this Act with respect to the Formation of Highway Districts and Provisional and Final Orders of Justices, and the Notices to be given of and previously to the making of such Orders, and all other Proceedings relating to the Formation of Highway Districts, shall, in so far as the same are applicable, extend to such Alteration of existing or Formation of new Districts, or Dissolution of Districts, as is mentioned in this Section; and in addition thereto Provision shall be made, if necessary, in any Orders of Justices made under this Section for the Adjustment of any Matters of Account arising between Parishes or Parts of Districts in consequence of the Exercise of the Powers given by this Section. Where any Parish is added to or any District united with any District in another County, the Final Order of the Justices of the County in which such Parish or District is situate shall not be confirmed by them until they shall have received the Approval of their Provisional Order for such Addition or Union from the Justices of the County in which the District is situate to or with which such Addition or Union is to be made. Where any Highway District is dissolved, or where any Parish is excluded from any Highway District, the Highways in such District or Parish shall be maintained, and the Provisions of the Principal Act in relation to the Election of Surveyors and to all other Matters shall apply to the said Highways, in the same Manner as if such Highways had never been included within the Limits of a Highway District.

Provision in case of Failure

40. If any Highway Board make default in holding its First Meeting in pursuance of this Act, such Board shall not thereupon become disqualified from acting, but the Justices in General or Quarter Sessions

Sessions shall, on the Application of any Persons liable to pay Highway Rates within the District, make such Order as they think fit for the holding of such Board at some other Time, and any Order so made shall be deemed to be an Order capable of being removed into the Court of Queen's Bench, in pursuance of the Act passed in the Session holden in the Twelfth and Thirteenth Years of the Reign of Her present Majesty, Chapter Forty-five, and may be enforced accordingly, and the Costs of any Application to the Court of Quarter Sessions in pursuance of this Section shall be defrayed out of the District Fund of the Board. of Board to hold First Meeting.

41. Any Parish or Part of a Parish included in a Highway District may adopt the Local Government Act in the same Manner and under the same Circumstances in and under which it might have adopted the same if it had not been included in such District; and upon such Adoption being made such Parish or Part of a Parish shall cease to form Part of such District, subject, nevertheless to the Payment of any Contribution that may at the Time of such Adoption be due from such Parish or Part of a Parish to the Highway Board. Reservation of Right to adopt Local Government Act.

Application of Principal Act.

42. The following Regulations shall be observed with respect to the Construction of the Principal Act and this Act: Construction of Principal Act and this Act.

1. This Act shall be construed as One with the Principal Act so far as is consistent with the Provisions of this Act:
2. The Ninth Section of the Principal Act, whereby it is enacted that a Surveyor may be appointed by the Inhabitants of a Parish with a Salary, shall not apply to any Parish within any District formed under this Act:
3. The Tenth Section of the Principal Act, whereby it is enacted that the Surveyor or Surveyors at the Time of passing his or their Accounts as therein mentioned shall deliver to the Justices a Statement in Writing of the Name and Residence of the Person or Persons appointed to succeed him or them as a Surveyor or Surveyors, shall not apply to any Parish within any District formed under this Act:
4. The Thirteenth, Fourteenth, Fifteenth, Sixteenth, and Seventeenth Sections of the Principal Act, providing for the Formation of Parishes into Districts, and the Eighteenth and Nineteenth Sections of the Principal Act, providing for the Appointment of a Board in large Parishes, shall not apply to any Parish within any District formed under this Act:
5. The Penalty imposed by Section Twenty of the Principal Act on the Surveyor for Neglect of Duty shall not apply to a Highway Board constituted under this Act:
6. Any Summons or Notice, or any Writ or any Proceeding, at Law or in Equity, requiring to be served upon the Board, may be served by the same being left at or transmitted through the Post in a pre-paid Letter directed to the Office of the Board, or being given personally to the District Surveyor or Clerk of the Board:
7. The Thirty-fifth Section of the Principal Act, whereby it is provided that the Ratepayers of any Parish may divide amongst themselves the Carriage of Materials in manner therein mentioned, shall not apply to any Parish within any District formed under this Act:
8. The Thirty-ninth, Fortieth, Forty-third, Forty-fourth, and Forty-fifth Sections of the Principal Act relating to the Accounts of Surveyors shall not apply to the Highway Board of any District formed under this Act:

43. On the Formation of a Highway District the following Regulations shall be enacted with respect to the Surveyors and the Highway Board: Relative Duties of outgoing Surveyors and Highway Board.

1. No Surveyor shall be appointed under the Principal Act for any Parish within such District:
2. The outgoing Surveyor of every Parish within the District shall continue in Office until Seven Days after the Appointment of the District Surveyor by the Highway Board of the District of such outgoing Surveyor, and no longer; and he may recover any Highway Rate made and then remaining unpaid, in the same Manner as if this Act had not been passed, and the Money so recovered shall be applied, in the first place, in reimbursing any Expenses incurred by him as such Surveyor, and in discharging any Debts legally owing by him on account of the Highways within his Jurisdiction, and the Surplus (if any) shall be paid by him to the Treasurer of the Highway Board; and he shall be entitled to receive from the Highway Board any Sum not exceeding Five Pounds, which on the Allowance of his Accounts shall be found to be due to him as such Surveyor after the Collection and Expenditure of the whole of the Highway Rate made in such Parish during the last Year:
3. The Highway Board shall, for all the Purposes of the Principal Act except that of levying Highway Rates, be deemed to be the Successor in Office of the Surveyor of every Parish within the District.

44. All the Provisions of the Principal Act for widening, diverting, and stopping up Highways shall be applicable to all Highways which now are or may hereafter be paved, repaired, or cleansed under or by virtue of any Local or Personal Act or Acts of Parliament, or which may be situate within the Limits of any such Act or Acts, except Highways which any Railway Company, or the Owners, Conservators, Provisions of Principal Act to be applicable to Highways under

Local or Personal Acts.

Conservators, Commissioners, Trustees, or Undertakers of any Canal, River, or Inland Navigation, are liable by virtue of any Act of Parliament relating to such Railway, Canal, River, or Inland Navigation to make, maintain, repair, or cleanse.

Enabling Councils of certain Boroughs to adopt Parish Roads and Highways, and to apply Rates for their Repair.

45. 'Whereas there are in certain Boroughs in *England* and *Wales* Roads and Highways that are 'now and have heretofore been repaired by the Inhabitants of the several Parishes or Townships within 'which such Roads and Highways are situated, and who also contribute and pay to the General Rates 'levied for the Repair of the public Streets, Roads, and Highways maintained and kept in repair by the 'Council of such Boroughs, by reason whereof a great Burthen is imposed upon the Ratepayers of the 'said Parishes and Townships; and it being doubtful whether the Council of such Boroughs have the 'Power to adopt such Parish Roads and Highways, or to apply the Rates collected in such Boroughs 'in repairing the same:' Be it enacted, That it shall and may be lawful for the Council of every such Borough in *England* and *Wales*, upon the Petition of the Majority of the Ratepayers of such Parishes or Townships present at a Public Meeting duly convened, to adopt all or any of such Parish Roads and Highways as the Council shall in its Discretion consider advisable, and to apply the Rates levied and collected by the said Council for the Repair of the public Streets, Roads, and Highways within such Borough in repairing and maintaining such Parish Roads and Highways: Provided always, that it shall be competent for such Council, previous to adopting such Parish Roads and Highways, to require the Provisions contained in any Local Act applying to the public Streets, Roads, and Highways of such Borough to be complied with.'

District Boards may permit Landowners to erect Fences without incurring Liability to repair.

46. No Person through whose Land a Highway passes, which is to be repaired by the Parish, shall become liable for the Repair of such Highway by erecting Fences between such Highway and the adjoining Land, if such Fences are erected with the Consent in Writing of the Highway Board of the District within which such Highway is situate in the Case of a Place within the Jurisdiction of a Highway Board, and in the Case of any other Place with the Consent of the Surveyor or other Authority having Jurisdiction over the Highway.

Recovery of Penalties.

47. All Penalties under this Act, and all Monies recoverable as Penalties, may be recovered summarily before any Two or more Justices in the Manner directed by the Act of the Session of the Eleventh and Twelfth Years of Her present Majesty, Chapter Forty-three, and any Act amending the same; but where any Sum adjudged to be paid under this Act in respect of such Penalties or Monies exceeds Five Pounds, an Appeal may be had by any Person aggrieved to a Court of General or Quarter Sessions in manner provided by the One hundred and tenth Section of the Act passed in the Session holden in the Twenty-fourth and Twenty-fifth Years of the Reign of Her present Majesty, Chapter Ninety-six, intituled *An Act to consolidate and amend the Statute Law of* England *and* Ireland *relating to Larceny and other similar Offences.*

SCHEDULE.

Proceedings of Highway Boards.

(1.) The Board shall meet for the Despatch of Business, and shall from Time to Time make such Regulations with respect to the summoning, Notice, Place, Management, and Adjournment of such Meetings, and generally with respect to the Transaction and Management of Business, including the Quorum at Meetings of the Board, as they think fit, subject to the following Conditions:

(*a.*) The First Meeting shall be held at the Time and Place fixed by the Order of the Justices in that Behalf:

(*b.*) Not less than Four Ordinary Meetings shall be held in each Period of Twelve Months:

(*c.*) An Extraordinary Meeting may be summoned at any Time on the Requisition of Three Members of the Board addressed to the Clerk of the Board:

(*d.*) The Quorum to be fixed by the Board shall consist of not less than Three Members:

(*e.*) All Questions shall be decided by a Majority of Votes of the Members present:

(*f.*) The Names of the Members present, as well as of those voting upon each Question, shall be recorded.

(2.) The Board shall, at their First Meeting, and afterwards from Time to Time at their First Meeting after each annual Appointment of Members of the Board, as hereafter mentioned, appoint One of their Members to be Chairman and One other of their Members to be a Vice Chairman for the Year following such Choice.

(3.) If any casual Vacancy occur in the Office of Chairman or Vice Chairman, the Board shall, as soon as they conveniently can after the Occurrence of such Vacancy, choose some Member of their Number to fill such Vacancy; and every such Chairman or Vice Chairman so elected as last aforesaid shall continue in Office so long only as the Person in whose Place he may be so elected would have been entitled to continue if such Vacancy had not happened.

(4.) If at any Meeting the Chairman is not present at the Time appointed for holding the same, the Vice Chairman shall be the Chairman of the Meeting, and if neither the Chairman nor Vice Chairman shall be present then the Members present shall choose some One of their Number to be Chairman of such Meeting.

(5.) In

(5.) In case of an Equality of Votes at any Meeting, the Chairman for the Time being of such Meeting shall have a Second or Casting Vote.

(6.) All Orders of the Board for Payment of Money, and all Precepts issued by the Board, shall be signed by the Chairman for the Time being of the Meeting, and Two other Members of the Board, and countersigned by the Clerk.

FORM (A.)

NOTICE is hereby given, That at the Court of *General* or *Quarter* Sessions to be held on the Day of a Proposal will be made *to divide the County of Lincoln into Highway Districts* [or *to divide the Parts of Holland in the County of Lincoln into Highway Districts*, or *to constitute the County of Rutland a Highway District*, or *to constitute the Parishes of Alford, Castle Carey, and Lovington, in the County of Somerset, a Highway District*].

FORM (B.)

WHEREAS at a Court of *General* or *Quarter* Sessions, held on the Day of last, a Provisional Order was made in the Words following; that is to say, [*here set out the Provisional Order*]

Notice is hereby given, that the Confirmation of the said Provisional Order by a Final Order will be taken into Consideration by the Justices at the Court of *General* or *Quarter* Sessions to be held on the Day of next.

CAP. LXII.

An Act to amend the Law relating to the Duration of contested Elections for Counties in *Ireland*, and for establishing additional Places for taking the Poll thereat. [29th *July* 1862.]

'WHEREAS an Act was passed in the Thirteenth and Fourteenth Years of the Reign of Her Majesty, intituled *An Act to shorten the Duration of Elections in* Ireland, *and for establishing additional Places for taking the Poll thereat;* and it is expedient to amend certain Provisions of the said Act relating to contested Elections for Counties in *Ireland*, and to limit the Time of taking the Poll at such Elections to One Day, and to establish additional Places for taking the Poll at such Elections:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 13 & 14 Vict. c. 68.

1. This Act shall commence and take effect from and after the First Day of *January* One thousand eight hundred and sixty-three, save as herein-after excepted. Commencement of Act.

2. This Act shall be deemed to be incorporated with the said recited Act, and shall be as if the said recited Act (except such Parts thereof as have been repealed or amended by this Act) and this Act were One Act. This Act incorporated with recited Act.

3. So much of the said recited Act as authorizes the Continuance of the polling at every contested Election of a Knight or Knights of the Shire to serve in Parliament for any County in *Ireland* for Two Days, and prescribes the Duties of the Sheriff and Sheriff Deputies and Clerk at such Poll during those Days, and fixes the Commencement and limits the Hours of polling on such Days, and prevents the Commencement of such polling on a *Saturday*, shall be and the same is hereby repealed. Repeal of certain Provisions of 13 & 14 Vict. c. 68.

4. At every contested Election of a Knight or Knights of the Shire to serve in Parliament for any County in *Ireland* which shall take place after the Commencement of this Act, the polling shall commence on the next Day but Two after the Day fixed for the Election (such Day not being *Sunday*, *Good Friday*, or *Christmas Day*), and shall continue for One Day only, save in the Cases herein-after mentioned, and shall commence at the Hour of Eight in the Forenoon of the Day next but Two after the Day fixed for the Election, and be kept open until Five in the Afternoon of such Day, any Statute to the contrary notwithstanding: Provided always, that when such next Day but Two after the Day fixed for the Election shall be *Sunday*, *Good Friday*, or *Christmas Day*, then in case it be *Sunday* the Poll shall be on the *Monday* next following and in case it be *Good Friday* then on the *Saturday* next following, and in case it be *Christmas Day* then on the next Day following if the same shall not be *Sunday*, and, if it be *Sunday*, on the next following *Monday*: Provided always, that in case any Election shall take place for any County in *Ireland* before or on the said First Day of *January* One thousand eight hundred and sixty-three, the Poll and Proceedings thereat shall be taken in the same Manner as if this Act had not been passed. Regulating Time for polling at Elections for Knights of the Shire in Ireland, &c. Elections on or before the 1st January 1863 not to be affected.

5. The Clerks appointed to take the Poll at the several Places appointed for polling for the several Baronies or Half Baronies, or any Division thereof respectively, and in the several Polling Booths, shall, at the final Close of the Day's Poll, enclose and seal their several Books, and shall publicly deliver them, so enclosed and sealed, to the Sheriff or Sheriff's Deputy presiding at such Poll; and every such Deputy who shall have received any such Poll Books shall forthwith deliver the same, so enclosed and sealed, to the Sheriff or his Under Sheriff, who shall receive and keep all the Poll Books unopened until the re-assembling of the Court on the Day next but One after the Close of the Poll, unless such Day shall be *Sunday*, and then on the *Monday* following, at an Hour not earlier than Eleven Duty of Poll Clerks at such Elections.

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in the Forenoon of the said Day, when he shall openly break the Seals thereon, and cast up the Number of Votes as they appear in the said several Books, and shall openly declare the State of the Poll, and shall declare the Member or Members chosen, at or before the Hour of Two in the Afternoon of the said Day, any Statute to the contrary notwithstanding.

Poll may be closed in certain Cases as heretofore.

6. Nothing in this Act contained shall prevent any Sheriff or other Returning Officer, or the lawful Deputy of any Sheriff or Returning Officer, from closing the Poll at any contested Election for any County in *Ireland*, previous to the Expiration of the Time fixed by this Act, in any Case where the same might have been lawfully closed before the passing of this Act.

Proceedings in Cases of Riot.

7. Where the Proceedings at any Election after the Commencement of this Act (whether such Proceeding shall consist of the Nomination of a Candidate or Candidates or of the taking of the Poll) shall be interrupted or obstructed by any Riot or open Violence at or near the Place of Election or a Polling Place, or shall be interrupted or obstructed by any Riot or open Violence taking place elsewhere by the violent or forcible Prevention, Obstruction, or Interruption of Voters proceeding on their Way to such Election or Polling Place, (such last-mentioned Prevention, Obstruction, or Interruption of Voters proceeding on their Way as aforesaid being shown by Affidavit,) the Sheriff or other Returning Officer, or the lawful Deputy of any Sheriff or Returning Officer, shall not for such Cause terminate the Business of such Nomination, nor finally close the Poll but, shall adjourn the Nomination, or the taking of the Poll, at the particular Polling Place or Polling Places at or near to which, or on the Way to which, such Interruption or Obstruction shall have happened, until the following Day, and, if necessary, shall further adjourn such Nomination or Poll, as the Case may be, until such Interruption or Obstruction shall have ceased, when the Sheriff or Returning Officer, or his Deputy, shall again proceed with the Business of the Nomination or with the taking the Poll, as the Case may be, at the Place or Places at or near to which, or on the Way to which, the same respectively may have been interrupted or obstructed; and the Day on which the Business of the Nomination shall have been concluded shall be deemed to have been the Day fixed for the Election, and the Commencement of the Poll shall be regulated accordingly; and any Day whereon the Poll shall have been so adjourned shall not at such Place or Places be reckoned the Day of polling at such Election within the Meaning of this Act; and whenever the Poll shall have been so adjourned by any Deputy of any Sheriff or other Returning Officer, such Deputy shall forthwith give Notice of such Adjournment to the Sheriff or Returning Officer, who shall not finally declare the State of the Poll, or make Proclamation of the Member or Members chosen, until the Poll so adjourned at such Place or Places as aforesaid shall have been finally closed, and the Poll Books delivered or transmitted to such Sheriff or other Returning Officer, anything herein-before contained, or in any other Statute, to the contrary notwithstanding: Provided always, that this Act shall not be taken to authorize an Adjournment to a *Sunday*, but that in every Case in which the Day to which the Adjournment would otherwise be made shall happen to be a *Sunday*, *Good Friday*, or *Christmas Day*, that Day or Days shall be passed over, and the following shall be the Day to which the Adjournment shall be made.

Additional Polling Places may be appointed upon Petition from Justices in Quarter Sessions assembled to Lord Lieutenant.

8. It shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by and with the Advice of the Privy Council in *Ireland*, from Time to Time hereafter, on Petition from the Justices of any County or Riding in *Ireland* in Quarter Sessions assembled, representing that the Polling Places for such County or Riding are insufficient in Number, or inconveniently situated, and praying that the Place or Places mentioned in the said Petition may be a Polling Place or Polling Places for the County or Riding within which such Place or Places is or are situate, or may be discontinued as such Polling Place or Places, and that a Barony or Baronies, Half Barony or Half Baronies, or any Portion thereof respectively, in such Petition mentioned, may constitute a District for polling at a Polling Place in such Petition mentioned, (anything in the said recited Act, providing that a Barony or Half Barony shall not be divided, to the contrary notwithstanding,) or praying that any Polling District or Districts may be altered, and that any Barony or Half Barony, or any Portion thereof respectively, may be detached from any such Polling District, and be annexed to any other Polling District, as the Case may be, to declare that any Place or Places mentioned in the said Petition shall be a Polling Place or Polling Places for that County or Riding, or shall be discontinued as such Polling Place or Places, and that the Barony or Baronies, Half Barony or Half Baronies, or any Portion thereof respectively in such Petition mentioned, shall constitute a District for Polling at such Polling Place, and that the other Polling Districts of the said County or Riding shall be altered accordingly; or to declare that any Polling District or Districts shall be altered, and that any Barony or Half Barony, or Portion thereof respectively, shall be detached from any such Polling District, and be annexed to any other Polling District.

Place in which the Court for Revision of Lists may be held.

9. Notwithstanding the Provisions of the Act of the Thirteenth and Fourteenth Years of Her present Majesty, Chapter Sixty-nine, Section Forty-six, it shall not be necessary for the Assistant Barrister or Chairman of Quarter Sessions to hold a separate Court for the Revision of the List of Parliamentary Voters who are to poll in any such new District so to be constituted and declared at the Polling Place appointed for such new District; but it shall be lawful for the said Assistant Barrister or Chairman, if he shall so think fit, to revise the said List of Voters for such new District at a Court to be held at the Place in which the List of Parliamentary Voters for the Barony or Half Barony

out of which such District shall be constituted had been held previous to the Constitution of such new District, or at such other Place as the Lord Lieutenant or other Chief Governor of *Ireland* shall appoint.

Declaration or Order to be certified by Clerk of Privy Council, and published in Dublin Gazette.

10. Every such Declaration or Order for creating additional Polling Places and the Polling Districts for the same, or for discontinuing or altering any Polling District or Districts, shall be certified under the Hand of the Clerk of the said Privy Council, and when so certified shall be published in the *Dublin Gazette*, and shall be of the same Force and Effect as if the same had been made by the Authority of Parliament: Provided always, that no such Petition as aforesaid shall be made by such Justices so assembled unless a Notice in Writing shall have been delivered, One Month at the least before the holding of such Quarter Sessions, to the Clerk of the Peace of the County or Riding wherein the same are held, signed by Two Justices of the Peace for such County or Riding, and residing therein, or by Ten Inhabitants, being registered Voters for such County or Riding, which Notice shall state that the Court will, when such Sessions are held, be moved to make such Petition; nor unless the Clerk of the Peace shall, Ten Days at the least before the holding of such Sessions, have caused a Copy of such Notice to be inserted twice at the least in Two of the Newspapers of such County or Riding, if Two Newspapers are published therein, or, if not, in a Newspaper published or commonly circulated therein, together with a Notice of the Day upon which, and the Place at which, such Quarter Sessions will be held; provided also, that when such Motion is made any Person objecting to the same shall be heard by such Court against the same, or any Part thereof, if he thinks fit.

CAP. LXIII.

An Act to amend "The Merchant Shipping Act, 1854," "The Merchant Shipping Act Amendment Act, 1855," and "The Customs Consolidation Act, 1853." [29th *July* 1862.]

17 & 18 Vict. c. 104. 18 & 19 Vict. c. 91. 16 & 17 Vict. c. 107.

'WHEREAS it is expedient further to amend "The Merchant Shipping Act, 1854," "The Merchant Shipping Act Amendment Act, 1855," and "The Customs Consolidation Act, 1853":' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited as "The Merchant Shipping Act Amendment Act, 1862," and shall be construed with and as Part of "The Merchant Shipping Act, 1854," herein-after termed the Principal Act.

Enactments in Table (A.) repealed.

2. The Enactments described in Table (A.) in the Schedule to this Act shall be repealed as therein mentioned, except as to any Liabilities incurred before such Repeal.

Registry and Measurement of Tonnage (Part II. of Merchant Shipping Act, 1854).

Equities not excluded by Merchant Shipping Act.

3. It is hereby declared that the Expression "Benefical Interest," whenever used in the Second Part of the Principal Act, includes Interests arising under Contract and other equitable Interests; and the Intention of the said Act is that, without Prejudice to the Provisions contained in the said Act for preventing Notice of Trusts from being entered in the Register Book or received by the Registrar, and without Prejudice to the Powers of Disposition and of giving Receipts conferred by the said Act on registered Owners and Mortgagees, and without Prejudice to the Provisions contained in the said Act relating to the Exclusion of unqualified Persons from the Ownership of *British* Ships, Equities may be enforced against Owners and Mortgagees of Ships in respect of their Interest therein, in the same Manner as Equities may be enforced against them in respect of any other Personal Property.

Tonnage Rates under Local Acts may be levied on the registered Tonnage.

4. Any Body Corporate or Persons having Power to levy Tonnage Rates on Ships may, if they think fit, with the Consent of the Board of Trade, levy such Tonnage Rates upon the registered Tonnage of the Ships as determined by the Rules for the Measurement of Tonnage for the Time being in force under the Principal Act, notwithstanding that the Local Act or Acts under which such Rates are levied provides for levying the same upon some different System of Tonnage Measurement.

Certificates for Engineers (Part III. of Merchant Shipping Act, 1854).

Steam Ships to carry Certificated Engineers.

5. On and after the First Day of *June* One thousand eight hundred and sixty-three, every Steam Ship which is required by the Principal Act to have a Master possessing a Certificate from the Board of Trade shall also have an Engineer or Engineers possessing a Certificate or Certificates from the Board of Trade as follows; that is to say,

(1.) Engineers Certificates shall be of Two Grades, viz., "First-class Engineers Certificates," and "Second-class Engineers Certificates":

(2.) Every Foreign-going Steam Ship of One hundred nominal Horse Power or upwards shall have as its First and Second Engineers Two Certificated Engineers, the first possessing a "First-class Engineers Certificate," and the second possessing a "Second-class Engineers Certificate" or a Certificate of the higher Grade:

(3.) Every Foreign-going Steam Ship of less than One hundred nominal Horse Power shall have as its only or First Engineer an Engineer possessing a "Second-class Engineer's Certificate" or a Certificate of the higher Grade:

(4.) Every Sea-going Home Trade Passenger Steam Ship shall have as its only or First Engineer an Engineer possessing a "Second-class Engineer's Certificate" or a Certificate of the higher Grade:

(5.) Every Person who, having been engaged to serve in any of the above Capacities in any such Steam Ship as aforesaid, goes to Sea in that Capacity without being at the Time entitled to and possessed of such Certificate as is required by this Section, and every Person who employs any Person in any of the above Capacities in such Ship without ascertaining that he is at the Time entitled to and possessed of such Certificate as is required by this Section, shall for each such Offence incur a Penalty not exceeding Fifty Pounds.

Examinations for Engineers Certificates of Competency.

6. The Board of Trade shall from Time to Time cause Examinations to be held of Persons who may be desirous of obtaining Certificates of Competency as Engineers: For the Purpose of such Examinations the Board of Trade shall from Time to Time appoint and remove Examiners, and award the Remuneration to be paid to them; lay down Rules as to the Qualification of Applicants, and as to the Times and Places of Examination; and generally do all such Acts as it thinks expedient in order to carry into effect the Examination of such Engineers as aforesaid.

Fees to be paid by Applicants for Examination.

7. All Applicants for Examination shall pay such Fees, not exceeding the Sums specified in the Table marked (B.) in the Schedule hereto, as the Board of Trade directs; and such Fees shall be paid to such Persons as the said Board appoints for that Purpose, and shall be carried to the Account of the Mercantile Marine Fund.

Certificates of Competency to be granted to those who pass.

8. The Board of Trade shall deliver to every Applicant who is duly reported to have passed the Examination satisfactorily, and to have given satisfactory Evidence of his Sobriety, Experience, and Ability, a Certificate of Competency, as First-class Engineer or as Second-class Engineer, as the Case may be.

Engineers Certificates of Service to be delivered on Proof of certain Service.

9. Certificates of Service for Engineers, differing in Form from Certificates of Competency, shall be granted as follows; that is to say,

(1.) Every Person who before the First Day of *April* One thousand eight hundred and sixty-two has served as First Engineer in any Foreign-going Steam Ship of One hundred nominal Horse Power or upwards, or who has attained or attains the Rank of Engineer in the Service of Her Majesty or of the *East India* Company, shall be entitled to a "First-class Engineers Certificate" of Service:

(2.) Every Person who before the First Day of *April* One thousand eight hundred and sixty-two has served as Second Engineer in any Foreign-going Steam Ship of One hundred nominal Horse Power or upwards, or as First or only Engineer in any other Steam Ship, or who has attained or attains the Rank of First-class Assistant Engineer in the Service of Her Majesty, shall be entitled to a "Second-class Engineers Certificate" of Service:

Each of such Certificates of Service shall contain Particulars of the Name, Place, and Time of Birth, and the Length and Nature of the previous Service of the Person to whom the same is delivered; and the Board of Trade shall deliver such Certificates of Service to the various Persons so respectively entitled thereto, upon their proving themselves to have attained such Rank or to have served as aforesaid, and upon their giving a full and satisfactory Account of the Particulars aforesaid.

Certain Provisions of Merchant Shipping Act to apply to Engineers Certificates.

10. The Provisions of the Principal Act, with respect to the Certificates of Competency or Service of Masters and Mates, contained in the 138th, 139th, 140th, 161st, and 162d Sections of the said Act, shall apply to Certificates of Competency or Service granted under this Act in the same Manner as if Certificates of Competency and Service to be granted to Engineers under this Act were specially mentioned and included in the said Sections.

Power of Board of Trade and Local Marine Board to investigate Conduct of Certificated Engineers.

11. The Power by the 241st Section of the Principal Act given to the Board of Trade or to any Local Marine Board of instituting Investigations into the Conduct of any Master or Mate whom it has reason to believe to be from Incompetency or Misconduct unfit to discharge his Duties, shall extend to any Certificated Engineer whom the Board of Trade or any Local Marine Board has reason to believe to be from Incompetency or Misconduct unfit to discharge his Duties, in the same Manner as if in the said Section the Words "Certificated Engineer" had been inserted after "Master" wherever "Master" occurs in such Section.

Declaration of Engineer Surveyor to contain Statement concerning Engineers Certificate.

12. The Declaration required to be given by the Engineer Surveyor under Section 309 of the Principal Act shall, in the Case of a Ship by this Act required to have a Certificated Engineer, contain, in addition to the Statements in the said Section mentioned, a Statement that the Certificate or Certificates of the Engineer or Engineers of such Ship is or are such and in such Condition as is required by this Act.

Masters and Seamen (Part III. of Merchant Shipping Act, 1854).

Third Part of Act to apply to Fishing Boats, Lighthouse Vessels, and Pleasure

13. The following Vessels; that is to say,

(1.) Registered Seagoing Ships exclusively employed in Fishing on the Coasts of the United Kingdom;

(2.) Seagoing Ships belonging to any of the Three General Lighthouse Boards;

(3.) Seagoing Ships being Pleasure Yachts;

Shall

Shall be subject to the whole of the Third Part of the Principal Act; except,—Sections 136, 143, 145, 147, 149, 150, 151, 152, 153, 154, 155, 157, 158, 161, 162, 166, 170, 171, 231, 256, 279, 280, 281, 282, 283, 284, 285, 286, and 287. Yachts, with certain Exceptions.

14. 'Whereas Doubts have been entertained whether Local Marine Boards have the Power of determining a Quorum:' It is hereby declared, That the Power by the 119th Section of the Principal Act given to every Local Marine Board of regulating the Mode in which its Meetings are to be held and its Business conducted includes the Power of determining a Quorum; nevertheless, after the passing of this Act such Quorum shall never consist of less than Three Members. Local Marine Board may determine Number of Quorum.

15. The Offices termed Shipping Offices in the Principal Act shall be termed Mercantile Marine Offices, and the Officers termed Shipping Masters and Deputy Shipping Masters in the Principal Act shall be termed Superintendents and Deputy Superintendents of such Offices; but nothing in this Section contained shall invalidate or affect any Act which may be done at any such Office under the Title of a Shipping Office, or any Act which may be done by, with, or to any of the said Officers under the Title of Shipping Master or Deputy Shipping Master. Titles of Shipping Masters.

16. Any Person appointed to any Office or Service by or under any Local Marine Board shall be deemed to be a Clerk or Servant within the Meaning of the Sixty-eighth Section of the Act of the Twenty-fifth Year of the Reign of Her present Majesty, Chapter Ninety-six: Punishment for Embezzlement in Shipping Offices.

If any such Person fraudulently applies or disposes of any Chattel, Money, or valuable Security received by him whilst employed in such Office or Service for or on account of any such Local Marine Board, or for or on account of any other public Board or Department, to his own Use or any Use or Purpose other than that for which the same was paid, entrusted to, or received by him, or fraudulently withholds, retains, or keeps back the same or any Part thereof contrary to any lawful Directions or Instructions which he is required to obey in relation to such Office or Service, he shall be deemed guilty of Embezzlement within the Meaning of the said Section:

Any such Person shall, on Conviction of such Offence as aforesaid, be liable to the same Pains and Penalties as are thereby imposed upon any Clerk or Servant for Embezzlement:

In any Indictment against such Person for such Offence it shall be sufficient to charge any such Chattel, Money, or valuable Security as the Property either of the Board by which he was appointed, or of the Board or Department for or on account of which he may have received the same; and no greater Particularity in the Description of the Property shall be required in such Indictment in order to sustain the same, or in proof of the Offence alleged, than is required in respect of an Indictment or the Subject Matter thereof by the Seventy-first Section of the said last-mentioned Act.

17. 'Whereas it is expedient to make Provision in certain Cases for holding Examinations of Applicants for Certificates of Competency at Places where there are no Local Marine Boards:' Be it enacted, That the Board of Trade, if satisfied that serious Inconvenience exists at any Port in consequence of the Distance which Applicants for Certificates have to travel in order to be examined, may, with the Concurrence of any Local Marine Board, send the Examiner or Examiners of that Local Marine Board to the Port where such Inconvenience exists; and thereupon the said Examiner or Examiners shall proceed to such Port, and shall there examine the Applicants in the Presence of such Person or Persons (if any) as the Board of Trade may appoint for the Purpose; and such Examinations shall be conducted in the same Manner and shall have the same Effect as other Examinations under the said Act. Examinations of Masters and Mates at Ports where there are no Local Marine Boards.

18. It is hereby declared that the 182d Section of the Principal Act does not apply to the Case of any Stipulation made by the Seamen belonging to any Ship, which according to the Terms of the Agreement is to be employed on Salvage Service, with respect to the Remuneration to be paid to them for Salvage Services to be rendered by such Ship to any other Ship or Ships. Construction of Sect. 182 of Principal Act. Stipulations concerning Salvage.

19. The Payment of Seamen's Wages required by the 209th Section of the Principal Act shall, whenever it is practicable so to do, be made in Money and not by Bill; and in Cases where Payment is made by Bill drawn by the Master, the Owner of the Ship shall be liable to pay the Amount for which the same is drawn to the Holder or Indorsee thereof; and it shall not be necessary in any Proceeding against the Owner upon such Bill to prove that the Master had Authority to draw the same; and any Bill purporting to be drawn in pursuance of the said Section, and to be indorsed as therein required, if produced out of the Custody of the Board of Trade or of the Registrar General of Seamen, or of any Superintendent of any Mercantile Marine Office, shall be received in Evidence; and any Indorsement on any such Bill purporting to be made in pursuance of the said Section, and to be signed by One of the Functionaries therein mentioned, shall also be received in Evidence, and shall be deemed to be *primâ facie* Evidence of the Facts stated in such Indorsement. Payment of Wages to Seamen abroad under Section 209 of Principal Act.

20. The 197th Section of the Principal Act shall extend to Seamen or Apprentices who within the Six Months immediately preceding their Death have belonged to a *British* Ship; and such Section shall be construed as if there were inserted in the First Line thereof after the Words "such Seamen or "Apprentice as last aforesaid" the Words "or if any Seaman or Apprentice who has within the Six "Months immediately preceding his Death belonged to a *British* Ship." Wages and Effects of deceased Seamen.

21. The Wages of Seamen or Apprentices who are lost with the Ship to which they belong shall be dealt with as follows; (that is to say,) Recovery of Wages, &c. of Seamen lost with their Ship.

(1.) The Board of Trade may recover the same from the Owner of the Ship in the same Manner in which Seamen's Wages are recoverable:

(2.) In any Proceedings for the Recovery of such Wages, if it is shown by some official Return produced out of the Custody of the Registrar General of Seamen or by other Evidence that the Ship has Twelve Months or upwards before the Institution of the Proceeding left a Port of Departure, and if it is not shown that she has been heard of within Twelve Months after such Departure, she shall be deemed to have been lost with all Hands on board, either immediately after the Time she was last heard of or at such later Time as the Court hearing the Case may think probable:

(3.) The Production out of the Custody of the Registrar General of Seamen or of the Board of Trade of any Duplicate Agreement or List of the Crew made out at the Time of the last Departure of the Ship from the United Kingdom, or of a Certificate purporting to be a Certificate from a Consular or other public Officer at any Port abroad, stating that certain Seamen or Apprentices were shipped in the Ship from the said Port, shall, in the Absence of Proof to the contrary, be sufficient Proof that the Seamen or Apprentices therein named were on board at the Time of the Loss:

(4.) The Board of Trade shall deal with such Wages in the Manner in which they deal with the Wages of other deceased Seamen and Apprentices under the Principal Act.

Relief of distressed Seamen to be regulated by Board of Trade.

22. 'Whereas under the 211th and 212th Sections of the Principal Act, and the 16th Section of "The Merchant Shipping Act Amendment Act, 1855," Provision is made for relieving and sending home Seamen found in Distress abroad: And whereas Doubts are entertained whether Power exists under the said Sections of making Regulations and imposing Conditions which are necessary for the Prevention of Desertion and Misconduct and the undue Expenditure of Public Money:' Be it enacted and it is hereby declared, That the Claims of Seamen to be relieved or sent home in pursuance of the said Sections or any of them shall be subject to such Regulations and dependent on such Conditions as the Board of Trade may from Time to Time make or impose; and no Seaman shall have any Right to demand to be relieved or sent home except in the Cases and to the Extent provided for by such Regulations and Conditions.

Power of cancelling Certificate to rest with the Court which hears the Case.

23. The following Rules shall be observed with respect to the Cancellation and Suspension of Certificates, that is to say:

(1.) The Power of cancelling or suspending the Certificate of a Master or Mate by the 242d Section of the Principal Act conferred on the Board of Trade shall (except in the Case provided for by the Fourth Paragraph of the said Section) vest in and be exercised by the Local Marine Board, Magistrates, Naval Court, Admiralty Court, or other Court or Tribunal by which the Case is investigated or tried, and shall not in future vest in or be exercised by the Board of Trade:

(2.) Such Power shall extend to cancelling or suspending the Certificates of Engineers in the same Manner as if "Certificated Engineer" or "Certificated Engineers" were inserted throughout such Section after "Master" or "Masters":

(3.) Every such Board, Court, or Tribunal shall at the Conclusion of the Case, or as soon afterwards as possible, state in open Court the Decision to which they may have come with respect to cancelling or suspending Certificates, and shall in all Cases send a full Report upon the Case, with the Evidence, to the Board of Trade, and shall also, if they determine to cancel or suspend any Certificate, forward such Certificate to the Board of Trade with their Report:

(4.) It shall be lawful for the Board of Trade, if they think the Justice of the Case require it, to reissue and return any Certificate which has been cancelled or suspended, or shorten the Time for which it is suspended, or grant a new Certificate of the same or any lower Grade in place of any Certificate which has been cancelled or suspended:

(5.) The 434th and 437th Sections of the Principal Act shall be read as if for the Word "Nautical" were substituted the Words "Nautical or Engineering," and as if for the Word "Person" and "Assessor" respectively were substituted the Words "Person or Persons" and "Assessor or Assessors" respectively:

(6.) No Certificate shall be cancelled or suspended under this Section unless a Copy of the Report or a Statement of the Case upon which the Investigation is ordered has been furnished to the Owner of the Certificate before the Commencement of the Investigation, nor, in the Case of Investigations conducted by Justices or a Stipendiary Magistrate, unless One Assessor at least expresses his Concurrence in the Report.

Certificate to be delivered up.

24. Every Master or Mate or Engineer whose Certificate is or is to be suspended or cancelled in pursuance of this Act shall, upon Demand of the Board, Court, or Tribunal by which the Case is investigated or tried, deliver his Certificate to them, or, if it is not demanded by such Board, Court, or Tribunal, shall, upon Demand, deliver it to the Board of Trade, or as it directs, and in default shall for each Offence incur a Penalty not exceeding Fifty Pounds.

Safety

Safety (Part IV. of Merchant Shipping Act, 1854).

Enactment of Regulations concerning Lights, Fog Signals, and Sailing Rules in Schedule, Table (C.)

25. On and after the First Day of *June* One thousand eight hundred and sixty-three, or such later Day as may be fixed for the Purpose by Order in Council, the Regulations contained in the Table marked (C.) in the Schedule hereto shall come into operation and be of the same Force as if they were enacted in the Body of this Act; but Her Majesty may from Time to Time, on the joint Recommendation of the Admiralty and the Board of Trade, by Order in Council, annul or modify any of the said Regulations, or make new Regulations in addition thereto or in substitution therefor; and any Alterations in or Additions to such Regulations made in manner aforesaid shall be of the same Force as the Regulations in the said Schedule.

Regulations to be published.

26. The Board of Trade shall cause the said Regulations and any Alterations therein or Additions thereto hereafter to be made to be printed, and shall furnish a Copy thereof to any Owner or Master of a Ship who applies for the same; and Production of the Gazette in which any Order in Council containing such Regulations or any Alterations therein or Additions thereto is published, or of a Copy of such Regulations, Alterations, or Additions, signed or purporting to be signed by One of the Secretaries or Assistant Secretaries of the Board of Trade, or sealed or purporting to be sealed with the Seal of the Board of Trade, shall be sufficient Evidence of the due making and Purport of such Regulations, Alterations, or Additions.

Owners and Masters bound to obey them.

27. All Owners and Masters of Ships shall be bound to take notice of all such Regulations as aforesaid, and shall, so long as the same continue in force, be bound to obey them, and to carry and exhibit no other Lights and to use no other Fog Signals than such as are required by the said Regulations; and in case of wilful Default, the Master, or the Owner of the Ship if it appear that he was in such Fault, shall, for each Occasion upon which such Regulations are infringed, be deemed to be guilty of a Misdemeanor.

Breaches of Regulations to imply wilful Default of Person in charge.

28. In case any Damage to Person or Property arises from the Non-observance by any Ship of any Regulation made by or in pursuance of this Act, such Damage shall be deemed to have been occasioned by the wilful Default of the Person in charge of the Deck of such Ship at the Time, unless it is shown to the Satisfaction of the Court that the Circumstances of the Case made a Departure from the Regulation necessary.

If Collision ensues from Breach of the Regulations, Ship to be deemed in fault.

29. If in any Case of Collision it appears to the Court before which the Case is tried that such Collision was occasioned by the Non-observance of any Regulation made by or in pursuance of this Act, the Ship by which such Regulation has been infringed shall be deemed to be in fault, unless it is shown to the Satisfaction of the Court that the Circumstances of the Case made a Departure from the Regulation necessary.

Inspection for enforcing Regulations.

30. The following Steps may be taken in order to enforce Compliance with the said Regulations; that is to say,

(1.) The Surveyors appointed under the Third Part of the Principal Act, or such other Persons as the Board of Trade may appoint for the Purpose, may inspect any Ships for the Purpose of seeing that such Ships are properly provided with Lights and with the Means of making Fog Signals in pursuance of the said Regulations, and shall for that Purpose have the Powers given to Inspectors by the 14th Section of the Principal Act:

(2.) If any such Surveyor or Person finds that any Ship is not so provided, he shall give to the Master or Owner Notice in Writing, pointing out the Deficiency, and also what is, in his Opinion, requisite in order to remedy the same:

(3.) Every Notice so given shall be communicated in such Manner as the Board of Trade may direct to the Collector or Collectors of Customs at any Port or Ports from which such Ship may seek to clear or at which her Transire is to be obtained; and no Collector to whom such Communication is made shall clear such Ship outwards or grant her a Transire, or allow her to proceed to Sea, without a Certificate under the Hand of One of the said Surveyors or other Persons appointed by the Board of Trade as aforesaid, to the Effect that the said Ship is properly provided with Lights and with the Means of making Fog Signals in pursuance of the said Regulations.

Rules for Harbours under Local Acts to continue in force.

31. Any Rules concerning the Lights or Signals to be carried by Vessels navigating the Waters of any Harbour, River, or other Inland Navigation, or concerning the Steps for avoiding Collision to be taken by such Vessels, which have been or are hereafter made by or under the Authority of any Local Act, shall continue and be of full Force and Effect notwithstanding anything in this Act or in the Schedule thereto contained.

In Harbours and Rivers where no such Rules exist they may be made.

32. In the Case of any Harbour, River, or other Inland Navigation for which such Rules are not and cannot be made by or under the Authority of any Local Act, it shall be lawful for Her Majesty in Council, upon Application from the Harbour Trust or Body Corporate, if any, owning or exercising Jurisdiction upon the Waters of such Harbour, River, or Inland Navigation, or, if there is no such Harbour Trust or Body Corporate, upon Application from Persons interested in the Navigation of such Waters, to make Rules concerning the Lights or Signals to be carried, and concerning the Steps for avoiding Collision to be taken by Vessels navigating such Waters; and such Rules, when

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so made, shall, so far as regards Vessels navigating such Waters, have the same Effect as if they were Regulations contained in Table (C.) in the Schedule to this Act, notwithstanding anything in this Act or in the Schedule thereto contained.

In case of Collision one Ship shall assist the other.

33. In every Case of Collision between Two Ships it shall be the Duty of the Person in charge of each Ship, if and so far as he can do so without Danger to his own Ship and Crew, to render to the other Ship, her Master, Crew, and Passengers (if any), such Assistance as may be practicable and as may be necessary in order to save them from any Danger caused by the Collision:

In case he fails so to do, and no reasonable Excuse for such Failure is shown, the Collision shall, in the Absence of Proof to the contrary, be deemed to have been caused by his wrongful Act, Neglect, or Default; and such Failure shall also, if proved upon any Investigation held under the Third or the Eighth Part of the Principal Act, be deemed to be an Act of Misconduct or a Default for which his Certificate (if any) may be cancelled or suspended.

Surveys of Steamers.

34. Notwithstanding anything in the 311th Section of the Principal Act contained, it shall not be necessary for the Surveys of Passenger Steamers to be made in the Months of *April* and *October*; but no Declaration shall be given by any Surveyor under the Fourth Part of the said Act for a Period exceeding Six Months, and no Certificate issued by the Board of Trade shall remain in force more than Six Months from the Date thereof.

Penalties on drunken or disorderly Passengers.

35. The following Offenders, that is to say,

(1.) Any Person who, being drunken or disorderly, has been on that Account refused Admission into any duly surveyed Passenger Steamer by the Owner or any Person in his Employ, and who, after having had the Amount of his Fare (if he has paid the same) returned or tendered to him, nevertheless persists in attempting to enter such Steamer;

(2.) Any Person who being drunken or disorderly on board any such Steamer is requested by the Owner or any Person in his Employ to leave the same at any Place in the United Kingdom at which he can conveniently so do, and who, having had the Amount of his Fare (if he has paid the same) returned or tendered to him, refuses to comply with such Request;

On Persons molesting Passengers.

(3.) Any Person on board any such Steamer who after Warning by the Master or any other Officer of the Steamer molests or continues to molest any Passenger;

Penalties on Persons forcing Way on board the Ship when full.

(4.) Any Person who, after having been refused Admission into any such Steamer by the Owner or any Person in his Employ on account of such Steamer being full, and who after having had the full Amount of his Fare (if he has paid the same) returned or tendered to him, nevertheless persists in attempting to enter the same;

And on Persons refusing to quit the Ship when full.

(5.) Any Person, having got on board any such Steamer, who, upon being requested on the like Account by the Owner or any Person in his Employ to leave such Steamer before the same has quitted the Place at which such Person got on board, and who upon having the full Amount of his Fare (if he has paid the same) returned or tendered to him, refuses to comply with such Request;

Penalties for avoiding Payment of Fares.

(6.) Any Person who travels or attempts to travel in any such Steamer without having previously paid his Fare, and with Intent to avoid Payment thereof;

(7.) Any Person who, having paid his Fare for a certain Distance, knowingly and wilfully proceeds in any such Steamer beyond such Distance without previously paying the additional Fare for the additional Distance, and with Intent to avoid Payment thereof;

(8.) Any Person who knowingly and wilfully refuses or neglects, on arriving at the Point to which he has paid his Fare, to quit any such Steamer; and

(9.) Any Person on board any such Steamer who does not when required by the Master or other Officer of such Steamer either pay his Fare or exhibit such Ticket or other Receipt (if any) showing the Payment of his Fare as is usually given to Persons travelling by and paying their Fare for such Steamer;

Shall for every such Offence be liable to a Penalty not exceeding Forty Shillings; but such Liability shall not prejudice the Recovery of any Fare payable by him.

Penalty for injuring Steamer or molesting Crew.

36. Any Person on board any such Steamer who wilfully does or causes to be done anything in such a Manner as to obstruct or injure any Part of the Machinery or Tackle of such Steamer, or to obstruct, impede, or molest the Crew or any of them in the Navigation or Management of such Steamer, or otherwise in the Execution of their Duty upon or about such Steamer, shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds.

Manner of apprehending Offenders.

37. It shall be lawful for the Master or other Officer of any duly surveyed Passenger Steamer, and for all Persons called by him to his Assistance, to detain any Person who has committed any Offence against any of the Provisions of the Two last preceding Sections of this Act, and whose Name and Address are unknown to such Officer, and to convey such Offender with all convenient Despatch before some Justice without any Warrant or other Authority than this Act; and such Justice shall have Jurisdiction to try the Case, and shall proceed with all convenient Despatch to the hearing and determining of the Complaint against such Offender.

Provisions as to carrying dangerous Goods.

38. The Provisions of the 329th Section of the Principal Act shall extend to Foreign Ships when within the Limits of the United Kingdom.

Pilotage (Part V. of Merchant Shipping Act, 1854).

Power of Pilotage Authorities to exempt from compulsory Pilotage.

39. 'Whereas it is enacted by the Principal Act that every Pilotage Authority shall have Power, 'in manner and subject to the Conditions therein mentioned, to do the following Things; (that is 'to say,)

'To exempt the Masters of any Ships or of any Classes of Ships from being compelled to employ 'qualified Pilots:

To alter and reduce Rates of Pilotage.

'To lower and modify the Rates and Prices or other Remuneration to be demanded and received for 'the Time being by Pilots licensed by such Authority:

To arrange the Limits of Pilotage Districts.

'To make arrangements with any other Pilotage Authority for altering the Limits of their respective 'Districts, and for extending the Powers of such other Authority, and transferring its own Powers 'to such last-mentioned Authority:

'And whereas it is expedient that increased Facilities should be given for effecting the Objects contem-'plated by the said recited Enactments, and for further amending the Law concerning Pilotage, and 'that in so doing Means should be afforded for paying due Regard to existing Interests and to the 'Circumstances of particular Cases:' Be it enacted, That it shall be lawful for the Board of Trade, by Provisional Order, to do the following Things; that is to say,

Power by Provisional Order,—

(1.) Whenever any Pilotage Authority residing or having its Place of Business at One Port has or exercises Jurisdiction in Matters of Pilotage in any other Port, to transfer so much of the said Jurisdiction as concerns such last-mentioned Port to any Harbour Trust or other Body exercising any local Jurisdiction in Maritime Matters at the last-mentioned Port or to any Body to be constituted for the Purpose by the Provisional Order, or, in Cases where the said Pilotage Authority is not the *Trinity House of Deptford Strond*, to the said *Trinity House*; or to transfer the whole or any Part of the Jurisdiction of the said Pilotage Authority to a new Body Corporate or Body of Persons to be constituted for the Purpose by the Provisional Order, so as to represent the Interests of the several Ports concerned:

To transfer Pilotage Jurisdiction.

(2.) To make the Body Corporate or Persons to whom the said Transfer is made a Pilotage Authority within the Meaning of the Principal Act, with such Powers for the Purpose as may be in the Provisional Order in that Behalf mentioned:

And to make consequent Arrangements.

To determine the Limits of the District of the Pilotage Authority to which the Transfer of Jurisdiction is made:

To sanction a Scale of Pilotage Rates to be taken by the Pilots to be licensed by the last-mentioned Pilotage Authority:

To determine to what Extent and under what Conditions any Pilots already licensed by the former Pilotage Authority shall continue to act under the new Pilotage Authority:

To sanction Arrangements for the Apportionment of any Pilotage Funds belonging to the Pilots licensed by the former Pilotage Authority between the Pilots remaining under the Jurisdiction of that Authority and the Pilots who are transferred to the Jurisdiction of the new Authority:

To provide for such Compensation or Superannuation as may be just to Officers employed by the former Pilotage Authority and not continued by the new Authority:

(3.) To constitute a Pilotage Authority and to fix the Limits of its District in any Place in the United Kingdom where there is no such Authority; so, however, that in the new Pilotage Districts so constituted there shall be no compulsory Pilotage, and no Restriction on the Power of duly qualified Persons to obtain Licences as Pilots:

To constitute new Authorities.

(4.) To exempt the Masters and Owners of all Ships, or of any Classes of Ships, from being obliged to employ Pilots in any Pilotage District or in any Part of any Pilotage District, or from being obliged to pay for Pilots when not employing them in any District or in any Part of any Pilotage District, and to annex any Terms and Conditions to such Exemptions:

To exempt from compulsory Pilotage in any District.

(5.) In Cases where the Pilotage is not compulsory, and where there is no Restriction on the Power of duly qualified Persons to obtain Licences as Pilots, to enable any Pilotage Authority to license Pilots and fix Pilotage Rates for any Part of the District within the Jurisdiction of such Authority for which no such Licences or Rates now exist:

To enable existing Authorities to grant Licences and fix Rates.

(6.) In Cases where the Pilotage is not compulsory, and where there is no Restriction on the Power of duly qualified Persons to obtain Licences as Pilots, to enable any Pilotage Authority to raise all or any of the Pilotage Rates now in force in the District or any Part of the District within the Jurisdiction of such Authority:

To raise Rates.

(7.) In Cases where the Pilotage is not compulsory, and where there is no Restriction on the Number of Pilots, or on the Power of duly qualified Persons to obtain Licences as Pilots, to give additional Facilities for the Recovery of Pilotage Rates and for the Prevention of the Employment of unqualified Pilots:

To facilitate Recovery of Rates in certain Cases.

(8.) To give Facilities for enabling duly qualified Persons, after proper Examination as to their Qualifications, to obtain Licences as Pilots.

To facilitate Grants of Licences.

40. The

Regulations with respect to Manner of making and confirming Provisional Orders.

40. The following Rules shall be observed with respect to Provisional Orders made in pursuance of this Act:

1. Application in Writing for such Order shall be made to the Board of Trade by some Persons interested in the Pilotage of the District or in the Operation of the Laws or Regulations relating to such Pilotage:
2. Notice of such Application having been made shall be published once at the least in each of Two successive Weeks in the Month immediately succeeding the Time of such Application in the *Shipping Gazette*, and in some Newspaper or Newspapers circulating in the County, or, if there are more than One, in the Counties adjacent to the Pilotage District to be affected by the Order:
3. The Notice so published shall state the Objects which it is proposed to effect by the Provisional Order:
4. The Board of Trade on receiving the Application shall refer the same to the Pilotage Authority or Authorities of the District, and shall receive and consider any Objections which may be made to the proposed Provisional Order, and shall for that Purpose allow at least Six Weeks to elapse between the Time of referring the Application to the Pilotage Authority and the Time of making the Provisional Order:
5. The Board of Trade shall, after considering all Objections, determine whether to proceed with the Provisional Order or not; and shall, if they determine to proceed with it, settle it in such Manner and with such Terms and Conditions, not being inconsistent with the Provisions of this Act, as they may think fit; and shall, when they have settled the same, forward Copies thereof to the Persons making the Application and to the Pilotage Authority or Authorities of the District or Districts to which it refers:
6. No such Provisional Order shall take effect unless and until the same is confirmed by Parliament; and for the Purpose of procuring such Confirmation the Board of Trade shall introduce into Parliament a Public General Bill, or Public General Bills, in which, or in the Schedule to which, the Provisional Order or Provisional Orders to be thereby confirmed shall be set out at Length:
7. If any Petition is presented to either House of Parliament against any such Provisional Order as aforesaid in the Progress through Parliament of the Bill confirming the same, so much of the Bill as relates to the Order so petitioned against may be referred to a Select Committee, and the Petitioner shall in such Case be allowed to appear and oppose as in the Case of Private Bills.

Extension of Exemptions from compulsory Pilotage.

41. The Masters and Owners of Ships passing through the Limits of any Pilotage District in the United Kingdom on their Voyages between Two Places both situate out of such Districts shall be exempted from any Obligation to employ a Pilot within such District, or to pay Pilotage Rates when not employing a Pilot within such District: Provided that the Exemption contained in this Section shall not apply to Ships loading or discharging at any Place situate within such District, or at any Place situate above such District on the same River or its Tributaries.

Arrangement of Pilot Funds for Bristol Channel Pilots.

42. 'Whereas under the Provisions of the *Bristol Channel* Pilotage Act, 1861, Pilotage Authorities 'have been established at the Ports of *Newport* and *Gloucester*, and the Pilots theretofore licensed by 'the *Trinity House of Deptford Strond* for those Parts have ceased to be so licensed: And whereas 'no Provision has been made by the said Act for dealing with such Interests as the said Pilots may 'have in the *Trinity House* Pilot Fund mentioned in the Principal Act:' Be it therefore enacted, That, notwithstanding the said Pilots have ceased to be licensed by the *Trinity House*, the *Trinity House* may make such an equitable Arrangement in the Administration of the *Trinity House* Pilot Fund mentioned in the Principal Act with reference to the Interests of the Pilots so ceasing to be licensed by them as aforesaid as they may in their Discretion think fit.

Lighthouses (*Part VI. of Merchant Shipping Act*, 1854).

Lights, &c. under Local Authorities to be inspected, &c. by Trinity House, and other General Authorities.

43. The following Rules shall be observed with respect to the Inspection of local Lighthouses, Buoys, and Beacons; that is to say,

(1.) It shall be the Duty of each of the General Lighthouse Authorities, or of such Persons as may be authorized by such Authority for the Purpose, to inspect all Lights, Buoys, and Beacons situate within the Limits of the Jurisdiction of such General Authority, but belonging to or under the Jurisdiction of any Local Authorities, and to make such Inquiries in respect thereof and of the Management thereof as they may think fit:

(2.) All Officers and others having the Care of such Lighthouses, Buoys, or Beacons, or concerned in the Management thereof, shall furnish all such Information and Explanations concerning the same as they may require:

(3.) All such Local Authorities and their respective Officers shall at all Times give to the Inspecting Authority all such Returns, Explanations, or Information concerning the Lighthouses, Buoys, and Beacons within their Jurisdiction, and the Management thereof, as the said Authority may from Time to Time require:

(4.) The

(4.) The Inspecting Authority shall communicate to each Local Authority the Results of its Inspection of the Lighthouses, Buoys, and Beacons within its Jurisdiction, and shall also make general Reports of the Results of its Inspection of local Lighthouses, Buoys, and Beacons to the Board of Trade; and such Reports shall be laid before Parliament:

(5.) The Powers given by the 394th Section of the Principal Act to the General Lighthouse Authorities shall, so far as the same are applicable, extend and apply to the Case of local Buoys and Beacons, other than local Buoys and Beacons placed or erected for temporary Purposes, as well as to the Case of local Lighthouses.

Liability for and Recovery of Light Dues.

44. The following Persons shall be liable to pay Light Dues for any Ship in respect of which Light Dues are payable; (that is to say,) the Owner or Master, or such Consignees or Agents thereof as have paid or made themselves liable to pay any other Charge on account of such Ship in the Port of her Arrival or Discharge, and in default of Payment such Light Dues may be recovered in the same Manner as Penalties of the like Amount may be recovered by virtue of the Principal Act,

Powers of Consignees to retain Light Dues paid by them.

45. Every Consignee and Agent (not being the Owner or Master) hereby made liable for the Payment of Light Dues in respect of any Ship may, out of any Monies in his Hands received on account of such Ship, or belonging to the Owner thereof, retain the Amount of all Dues so paid by him, together with any reasonable Expenses he may have incurred by reason of such Payment or Liability.

Dues may be levied for local Lights.

46. If any Lighthouse, Buoy, or Beacon is erected or placed, or reconstructed, repaired, or replaced by any Local Authority having Jurisdiction in the Matter of Lighthouses, Buoys, or Beacons, Her Majesty may, on the Application of the said Local Authority, by Order in Council fix such Dues to be paid to the said Local Authority in respect of every Ship which enters the Port or Harbour under the Jurisdiction of such Local Authority or the Estuary wherein such Lighthouse, Buoy, or Beacon is situate, and which passes the said Lighthouse, Buoy, or Beacon, and derives Benefit therefrom, as Her Majesty may deem reasonable:

The Dues for the Time being fixed by any such Order in Council as aforesaid shall be paid accordingly by the Master of the said Ship or other Person or Persons by whom the said Light Dues, if levied by One of the General Lighthouse Authorities, would be payable, and shall be recoverable in the same Manner as Light Dues payable to such General Authorities are recoverable.

Application of and Accounts of such Dues.

47. All Light Dues leviable by any Local Authority under this Act shall be applied for the Purposes of the Construction, Placing, Maintenance, and Improvement of the Lighthouses, Buoys, and Beacons in respect of which the same are levied, and for no other Purpose:

The Local Authority to whom the same are paid shall keep a separate Account of the Receipt and Expenditure of such Dues, and shall once in every Year, or at such other Time as the Board of Trade may determine, send a Copy of such Account to the Board of Trade, and shall send the same in such Form and shall give such Particulars in relation thereto as the Board of Trade may require:

Her Majesty may by Order in Council from Time to Time reduce, alter, or increase all or any of such Dues, so that the same may, so far as it is practicable, be sufficient and not more than sufficient for the Payment of the Expenses incurred by the Local Authority in respect of the Lighthouses, Buoys, or Beacons for which the Dues are levied.

Construction of Sect. 431. of Principal Act.

48. The 431st Section of the Principal Act shall be read as if after the Word "Ships" there were inserted the Words "and Boats."

Wreck and Salvage (Part VIII. of Merchant Shipping Act, 1854).

Extension and Amendment of summary Jurisdiction in small Salvage Cases.

49. The Provisions contained in the Eighth Part of the Principal Act for giving summary Jurisdiction to Two Justices in Salvage Cases, and for preventing unnecessary Appeals and Litigation in such Cases, shall be amended as follows; (that is to say,)

(1.) Such Provision shall extend to all Cases in which the Value of the Property saved does not exceed One thousand Pounds, as well as to the Cases provided for by the Principal Act:

(2.) Such Provisions shall be held to apply whether the Salvage Service has been rendered within the Limits of the United Kingdom or not:

(3.) It shall be lawful for One of Her Majesty's Principal Secretaries of State, or in *Ireland* for the Lord Lieutenant or other Chief Governor or Governors, to appoint out of the Justices for any Borough or County a Rota of Justices by whom Jurisdiction in Salvage Cases shall be exercised:

(4.) When no such Rota is appointed, it shall be lawful for the Salvors, by Writing addressed to the Justice's Clerk, to name One Justice, and for the Owner of the Property saved in like Manner to name the other:

(5.) If either Party fails to name a Justice within a reasonable Time, the Case may be tried by Two or more Justices at Petty Sessions:

(6.) It shall be competent for any Stipendiary Magistrate, and also in *England* for any County Court Judge, in *Scotland* for the Sheriff or Sheriff Substitute of any County, and in *Ireland* for the Recorder of any Borough in which there is a Recorder, or for the Chairman of Quarter Sessions in any County, to exercise the same Jurisdiction in Salvage Cases as is given to Two Justices:

(7.) It shall be lawful for One of Her Majesty's Principal Secretaries of State to determine a Scale of Costs to be awarded in Salvage Cases by any such Justices or Court as aforesaid:

(8.) All the Provisions of the Principal Act relating to summary Proceedings in Salvage Cases, and to the Prevention of unnecessary Appeals in such Cases, shall, except so far as the same are altered by this Act, extend and apply to all such Proceedings, whether under the Principal Act or this Act, or both of such Acts.

Receiver may appoint a Valuer in Salvage Cases.

50. Whenever any Salvage Question arises the Receiver of Wreck for the District may, upon Application from either of the Parties, appoint a Valuer to value the Property in respect of which the Salvage Claim is made, and shall, when the Valuation has been returned to him, give a Copy of the Valuation to both Parties; and any Copy of such Valuation, purporting to be signed by the Valuer, and to be attested by the Receiver, shall be received in Evidence in any subsequent Proceeding; and there shall be paid in respect of such Valuation, by the Party applying for the same, such Fee as the Board of Trade may direct.

Jurisdiction of Court of Session in Salvage Cases.

51. The Words "Court of Session" in the Four hundred and sixty-eighth Section of the Principal Act shall be deemed to mean and include either Division of the Court of Session or the Lord Ordinary officiating on the Bills during Vacation.

Delivery of Wreck by Receiver not to prejudice Title.

52. Upon Delivery of Wreck or of the Proceeds of Wreck by any Receiver to any Person in pursuance of the Provisions of the Eighth Part of the Principal Act such Receiver shall be discharged from all Liability in respect thereof, but such Delivery shall not be deemed to prejudice or affect any Question concerning the Right or Title to the said Wreck which may be raised by Third Parties, nor shall any such Delivery prejudice or affect any Question concerning the Title to the Soil on which the Wreck may have been found.

Crown Rights to Wreck.

53. 'Whereas by the Principal Act it is provided that the Proceeds of Wreck, if the same is not 'claimed by the Owner within a Year, and if no Person other than Her Majesty, Her Heirs and Successors, is proved to be entitled thereto, shall, subject to certain Deductions, be paid into the Receipt of 'Her Majesty's Exchequer in such Manner as the Commissioners of the Treasury may direct, and that 'the same shall be carried to and form Part of the Consolidated Fund of the United Kingdom:

'And whereas Doubts have been entertained whether the said last-recited Provision is consistent 'with the Arrangements concerning the Hereditary Revenues of the Crown effected by the Act of the 1 Vict. c. 2. 'First Year of Her present Majesty, Chapter Two: And whereas Doubts have also been entertained 'whether due Provision is made by the said Act for paying to the Revenues of the Duchies of *Lancaster* 'and *Cornwall* respectively such of the said Proceeds as may belong to those Duchies:'

It is hereby declared, That such of the said Proceeds of Wreck as belong to Her Majesty in right of Her Crown shall, during the Life of Her present Majesty (whom God long preserve), be carried to and form part of the Consolidated Fund of the United Kingdom, and shall after the Decease of Her present Majesty (whom God long preserve) be payable and paid to Her Majesty's Heirs and Successors:

And it is hereby further declared, That such of the said Proceeds of Wreck as belong to Her Majesty in right of Her Duchy of *Lancaster* shall be paid to the Receiver General of the said Duchy or his sufficient Deputy or Deputies as Part of the Revenues of the said Duchy and be dealt with accordingly:

And it is hereby further declared and enacted, That the Provision in the Principal Act contained regarding the Sale of unclaimed Wreck to which no Owner establishes his Claim within the Period of One Year, and to which no Admiral, Vice Admiral, Lord of any Manor, or Person other than Her Majesty, Her Heirs and Successors, is proved to be entitled, is intended and shall be construed to apply to Wreck of the Sea belonging to Her Majesty, Her Heirs and Successors, in respect of the Duchy of *Cornwall*, or to the Duke of *Cornwall* for the Time being in respect of his Duchy of *Cornwall*: But that the Proceeds of such Wreck shall, subject to such Deductions as are in the same Act mentioned, form Part of the Revenues of the Duchy of *Cornwall*, and be dealt with accordingly.

Liability of Shipowners (*Part IX. of Merchant Shipping Act*, 1854).

Shipowners Liability limited.

54. The Owners of any Ship, whether *British* or Foreign, shall not, in Cases where all or any of the following Events occur without their actual Fault or Privity, that is to say,

(1.) Where any Loss of Life or personal Injury is caused to any Person being carried in such Ship;

(2.) Where any Damage or Loss is caused to any Goods, Merchandise, or other Things whatsoever on board any such Ship;

(3.) Where any Loss of Life or personal Injury is by reason of the improper Navigation of such Ship as aforesaid caused to any Person carried in any other Ship or Boat;

(4.) Where any Loss or Damage is by reason of the improper Navigation of such Ship as aforesaid caused to any other Ship or Boat, or to any Goods, Merchandise, or other Things whatsoever on board any other Ship or Boat;

be answerable in Damages in respect of Loss of Life or personal Injury, either alone or together with Loss or Damage to Ships, Boats, Goods, Merchandise, or other Things, to an aggregate Amount exceeding Fifteen Pounds for each Ton of their Ship's Tonnage; nor in respect of Loss or Damage to Ships, Goods, Merchandise, or other Things, whether there be in addition Loss of Life or personal Injury or not, to an aggregate Amount exceeding Eight Pounds for each Ton of the Ship's Tonnage; such Tonnage to be

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the Registered Tonnage in the Case of Sailing Ships, and in the Case of Steam Ships the Gross Tonnage without Deduction on account of Engine Room :

In the Case of any Foreign Ship which has been or can be measured according to *British* Law, the Tonnage as ascertained by such Measurement shall, for the Purposes of this Section, be deemed to be the Tonnage of such Ship :

In the Case of any Foreign Ship which has not been and cannot be measured under *British* Law, the Surveyor General of Tonnage in the United Kingdom, and the Chief Measuring Officer in any *British* Possession abroad, shall, on receiving from or by Direction of the Court hearing the Case such Evidence concerning the Dimensions of the Ship as it may be found practicable to furnish, give a Certificate under his Hand, stating what would in his Opinion have been the Tonnage of such Ship if she had been duly measured according to *British* Law, and the Tonnage so stated in such Certificate shall, for the Purposes of this Section, be deemed to be the Tonnage of such Ship.

Limitation of Invalidity of Insurances.

55. Insurances effected against any or all of the Events enumerated in the Section last preceding, and occurring without such actual Fault or Privity as therein mentioned, shall not be invalid by reason of the Nature of the Risk.

Proof of Passengers on board lost Ship.

56. In any Proceeding under the 506th Section of the Principal Act or any Act amending the same against the Owner of any Ship or Share therein in respect of Loss of Life, the Master's List or the duplicate List of Passengers delivered to the proper Officer of Customs under the 16th Section of "The Passengers Act, 1855," shall, in the Absence of Proof to the contrary, be sufficient Proof that the Persons in respect of whose Death any such Prosecution or Proceeding is instituted were Passengers on board such Ship at the Time of their Deaths.

Arrangements concerning Lights, Sailing Rules, Salvage, and Measurement of Tonnage in the Case of Foreign Ships.

Foreign Ships in British Jurisdiction to be subject to Regulations in Table (C.) in Schedule.

57. Whenever Foreign Ships are within *British* Jurisdiction, the Regulations for preventing Collision contained in Table (C.) in the Schedule to this Act, or such other Regulations for preventing Collision as are for the Time being in force under this Act, and all Provisions of this Act relating to such Regulations, or otherwise relating to Collisions, shall apply to such Foreign Ships ; and in any Cases arising in any *British* Court of Justice concerning Matters happening within *British* Jurisdiction, Foreign Ships shall, so far as regards such Regulations and Provisions, be treated as if they were *British* Ships.

Regulations, when adopted by a Foreign Country, may be applied to its Ships on the High Seas.

58. Whenever it is made to appear to Her Majesty that the Government of any Foreign Country is willing that the Regulations for preventing Collision contained in Table (C.) in the Schedule to this Act, or such other Regulations for preventing Collision as are for the Time being in force under this Act, or any of the said Regulations, or any Provisions of this Act relating to Collisions, should apply to the Ships of such Country when beyond the Limits of *British* Jurisdiction, Her Majesty may, by Order in Council, direct that such Regulations, and all Provisions of this Act which relate to such Regulations, and all such other Provisions as aforesaid, shall apply to the Ships of the said Foreign Country, whether within *British* Jurisdiction or not.

Provisions concerning Salvage of Life may, with the Consent of any Foreign Country, be applied to its Ships.

59. Whenever it is made to appear to Her Majesty that the Government of any Foreign Country is willing that Salvage shall be awarded by *British* Courts for Services rendered in saving Life from any Ship belonging to such Country when such Ship is beyond the Limits of *British* Jurisdiction, Her Majesty may, by Order in Council, direct that the Provisions of the Principal Act and of this Act, with respect to Salvage for Services rendered in saving Life from *British* Ships, shall in all *British* Courts be held to apply to Services rendered in saving Life from the Ships of such Foreign Country, whether such Services are rendered within *British* Jurisdiction or not.

Ships of Foreign Countries adopting the Rule for Measurement of Tonnage need not be re-measured in this Country.

60. Whenever it is made to appear to Her Majesty that the Rules concerning the Measurement of Tonnage of Merchant Ships for the Time being in force under the Principal Act have been adopted by the Government of any Foreign Country, and are in force in that Country, it shall be lawful for Her Majesty by Order in Council to direct that the Ships of such Foreign Country shall be deemed to be of the Tonnage denoted in their Certificates of Registry or other National Papers ; and thereupon it shall no longer be necessary for such Ships to be re-measured in any Port or Place in Her Majesty's Dominions, but such Ships shall be deemed to be of the Tonnage denoted in their Certificates of Registry or other Papers, in the same Manner, to the same Extent, and for the same Purposes in, to, and for which the Tonnage denoted in the Certificates of Registry of *British* Ships is deemed to be the Tonnage of such Ships.

Effect of Order in Council.

61. Whenever an Order in Council has been issued under this Act, applying any Provision of this Act or any Regulation made by or in pursuance of this Act to the Ships of any Foreign Country, such Ships shall in all Cases arising in any *British* Court be deemed to be subject to such Provision or Regulation, and shall for the Purpose of such Provision or Regulation be treated as if they were *British* Ships.

Orders in Council may be limited as to

62. In issuing any Order in Council under this Act Her Majesty may limit the Time during which it is to remain in operation, and may make the same subject to such Conditions and Qualifications, if

Time, and qualified; if any, as may be deemed expedient, and thereupon the Operation of the said Order shall be limited and modified accordingly.

May be revoked and altered; **63.** Her Majesty may by Order in Council from Time to Time revoke or alter any Order previously made under this Act.

To be published in London Gazette. **64.** Every Order in Council to be made under this Act shall be published in the *London Gazette* as soon as may be after the making thereof; and the Production of a Copy of the *London Gazette* containing such Order shall be received in Evidence, and shall be Proof that the Order therein published has been duly made and issued; and it shall not be necessary to plead such Order specially.

Legal Procedure.

20 & 21 Vict. c. 43. s. 3. not to apply to Proceedings under Board of Trade or this Act, &c. **65.** Nothing in the Third Section of the Act passed in the Twentieth and Twenty-first Years of the Reign of Her present Majesty, Chapter Forty-three, except so much thereof as provides for the Payment of any Fees that may be due to the Clerk of the Justices, shall be deemed to apply to extend to any Proceeding under the Direction of the Board of Trade, or under or by virtue of the Provisions of the Principal Act or this Act, or any Act amending the same.

Delivery of Goods and Lien for Freight.

Interpretation of Terms. **66.** The following Terms used in the Sections of this Act herein-after contained shall have the respective Meanings hereby assigned to them, if not inconsistent with the Context or Subject Matter; that is to say,

"Report." The Word "Report" shall mean the Report required by the Customs Laws to be made by the Master of any importing Ship:

"Entry." The Word "Entry" shall mean the Entry required by the Customs Laws to be made for the Landing or Discharge of Goods from an importing Ship:

"Goods." The Word "Goods" shall include every Description of Wares and Merchandise:

"Wharf." The Word "Wharf" shall include all Wharves, Quays, Docks, and Premises in or upon which any Goods when landed from Ships may be lawfully placed:

"Warehouse." The Word "Warehouse" shall include all Warehouses, Buildings, and Premises in which Goods when landed from Ships may be lawfully placed:

"Wharf Owner." The Expression "Wharf Owner" shall mean the Occupier of any Wharf, as herein-before defined:

"Warehouse Owner." The Expression "Warehouse Owner" shall mean the Occupier of any Warehouse, as herein-before defined:

"Shipowner." The Word "Shipowner" shall include the Master of the Ship and every other Person authorized to act as Agent for the Owner, or entitled to receive the Freight, Demurrage, or other Charges payable in respect of such Ship:

"Owner of Goods." The Expression "Owner of Goods" shall include every Person who is for the Time being entitled, either as Owner or Agent for the Owner, to the Possession of the Goods, subject in the Case of a Lien, if any, to such Lien.

Power to Shipowner to enter and land Goods in default of Entry and landing by Owner of Goods. **67.** Where the Owner of any Goods imported in any Ship from Foreign Parts into the United Kingdom fails to make Entry thereof, or having made Entry thereof to land the same or take Delivery thereof and to proceed therewith with all convenient Speed, by the Times severally herein-after mentioned, the Shipowner may make Entry of and land or unship the said Goods at the Times, in the Manner, and subject to the Conditions following; (that is to say,)

(1.) If a Time for the Delivery of the Goods is expressed in the Charter Party, Bill of Lading, or Agreement, then at any Time after the Time so expressed:

(2.) If no Time for the Delivery of the Goods is expressed in the Charter Party, Bill of Lading, or Agreement, then at any Time after the Expiration of Seventy-two Hours, exclusive of a *Sunday* or Holiday, after the Report of the Ship:

(3.) If any Wharf or Warehouse is named in the Charter Party, Bill of Lading, or Agreement, as the Wharf or Warehouse where the Goods are to be placed, and if they can be conveniently there received, the Shipowner in landing them by virtue of this Enactment shall cause them to be placed on such Wharf or in such Warehouse:

(4.) In other Cases the Shipowner in landing Goods by virtue of this Enactment shall place them in or on some Wharf or Warehouse on or in which Goods of a like Nature are usually placed; such Wharf or Warehouse being, if the Goods are dutiable, a Wharf or Warehouse duly approved by the Commissioners of Customs for the landing of dutiable Goods:

(5.) If at any Time before the Goods are landed or unshipped the Owner of the Goods is ready and offers to land or take Delivery of the same, he shall be allowed so to do, and his Entry shall in such Case be preferred to any Entry which may have been made by the Shipowner:

(6.) If any Goods are, for the Purpose of Convenience in assorting the same, landed at the Wharf where the Ship is discharged, and the Owner of the Goods at the Time of such landing has made Entry and is ready and offers to take Delivery thereof, and to convey the same to some other Wharf or Warehouse, such Goods shall be assorted at landing, and shall, if demanded be delivered to the Owner thereof within Twenty-four Hours after Assortment; and the Expense of and consequent on such landing and Assortment shall be borne by the Shipowner:

(7.) If

(7.) If at any Time before the Goods are landed or unshipped the Owner thereof has made Entry for the landing and warehousing thereof at any particular Wharf or Warehouse other than that at which the Ship is discharging, and has offered and been ready to take Delivery thereof, and the Shipowner has failed to make such Delivery and has also failed at the Time of such Offer to give the Owner of the Goods correct Information of the Time at which such Goods can be delivered, then the Shipowner shall, before landing or unshipping such Goods under the Power hereby given to him, give to the Owner of the Goods or of such Wharf or Warehouse as last aforesaid Twenty-four Hours Notice in Writing of his Readiness to deliver the Goods, and shall, if he lands or unships the same without such Notice, do so at his own Risk and Expense.

If, when Goods are landed, the Shipowner give Notice for that Purpose, the Lien for Freight is to continue.

68. If, at the Time when any Goods are landed from any Ship, and placed in the Custody of any Person as a Wharf or Warehouse Owner, the Shipowner gives to the Wharf or Warehouse Owner Notice in Writing that the Goods are to remain subject to a Lien for Freight or other Charges payable to the Shipowner to an Amount to be mentioned in such Notice, the Goods so landed shall, in the Hands of the Wharf or Warehouse Owner, continue liable to the same Lien, if any, for such Charges as they were subject to before the landing thereof; and the Wharf or Warehouse Owner receiving such Goods shall retain them until the Lien is discharged as herein-after mentioned, and shall, if he fail so to do, make good to the Shipowner any Loss thereby occasioned to him.

Lien to be discharged on Proof of Payment.

69. Upon the Production to the Wharf or Warehouse Owner of a Receipt for the Amount claimed as due, and Delivery to the Wharf or Warehouse Owner of a Copy thereof or of a Release of Freight from the Shipowner, the said Lien shall be discharged.

Lien to be discharged on Deposit with Warehouse Owner.

70. The Owner of the Goods may deposit with the Wharf or Warehouse Owner a Sum of Money equal in Amount to the Sum so claimed as aforesaid by the Shipowner, and thereupon the Lien shall be discharged; but without Prejudice to any other Remedy which the Shipowner may have for the Recovery of the Freight.

Warehouse Owner may at the End of 15 Days, if no Notice is given, pay Deposit to Shipowner.

71. If such Deposit as aforesaid is made with the Wharf or Warehouse Owner, and the Person making the same does not within Fifteen Days after making it give to the Wharf or Warehouse Owner Notice in Writing to retain it, stating in such Notice the Sum, if any, which he admits to be payable to the Shipowner, or, as the Case may be, that he does not admit any Sum to be so payable, the Wharf or Warehouse Owner may, at the Expiration of such Fifteen Days pay the Sum so deposited over to the Shipowner, and shall by such Payment be discharged from all Liability in respect thereof.

Course to be taken if Notice to retain is given.

72. If such Deposit as aforesaid is made with the Wharf or Warehouse Owner, and the Person making the same does within Fifteen Days after making it give to the Wharf or Warehouse Owner such Notice in Writing as aforesaid, the Wharf or Warehouse Owner shall immediately apprize the Shipowner of such Notice, and shall pay or tender to him out of the Sum deposited the Sum, if any, admitted by such Notice to be payable, and shall retain the Remainder or Balance, or, if no Sum is admitted to be payable, the whole of the Sum deposited, for Thirty Days from the Date of the said Notice; and at the Expiration of such Thirty Days, unless legal Proceedings have in the meantime been instituted by the Shipowner against the Owner of the Goods to recover the said Balance or Sum or otherwise for the Settlement of any Disputes which may have arisen between them concerning such Freight or other Charges as aforesaid, and Notice in Writing of such Proceedings has been served on him, the Wharf or Warehouse Owner shall pay the said Balance or Sum over to the Owner of the Goods, and shall by such Payment be discharged from all Liability in respect thereof.

After 90 Days Warehouse Owner may sell Goods by Public Auction.

73. If the Lien is not discharged, and no Deposit is made as herein-before mentioned, the Wharf or Warehouse Owner may, and if required by the Shipowner, shall, at the Expiration of Ninety Days from the Time when the Goods were placed in his Custody, or if the Goods are of a perishable Nature, at such earlier Period as he in his Discretion thinks fit, sell by Public Auction, either for Home Use or Exportation, the said Goods or so much thereof as may be necessary to satisfy the Charges herein-after mentioned.

Notices of Sale to be given.

74. Before making such Sale the Wharf or Warehouse Owner shall give Notice thereof by Advertisement in Two Newspapers circulating in the Neighbourhood, or in one Daily Newspaper published in *London* and in One local Newspaper, and also, if the Address of the Owner of the Goods has been stated on the Manifest of the Cargo, or on any of the Documents which have come into the Possession of the Wharf or Warehouse Owner, or is otherwise known to him, give Notice of the Sale to the Owner of the Goods by Letter sent by the Post; but the Title of a *bonâ fide* Purchaser of such Goods shall not be invalidated by reason of the Omission to send Notice as herein-before mentioned, nor shall any such Purchaser be bound to inquire whether such Notice has been sent.

Monies arising from Sale, how to be applied.

75. In every Case of any such Sale as aforesaid the Wharf or Warehouse Owner shall apply the Monies received from the Sale as follows, and in the following Order:

1. If the Goods are sold for Home Use in Payment of any Customs or Excise Duties owing in respect thereof:
2. In Payment of the Expenses of the Sale:
3. In the Absence of any Agreement between the Wharf or Warehouse Owner and the Shipowner concerning the Priority of their respective Charges, in Payment of the Rent, Rates, and other Charges due to the Wharf or Warehouse Owner in respect of the said Goods:

4. In

4. In Payment of the Amount claimed by the Shipowner as due for Freight or other Charges in respect of the said Goods:
5. But in case of any Agreement between the Wharf or Warehouse Owner and the Shipowner concerning the Priority of their respective Charges, then such Charges shall have Priority according to the Terms of such Agreement:

and the Surplus, if any, shall be paid to the Owner of the Goods.

Warehouse Owners Rent and Expenses.

76. Whenever Goods are placed in the Custody of a Wharf or Warehouse Owner under the Authority of this Act, the said Wharf or Warehouse Owner shall be entitled to Rent in respect of the same, and shall also have Power from Time to Time, at the Expense of the Owner of the Goods, to do all such reasonable Acts as in the Judgment of the said Wharf or Warehouse Owner are necessary for the proper Custody and Preservation of the said Goods, and shall have a Lien on the said Goods for the said Rent and Expenses.

Warehouse Owners Protection.

77. Nothing in this Act contained shall compel any Wharf or Warehouse Owner to take charge of any Goods which he would not be liable to take charge of if this Act had not passed; nor shall he be bound to see to the Validity of any Lien claimed by any Shipowner under this Act.

Saving Powers under Local Acts.

78. Nothing in this Act contained shall take away or abridge any Powers given by any Local Act to any Harbour Trust, Body Corporate, or Persons whereby they are enabled to expedite the Discharge of Ships or the Landing or Delivery of Goods; nor shall anything in this Act contained take away or diminish any Rights or Remedies given to any Shipowner or Wharf or Warehouse Owner by any Local Act.

The SCHEDULE referred to in this Act.

TABLE (A.) See Sect. 2.

Enactments to be repealed.

Reference to Act.	Title of Act.	Extent of Repeal.
8 & 9 Vict. c. 91. -	An Act for the Warehousing of Goods.	Section 51 to be repealed immediately on the passing of this Act.
16 & 17 Vict. c. 107.	Customs Consolidation Act, 1853.	The last Proviso in Section 74, and Sections 170, 171, and 172, to be repealed immediately on the passing of this Act.
17 & 18 Vict. c. 104.	Merchant Shipping Act, 1854.	Sections 295, 296, 297, 298, 299, to be repealed from the Date at which the Regulations contained in Table C. in this Schedule come into operation. Sections 300, 322, 323, 504, and 505 to be repealed immediately on the passing of this Act.
19 & 20 Vict. c. 75.	An Act for the further Alteration and Amendment of the Laws and Duties of Customs.	Section 8 to be repealed immediately on the passing of this Act.

TABLE (B.) See Sect. 6.

Fees to be charged on Examination of Engineers:

For a First-class Engineers Certificate - - -	£2 0 0
For a Second-class Engineers Certificate - - -	1 0 0

TABLE (C.) See Sect. 25.

REGULATIONS FOR PREVENTING COLLISIONS AT SEA.

CONTENTS.

Article 1. Preliminary.

Rules concerning Lights.

2. Lights to be carried as follows:—
3. Lights for Steam Ships.
4. Lights for Steam Tugs.
5. Lights for Sailing Ships.
6. Exceptional Lights for small Sailing Vessels.
7. Lights for Ships at Anchor.
8. Lights for Pilot Vessels.
9. Lights for Fishing Vessels and Boats.

Rules concerning Fog Signals.

10. Fog Signals.

Steering and Sailing Rules.

11. Two Sailing Ships meeting.
12. Two Sailing Ships crossing.
13. Two Ships under Steam meeting.
14. Two Ships under Steam crossing.
15. Sailing Ship and Ship under Steam.
16. Ships under Steam to slacken Speed.
17. Vessels overtaking other Vessels.
18. Construction of Articles 12, 14, 15, and 17.
19. Proviso to save special Cases.
20. No Ship under any Circumstances to neglect proper Precautions.

Preliminary.

Art. 1. In the following Rules every Steam Ship which is under Sail and not under Steam is to be considered a Sailing Ship; and every Steam Ship which is under Steam, whether under Sail or not, is to be considered a Ship under Steam.

Rules concerning Lights.

Art. 2. The Lights mentioned in the following Articles, and no others, shall be carried in all Weathers between Sunset and Sunrise.

Art. 3. Seagoing Steam Ships when under weigh shall carry:

(*a.*) *At the Foremast Head*, a bright White Light so fixed as to show an uniform and unbroken Light over an Arc of the Horizon of 20 Points of the Compass, so fixed as to throw the Light 10 Points on each Side of the Ship, viz., from right ahead to 2 Points abaft the Beam on either Side, and of such a Character as to be visible on a dark Night with a clear Atmosphere at a Distance of at least Five Miles:

(*b.*) *On the Starboard Side*, a Green Light so constructed as to throw an uniform and unbroken Light over an Arc of the Horizon of 10 Points of the Compass, so fixed as to throw the Light from right ahead to 2 Points abaft the Beam on the Starboard Side, and of such a Character as to be visible on a dark Night with a clear Atmosphere at a Distance of at least Two Miles:

(*c.*) *On the Port Side*, a Red Light, so constructed as to show an uniform unbroken Light over an Arc of the Horizon of 10 Points of the Compass, so fixed as to throw the Light from right ahead to 2 Points abaft the Beam on the Port Side, and of such a Character as to be visible on a dark Night with a clear Atmosphere at a Distance of at least Two Miles:

(*d.*) The said Green and Red Side Lights shall be fitted with inboard Screens projecting at least Three Feet forward from the Light, so as to prevent these Lights from being seen across the Bow.

Art. 4. Steam Ships when towing other Ships shall carry Two bright White Mast-head Lights vertically, in addition to their Side Lights, so as to distinguish them from other Steam Ships. Each of these Mast-head Lights shall be of the same Construction and Character as the Mast-head Lights which other Steam Ships are required to carry.

Art. 5. Sailing Ships under weigh or being towed shall carry the same Lights as Steam Ships under weigh, with the Exception of the White Mast-head Lights, which they shall never carry.

Art. 6. Whenever, as in the Case of small Vessels during bad Weather, the Green and Red Lights cannot be fixed, these Lights shall be kept on Deck on their respective Sides of the Vessel ready for instant Exhibition, and shall, on the Approach of or to other Vessels, be exhibited on their respective Sides in sufficient Time to prevent Collision, in such Manner as to make them most visible, and so that the Green Light shall not be seen on the Port Side, nor the Red Light on the Starboard Side.

To make the Use of these portable Lights more certain and easy, they shall each be painted Outside with the Colour of the Light they respectively contain, and shall be provided with suitable Screens.

Art. 7. Ships, whether Steam Ships or Sailing Ships, when at Anchor in Roadsteads or Fairways, shall between Sunrise and Sunset exhibit, where it can best be seen, but at a Height not exceeding Twenty Feet above the Hull, a White Light in a globular Lantern of Eight Inches in Diameter, and so constructed as to show a clear uniform and unbroken Light visible all round the Horizon, and at a Distance of at least One Mile.

Art. 8. Sailing Pilot Vessels shall not carry the Lights required for other Sailing Vessels, but shall carry a White Light at the Mast Head visible all round the Horizon,—and shall also exhibit a Flare-up Light every Fifteen Minutes.

Art. 9. Open Fishing Boats and other open Boats shall not be required to carry Side Lights required for other Vessels; but shall, if they do not carry such Lights, carry a Lantern having a Green Slide on the one Side and a Red Slide on the other Side; and on the Approach of or to other Vessels such Lantern shall be exhibited in sufficient Time to prevent Collision, so that the Green Light shall not be seen on the Port Side nor the Red Light on the Starboard Side.

Fishing Vessels and open Boats when at Anchor or attached to their Nets and stationary shall exhibit a bright White Light.

Fishing Vessels and open Boats shall, however, not be prevented from using a Flare-up in addition if considered expedient.

Rules concerning Fog Signals.

Art. 10. Whenever there is Fog, whether by Day or Night, the Fog Signals described below shall be carried and used, and shall be sounded at least every Five Minutes; viz.—

(*a.*) Steam Ships under weigh shall use a Steam Whistle placed before the Funnel not less than Eight Feet from the Deck.

(*b.*) Sailing Ships under weigh shall use a Fog Horn.

(*c.*) Steam Ships and Sailing Ships when not under weigh shall use a Bell.

Steering and Sailing Rules.

Art. 11. If Two Sailing Ships are meeting End on, or nearly End on, so as to involve Risk of Collision, the Helms of both shall be put to Port, so that each may pass on the Port Side of the other.

Art. 12. When Two Sailing Ships are crossing so as to involve Risk of Collision, then if they have the Wind on different Sides, the Ship with the Wind on the Port Side shall keep out of the Way of the Ship with the Wind on the Starboard Side, except in the Case in which the Ship with the Wind on the Port Side is close hauled and the other Ship free, in which Case the latter Ship shall keep out of the Way; but if they have the Wind on the same Side, or if One of them has the Wind aft, the Ship which is to windward shall keep out of the Way of the Ship which is to leeward.

Art. 13. If Two Ships under Steam are meeting End on, or nearly End on, so as to involve Risk of Collision, the Helms of both shall be put to Port so that each may pass on the Port Side of the other.

Art. 14. If Two Ships under Steam are crossing so as to involve Risk of Collision, the Ship which has the other on her own Starboard Side shall keep out of the Way of the other.

Art. 15. If Two Ships, one of which is a Sailing Ship and the other a Steam Ship, are proceeding in such Directions as to involve Risk of Collision, the Steam Ship shall keep out of the Way of the Sailing Ship.

Art. 16. Every Steam Ship, when approaching another Ship so as to involve Risk of Collision, shall slacken her Speed, or if necessary, stop and reverse; and every Steam Ship shall, when in a Fog, go at a moderate Speed.

Art. 17. Every Vessel overtaking any other Vessel shall keep out of the Way of the said last-mentioned Vessel.

Art. 18. Where by the above Rules One of Two Ships is to keep out of the Way, the other shall keep her Course, subject to the Qualifications contained in the following Article.

Art. 19. In obeying and construing these Rules due regard must be had to all Dangers of Navigation; and due regard must also be had to any special Circumstances which may exist in any particular Case rendering a Departure from the above Rules necessary in order to avoid immediate Danger.

Art. 20. Nothing in these Rules shall exonerate any Ship or the Owner or Master or Crew thereof from the Consequences of any Neglect to carry Lights or Signals, or of any Neglect to keep a proper Look-out, or of the Neglect of any Precaution which may be required by the ordinary Practice of Seamen or by the special Circumstances of the Case.

CAP. LXIV.

An Act for the better Protection of Her Majesty's Naval and Victualling Stores.

[29th *July* 1862.]

'WHEREAS the existing Enactments for the Protection of Her Majesty's Naval and Victualling Stores are numerous and complicated, and Difficulties have arisen in their Application, and it is consequently expedient to reduce into One Act and simplify and amend them:'

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Short Title. **1.** This Act may be cited as The Naval and Victualling Stores Act, 1862.

Extent of Act. **2.** This Act shall not extend to *Scotland* or *Ireland*.

3. In this Act—

Interpretation of Terms. The Term "the Admiralty" shall be taken to mean the Lord High Admiral of the United Kingdom for the Time being, or the Commissioners for the Time being for executing the Office of Lord High Admiral:

The

The Term "Dealer in Marine Stores" shall be taken to mean a Person bound to conform to the Regulations of The Merchant Shipping Act, 1854, Section Four hundred and eighty: 17 & 18 Vict. c. 104.

The Term "Dealer in old Metals" shall be taken to mean a Person answering the Description of such a Dealer contained in The Old Metal Dealers Act, 1861: 24 & 25 Vict. c. 110.

The Term "Her Majesty's Yards" shall be taken to mean Her Majesty's Dock Yards, Her Majesty's Victualling Yards, and Her Majesty's Steam Factory Yards:

The Term "Constable of the Metropolitan Force," shall be taken to mean a Constable belonging to that Force, and being by virtue of the Act of the Session of the Twenty-third and Twenty-fourth Years of Her Majesty (Chapter One hundred and thirty-five), "for the Employment of "the Metropolitan Police Force in Her Majesty's Yards and Military Stations," employed and authorized to act in any of Her Majesty's Yards and within the Limits in that Act mentioned. 23 & 24 Vict. c. 135.

4. The Enactments described in Schedule (A.) to this Act are hereby repealed to the Extent therein specified, and only as to Her Majesty's Naval and Victualling Stores; but this Repeal shall not extend to *Scotland* or *Ireland*, or affect— Enactments in Schedule (A.) to this Act, as to Naval and Victualling Stores, repealed, but not as to Scotland or Ireland.

(1.) The past Operation of any such Enactment;

(2.) Any Act done or any Right or Liability already acquired, accrued, or now existing under or by virtue of any such Enactment;

(3.) Any Penalty, Forfeiture, or other Punishment incurred or to be incurred in respect of any Offence already committed; or

(4.) The Institution or Prosecution of any legal Proceeding or any other Remedy for the ascertaining, enforcing, or recovering of any such Liability, Penalty, Forfeiture, or Punishment.

I.—Marked Stores.

Imitation of Marks.

5. The Marks mentioned in Schedule (B.) to this Act may be applied in or on Her Majesty's Naval and Victualling Stores to denote Her Majesty's Property in Stores so marked. It shall be lawful for the Admiralty, their Contractors, Officers, and Workmen, and for no other Person, to apply the said Marks or any of them in or on Naval or Victualling Stores. If any Person apply any of the said Marks in or on Naval or Victualling Stores contrary to this Provision he shall be guilty of a Misdemeanor, and shall be liable to Imprisonment for not more than One Year, with or without Hard Labour. Marks in Schedule (B.) appropriated for Her Majesty's Use. Imitation of Marks a Misdemeanor.

Defacing of Marks.

6. If any Person, with Intent to conceal Her Majesty's Property in any Naval or Victualling Stores, take out, destroy, or obliterate wholly or in part, any such Mark in or on any such Stores, he shall be guilty of Felony, and shall be liable to Imprisonment for not more than Two Years, with or without Hard Labour. Obliteration of Marks with Intent to conceal Her Majesty's Property in Stores, Felony.

Receiving, &c. of marked Stores.

7. If any Person receive, possess, keep, sell, or deliver any Naval or Victualling Stores marked as aforesaid, knowing them to be so marked, he shall be guilty of a Misdemeanor, and shall be liable to Imprisonment for not more than One Year, with or without Hard Labour. Knowingly receiving, &c. marked Stores, a Misdemeanor.

8. Where the Person charged with such a Misdemeanor is a Dealer in Marine Stores or in old Metals, or a Person employed in any of Her Majesty's Yards, Knowledge on his Part that the Stores to which the Charge relates were at the Time of the Commission of the Offence marked as aforesaid shall be presumed, until the contrary is shown; in other Cases Evidence of such Knowledge shall be necessary to support the Charge. Knowledge of Stores being marked presumed against Dealers, &c. but to be proved in other Cases.

9. Provided always, That no Person shall be liable to be convicted of such a Misdemeanor who shows (whether such Knowledge as aforesaid is presumed or proved against him or not) that he came by the Stores to which the Charge relates lawfully, and without reasonable Cause for believing that the Person (if any) through whom he came by the same had not come by the same lawfully. No Conviction where Proof that Stores were lawfully come by.

10. The Provisions of the Act of the Session of the Eighteenth and Nineteenth Years of Her Majesty (Chapter One hundred and twenty-six), "for diminishing Expense and Delay in the Adminis- "tration of Criminal Justice in certain Cases," shall apply in the Case of a Person charged with such a Misdemeanor in manner following: Summary Trial of Receivers, &c. in certain Cases, under Criminal Justice Act, 18 & 19 Vict. c. 126.

(1.) Where, in the Judgment of the Justices at such Petty Sessions as in that Act mentioned, the Value of the Stores to which the Charge relates does not exceed One Pound, Section One of that Act, with all Provisions relative thereto, shall apply:

(2.) Where, in the Judgment of such Justices, such Value exceeds One Pound, Section Three of that Act, with all Provisions relative thereto, shall apply.

II.—STORES MARKED OR UNMARKED.

Creeping, sweeping, or dredging.

No unauthorized Person to creep, sweep, or dredge for Stores, within 100 Yards of Dockyards, &c.

11. It shall not be lawful for any Person (except a Person in Her Majesty's Service or in the Employment of the Admiralty, or a Constable of the Metropolitan Police Force), without Permission in Writing given by the Admiralty or by some Person authorized by the Admiralty in that Behalf, to creep, sweep, or dredge for Stores lost or supposed to be lost in the Sea or any Tidal Water within the Distance of One hundred Yards from any Vessel belonging to Her Majesty or in Her Majesty's Service, or from any mooring Place or anchoring Place appropriated to such Vessels, or from any Moorings belonging to Her Majesty, or from any of Her Majesty's Yards. If any Person creep, sweep, or dredge for Stores contrary to this Provision he shall be liable, on summary Conviction, to a Penalty of not more than Five Pounds.

Arrest of Offenders, Vessels, &c.

Policemen of Metropolitan Force may stop suspected Persons, &c.

12. A Constable of the Metropolitan Police Force may, within the Yard and Limits for which he is sworn, stop, search, and detain any Vessel, Boat, or Carriage in or on which there is Reason to suspect that any of Her Majesty's Naval or Victualling Stores, stolen or unlawfully obtained, may be found, or any Person reasonably suspected of having or conveying any such Stores stolen or unlawfully obtained.

Power of Justices at Petty Sessions in relation to Stores stolen or unlawfully obtained, &c.

13. If any Person be brought before Two or more Justices at Petty Sessions charged with having or conveying any of Her Majesty's Naval or Victualling Stores stolen or unlawfully obtained, or reasonably suspected to have been stolen or unlawfully obtained, the following Provisions shall take effect and apply :—

(1.) If such Person do not give an Account to the Satisfaction of the Justices how he came by such Stores he shall be deemed guilty of a Misdemeanor, and, on summary Conviction thereof before Two or more Justices at Petty Sessions, shall be liable to a Penalty of not more than Five Pounds, or to Imprisonment for not more than Two Months, with or without Hard Labour.

(2.) If he declare that he received such Stores from some other Person, or that he was employed as a Carrier, Agent, or Servant to convey the same for some other Person, Two or more Justices at Petty Sessions may cause every such other Person, and every former or pretended Purchaser or other Person through whose Possession the same have or are declared to have passed, to be brought before them and examined, and may examine Witnesses on Oath touching the same :

(3.) If it appear to Two or more Justices at Petty Sessions that any Person has had Possession of such Stores (for which Purpose the Possession of a Carrier, Agent, or Servant shall be deemed to be the Possession of his Employer), and had reasonable Cause for believing that the same had been stolen or unlawfully obtained, such Person shall be deemed to have had Possession thereof at the Time and Place when and where they were found or seised, and to be guilty of a Misdemeanor, and, on Conviction thereof before Two or more Justices at Petty Sessions, shall be liable to a Penalty of not more than Five Pounds, or to Imprisonment for not more than Three Months, with or without Hard Labour.

Searches under Warrants.

Search Warrant on Information on Oath.

14. Where Information on Oath is given to a Justice of the Peace that there is reasonable Cause to believe, and that the Informant believes, that some of Her Majesty's Naval or Victualling Stores, marked as aforesaid, or (whether marked or not) stolen or unlawfully obtained, are in a House or Place within the Jurisdiction of such Justice, he may issue a Search Warrant to a Constable.

Effect of Search Warrant.

15. Every such Search Warrant shall be a sufficient Authority for the Constable to whom the same is directed to enter, in the Daytime, or by Night, if Power for that Purpose be given by the Warrant, with such Assistance as may be found necessary, into such House or Place, and there to search for such Naval or Victualling Stores, and if upon such Search any such Naval or Victualling Stores be found, then to seize the same, and either to convey the same before a Justice of the Peace, or to guard them on the Spot, or otherwise dispose of them in a Place of Safety, until further Proceedings can be taken in relation thereto.

Dealers in Marine Stores and in old Metals to account for Possession of Stores found on Search.

16. Where under any such Search Warrant any Naval or Victualling Stores, appearing or reasonably suspected to belong or to have belonged to Her Majesty, are found in the Possession or Keeping of a Dealer in Marine Stores or in old Metals, or of a Person employed in any of Her Majesty's Yards, and such Dealer or Person does not prove that he came by the same lawfully, and without reasonable Cause for believing that the Person (if any) through whom he came by the same had not come by the same lawfully, such Dealer or Person, on summary Conviction before Two or more Justices at Petty Sessions, shall be liable for the First Offence to a Penalty of not more than Five Pounds, and for a Second or other subsequent Offence to a Penalty of not more than Twenty Pounds, or Imprisonment for not more than Three Months, with Hard Labour.

III.—GENERAL

III.—GENERAL PROVISIONS.

Procedure.

17. Subject and without Prejudice to the Application by this Act of the said Act of the Session of the Eighteenth and Nineteenth Years of Her Majesty, and to the other express Provisions of this Act, such of the Provisions of the Act of the last Session of Parliament (Chapter Ninety-six), "to consolidate and amend the Statute Law of *England* and *Ireland* relating to Larceny and other similar Offences," as are mentioned in Schedule (C.) to this Act, shall be incorporated with this Act, and shall for the Purposes of this Act be read as if they were here re-enacted. Parts of 24 & 25 Vict. c. 96. (Larceny) incorporated.

18. For the Purposes of this Act, Naval or Victualling Stores shall be deemed to be in the Possession or Keeping of any Person, if he have them in his personal Possession or Keeping, or if he knowingly and wilfully have them in the actual Possession or Keeping of any other Person, or in any House, Building, Lodging, Apartment, Field, or Place, open or inclosed, whether occupied by himself or not, and whether the same be so had for his own Use or for the Use or Benefit of another. Criminal Possession.

19. Nothing in this Act shall be taken to prevent any Person from being indicted for any indictable Offence made punishable on summary Conviction by this Act, or to prevent any Person from being liable under any other Act, or otherwise, to any other or higher Penalty or Punishment than is provided for any Offence by this Act, but so that no Person be punished twice for the same Offence. Saving for Indictment.

20. It shall not be competent for any Person, other than the Admiralty, their Officers, Solicitors, or Agents, to institute or carry on under this Act any Prosecution by way of summary Proceeding or otherwise for any Offence by this Act made Felony or Misdemeanor or made punishable on summary Conviction. Admiralty alone to prosecute.

Application of pecuniary Penalties.

21. Notwithstanding anything in any Act relating to Municipal Corporations or to the Metropolitan Police Force or in any other Act contained, any pecuniary Penalty or other Monies recovered under this Act shall be paid or applied as the Admiralty shall direct. Penalties, &c. to be applied under Orders of Admiralty.

Dealers in old Metals.

22. Every Conviction under this Act of a Dealer in old Metals shall, for the Purposes of Registration and its Consequences under the Old Metal Dealers Act, 1861, be equivalent to a Conviction under that Act. Effect of Conviction of Dealers in old Metals under this Act.

Metropolitan Police.

23. Subject and without Prejudice to the express Provisions of this Act, all Enactments relative to the Powers, Duties, Privileges, and Responsibilities of the Metropolitan Police Force when acting within the Metropolitan Police District shall, in relation to Offences and other Matters connected with Naval and Victualling Stores belonging to Her Majesty, or appearing or reasonably suspected to belong or to have belonged to Her Majesty, extend and apply to Constables of the Metropolitan Force when acting within the Yards and Limits for which they are sworn, and such Enactments shall for the Purposes of this Act be read as if they were here re-enacted. Incorporation of Provisions of Metropolitan Police Force Acts.

SCHEDULES.

SCHEDULE (A.)

ENACTMENTS REPEALED as to HER MAJESTY'S NAVAL and VICTUALLING STORES, except as to SCOTLAND and IRELAND.

Session and Chapter.	Title.	Extent of Repeal.
9 & 10 Will. 3. c. 41.	An Act for the better preventing the Embezzlement of His Majesty's Stores of War, and preventing Cheats, Frauds, and Abuses, in paying Seamen's Wages.	Sections One, Two, Four, Five, and Eight.
9 Geo. 1. c. 8.	An Act for continuing some Laws, and reviving others therein mentioned, for exempting Apothecaries from serving Parish and Ward Offices, and upon Juries; and relating to Jurors; and to the Payment of Seamen's Wages, and the Preservation of Naval Stores and Stores of War; and concerning the Militia and Trophy-Money; and against clandestine running of uncustomed Goods, and for more effectual preventing Frauds relating to the Customs, and Frauds in mixing Silk with Stuffs to be exported.	Sections Three, Four, and Five.

Naval and Victualling Stores.

Session and Chapter.	Title.	Extent of Repeal.
17 Geo. 2. c. 40. -	An Act to continue the several Laws therein mentioned for preventing Theft and Rapine on the Northern Borders of England; for the more effectual punishing wicked and evil-disposed Persons going armed in Disguise, and doing Injuries and Violences to the Persons and Properties of His Majesty's Subjects, and for the more speedy bringing the Offenders to Justice; for continuing Two Clauses to prevent the cutting or breaking down the Bank of any River, or Sea Bank, and to prevent the malicious cutting of Hopbinds; and for the more effectual Punishment of Persons maliciously setting on fire any Mine, Pit, or Delph of Coal, or Cannel Coal; and of Persons unlawfully hunting or taking any Red or Fallow Deer in Forests or Chaces, or beating or wounding the Keepers or other Officers in Forests, Chaces, or Parks; and for granting a Liberty to carry Sugars of the Growth, Produce, or Manufacture of any of His Majesty's Sugar Colonies in America, from the said Colonies directly to Foreign Parts in Ships built in Great Britain, and navigated according to Law; and to explain Two Acts relating to the Prosecution of Offenders for embeziling Naval Stores, or Stores of War; and to prevent the retailing of Wine within either of the Universities in that Part of Great Britain called England without Licence.	Section Ten.
39 & 40 Geo. 3. c. 89.	An Act for the better preventing the Embezzlement of His Majesty's Naval, Ordnance, and Victualling Stores.	The whole.
54 Geo. 3. c. 60. -	An Act for the better preventing the Embezzlement of His Majesty's Cordage.	The whole.
54 Geo. 3. c. 159. -	An Act for the better Regulation of the several Ports, Harbours, Roadsteads, Sounds, Channels, Bays, and navigable Rivers, in the United Kingdom; and of His Majesty's Docks, Dock Yards, Arsenals, Wharfs, Moorings, and Stores therein; and for repealing several Acts passed for that Purpose.	Section Ten.
55 Geo. 3. c. 127. -	An Act to repeal an Act of the Fifty-third Year of His present Majesty, for preventing the Embezzlement of Stores; and to extend the Provisions of the several Acts relating to His Majesty's Naval, Ordnance, and Victualling Stores to all other public Stores.	The whole.
56 Geo. 3. c. 80. -	An Act to enable the principal Officers and Commissioners of His Majesty's Navy resident on Foreign Stations to grant Certificates of Stores or Goods which may be sold by such Officers or Commissioners at such Foreign Stations.	The whole.
4 Geo. 4. c. 53. -	An Act for extending the Benefit of Clergy to several Larcenies therein mentioned.	The whole.
2 & 3 Will 4. c. 40.	An Act to amend the Laws relating to the Business of the Civil Departments of the Navy, and to make other Regulations for more effectually carrying on the Duties of the said Departments.	Section Thirty-four.

SCHE-

SCHEDULE (B.)

Marks appropriated for Her Majesty's Use in or on Naval and Victualling Stores.

Stores.	Marks.
(1.) Hempen Cordage and Wire Rope - -	Coloured Worsted Threads laid up with the Yarns and the Wire respectively.
(2.) Canvas, Fearnought, Hammocks, and Seamen's Bags.	A Blue Line in a Serpentine Form.
(3.) Buntin - - - - -	A double Tape in the Warp.
(4.) Candles - - - - -	A Blue Cotton Thread in each Wick.
(5.) Timber, Metal, and other Naval or Victualling Stores not before enumerated.	The Broad Arrow.

SCHEDULE (C.)

Parts of the Larceny Act of 1861 incorporated with this Act.

Sections 99, 100, 103, 105, 107 to 113, both inclusive, and 115 to 121, both inclusive.

CAP. LXV.

An Act for the more speedy Trial of certain Homicides committed by Persons subject to the Mutiny Act. [29th *July* 1862.]

'WHEREAS it is expedient that Persons subject to the present or any future Mutiny Act who shall be guilty of the Murder or Manslaughter of any Person subject to the said Act or Acts should be brought to speedy Punishment, and that the Offences of such Persons should in certain Cases be inquired of and tried with all convenient Speed, and that the Inquiry, Trial, and Punishment should in certain Cases be more speedy than the usual Course of Practice in respect of the Times of issuing Her Majesty's Commissions of Oyer and Terminer or Gaol Delivery will allow: And whereas it would contribute to the more speedy Punishment of Persons guilty thereof, and to the Maintenance of good Order and Military Discipline, if, when charged with Murder or Manslaughter committed in *England* or *Wales*, and out of the Jurisdiction of the Central Criminal Court, such Persons were rendered liable to be indicted and tried at the Central Criminal Court, and if when charged with Murder or Manslaughter committed in *Ireland* and elsewhere than in the County of the City of *Dublin* or the County of *Dublin* such Persons were rendered liable to be indicted and tried before and by the Commissioners appointed by virtue of any Commission of Oyer and Terminer or of Gaol Delivery under the Great Seal of *Ireland* for the County of the City of *Dublin*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Queen's Bench or a Judge may order certain Prisoners to be indicted and tried under the Provisions of this Act.

1. Whenever any Person shall have been committed for any Murder or Manslaughter committed or supposed to have been committed at any Place in *England* or *Wales*, and out of the Jurisdiction of the Central Criminal Court, or at any Place in *Ireland* other than the County of the City of *Dublin* or the County of *Dublin*, and it shall appear to Her Majesty's Court of Queen's Bench in that Part of the United Kingdom wherein the said Offence was committed or supposed to have been committed, in Term Time, or to any Judge thereof, or of any of Her Majesty's Superior Courts of Common Law in the same Part of the United Kingdom, in Vacation, that the said Person (herein-after called the Prisoner) was at the Time of the Commission or supposed Commission of the said Murder or Manslaughter subject to the present or any future Mutiny Act, and that the Person (herein-after called the Deceased) for the Murder or Manslaughter of whom the Prisoner shall have been committed was at the Time last aforesaid subject to the said Act or Acts, it shall be lawful for such Court of Queen's Bench in Term Time, or for such Judge in Vacation, without the Prisoner being brought or appearing in Person before the said Court or Judge, upon the Application of Her Majesty's Principal Secretary of State for the War Department, and upon his Certificate in Writing, in the Form numbered 1. in the Schedule to this Act annexed, or to the like Effect, duly signed, that it would contribute to the Maintenance of good Order and Military Discipline if the said Prisoner were to be indicted and tried under the Provisions of this Act, to order that the said Prisoner shall be indicted and tried under the Provisions of this Act, and such Order may be in One of the Forms numbered 2. in the Schedule to this Act annexed, or to the like Effect.

And upon such Order the Prisoner shall be removed to the Gaol of New-

2. Whenever any such Order shall have been made, the Gaoler or Keeper of any Gaol or House of Correction in which the said Prisoner shall be confined shall forthwith upon the Delivery to him of an Office Copy of such Order, without Writ of Habeas corpus or other Writ for that Purpose, cause such Prisoner, with his Commitment and Detainer, to be safely removed to Her Majesty's Gaol of *Newgate* in

gate in London or the Richmond Bridewell in Dublin, and the Depositions, &c. returned to the Court at which the Prisoner is to be indicted.

in the City of *London* if the said Prisoner shall be confined in *England* or *Wales*, and to Her Majesty's Gaol called the *Richmond Bridewell* in the County of the City of *Dublin* if the said Prisoner shall be confined in *Ireland*, and thereupon the Keeper of such Gaol shall receive such Prisoner into his Custody in such Gaol, there to remain until he shall be delivered by due Course of Law; and the Justice or Coroner by whom the Prisoner was committed, or any other Person having the Custody or Possession thereof, shall forthwith upon the Delivery to him of an Office Copy of such Order transmit any Recognizances, Depositions, Examinations, or Informations relating to the Murder or Manslaughter mentioned in such Order which shall be in his Custody or Possession to the proper Officer of the Court at and before which the Prisoner shall be rendered liable to be indicted under the Provisions of this Act, to be by him kept among the Records of the Court.

A Prisoner removed may be indicted and tried in London or Dublin.

3. Whenever any Prisoner shall have been removed to the said Gaol of *Newgate* in the City of *London* under the Provisions of this Act, the Murder or Manslaughter of the Deceased by the Prisoner may be inquired of, heard, and determined, and the Prisoner may be indicted, arraigned, tried, and convicted for the Murder or Manslaughter of the Deceased, in the same Manner in all respects as if such Murder or Manslaughter had been committed within the Jurisdiction of the Central Criminal Court; and whenever any Prisoner shall have been removed to the *Richmond Bridewell* in the County of the City of *Dublin* under the Provisions of this Act, the Murder or Manslaughter of the Deceased by the Prisoner may be inquired of, heard, and determined, and the Prisoner may be indicted, arraigned, tried, and convicted for the Murder or Manslaughter of the Deceased, in the same Manner in all respects as if such Murder or Manslaughter had been committed in the County of the City of *Dublin*.

A Certificate of his Removal under this Act and of the Cause of his Committal shall be endorsed on the Indictment.

4. Whenever any Prisoner so removed to One of the said Gaols shall be indicted under the Provisions of this Act, an Office Copy of the before-mentioned Order of the Court of Queen's Bench, or of a Judge, shall be delivered to the proper Officer of the Court at and before which the Prisoner shall be rendered liable to be indicted under the Provisions of this Act, and such Officer shall thereupon, by Indorsement on the Back of the Bill of Indictment, before its Presentment by the Grand Jury, or by Direction of the Justices, Judges, or Commissioners of the Court before whom such Indictment shall be tried, or any Two or more of them, at any other Time, certify that the Prisoner was committed for the Murder or Manslaughter of the Deceased, and was removed to the Gaol of *Newgate* or the *Richmond Bridewell*, as the Case may be, under the Provisions of this Act; and such Indorsement, which may be in the Form numbered 3. in the Schedule to this Act annexed, or to the like Effect, and which may be amended by the said last-mentioned Justices, Judges, or Commissioners, or any Two or more of them, at any Time, and in such Manner, and as often as to them shall seem fit, shall be conclusive Proof that the said Prisoner was committed for the Murder or Manslaughter of the Deceased, and was removed to the said Gaol of *Newgate* or the said *Richmond Bridewell* under the Provisions of this Act; and such Indorsement shall not constitute or be deemed or taken to be a Portion of the Indictment.

When Indorsement to be amended.

5. Whenever any Indictment found under the Provisions of this Act shall be amended in any Manner, the before-mentioned Indorsement thereon shall, if it be necessary, be amended in the like Manner.

Indictment need not follow the Commitment.

6. A Prisoner committed for Murder may be indicted under the Provisions of this Act for Manslaughter, and a Prisoner committed for Manslaughter may be indicted under the same Provisions for Murder.

No Objection to be taken to any Order, and no Proof to be required of the Subjection of any Person to the Mutiny Act.

7. It shall not be lawful for any Person, either by himself or his Counsel, to take any Objection, either in the Court at, before, or by which the Prisoner shall be indicted, arraigned, tried, convicted, or sentenced under the Provisions of this Act, or in any Court of Error, to any Order of the said Court of Queen's Bench or of any Judge, or to any other Proceeding under or by virtue of which the Prisoner shall have been removed to the Gaol of *Newgate* or the *Richmond Bridewell*; and the Form of the Indictment under the Provisions of this Act shall be the same as that of Indictments for Murder or Manslaughter committed within the Jurisdiction of the Court at and before which such Prisoner shall be indicted under the Provisions of this Act; and it shall not be necessary to prove on the Trial of the Prisoner that either the Prisoner or the Deceased was or were at the Time of the Commission or supposed Commission of the said Murder or Manslaughter subject to the Provisions of any Mutiny Act; and the Prisoner shall not be acquitted by reason only of its appearing that the Prisoner or the Deceased was not or were not at the Time last aforesaid subject to the Provisions of any Mutiny Act.

Any Person convicted may be sentenced to be punished either in the County where the Offence was committed or within the Jurisdiction of the Court by which he shall be tried.

8. When any Person shall have been convicted of any Offence upon the Trial of any Indictment found under the Provisions of this Act, it shall be lawful for the Justices, Judges, or Commissioners of the Court before which any such Conviction shall have taken place, or for any Two or more of them, or, in case Sentence shall not then be passed, for the Justices, Judges, or Commissioners of the said Court, or for any Two or more of them, at any subsequent Sessions of the said Court, to order and adjudge such Convict to be punished according to Law at any Place either within the Jurisdiction of the said Court, or within the County or Place where such Offence shall have been committed or supposed to have been committed; and in Cases where such Justices, Judges, or Commissioners, or any Two or more of them, shall order such Convict to be punished in such County or Place, it shall be lawful for such Justices, Judges, or Commissioners, or any Two or more of them, after passing Sentence upon such Convict, to make an Order commanding the Keeper of the Gaol of *Newgate* or of the *Richmond Bridewell*

Bridewell to cause such Convict to be delivered into the Custody of the Gaoler or Keeper of the Gaol or House of Correction in such County or Place, together with such Order, and commanding such Gaoler or Keeper to receive such Convict into his Custody in such Gaol or House of Correction, and him there safely to keep until such Sentence shall have been executed upon such Convict according to Law, or until he shall be otherwise delivered by due Course of Law, and also to make an Order commanding the Sheriff of such County or Place to execute such Sentence upon such Convict within such County or Place according to Law in the same Manner as if he had been tried and received such Sentence in such County or Place; and every such Sheriff, Gaoler, and Keeper respectively is hereby commanded to perform and execute according to Law each and everything which he shall be commanded to perform and execute by any such Order; and the several Forms in the Schedule to the Act made and passed in the Nineteenth Year of Queen *Victoria*, intituled *An Act to empower the Court of Queen's Bench to order certain Offenders to be tried at the Central Criminal Court*, contained, or Forms to the like Effect, shall be deemed good, valid, and sufficient in Law, and in the Case of any Order directed to any Sheriff, and commanding him to execute any Sentence, it shall be sufficient to deliver such Order either to such Sheriff or to his Under Sheriff.

On Notice given by Prosecutor, Recognizances to bind Parties to give Evidence at the Inquiry and Trial.

9. Every Recognizance which shall have been entered into for the Prosecution of the Prisoner, and every Recognizance of any Witness to give Evidence against him for his said Offence, shall, in case any such Order shall be made as is mentioned in the First Section of this Act, be obligatory on each of the Parties bound by such Recognizance to prosecute and give Evidence, and to do all other Things mentioned with reference to the said Inquiry and Trial at the Court at or before which the Prisoner shall be indicted or tried under the Provisions of this Act, in like Manner as if such Recognizance had been originally entered into for prosecuting such Offence, or giving Evidence, or doing other Things before the said last-mentioned Court; provided that Notice in Writing shall have been given either personally, or by leaving the same at the Place of Residence as of which the Parties bound by such Recognizance are therein described, to appear before the said last-mentioned Court upon the Inquiry into and Trial of the said Offence; and the Prosecutor is hereby required, on Notice given to him that such Order as is mentioned in the First Section of this Act has been made, to give such Notice or Notices in Writing as are in this Section mentioned.

Power to compel Witnesses to attend Trials.

10. Whenever any Indictment shall have been found at any Court under the Provisions of this Act, it shall be lawful for the said Court to issue Process to compel the Attendance of Witnesses, as well on the Part of the Prosecution as on the Part of the Defence, on the Trial of such Indictment, in like Manner as in Cases of Indictments found at the said Court for Offences committed within the Jurisdiction of the said Court; and every such Process shall and may be lawfully executed at any Place in that Part of the United Kingdom wherein the Gaol to which the Prisoner shall have been removed under the Provisions of this Act shall be situate.

Expenses of Prosecution and Rewards may be ordered to be paid.

11. Whenever any Indictment shall have been found at any Court under the Provisions of this Act, it shall be lawful for the said Court to order such Expenses of the Prosecutor and Witnesses, and such other Expenses, and such of the several Rewards payable in pursuance of any Statute made or to be made as to such Court may seem reasonable and sufficient, to be paid forthwith by the proper Officer of the said Court, and such Monies shall be repaid to the said Officer by the same Persons who would have been liable to pay the same, as if such Court were holden under Commissions of Oyer and Terminer and Gaol Delivery for the County or Place in which the Prisoner was committed.

Power to order Payment of Expenses of Prisoner's Witnesses.

12. Whenever any Prisoner shall be tried at any Court under the Provisions of this Act, it shall be lawful for the Justices, Judges, or Commissioners of the said Court before whom any such Prisoner shall be tried, or for any Two or more of them, if it shall seem reasonable so to do, to order the Payment of the Expenses of the Witnesses on the Part of the Defence, and such Payment shall be made accordingly in the same Manner in all respects as if such Witnesses were Witnesses on the Part of the Prosecution; and the Commissioners of Her Majesty's Treasury shall, upon Receipt of such last-mentioned Order, and out of any Monies provided by Parliament for Law Charges in *England* or *Ireland*, as the Case may be, repay such Sum or Sums as shall be therein specified to the Person who shall have paid the same.

No Proof to be required of due Removal of Prisoner.

Verdicts and Judgments to be valid.

13. Whenever any such Order shall have been made as is mentioned in the First Section of this Act, it shall not be necessary for any Purpose whatsoever to prove that the Prisoner has been duly removed to the Gaol of *Newgate* or the *Richmond Bridewell* under the Provisions of this Act, or that he was committed for the Murder or Manslaughter of the Deceased; and no Evidence or Proof to the contrary shall be admitted: And every Verdict and Judgment which shall be given upon any Indictment tried under the Provisions of this Act shall be deemed as good, valid, and sufficient in Law as if the Offence charged in such Indictment had been actually committed within the Jurisdiction of the said Court before which such Indictment shall be tried.

The Prisoner may be removed to and from the Central Criminal Court as often as necessary.

14. Whenever any Person shall have been removed into the Custody of the said Keeper of the said Gaol of *Newgate* or of the *Richmond Bridewell* under the Provisions of this Act, such Person shall, without Writ of Habeas corpus or other Writ for that Purpose, be removed into and from the Court at or before which such Indictment shall be found, tried, or proceeded upon, when and as often as it may be necessary, by the Keeper of the said Gaol of *Newgate* or of the *Richmond Bridewell*, with his Commitment

Commitment and Detainer, in order that he may be tried, sentenced, or otherwise dealt with according to Law; and such Removal shall not be deemed an Escape.

Court before which Indictment found to have the same Authority as if the Offence had been committed within its Jurisdiction.

15. Whenever any Indictment shall have been found under the Provisions of this Act, the Justices, Judges, or Commissioners of the Court at or before which such Indictment shall be found, tried, or proceeded upon for the Time being, or any Two or more of them, shall possess the same Power, Jurisdiction, and Authority as to all Matters and Things whatsoever as if the Offence charged in the said Indictment had actually been committed within the Jurisdiction of the said Court; and every such Offence may be dealt with, tried, and determined by and before such Justices, Judges, or Commissioners, or any Two or more of them, in the same Manner in all respects as if the same had actually been committed within the Jurisdiction of the said Court: Provided that nothing in this Section contained shall limit or lessen any Power, Jurisdiction, or Authority conferred upon the said Justices, Judges, or Commissioners, or any Two or more of them, by this Act.

Sects. 21. 27, and 28 of 19 Vict. c. 16. extended to this Act.

16. The Provisions of the Twenty-first Section of the said Act made and passed in the Nineteenth Year of Her Majesty Queen *Victoria* shall apply to every Prisoner removed to any Gaol under the Provisions of this Act, in the same Manner in all respects and for all Intents and Purposes as if such Prisoner had been so removed as in any of the preceding Sections of the said Act is mentioned, and as if that Section had been re-enacted herein with reference to Prisoners removed to any Gaol under the Provisions of this Act; and where any Person shall have been removed to any Gaol under the Provisions of this Act, the Provisions of the Twenty-seventh and Twenty-eighth Sections of the same Act shall apply in the same Manner in all respects as in the Case where any Person shall have been removed or committed to the said Gaol of *Newgate* under the Provisions of the said Act.

Prosecutor and Witnesses may be bound by Recognizances to appear again before the said Court.

17. Whenever any Prosecutor and Witnesses in any Case where any Indictment shall have been found under the Provisions of this Act shall appear before the Court at or before which such Indictment shall be found, tried, or proceeded upon, it shall be lawful for such Court, from Time to Time and as often as to the same Court shall seem fit, to require such Prosecutor and Witnesses to enter into such Recognizance in such Sum of Money, and with such Condition as to Appearance at the said Court, and otherwise, as to the said Court shall seem fit.

Her Majesty in Council may make Rules for Purposes of this Act.

18. It shall be lawful for Her Majesty, by and with the Advice of Her Most Honourable Privy Council, from Time to Time to make Rules and Regulations touching the said Gaol of *Newgate*, or any other Gaol or Prison, and the Government and Keeping thereof; and it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by and with the Advice of the Privy Council, from Time to Time to make Rules and Regulations touching the said *Richmond Bridewell* for the Purposes of this Act, and touching the Alteration of any Commissions, Writs, Precepts, or other Proceedings whatsoever for carrying into effect the Purposes of this Act; and all such Rules and Regulations shall be of the like Force and Effect as if the same had been made by Authority of Parliament, and shall be notified in the *London* or *Dublin* Gazette, or in such other Manner as Her Majesty, by and with the Advice of Her Most Honourable Privy Council, shall think fit to direct.

Act not to affect any Peer.

19. Nothing in this Act contained shall render any Person claiming the Privilege of Peerage triable under the Provisions of this Act.

Interpretation of Terms.

20. In the Construction of this Act the Words "present Mutiny Act" shall be understood to mean the Act made and passed in this present Parliament, intituled *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters;* and the Words "future Mutiny Act" shall be understood to mean any Act hereafter to be made and passed for the Purposes and with the Intents and Objects of the present Mutiny Act, or for the like Purposes, and with the like Intents and Objects.

Short Title.

21. In citing this Act in any Instrument, Document, or Proceeding it shall be sufficient to use the Expression "The Jurisdiction in Homicides Act, 1862."

SCHEDULE referred to in the foregoing Act.

1. *Form of Certificate mentioned in the First Section.*

I the undersigned, Her Majesty's Principal Secretary of State for the War Department, having been credibly informed that [*Name or Names of Prisoner or Prisoners*] lately committed for the Murder [*or* Manslaughter] of [*Name of Person killed*] deceased, and now confined in the Gaol [House of Correction] at in the County of is a Person [are Persons] subject to the Mutiny Act, and that the said [*Name of Person deceased*] deceased was at the Time of the alleged Murder [*or* Manslaughter] also subject to the said Act, and that the said Murder or supposed Murder [*or* Manslaughter or supposed Manslaughter] was committed in England or Wales, and out of the Jurisdiction of the Central Criminal Court, [*or in Ireland and elsewhere than in the County of the City of Dublin,* in the County of Dublin,] and having been credibly informed of the Circumstances relating to the said alleged Crime, and deeming it expedient that a more speedy Trial of the said [*Name or Names of Prisoner or Prisoners*] should be had than the usual Course of Practice allows, do hereby certify my Belief that it would contribute to the

the Maintenance of good Order and Military Discipline if the said [*Name or Names of Prisoner or Prisoners*] were to be indicted and tried under the Provisions of the Jurisdiction in Homicides Act, 1862.

Given under my Hand this Day of A.D.

[*Signature of the said Secretary of State.*]

2. *Form of Order of the Court of Queen's Bench mentioned in the First Section.*

In Her Majesty's Court of Queen's Bench. [*Name of Term*] Term, A.D. [*Year of our Lord*].

WHEREAS it appears by the Affidavit [*or* Affidavits] of [*Name or Names of Deponent or Deponents*], that [*Name or Names of Prisoner or Prisoners*], now in the Custody of the Gaoler or Keeper of the Gaol [*or* House of Correction] at in the County of was [*or* were] committed for the Murder [*or* Manslaughter] of [*Name of Deceased*] deceased, and that as well the said [*Name or Names of Prisoner or Prisoners*] as the said [*Name of Deceased*] deceased were at the Time of the Commission or supposed Commission of the said Murder [*or* Manslaughter] subject to the Mutiny Act: Now thereupon, and on the Application and Certificate of Her Majesty's Principal Secretary of State for the War Department, it is ordered, That the said [*Name or Names of Prisoner or Prisoners*] be indicted and tried under the Provisions of the Jurisdiction in Homicides Act, 1862.

By the Court.

2. *Form of Order of a Judge mentioned in the First Section.*

WHEREAS it appears [*follow the last preceding Form as far as the Words* "Secretary of State for the War Department"], I do order that the said [*Name or Names of Prisoner or Prisoners*] be indicted and tried under the Provisions of the Jurisdiction in Homicides Act, 1862. Given under my Hand in Vacation, this Day of A.D. [*Year of our Lord*].

[*Signature of Judge.*]

3. *Form of Indorsement mentioned in the Fourth Section.*

I certify that [*Name or Names of Prisoner or Prisoners*] was [*or* were] committed for the Murder [*or* Manslaughter] of [*Name of Deceased*] deceased, and that he [*or* they] has [*or* have] been removed to the Gaol of Newgate [*or* the Richmond Bridewell] under the Provisions of the Jurisdiction in Homicides Act, 1862.

[*Signature of proper Officer of the Court.*]

CAP. LXVI.

An Act for the Safe-keeping of Petroleum. [29th *July* 1862.]

'WHEREAS it is expedient to provide for the Safe-keeping of Petroleum and certain Products 'thereof that are dangerous to Life and Property, from their Properties of giving off inflammable 'Vapours at low Temperatures:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Definitions: "Petroleum:" "Borough:"

1. "Petroleum," for the Purposes of this Act, shall include any Product thereof that gives off an inflammable Vapour at a Temperature of less than One hundred Degrees of *Fahrenheit's* Thermometer: "Borough" shall in *England* mean any Place for the Time being subject to the Provisions of the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Seventy-six, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales; and in *Scotland* any Royal Burgh and any of the Burghs or Towns returning or contributing to return Members to Parliament; and in *Ireland* any Place for the Time being subject to the Provisions of the Act of the Session holden in the Third and Fourth Years of Her Majesty, Chapter One hundred and eight, intituled *An Act for the Regulation of Municipal Corporations in* Ireland:

"Harbour:"

"Harbour" shall include any Port, Dock, navigable River, Pier, or other Works in or at which Vessels ship or discharge Goods or Passengers:

"Harbour Authority."

"Harbour Authority" shall include all Persons or Bodies of Persons, corporate or unincorporate, being Proprietors of or entrusted with the Duty of improving, maintaining, or managing any Harbour.

Regulations to be observed by a Ship carrying Petroleum.

2. Every Vessel carrying a Cargo consisting wholly or in part of Petroleum on entering any Harbour within the United Kingdom shall conform to such Regulations in respect to the Place at which she is to be moored as may from Time to Time be issued by the Harbour Authority having Jurisdiction over such Harbour. If any Vessel is moored in any Place in contravention of such Regulations, the Owner or Master of such Vessel shall incur a Penalty not exceeding Twenty Pounds for each Day during which the Vessel remains moored, and it shall be lawful for the Harbour Master, or any other Person acting under the Orders of the Harbour Authority, to cause such Vessel to be removed, at the Expense of the Owner thereof, to such Place as may be in conformity with the said Regulations, and all Expenses incurred in such Removal may be recovered in the same Manner in which Penalties are hereby made recoverable.

Regulations to be observed in storing Petroleum.

3. From and after the First Day of *October* One thousand eight hundred and sixty-two not more than Forty Gallons of Petroleum shall be kept within Fifty Yards of a Dwelling House or of a Building in which Goods are stored, except in pursuance of a Licence given by such Local Authority as is hereinafter mentioned.

Any Petroleum kept in contravention of this Section shall be forfeited, and, in addition thereto, the Occupier of the Place in which such Petroleum is kept shall incur a Penalty not exceeding Twenty Pounds a Day for each Day during which Petroleum is kept in contravention of this Act.

Definition of Local Authority.

4. The following Bodies shall respectively be the Local Authority to grant Licences under this Act in the Districts herein-after mentioned; (that is to say,)

1. In the City of *London*, except as herein-after mentioned, the Court of Lord Mayor and Aldermen of the said City:
2. In the Metropolis, as defined by the Act of the Session of the Eighteenth and Nineteenth Years of the Reign of Her present Majesty, Chapter One hundred and twenty, except the City of *London*, and except as herein-after mentioned, the Metropolitan Board of Works:
3. In any Borough in *England* or *Ireland*, except as herein-after mentioned, the Mayor, Aldermen, and Burgesses, by the Council:
4. In any Place in *England* or *Ireland*, except as herein-after mentioned, within the Jurisdiction of any Trustees or Improvement Commissioners, appointed under the Provisions of any Local or General Act of Parliament, the Trustees or Commissioners:
5. In any Burgh or Place in *Scotland*, except as herein-after mentioned, within the Jurisdiction of any Town Council, and not subject to the Jurisdiction of Police Commissioners or Trustees, the Town Council; but in any Burgh or Place in *Scotland*, except as herein-after mentioned, within the Jurisdiction of Police Commissioners or Trustees exercising the Functions of Police Commissioners under any General or Local Act, the Police Commissioners or Trustees:
6. In any Harbour within the Jurisdiction of a Harbour Authority, whether situate or not within the Jurisdiction of any Local Authority herein-before mentioned, the Harbour Authority, to the Exclusion of any other Local Authority:
7. In any Place in *England* or *Ireland* in which there is no Local Authority as herein-before defined, the Justices in Petty Sessions assembled, and in *Scotland* any Two Justices of the Peace for the County.

Mode of Granting Licences.

5. Licences in pursuance of this Act shall be valid if signed by Two or more of the Persons constituting the Local Authority, or executed in any other Way in which other Licences, if any, granted by such Authority are executed; they may be granted for a limited Time, and there may be annexed thereto any Conditions as to Renewal or otherwise which the Local Authority thinks necessary for diminishing the Risk of Damage from Explosion or Fire; and any Licensee violating any of the Conditions of his Licence shall be deemed to be an unlicensed Person.

In case of Refusal of Licence, the Applicant may memorialize Secretary of State.

6. If, on any Application for a Licence under this Act, the Local Authority refuses the Licence, or grants the same only on Conditions with which the Applicant is dissatisfied, the Local Authority shall, if required by the Applicant, certify in Writing under the Hand or Hands of One or more of the Persons constituting the Local Authority the Grounds on which it refused the Licence or annexed Conditions to the Grant thereof, and shall deliver the Certificate to the Applicant, who may thereupon, within Ten Days from the Time of the Delivery thereof, transmit the same to One of Her Majesty's Principal Secretaries of State, if the Application is for a Licence in *England* or *Scotland*, and to the Lord Lieutenant or other Chief Governor if the Application is for a Licence in *Ireland*, together with a Memorial, praying that, notwithstanding such Refusal, the Licence may be granted, or that such Conditions may not be imposed, or may be altered or modified in such Manner and to such Extent as may be set forth in such Memorial; and it shall be lawful for the Secretary of State, Lord Lieutenant, or other Chief Governor, if he think fit, on consideration of such Memorial and Certificate, and if he think it necessary or desirable, after due Inquiry from and a Report by such Person as he may appoint for that Purpose, to grant the Licence prayed for, either absolutely, or with such Conditions as he thinks fit, or to alter or modify the Conditions imposed by the Local Authority; and the Licence so granted, or altered and modified, as the Case may be, when certified under the Hand of the said Secretary of State, Lord Lieutenant, or other Chief Governor, shall be to all Intents as valid as if granted by the Local Authority.

Forfeitures and Penalties in England and Ireland.

7. Any Forfeiture or Penalty for an Offence against this Act may be enforced in *England* and *Ireland* upon summary Conviction before any Two Justices; and one Moiety of the Forfeiture and Penalty shall belong to Her Majesty, and the other Moiety to the Informer, unless the Informer is a Servant of the Person informed against, in which Case the Moiety of the Forfeiture or Penalty which would otherwise belong to the Informer shall be applied in such Manner and to such other Purposes as the Justices in their or his Discretion may think fit.

Recovery of Forfeitures and Penalties in Scotland.

8. Any Forfeiture or Penalty for an Offence against this Act may be enforced in *Scotland* upon summary Conviction, at the Instance of the Procurator Fiscal, before any Sheriff, or before any Two Justices of the County, or before the Magistrates or any Police Magistrate of the Burgh in which the Offence was committed, who may sentence the Offender to Imprisonment, until such Forfeiture or Penalty and the Expenses of Conviction are paid, for a Period not exceeding Three Months; and one

Moiety

Moiety of such Forfeiture or Penalty shall belong to Her Majesty, and the other Moiety shall be applied in such Manner and to such Purposes as such Sheriff, Justices, Magistrates, or Magistrate in their or his Discretion may think fit.

Search for Petroleum.

9. Petroleum may be searched for in the same Manner, under the same Warrants, and subject to the same Conditions in, under, and subject to which Gunpowder may be searched for, in pursuance of the Act passed in the Session holden in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and thirty-nine; and all the Provisions of the said Act relating to searching for Gunpowder shall be incorporated with this Act, and be construed as if the Word "Gunpowder" in such Provisions included Petroleum as defined by this Act, and as if the Act therein referred to were this Act.

Reservation of previous Powers with respect to inflammable Substances.

10. All Powers given by this Act shall be deemed to be in addition to and not in derogation of any other Powers conferred on any Local Authority by Act of Parliament, Law, or Custom, and the Local Authority may exercise such other Powers in the same Manner as if this Act had not passed; and nothing in this Act contained shall be deemed to exempt any Person from any Penalty to which he would otherwise be subject in respect of a Nuisance.

CAP. LXVII.

An Act for obtaining a Declaration of Title. [29th *July* 1862.]

'WHEREAS it is expedient to enable Persons having Interests in Land to obtain in certain Cases a Judicial Declaration of their Title to the same, so as to enable them to make an indefeasible Title to Persons claiming under them as Purchasers for a valuable Consideration:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Parties claiming to be entitled to Land may petition Court of Chancery for Declaration of Title.

1. Every Person claiming to be entitled to Land in possession for an Estate in Fee Simple, either absolutely or subject to any Incumbrances, Estates, Rights, or Interests, vested or contingent, or claiming to have a Power of disposing of Land for his own Benefit for an Estate in Fee Simple in possession, either absolutely or subject to any Incumbrances, Estates, Rights, or Interests vested or contingent, and every Person entitled to apply for the Registration of an indefeasible Title to the Registrar appointed under any Act which may be passed in the present Session for the Registration of Real Estates and the Title thereto, may apply to the Court of Chancery by Petition in a summary Way for a Declaration of Title under this Act.

Petition to set forth Particulars affecting Title.

2. Every such Petition shall state what Incumbrances, Estates, Rights, and Interests, if any, the Petitioner admits to affect his Title, and subject to which he seeks to have his Title declared, and shall be in such Form as the Court shall by General Order direct.

Two Persons interested may jointly petition.

3. Any Two or more Persons claiming to have together such Estate or Interest in Land as would have enabled any One Person to petition as aforesaid may join in such a Petition, and such Proceedings shall be had thereupon as in the Case of a single Petitioner.

As to Copyhold, &c. Lands.

4. No such Petition shall be admitted as to Lands of Copyhold or Customary Tenure.

Court may require to be served with Petition.

5. It shall be lawful for the Court, by General Order or otherwise, if it shall think fit, to require that the Registrar who may be appointed under any Act passed during the present Session for the Registration of Real Estates and the Title thereto shall be served with Notice of such Petition, and the Registrar shall thereupon be made a Party to and attend the Proceedings on such Petition, and the Costs thereby properly incurred shall be paid by the Petitioner.

Court may investigate Petitioner's Title.

6. The Court, on the Hearing of any such Petition, on being satisfied that the Petitioner has proved such a Possession, and has stated such a Title as, if established, would entitle him to a Declaration under this Act, shall make an Order for the Investigation of the Title in the same Way as if the Petitioner had obtained as Vendor a Decree for a specific Performance of an Agreement for Sale of the Land in question for the Estate claimed in his Petition.

If Court dissatisfied, Petition to be dismissed.

7. If the Court, on such Investigation, shall not be satisfied that the Petitioner has shown such a Title as it would have compelled an unwilling Purchaser to accept, then it shall dismiss the Petition, but subject to the Right of Appeal herein-after mentioned.

When Investigation is satisfactory, Court may order a Declaration of Title to be made.

8. In case the Court is satisfied after such an Investigation that the Petitioner has shown such a Title as it would have compelled an unwilling Purchaser to accept, it shall, on the Conditions herein-after mentioned being complied with, make an Order that on some Day, not less than Three Months from the Date of the Order, a Declaration shall be made establishing the Petitioner's Title, unless in the meantime Cause is shown to the contrary; and the Court may enlarge the Time for so showing Cause as often as it may deem proper.

Order not to be made until Security for Costs is given.

9. No such Order shall be made until the Petitioner shall have given Security to the Satisfaction of the Court for Payment of all Costs, if any, which may be awarded to any Person who may oppose the Petitioner's Right to the Declaration prayed for.

Before Order is made Petitioner to file Affidavit

10. No such Order shall be made until the Petitioner and his Solicitor, and any other Person whom the Court may require, shall have made and filed an Affidavit that to the best of their respective Knowledge,

that all Documents have been produced.

ledge, Information, and Belief all Settlements, Deeds, Documents, Instruments, Maps, Plans, and Papers relating to the Title to the Land in question have been produced to the Court, or the Cause of their Non-production has been fully and fairly explained, and that all Facts material to the Title have been fully and fairly disclosed to the Court: Provided always, that the Court may dispense with such Affidavit either from the Petitioner or his Solicitor when it shall think it reasonable so to do, or may permit the same to be modified as Circumstances may seem to require.

Notice of Order to be advertised in Newspapers.

11. The Petitioner after obtaining such Order shall give Notice of the same by Advertisement in such Newspapers and at such Times as the Court may direct, and in any other Manner which the Court may deem expedient for the Purpose of informing all Persons interested thereof, and as may be directed by any General or Special Order in that Behalf.

Court may hear Petition against Declaration of Title, &c.;

12. Any Person may, at any Time before the proposed Declaration of Title has been made, petition the Court in a summary Way to be heard against the making thereof, and the Court shall thereupon fix a Time for the Hearing of such Petition, and shall, if necessary, enlarge the Time for making the Declaration until such Petition shall have been disposed of.

May refuse Declaration of Title, &c.;

13. On the Hearing of such Petition the Court may introduce such Restrictions or Qualifications in the Title sought to be declared as the Justice of the Case requires, or may reserve the Rights of any Person or Class of Persons, or may refuse to make any Declaration of Title.

May reserve Rights under lost Deeds.

14. If it shall appear to the Court that all or any of the Title Deeds relating to the Land in question have been lost or destroyed, the Court may, if it shall think fit, reserve the Rights of all Persons under any such lost or destroyed Deeds.

Where Court sees no Reason for Refusal, Declaration of Title to be made.

15. If no Petition has been presented against the proposed Declaration of Title within the Time in that Behalf limited, or if, having been presented, the Court shall be of opinion that no sufficient Ground has been shown for refusing to make a Declaration of Title, then the Court shall, after the Expiration of the Time limited for showing Cause, upon being satisfied that the required Notices have been duly given, and that all other Requisitions have been duly complied with, make a Declaration that the original Petitioner has such Title to the Land in question as he sought to establish by his Petition or such Title, subject to any Restrictions, Reservations, or Qualifications which it may deem necessary or proper to introduce.

Appeal may be made to Court of Appeal within Six Months after Declaration.

16. Any Person may, at any Time within Six Months from the making of any such Declaration, appeal therefrom to the Court of Appeal in Chancery; and such Court shall on the Hearing of the Appeal make an Order confirming, varying, or annulling the Declaration as it may see fit; but if there is no such Appeal, then the said Declaration shall, at the Expiration of the said Six Months, become final for the Purposes of this Act.

Parties may appeal from Court of Appeal to House of Lords.

17. Any Person may appeal from any such Order of the Court of Appeal to the House of Lords at any Time within Six Months from the making thereof, and the said House may make an Order confirming, varying, or annulling the said Declaration as to them shall seem just; but if there is no such Appeal, then the Declaration, as approved by the said Court of Appeal in Chancery, shall at the Expiration of the said Six Months become final for the Purposes of this Act.

Declaration of Title as approved to be final.

18. In case of any such Appeal as aforesaid to the House of Lords, the Declaration of Title as finally approved by them shall become final for the Purposes of this Act.

Where Court refuses Title, Petitioner may appeal to Court of Appeal and House of Lords.

19. In case the Court shall have dismissed the original Petition on the Ground that the Petitioner had not shown such a Title as it would have compelled an unwilling Purchaser to accept, or if, on the Hearing of any Petition against the making of the Declaration of Title prayed for, the Court shall have refused to make any Declaration of Title, the original Petitioner shall have the same Rights of Appeal to the Court of Appeal in Chancery and to the House of Lords as is herein-before given to any Person appealing against a Declaration of Title actually made.

Declaration of Title not to be set aside for Informality.

20. The Declaration of Title, when it has in manner aforesaid become final for the Purposes of this Act, shall not be set aside or called in question by reason of any Irregularity or Informality in the Proceedings previous to the making thereof.

To be registered as an indefeasible Title.

21. Every Declaration of Title made under this Act may, at the Option of the Person obtaining the same, be registered as an indefeasible Title under any Act which may be passed in the present Session of Parliament for the Registration of Real Estates and the Title thereto.

Certificate of Court to be given to Party obtaining final Declaration.

22. Any Person who has obtained in manner aforesaid a final Declaration of Title shall be entitled to receive from the Court, on Payment of the proper Fees, and on Production of his Title Deeds for the Purpose next herein-after mentioned, a Certificate under the Seal of the Court setting forth the Title so declared, and further stating that the Time for appealing has expired, and such Certificate shall be conclusive Evidence of the Facts therein stated.

Production of Deeds before sealing of Certificate.

23. Before any such Certificate shall be sealed the Petitioner shall produce to the Court such of his Deeds and Muniments of Title as the Court shall require, and the same shall be stamped or marked by the Officer issuing the Certificate in such Manner as the Court shall by General Orders direct, for the Purpose of showing that a Declaration of Title has been made as to the Land therein comprised, or as to such Part thereof as is comprised in the Declaration.

Declaration of Title to be deemed to have

24. Such Declaration of Title, as soon as it shall have become final for the Purposes of this Act, shall in favour of any Person thereafter deriving Title as a Purchaser for valuable Consideration of the Land

Land therein referred to, or of any Part thereof, or of any Estate, Right, or Interest therein, by, from, through, or under the Person whose Title has been so declared, be deemed and taken to have correctly declared the same, but save as aforesaid such Declaration shall have no Force or Effect whatever as to the Title of the Land comprised therein. correctly declared Land therein referred to.

25. Instead of a single Declaration of Title, or a single Certificate, the Court may, on the Application of the Petitioner, make separate Declarations, or give separate Certificates as to the Title of separate Parts of the Land referred to in the Petition. Court may make separate Declarations, &c. of Title.

26. If for the Purpose of a Sale or other Disposition of the Land comprised in any Certificate of Title, or of any Part thereof, the Holder of any such Certificate shall be desirous of having separate Certificates of Title relating to separate Portions of the Land, it shall be lawful for the Court, on Petition by such Holder, to order his Certificate to be cancelled, and in lieu thereof to give to him separate Certificates for separate Parts of the Land comprised in the Certificate so cancelled; and every such separate Certificate shall refer to and state the Date of the cancelled Certificate, and shall have the same Effect as to the Land therein comprised as if it had been given at the Time of such Date, but no such Substitution of Certificates shall in any way prejudice or affect the Title of any Person who shall previously thereto have become entitled to any Part of the Land comprised in the original Certificate, or any Interest in the same. Court may cancel original Certificate, and give Certificates to separate Parts of Land comprised in cancelled Certificate.

27. Whenever any such Substitution of Certificates shall take place the Land mentioned in every such separate Certificate may be entered upon the Register of Estates with an indefeasible Title, under any such Act for the Registration of Real Estates and the Title thereto as aforesaid; and in that Case any Transactions relating thereto shall, subject to any Regulations to the contrary that may be made by General Order, thenceforth form a separate Record in the Register, distinguished by a separate Number, or in such other Manner as the Registrar may determine. Substitution of Certificates.

28. If any Certificate of Title shall be lost or destroyed, the Court may issue a fresh Certificate in lieu of that so lost or destroyed, expressing on the Face thereof that it is a Duplicate, but no such fresh Certificate shall be of any avail against any Person who may have already derived Title under the original Certificate. If Certificate of Title is lost a Duplicate may be issued.

29. The Declaration of Title shall not affect any of the Claims, Rights, or Matters herein-after mentioned, that is to say: Declaration of Title not to affect certain Claims, &c.

Land Tax, Succession Duty, Tithe Rentcharge, Rights of Common, Rents payable to the Crown, public Rights of Way, Liability to repair Highways by reason of Tenure, Rights of Way, Watercourses, Rights of Water and other Easements, or Servitudes, Manorial Rights and Franchises, Leases or Agreements for Leases for any Term not exceeding Twenty-one Years where there is Occupation under the same.

30. From and after the Registration of any Land, as to which any such Declaration of Title as aforesaid shall have been made, in the herein-before mentioned Register of Estates with an indefeasible Title, such Land shall be subject to the Provisions of any such Act for the Registration of Real Estates and the Title thereto as aforesaid, in the same Manner as if the Registration thereof had been made by virtue of Proceedings duly taken under such last-mentioned Act. Registration of Lands with Declaration of indefeasible Title.

31. If, at any Time after any such Declaration of Title as aforesaid has been made, any Person shall consider himself to be aggrieved thereby, it shall be lawful for him to present a Petition praying that the same may be recalled or varied in such Manner as may be just, and the Court shall thereupon proceed in the Hearing of such Petition in the same Manner as if the same had been presented before the Declaration of Title had been made, and the Court may, on the Hearing of the said Petition, annul the Declaration and order the Certificate or Certificates to be given up to be cancelled, or may make such Variations therein as it may deem just, and may, if it shall think fit, also direct the Registry thereof, if made, to be cancelled; but no Proceeding on any such Petition shall prejudice or affect the Title of any Person who before any such annulling or Variation shall have acquired a Title under the said Declaration as a Purchaser for valuable Consideration of the said Land or of any Estate or Interest therein. Court may hear Petition for Recal or Variation of Declaration of Title.

32. The Court may, on the Hearing of any such last-mentioned Petition, make any Order which it may deem just, restraining the Person who has obtained the Declaration, and all Persons claiming by, through, from, or under him otherwise than as a Purchaser for valuable Consideration, from in any Manner dealing with the said Land until such Petition shall have been disposed of. To prevent dealing with Land until Petition disposed of.

33. All Proceedings on any such Petition shall be liable to the same Right of Appeal as in the Case of Petitions presented before such Declaration of Title was made. Proceedings on Petition liable to Appeal.

34. The Court shall have Power to order Costs either as between Party and Party or as between Solicitor and Client to be paid by and to any Person, Party to any Proceeding under this Act, and to give Directions as to the Fund out of which such Costs shall be paid. Power to Court to order Costs.

35. 'And whereas it may happen that at the Time of making such Declaration of Title as aforesaid 'there may be Estates, Rights, or Interests in the Land which may not be saved by the Declaration, and 'the Persons entitled to such Estates, Rights, or Interests may be damnified by the subsequent Alienation 'of the Land for valuable Consideration:' Be it therefore enacted, That all Money received by the Person so alienating shall be deemed to have been received by him in trust to invest the same in the Purchase Person alienating to invest Trust Money in Purchase of Lands to be settled to certain Uses.

Purchase of Lands to be settled to the Uses and on the Trusts to and on which the Lands so alienated stood limited at the Time of such Alienation: Provided always, that this Clause shall not be deemed to impose any Liability on any Person who may have received any Money on such Alienation as a Trustee, so far as relates to Money which he may have duly applied in execution of the Trusts reposed in him.

Provision as to married Women.

36. Where any married Woman is desirous of making any Application, giving any Consent, or doing any Act, or becoming Party to any Proceeding under this Act, her Husband's Concurrence shall be required, and she shall be examined apart from her Husband touching her Knowledge of the Nature and Effect of the Application or other Act, and it shall be ascertained that she is acting freely and voluntarily; and such Examination may be taken by the Court or such Persons as are authorized to take Acknowledgments of Deeds by married Women under the Act of the Session holden in the Third and Fourth Years of King *William* the Fourth, Chapter Seventy-four, "for the Abolition of "Fines and Recoveries, and for the Substitution of more simple Modes of Assurance;" and the Form and Manner in which such Examination shall be certified to the Court shall be determined by the General Rules and Orders to be made under this Act: Provided always, that a married Woman entitled to her separate Use, and not restrained from Anticipation, shall for the Purposes of this Act be deemed a Feme Sole.

3 & 4 W. 4. c. 74.

Provision for other Persons under Disability.

37. Where any Person who (if not under Disability) might have made any Application, given any Consent, done any Act, or been Party to any Proceeding under this Act, is a Minor, Idiot, or Lunatic, the Guardian or Committee of the Estate respectively of such Person may make such Applications, give such Consents, do such Acts, and be Party to such Proceedings, as such Person respectively, if free from Disability, might have made, given, done, or been Party to, and shall otherwise represent such Person for the Purposes of this Act: Provided always, that where there is no Guardian or Committee of the Estate of any such Person as aforesaid, being infant, idiot, or lunatic, or where any Person the Committee of whose Estates if he were idiot or lunatic would be authorized to act for and represent such Person under this Act is of unsound Mind or incapable of managing his Affairs, but has not been found idiot or lunatic under an Inquisition, it shall be lawful for the Court to appoint a Guardian of such Person for the Purpose of any Proceedings under this Act, and from Time to Time to change such Guardian.

Proceedings not to abate by Death, &c.

38. Proceedings under this Act shall not abate or be suspended by any Death or Transmission or Change of Interest, but in any such Case of Death or Transmission or Change of Interest it shall be lawful for the Court, where it sees fit, to require Notices to be given to Persons becoming interested, or to make any Order for discontinuing, suspending, or carrying on the Proceedings, or otherwise in relation thereto, which to the Court may appear just.

Register of Estates, Titles, &c. to be kept.

39. A Register shall be kept in such Place as the Lord Chancellor shall appoint, wherein any Person having or claiming to have any Estate, Right, Title, or Interest in or to any Land, or having or claiming to have any Incumbrance thereon, shall be at liberty to enter his Name and Address, with the Name of the County, Parish, and Township in which such Land is situated, in such Form as the Chancellor shall order; and when any Person shall have made such Entry the Court shall not make an Order under this Act unless it is satisfied, after such Evidence as it shall think sufficient, that Notice of the Application for such Order has been given to such Person as shall have made such Entry in a reasonable Time before such Order is actually made.

Power to Lord Chancellor, &c. to make Rules and Orders.

40. The Lord Chancellor, with the Advice and Assistance of the Master of the Rolls, the Lords Justices of the Court of Appeal in Chancery, and the Vice-Chancellors, or of any Three of them, shall from Time to Time make such General Rules and Orders as he may see fit for carrying the Purposes of this Act into effect, and for regulating the Times and Form and Mode of Procedure, and of giving Notices, and generally the Practice of the Court in respect of the Matters to which this Act relates; and such Rules and Orders may from Time to Time be rescinded or altered by the like Authorities respectively; and all such Rules and Orders shall take effect as General Orders of the Court.

Court of Chancery to adopt Rules in Schedule until General Rules are framed.

41. Until any General Rules and Orders shall be framed under the last preceding Section, the Rules and Orders set forth in the Schedule hereto annexed shall be taken to be Rules and Orders of the Court of Chancery, but the same shall be liable to be rescinded or altered as if they had been made by the Lord Chancellor, with such Advice and Assistance as in the last preceding Section is mentioned.

Power to Lord Chancellor to appoint additional Clerks.

42. It shall be lawful for the Lord Chancellor from Time to Time to appoint such additional Clerks as to him may seem necessary for enabling the Court duly to execute the Duties imposed on it; and every such additional Clerk shall receive out of the Suitors Fee Fund such Salary as the Lord Chancellor, with the Consent of the Lords of the Treasury, may think proper.

Rules and Orders to be laid before Parliament.

43. All General Rules and Orders made as aforesaid, including all Orders for the Appointment of any additional Clerks, shall, immediately after the making and issuing thereof, be laid before both Houses of Parliament, if Parliament be then sitting, or if Parliament be not then sitting, within Twenty-one Days after the next Meeting thereof; and it shall be lawful for either House of Parliament, by any Resolution passed within Six Weeks after such Rules or Orders have been laid before it, to resolve that the same or any Part thereof ought not to continue in force, and thereupon the same shall cease to be binding.

44. If

Penalty on making false Statement and Suppression of Deeds and Evidence.

44. If in the course of any Proceeding before the Court under this Act any Person acting either as Principal or Agent shall, knowingly and with Intent to deceive, make or assist or join in or be privy to the making of any material false Statement or Representation, or suppress, conceal, or assist or join in or be privy to the suppressing, withholding, or concealing from the Court any material Document, Fact, or Matter of Information, every Person so acting shall be deemed to be guilty of a Misdemeanor, and on Conviction shall be liable to be imprisoned for a Term not exceeding Three Years, and either with or without Hard Labour, or to be fined such Sum as the Court by which he is convicted shall award: The Order or Declaration of Title obtained by means of such Fraud or Falsehood shall be null and void for or against all Persons other than a Purchaser for valuable Consideration without Notice.

Penalty on fraudulent Alterations, &c.

45. If in the course of any Proceeding before the Court under this Act any Person shall fraudulently forge or alter or assist in forging or altering any Certificate or other Document relating to such Land or to the Title thereof, or shall fraudulently offer, utter, dispose of, or put off any such Certificate or other Document, knowing the same to be forged or altered, such Person shall be guilty of Felony, and upon Conviction shall be liable, at the Discretion of the Court by which he is convicted, to be kept in Penal Servitude for Life or for any Term not less than Three Years, or to be imprisoned for a Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Conviction not to affect Civil Remedy.

46. No Proceeding or Conviction for any Act hereby declared to be a Misdemeanor shall affect any Remedy which any Person aggrieved by such Act may be entitled to, either at Law or in Equity, against the Person who has committed such Act.

Enactment of Penalty not to exclude Obligation to make Discovery.

47. Nothing in this Act contained shall entitle any Person to refuse to make a complete Discovery by Answer to any Bill in Equity, or to answer any Question or Interrogatory in any Civil Proceeding, in any Court of Law or Equity, or in the Court of Bankruptcy; but no Answer to any such Bill, Question, or Interrogatory shall be admissible in Evidence against such Person in any Criminal Proceeding.

Construction of Terms, &c. in this Act: "Person:" "Possession:" "Land."

48. In the Construction of this Act (except where the Context or other Provisions of the Act require a different Construction) the Word "Person" shall include a Body Politic or Corporate; the Word "Possession" shall include Receipt of the Rents and Profits; and the Word "Land" shall not include any incorporeal Hereditaments, but shall include all corporeal Tenements and Hereditaments not expressly excepted.

Extent of Act. Short Title.

49. This Act shall relate to *England* only, and shall come into operation on the First Day of *January* One thousand eight hundred and sixty-three, and may be cited as "The Declaration of Title Act, 1862."

SCHEDULE.

1. Every Petition for a Declaration of Title shall contain an exact Description in their actual State of the Lands as to which the Declaration is sought, stating particularly the Boundaries thereof, and the Lands on which the same and every Part thereof abut, and, so far as conveniently may be, the Names and Descriptions of the Owners and Occupiers of such last-mentioned Lands.

2. On the Investigation of the Title to the Lands as to which the Declaration is sought, the Identity of the Lands described in the Petition, with the Parcels as described in the Title Deeds, shall be established by Affidavit or otherwise, as the Court may deem just.

3. The Court may, if it shall deem it necessary or proper, require the Petitioner to lodge in Court a Map or Plan of the Lands in question.

4. The Petitioner, after obtaining the Order for a Declaration of Title, shall cause a Copy thereof, together with the Description of the Lands in question, with any engraved or lithographed Plan thereof (if any exists) to be served on every adjoining Occupier and Owner, or on such of them and on such other Persons (if any) as the Court may direct to be so served.

5. He shall also cause a Copy or Copies thereof to be deposited in some Office or Place, Offices or Places, to be appointed by the Court on or near to the Lands in question, to be accessible at all reasonable Times to all Persons desirous of examining the same, and Notice of every such Deposit shall be affixed in some Public Place or Places on or near to the Lands in question.

6. Every such Copy served on any adjoining Occupier or Owner, or deposited as aforesaid, shall state that any Person wishing to show Cause against the making of the proposed Declaration may do so by presenting a Petition in a summary Way to the Court of Chancery at any Time before the Day appointed for making the proposed Declaration.

7. The Petitioner, after such Deposit shall have been made, shall cause Advertisements to be inserted Three Times at least in such Newspapers on such Days as the Court shall direct, stating the said Order, and stating also where any Copy has been so deposited for Inspection.

8. Unless the last of such Advertisements is made within Four Weeks next after the Date of the Order, the Time thereby fixed for showing Cause against the same shall be enlarged for One Calendar Month, or such further Time as the Court shall direct.

CAP. LXVIII.

An Act for amending the Law relating to Copyright in Works of the Fine Arts, and for repressing the Commission of Fraud in the Production and Sale of such Works.

[29th *July* 1862.]

'WHEREAS by Law, as now established, the Authors of Paintings, Drawings, and Photographs have no Copyright in such their Works, and it is expedient that the Law should in that respect be amended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Copyright in Works hereafter made or sold to vest in the Author for his Life and for Seven Years after his Death.

1. The Author, being a *British* Subject or resident within the Dominions of the Crown, of every original Painting, Drawing, and Photograph which shall be or shall have been made either in the *British* Dominions or elsewhere, and which shall not have been sold or disposed of before the Commencement of this Act, and his Assigns, shall have the sole and exclusive Right of copying, engraving, reproducing, and multiplying such Painting or Drawing, and the Design thereof, or such Photograph, and the Negative thereof, by any Means and of any Size, for the Term of the natural Life of such Author, and Seven Years after his Death; provided that when any Painting or Drawing, or the Negative of any Photograph, shall for the First Time after the passing of this Act be sold or disposed of, or shall be made or executed for or on behalf of any other Person for a good or a valuable Consideration, the Person so selling or disposing of or making or executing the same shall not retain the Copyright thereof, unless it be expressly reserved to him by Agreement in Writing, signed, at or before the Time of such Sale or Disposition, by the Vendee or Assignee of such Painting or Drawing, or of such Negative of a Photograph, or by the Person for or on whose Behalf the same shall be so made or executed, but the Copyright shall belong to the Vendee or Assignee of such Painting or Drawing, or of such Negative of a Photograph, or to the Person for or on whose Behalf the same shall have been made or executed; nor shall the Vendee or Assignee thereof be entitled to any such Copyright, unless at or before the Time of such Sale or Disposition, an Agreement in Writing, signed by the Person so selling or disposing of the same, or by his Agent duly authorized, shall have been made to that Effect.

Not to prejudice certain Rights.

2. Nothing herein contained shall prejudice the Right of any Person to copy or use any Work in which there shall be no Copyright, or to represent any Scene or Object, notwithstanding that there may be Copyright in some Representation of such Scene or Object.

Assignments, Licences, &c. to be in Writing.

3. All Copyright under this Act shall be deemed Personal or Moveable Estate, and shall be assignable at Law, and every Assignment thereof, and every Licence to use or copy by any Means or Process the Design or Work which shall be the Subject of such Copyright, shall be made by some Note or Memorandum in Writing, to be signed by the Proprietor of the Copyright, or by his Agent appointed for that Purpose in Writing.

Register of Proprietors of Copyright in Paintings, Drawings, and Photographs to be kept at Stationers Hall as in 5 & 6 Vict. c. 45.

4. There shall be kept at the Hall of the Stationers Company, by the Officer appointed by the said Company for the Purposes of the Act passed in the Sixth Year of Her present Majesty, intituled *An Act to amend the Law of Copyright*, a Book or Books, entitled "The Register of Proprietors of Copyright in Paintings, Drawings, and Photographs," wherein shall be entered a Memorandum of every Copyright to which any Person shall be entitled under this Act, and also of every subsequent Assignment of any such Copyright; and such Memorandum shall contain a Statement of the Date of such Agreement or Assignment, and of the Names of the Parties thereto, and of the Name and Place of Abode of the Person in whom such Copyright shall be vested by virtue thereof, and of the Name and Place of Abode of the Author of the Work in which there shall be such Copyright, together with a short Description of the Nature and Subject of such Work, and in addition thereto, if the Person registering shall so desire, a Sketch, Outline, or Photograph of the said Work, and no Proprietor of any such Copyright shall be entitled to the Benefit of this Act until such Registration, and no Action shall be sustainable nor any Penalty be recoverable in respect of anything done before Registration.

Certain Enactments of 5 & 6 Vict. c. 45. to apply to the Books to be kept under this Act.

5. The several Enactments in the said Act of the Sixth Year of Her present Majesty contained, with relation to keeping the Register Book thereby required, and the Inspection thereof, the Searches therein, and the Delivery of certified and stamped Copies thereof, the Reception of such Copies in Evidence, the making of false Entries in the said Book, and the Production in Evidence of Papers falsely purporting to be Copies of Entries in the said Book, the Application to the Courts and Judges by Persons aggrieved by Entries in the said Book, and the expunging and varying such Entries, shall apply to the Book or Books to be kept by virtue of this Act, and to the Entries and Assignments of Copyright and Proprietorship therein under this Act, in such and the same Manner as if such Enactments were here expressly enacted in relation thereto, save and except that the Forms of Entry prescribed by the said Act of the Sixth Year of Her present Majesty may be varied to meet the Circumstances of the Case, and that the Sum to be demanded by the Officer of the said Company of Stationers for making any Entry required by this Act shall be One Shilling only.

Penalties on Infringement of Copyright.

6. If the Author of any Painting, Drawing, or Photograph in which there shall be subsisting Copyright, after having sold or disposed of such Copyright, or if any other Person, not being the Proprietor for

for the Time being of Copyright in any Painting, Drawing, or Photograph, shall, without the Consent of such Proprietor, repeat, copy, colourably imitate, or otherwise multiply for Sale, Hire, Exhibition, or Distribution, or cause or procure to be repeated, copied, colourably imitated, or otherwise multiplied for Sale, Hire, Exhibition, or Distribution, any such Work or the Design thereof, or, knowing that any such Repetition, Copy, or other Imitation has been unlawfully made, shall import into any Part of the United Kingdom, or sell, publish, let to Hire, exhibit, or distribute, or offer for Sale, Hire, Exhibition, or Distribution, or cause or procure to be imported, sold, published, let to Hire, distributed, or offered for Sale, Hire, Exhibition, or Distribution, any Repetition, Copy, or Imitation of the said Work, or of the Design thereof, made without such Consent as aforesaid, such Person for every such Offence shall forfeit to the Proprietor of the Copyright for the Time being a Sum not exceeding Ten Pounds; and all such Repetitions, Copies, and Imitations made without such Consent as aforesaid, and all Negatives of Photographs made for the Purpose of obtaining such Copies, shall be forfeited to the Proprietor of the Copyright.

Penalties on fraudulent Productions and Sales.

7. No Person shall do or cause to be done any or either of the following Acts; that is to say,

First, no Person shall fraudulently sign or otherwise affix, or fraudulently cause to be signed or otherwise affixed, to or upon any Painting, Drawing, or Photograph, or the Negative thereof, any Name, Initials, or Monogram:

Secondly, no Person shall fraudulently sell, publish, exhibit, or dispose of, or offer for Sale, Exhibition, or Distribution, any Painting, Drawing, or Photograph, or Negative of a Photograph, having thereon the Name, Initials, or Monogram of a Person who did not execute or make such Work:

Thirdly, no Person shall fraudulently utter, dispose of, or put off, or cause to be uttered or disposed of, any Copy or colourable Imitation of any Painting, Drawing, or Photograph, or Negative of a Photograph, whether there shall be subsisting Copyright therein or not, as having been made or executed by the Author or Maker of the original Work from which such Copy or Imitation shall have been taken:

Fourthly, where the Author or Maker of any Painting, Drawing, or Photograph, or Negative of a Photograph, made either before or after the passing of this Act, shall have sold or otherwise parted with the Possession of such Work, if any Alteration shall afterwards be made therein by any other Person, by Addition or otherwise, no Person shall be at liberty during the Life of the Author or Maker of such Work, without his Consent, to make or knowingly to sell or publish, or offer for Sale, such Work or any Copies of such Work so altered as aforesaid, or of any Part thereof, as or for the unaltered Work of such Author or Maker:

Penalties.

Every Offender under this Section shall, upon Conviction, forfeit to the Person aggrieved a Sum not exceeding Ten Pounds, or not exceeding double the full Price, if any, at which all such Copies, Engravings, Imitations, or altered Works shall have been sold or offered for Sale; and all such Copies, Engravings, Imitations, or altered Works shall be forfeited to the Person, or the Assigns or legal Representatives of the Person, whose Name, Initials, or Monogram shall be so fraudulently signed or affixed thereto, or to whom such spurious or altered Work shall be so fraudulently or falsely ascribed as aforesaid: Provided always, that the Penalties imposed by this Section shall not be incurred unless the Person whose Name, Initials, or Monogram shall be so fraudulently signed or affixed, or to whom such spurious or altered Work shall be so fraudulently or falsely ascribed as aforesaid, shall have been living at or within Twenty Years next before the Time when the Offence may have been committed.

Recovery of pecuniary Penalties.

8. All pecuniary Penalties which shall be incurred, and all such unlawful Copies, Imitations, and all other Effects and Things as shall have been forfeited by Offenders, pursuant to this Act, and pursuant to any Act for the Protection of Copyright Engravings, may be recovered by the Person herein-before and in any such Act as aforesaid empowered to recover the same respectively, and herein-after called the Complainant or the Complainer, as follows:

In England and Ireland.

In *England* and *Ireland*, either by Action against the Party offending, or by summary Proceeding before any Two Justices having Jurisdiction where the Party offending resides:

In Scotland.

In *Scotland* by Action before the Court of Session in ordinary Form, or by summary Action before the Sheriff of the County where the Offence may be committed or the Offender resides, who, upon Proof of the Offence or Offences, either by Confession of the Party offending, or by the Oath or Affirmation of One or more credible Witnesses, shall convict the Offender, and find him liable to the Penalty or Penalties aforesaid, as also in Expenses, and it shall be lawful for the Sheriff, in pronouncing such Judgment for the Penalty or Penalties and Costs, to insert in such Judgment a Warrant, in the event of such Penalty or Penalties and Costs not being paid, to levy and recover the Amount of the same by Poinding: Provided always, that it shall be lawful to the Sheriff, in the event of his dismissing the Action and assoilzieing the Defender, to find the Complainer liable in Expenses, and any Judgment so to be pronounced by the Sheriff in such summary Application shall be final and conclusive, and not subject to Review by Advocation, Suspension, Reduction, or otherwise.

Court in which Action is pending may make Order for Injunction, &c.

9. In any Action in any of Her Majesty's Superior Courts of Record at *Westminster* and in *Dublin*, for the Infringement of any such Copyright as aforesaid, it shall be lawful for the Court in which such Action is pending, if the Court be then sitting, or if the Court be not sitting then for a Judge of such Court, on the Application of the Plaintiff or Defendant respectively, to make such Order for an Injunction,

Injunction, Inspection, or Account, and to give such Direction respecting such Action, Injunction, Inspection, and Account, and the Proceedings therein respectively, as to such Court or Judge may seem fit.

Importation of pirated Works prohibited.

10. All Repetitions, Copies, or Imitations of Paintings, Drawings, or Photographs, wherein or in the Design whereof there shall be subsisting Copyright under this Act, and all Repetitions, Copies, and Imitations of the Design of any such Painting or Drawing, or of the Negative of any such Photograph, which, contrary to the Provisions of this Act, shall have been made in any Foreign State, or in any Part of the *British* Dominions, are hereby absolutely prohibited to be imported into any Part of the United Kingdom, except by or with the Consent of the Proprietor of the Copyright thereof, or his Agent authorized in Writing; and if the Proprietor of any such Copyright, or his Agent, shall declare that any Goods imported are Repetitions, Copies, or Imitations of any such Painting, Drawing, or Photograph, or of the Negative of any such Photograph, and so prohibited as aforesaid, then such Goods may be detained by the Officers of Her Majesty's Customs.

Application in such Cases of Customs Acts.

Saving of Right to bring Action for Damages.

11. If the Author of any Painting, Drawing, or Photograph, in which there shall be subsisting Copyright, after having sold or otherwise disposed of such Copyright, or if any other Person, not being the Proprietor for the Time being of such Copyright, shall, without the Consent of such Proprietor, repeat, copy, colourably imitate, or otherwise multiply, or cause or procure to be repeated, copied, colourably imitated, or otherwise multiplied for Sale, Hire, Exhibition, or Distribution, any such Work or the Design thereof, or the Negative of any such Photograph, or shall import or cause to be imported into any Part of the United Kingdom, or sell, publish, let to Hire, exhibit, or distribute, or offer for Sale, Hire, Exhibition, or Distribution, or cause or procure to be sold, published, let to Hire, exhibited, or distributed, or offered for Sale, Hire, Exhibition, or Distribution, any Repetition, Copy, or Imitation of such Work, or the Design thereof, or the Negative of any such Photograph, made without such Consent as aforesaid, then every such Proprietor, in addition to the Remedies hereby given for the Recovery of any such Penalties, and Forfeiture of any such Things as aforesaid, may recover Damages by and in a Special Action on the Case, to be brought against the Person so offending, and may in such Action recover and enforce the Delivery to him of all unlawful Repetitions, Copies, and Imitations, and Negatives of Photographs, or may recover Damages for the Retention or Conversion thereof: Provided that nothing herein contained, nor any Proceeding, Conviction, or Judgment, for any Act hereby forbidden, shall affect any Remedy which any Person aggrieved by such Act may be entitled to either at Law or in Equity.

Provisions of 7 & 8 Vict. c. 12. to be considered as included in this Act.

12. This Act shall be considered as including the Provisions of the Act passed in the Session of Parliament held in the Seventh and Eighth Years of Her present Majesty, intituled *An Act to amend the Law relating to International Copyright*, in the same Manner as if such Provisions were Part of this Act.

CAP. LXIX.

An Act for transferring from the Admiralty to the Board of Trade certain Powers and Duties relative to Harbours and Navigation under Local and other Acts; and for other Purposes.

[29th *July* 1862.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited as the Harbours Transfer Act, 1862.

Interpretation of Terms.

2. In this Act—

The Term "the Admiralty" shall be taken to mean the Lord High Admiral of the United Kingdom for the Time being, or the Commissioners for the Time being for executing the Office of Lord High Admiral; and when the said Term is used in reference to any other Act, it shall be taken to comprise any Term whatsoever used in such other Act to designate such Lord High Admiral or Commissioners:

The Term "the Board of Trade" shall be taken to mean the Lords of the Committee of Privy Council for the Time being appointed for the Consideration of Matters relating to Trade and Foreign Plantations.

Preliminary Inquiries Act, 1851.

Board of Trade may exercise Powers under 14 & 15 Vict. c. 49.

3. Whenever after the End of the present Session of Parliament Application is made to Parliament for any such Bill as is described in The Preliminary Inquiries Act, 1851, the Board of Trade may exercise the Powers by that Act given to the Admiralty; and in relation to every such Bill that Act shall be read as if the Board of Trade were therein named instead of the Admiralty.

Board of Trade to inform Admiralty of pending Schemes.

4. Provided always, as follows:

(1.) In each Year as soon as may be, and not more than Fourteen Days after the Deposit at the Office of the Board of Trade of such Documents as may be required by the Standing Orders of either House of Parliament to be there deposited with reference to such Bills as aforesaid, the Board of Trade shall furnish to the Admiralty a List of all such Bills for which Applications to Parliament may be then pending, with a short Statement of the Nature of the Works for the Construction whereof Powers are sought by such Bills respectively;

(2.) Where

(2.) Where in any Case, on Consideration of the Information so furnished, the Admiralty are of opinion that it is proper for them to take Steps for the Protection of the Interests of Her Majesty's Naval Service, they may exercise the Powers given to them by The Preliminary Inquiries Act, 1851, as if this Act had not been passed, and whether the Standing Orders of either House of Parliament may or may not have required any Documents to be deposited at the Admiralty Office. Admiralty may intervene where necessary for Protection of Interests of Naval Service.

Harbours, Docks, and Piers Clauses Act, 1847.

5. With respect to any Special Act that may be passed after the End of the present Session of Parliament, the following Sections of The Harbours, Docks, and Piers Clauses Act, 1847, and all Provisions relative thereto in that Act or in any such future Special Act contained, shall be read and construed as if the Board of Trade were named in the said Sections instead of the Admiralty; namely, Sections Twelve, Thirteen, Sixteen, Eighteen, and Nineteen. Consent, &c. of Board of Trade as to Harbour Works on Tidal Lands, Lifeboats, &c.

Railways Clauses Consolidation Acts, 1845.

6. With respect to any Special Act that may be passed after the End of the present Session of Parliament, Sections Seventeen of The Railways Clauses Consolidation Act, 1845, and The Railways Clauses Consolidation (*Scotland*) Act, 1845, respectively, and all Provisions relative thereto in the said Acts or in any such future Special Act contained, shall be read and construed as if the Board of Trade were named in the said Sections instead of the Admiralty. Consent and Approval of Board of Trade to Railway Works on Tidal Lands.

Tramways (*Ireland*) *Act*, 1860.

7. With respect to Applications made after the Thirty-first Day of *December* One thousand eight hundred and sixty-two, under The Tramways (*Ireland*) Act, 1860, Section Forty-one of that Act shall be read as if the Board of Trade were therein named instead of the Admiralty. Plans, &c. to be deposited with Board of Trade under 23 & 24 Vict. c. 152. s. 41.

Special Acts for Railways, Harbours, &c.

8. Where any Special or Local or Local and Personal Act, or Act of a Local or Local and Personal Nature, already passed or to be passed before the End of the present Session of Parliament,— Powers for Protection of Navigation, &c. under Local Acts for Harbours, Railways, and other Works on Tidal Lands, &c. to be exercised by Board of Trade.

(1.) Authorizing or regulating the Construction of a Railway, or the Execution of any Work whatever, situate on or affecting Tidal Lands, or the Shore of the Sea or of any navigable River, where and so far up the same as the Tide flows and reflows; or,

(2.) Authorizing or regulating the Construction or improving of a Harbour, Dock, or Pier, or Works connected therewith, by any Company, Body Corporate, Commissioners, Trustees, Undertakers, Persons or Person; or,

(3.) Constituting or altering or regulating the Constitution of any Harbour or Conservancy Authority; or,

(4.) Altering or regulating the Powers or Duties of any Harbour or Conservancy Authority,—

contains either expressly or by Incorporation or Reference or otherwise any Provision for any of the Purposes following:—

For preventing the Construction or Execution of any Work or the doing of any Thing without the Consent or Approval of the Admiralty, or for authorizing or requiring any Work to be constructed, executed, or maintained, or any Thing to be done with the Consent or on the Requisition or to the Satisfaction of the Admiralty:

For empowering the Admiralty to exercise any Authority concerning Lifeboats, Mortars, Rockets, Tide Gauges, or Barometers to be provided by any Undertakers:

For empowering the Admiralty to make a Local Survey or Examination at the Expense of any Company, Body, or Person:

For empowering the Admiralty, in case of any Work being abandoned or suffered to fall into Disuse or Decay, or in any other Case, to abate, remove, or alter any Work or any Part of it, or restore the Site thereof to its former Condition, at the like Expense:

For empowering the Admiralty to exercise any Authority concerning Lights to be maintained at Night during the Construction or Execution of any Work:

For empowering the Admiralty or the First Lord of the Admiralty to nominate or appoint a Member or Members of any Board or Body of Trustees, Commissioners, or Conservators, or of any Harbour or Conservancy Authority:

For empowering the Admiralty to determine any Dispute or Difference between or among any Bodies or Persons:

For empowering the Admiralty or the First Lord of the Admiralty to nominate or appoint any Arbitrator, Referee, or Umpire, or any Engineer, Inspector, or Officer, or any Person to fill any Place or discharge any Duty under such Act:

or any other Provision for the Protection, Management, or Regulation of Harbours or Navigation, or for the Exercise of any Control or Power over or in relation to any Harbour Authority, or any other Provision in any wise relating to Conservancy, or authorizing or requiring any Act or Thing concerning Harbours or Navigation or Conservancy to be done by or in relation to the Admiralty,—

Then from and after the Thirty-first Day of *December* One thousand eight hundred and sixty-two, such Acts and all Enactments relative thereto shall be read and construed as if in the respective Provisions aforesaid the Board of Trade were named instead of the Admiralty, and the President of the Board of Trade instead of the First Lord of the Admiralty.

Power to Admiralty to retain Authority over Ports, &c. where Dockyards, &c. are situate.

9. Provided always, That where it appears to the Admiralty that the Interests of Her Majesty's Naval Service require that the whole or any Part of any Harbour, Port, Bay, Estuary, or navigable River in, on, or adjoining to which there is or shall be any of Her Majesty's Dockyards, Victualling Yards, Steam Factory Yards, Arsenals, or Naval Stations, should be excepted, either entirely or in some respects, out of the Operation of the last foregoing Section, the Admiralty may give Notice in Writing to the Board of Trade that any such Harbour, Port, Bay, Estuary, or navigable River as aforesaid, or such Part thereof as is in the Notice specified, is to be deemed so excepted, either entirely or in the respects therein mentioned; and every such Notice shall be published by the Admiralty in the *London, Edinburgh*, or *Dublin* Gazette, (according as the Place affected may be in *England, Scotland*, or *Ireland*,) and thereupon the Harbour, Port, Bay, Estuary, or navigable River to which such Notice relates, or the Part thereof therein specified, shall, either entirely or in the respects therein mentioned, as the Case may require, be and remain as if this Act had not been passed, but any such Notice may be from Time to Time varied or at any Time revoked by a like Notice published in like Manner.

Exception as to Mersey and Thames.
5 & 6 Vict. c. cx.
20 & 21 Vict. c. cxlvii. s. 3.

10. Provided also, That nothing herein-before contained shall affect—

(1.) The Act of the Session of the Fifth and Sixth Years of Her Majesty, "for better preserving "the Navigation of the River *Mersey*:"

(2.) So much of Section Three of the Act of the Session of the Twentieth and Twenty-first Years of Her Majesty, "to provide for the Conservation of the River *Thames*, and for the Regulation, "Management, and Improvement thereof," as empowers the Admiralty to appoint Two of the Conservators of the River *Thames*.

General Pier and Harbour Act, 1861, *and Amendment Act.*

Parts of 24 & 25 Vict. c. 45. relative to Admiralty repealed.

11. From and after the End of the present Session of Parliament, the following Provisions of The General Pier and Harbour Act, 1861, shall be repealed; namely, so much of Section Six as shall be then in force, Sections Seven and Eight, and so much of Section Fifteen as relates to the Consent of the Admiralty.

25 Vict. c. 19. repealed as to Deposit, &c.

12. From and after the End of the present Session of Parliament, any Provision of The General Pier and Harbour Act, 1861, Amendment Act, requiring any Deposit of Documents to be made at the Admiralty Office, shall be repealed.

Board of Trade to furnish to Admiralty Information, &c.

13. In each Year, not later than the Seventh Day of *January*, the Board of Trade shall furnish to the Admiralty a List of all Applications for Provisional Orders under the last-mentioned Acts then pending, with a short Statement of the Nature of the Works for the Construction whereof Powers are sought by such proposed Provisional Orders respectively.

Provisions of same Act made applicable to Board of Trade.

14. From and after the End of the present Session of Parliament, the following Sections of The General Pier and Harbour Act, 1861, Amendment Act, and all Provisions relative thereto in any other Act, or in any Provisional Order of the Board of Trade contained, shall be read and construed as if the Board of Trade were named in the said Sections instead of the Admiralty; namely, Sections Seven, Eight, Nine, Ten, and Eleven.

Public Harbours: 46 *Geo.* 3. *c.* 153.

Notices of Piers, &c. to be given to Board of Trade.
46 G. 3. c. 153.

15. From and after the Thirty-first Day of *December* One thousand eight hundred and sixty-two the Act of the Forty-sixth Year of King *George* the Third (Chapter One hundred and fifty-three) "for the "Preservation of the Public Harbours of the United Kingdom," shall be read as if the Board of Trade were therein named instead of the Admiralty.

Ballast: 54 *Geo.* 3. *c.* 159.

Provisions as to Ballast to be administered by Board of Trade.
54 G. 3. c. 159. ss. 14. 16.

16. From and after the Thirty-first Day of *December* One thousand eight hundred and sixty-two, Sections Fourteen and Sixteen of the Act of the Fifty-fourth Year of King *George* the Third (Chapter One hundred and fifty-nine), "for the better Regulation of the several Ports, Harbours, Roadsteads, "Sounds, Channels, Bays, and navigable Rivers in the United Kingdom, and of His Majesty's Docks, "Dockyards, Arsenals, Wharfs, Moorings, and Stores therein, and for repealing several Acts passed "for that Purpose," and all Provisions in the said Act contained relative thereto, shall be read and construed as if the Board of Trade were named in the said Sections instead of the Admiralty.

Holyhead and Portpatrick.

Transfer of Harbours in Schedule.

17. On the First Day of *January* One thousand eight hundred and sixty-three, the Harbours specified in the Schedule to this Act, and all Breakwaters, Piers, Jetties, Quays, Wharves, Lighthouses, Roads, Approaches, Works, and Buildings belonging thereto, and the Ground and Soil thereof, and all Lands and Hereditaments acquired for the Purposes thereof, so far as on that Day such Harbours and Property shall be vested in the Admiralty or in any Commissioner for the Execution of any Act for any Estate or Interest, but not further or otherwise, shall be transferred to and vested in the Board of Trade in trust for

for Her Majesty, Her Heirs and Successors, for the Public Service; and on and after the same Day the Enactments mentioned in the said Schedule, and every other Enactment relating to or affecting the same Harbours shall be read and construed as if the Board of Trade were therein named instead of the Admiralty or instead of any such Commissioner, as the Case may be.

Powers, &c. under Acts in Schedule and other Acts to be exercised by Board of Trade.

Savings.

18. Nothing in this Act shall affect—

Prerogative of Crown and general Conservancy Powers of Admiralty.

(1.) Any Estate, Right, Title, Interest, Prerogative, Royalty, Jurisdiction, or Authority of or belonging to Her Majesty the Queen, Her Heirs or Successors, in right of Her Crown, or of Her Office of Admiral, or otherwise:

(2.) Any Right, Duty, Power, Jurisdiction, or Authority vested in or performed or exercised by, or capable of being performed or exercised by, the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, otherwise than under or by virtue of the several Acts and Parts of Acts herein-before expressly mentioned or referred to.

19. Nothing in this Act shall prejudicially affect—

Acts done, Contracts and Appointments made, Proceedings pending, &c. under Provisions of former Acts not to be prejudicially affected.

(1.) Any Purchase, Sale, Conveyance, Covenant, Contract, Deed, Act, or Thing which before the passing of this Act has been or before the respective Days whereon the several Provisions of this Act commence and take effect shall be made, entered into, executed, or done under or by virtue of any Act or Part of an Act herein-before expressly mentioned or referred to; and the same respectively shall continue in as full Force and be as valid and effectual as if this Act had not been passed, the Board of Trade being only substituted for the Admiralty:

(2.) Any Debt or Money Demand, or any Right or Cause of Action or Suit, or other Remedy of, for, or against the Admiralty or any other Body or Person; and the same shall and may be paid, discharged, enjoyed, used, or exercised as if this Act had not been passed, the Board of Trade being only substituted for the Admiralty:

(3.) Any Nomination or Appointment of any Member of any Board or Body of Trustees, Commissioners, or Conservators, or of any Harbour or Conservancy Authority, which before the passing of this Act has been or before the respective Days aforesaid shall be made under any such Act as aforesaid:

(4.) Any Action, Suit, Prosecution, Proceeding, or Thing which before the passing of this Act has been or before the respective Days aforesaid shall be commenced under or by virtue of any such Act; and the same shall and may be carried on and completed as if this Act had not been passed, the Board of Trade being only substituted for the Admiralty.

Borrowing Powers of Harbour Authorities.

Power to borrow under 24 & 25 Vict. c. 47. s. 3.

20. The Power given to a Harbour Authority by The Harbours and Passing Tolls, &c. Act, 1861, to borrow from the Public Works Loan Commissioners, shall be deemed to apply whether the Harbour Authority has or has not Power to borrow under a Special Act.

Borrowing Power not restrained by Limitation of Amount in Special Act.

21. A Harbour Authority may, subject and according to the Provisions of the last-mentioned Act, borrow Money to any Amount whatever, notwithstanding any Limitation of the Amount to be borrowed by such Harbour Authority contained in any Special Act; but nothing in The Harbours and Passing Tolls, &c. Act, 1861, or in this Act, shall be deemed to give to any Loan made or to be made under The Harbours and Passing Tolls, &c. Act, 1861, Equality, as to Order of Charge or of Payment of Principal or Interest, with any Loan made or to be made under any Special Act, except only as to such Portion (if any) of the Money raised under The Harbours and Passing Tolls, &c. Act, 1861, as might have been raised under the Special Act solely, or to repeal or alter any Provision of any Special Act whereby any Harbour Authority being a Company is restricted from borrowing until a definite Portion of Capital is subscribed for or taken or paid up.

Maximum Rates mentioned in 24 & 25 Vict. c. 47. s. 3. p. 7. repealed.

22. Section Three, Paragraph Seven, of The Harbours and Passing Tolls, &c. Act, 1861, shall be read and construed as if the Words "not exceeding the Rates specified in the Schedule to The Burgh "Harbours (*Scotland*) Act, 1853," were omitted therefrom.

SCHEDULE.

Harbours.	Enactments.
Holyhead Harbour, and the Harbour of Refuge at or near Holyhead	17 & 18 Vict. c. 44.
Portpatrick Harbour	1 G. 4. c. 112. sects. 8, 9 (except so much as relates to the signing of Contracts), 10 to 22 (both inclusive), 28. 30, 31, 32. 24 & 25 Vict. c. 106.

CAP. LXX.

An Act for giving effect to a Convention between Her Majesty and the King of *Denmark* for the mutual Surrender of Criminals. [29th *July* 1862.]

'WHEREAS a Convention between Her Majesty and the King of *Denmark* for the mutual Surrender of Criminals, in the Words and Figures set forth in the Schedule hereto, was signed at *London* on the Fifteenth Day of *April* One thousand eight hundred and sixty-two, and the Ratifications thereof were exchanged at *London* on the Twenty-seventh Day of *May* One thousand eight hundred and sixty-two: And whereas it is expedient that Provision should be made for carrying the said Convention into effect:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Definition of Magistrate.

1. The Term "Magistrate" in this Act shall mean a Justice of the Peace or any other Person or Court in the United Kingdom, the *Channel Islands*, or any other Part of Her Majesty's Dominions, having Power to commit for Trial Persons accused of Crimes against the Law of that Part of Her Majesty's Dominions in which any Offender liable to be delivered up under this Act is found.

Certain Offenders to be apprehended on Requisition of an Ambassador of the King of Denmark.

2. Where Requisition has been made pursuant to the said Convention, in the Name of His Majesty the King of *Denmark* by His Ambassador or other accredited Diplomatic Agent, to deliver up to Justice any Person, who, being accused or convicted of any Crime for which such Person is liable to be delivered up in pursuance of the said Convention, is found within the Dominions of Her Majesty, it shall be lawful for One of Her Majesty's Principal Secretaries of State by Warrant under his Hand and Seal to signify that such Requisition has been made, and to require all Magistrates within their several Jurisdictions to govern themselves accordingly, and to aid in apprehending the Person so accused or convicted, hereinafter referred to as the Fugitive, and in committing him to Gaol for the Purpose of his being delivered up to Justice according to the Provisions of the said Convention:

Upon the Issue of any such Warrant as aforesaid, it shall be lawful for any Magistrate acting within the Limits of his Jurisdiction, to issue his Warrant for the Apprehension of the said Fugitive, and to commit him to Gaol, there to remain until delivered up pursuant to such Requisition as aforesaid; provided that the following Conditions are complied with before the Warrant is issued by the Magistrate:

Firstly. That in the Case of a Fugitive accused of Crime it is proved to the Satisfaction of the Magistrate, upon Oath or by Affidavit, that the Party applying to him for a Warrant is the Bearer of a Warrant of Arrest or other equivalent Judicial Document for the Arrest of the said Fugitive issued by a Judge or Magistrate duly authorized to take Cognizance of the Acts charged against the Fugitive in *Denmark*, and clearly setting forth, in the Opinion of the Magistrate to whom the Application for a Warrant under this Act is made, the Acts in respect of which the original Warrant was issued:

Secondly. That in the Case of a Person accused such Evidence is produced to the Magistrate as, according to the Laws of the Part of Her Majesty's Dominions in which the Magistrate is acting, would in his Opinion justify the Apprehension and Committal for Trial of the Fugitive if the Crime of which he is accused had been there committed, with this Qualification, that Depositions or Statements on Oath, certified under the Hand of the Magistrate by whom the original Warrant was issued and attested by the Oath of the Party producing them to be the original Depositions or Statements, or true Copies thereof, may be received in Evidence of the Criminality of the Fugitive apprehended:

Thirdly. That in the Case of a Fugitive convicted of Crime an authenticated Copy of the Conviction is produced and Proof of the Identity of the Person convicted is given to the Satisfaction of the Magistrate:

Where any Person liable to be delivered up in pursuance of the said Convention is found in *Ireland*, a Warrant under the Hand of the Chief Secretary or of the Lord Lieutenant of *Ireland* shall for the Purposes of this Act be equivalent to a Warrant of One of Her Majesty's Principal Secretaries of State:

A Magistrate may administer an Oath for any of the Purposes of this Act:

The Warrant of any Police Magistrate of the Metropolis issued in pursuance of this Act may be executed in any Part of *England* in the same Manner as if the same had been originally issued or subsequently endorsed by a Justice of the Peace having Jurisdiction in the Place where the same is executed.

Provision as to Colonies.

3. Where any such Fugitive as aforesaid has fled from a Colony or Possession of the King of *Denmark* and is found in a Colony or Possession of Her Majesty, the Requisition herein-before required to be made in the Name of His Majesty the King of *Denmark* by His Ambassador or other accredited Agent, may be made directly by the Governor of the first-mentioned Colony or Possession to the Governor of the other Colony or Possession, subject to this Proviso, that the Governor upon whom the Requisition may be made shall be at liberty either to grant the Surrender or to refer the Matter to his Government, and any Warrant issued by the Governor upon whom such Requisition is made shall have in such Colony or Possession

Possession the same Effect as a Warrant issued in pursuance of this Act by One of Her Majesty's Principal Secretaries of State has in *England*.

Offenders to be delivered up.

4. It shall be lawful for One of Her Majesty's Principal Secretaries of State, or in the Case of any Person committed in *Ireland* for the Chief Secretary of the Lord Lieutenant of *Ireland*, and in the Case of any Person committed in any of Her Majesty's Colonies or Possessions abroad for the Officer administering the Government of any such Colony or Possession, by Warrant under his Hand and Seal to order any Fugitive committed in pursuance of this Act to be delivered up to such Person or Persons as may be duly authorized in the Name of the said King of *Denmark* to receive the Person so committed, and convey him to the Dominions of the King of *Denmark*, and such Fugitive shall be delivered up accordingly; and it shall be lawful for the Person or Persons authorized as aforesaid to receive, hold in Custody, and take to the Dominions of the King of *Denmark* the Fugitive so delivered to him; and if the said Fugitive escape out of any Custody to which he may be delivered as aforesaid, it shall be lawful to retake him, in the same Manner as any Person accused of any Crime against the Laws of that Part of Her Majesty's Dominions to which he escapes may be retaken upon an Escape.

After Two Months the Persons apprehended may be discharged, if not conveyed out of Her Majesty's Dominions.

5. Where any Fugitive who has been committed under this Act, to remain until delivered up pursuant to Requisition as aforesaid, is not delivered up pursuant thereto, and conveyed out of Her Majesty's Dominions, within Two Calendar Months after such Committal, it shall be lawful for any of Her Majesty's Judges in that Part of Her Majesty's Dominions in which such Fugitive is in Custody, upon Application made to him by or on behalf of the Person so committed, and upon Proof that reasonable Notice of the Intention to make such Application has been given to some or One of Her Majesty's Principal Secretaries of State in *Great Britain*, or in *Ireland* to the Chief Secretary of the Lord Lieutenant of *Ireland*, and in any of Her Majesty's Colonies or Possessions abroad to the Officer administering the Government of any such Colony or Possession, to order the Person so committed to be discharged out of Custody, unless sufficient Cause is shown to such Judge why the Prisoner should not be discharged.

Limits of Act.

6. If, by any Law or Ordinance to be hereafter made by the local Legislature of any *British* Colony or Possession abroad, Provision may be made for carrying into complete Effect within such Colony or Possession the Objects of this Act by the Substitution of some other Enactment in lieu thereof, it shall be competent to Her Majesty, with the Advice of Her Privy Council, (if to Her Majesty in Council it seem meet, but not otherwise,) to suspend the Operation within any such Colony or Possession of this Act so long as such substituted Enactment continues in force there, and no longer.

Continuance of Act.

7. This Act shall continue in force during the Continuance of the said Convention.

SCHEDULE.

CONVENTION between HER MAJESTY and the KING OF DENMARK, for the Mutual SURRENDER of CRIMINALS. Signed at London, April 15, 1862. Ratifications exchanged at London, May 27, 1862.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Denmark, having judged it expedient, with a View to the better Administration of Justice, and to the Prevention of Crime within their respective Territories and Jurisdictions, that Persons charged with or convicted of the Crimes herein-after enumerated, and being Fugitives from Justice, should under certain Circumstances, be reciprocally delivered up; their said Majesties have named as their Plenipotentiaries to conclude a Convention for this Purpose; that is to say,

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable John Earl Russell, Viscount Amberley of Amberley and Ardsalla, a Peer of the United Kingdom, a Member of Her Majesty's Most Honourable Privy Council, Her Principal Secretary of State for Foreign Affairs;

And His Majesty the King of Denmark, M. Torben de Bille, His Chamberlain, Commander of the Order of Danebrog, and decorated with the Cross of Honour of the same Order, His Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty;

Who, after having communicated to each other their respective full Powers, found in good and due Form, have agreed upon and concluded the following Articles:

ARTICLE I.

It is agreed that the High Contracting Parties shall, on Requisition made in their Name through the Medium of their respective Diplomatic Agents, deliver up to Justice Persons who, being accused or convicted of Murder (comprehending the Crimes of Assassination, Parricide, Infanticide, and Poisoning) or attempt to commit Murder, or of Forgery (comprehending the counterfeiting of Bank Notes, or Public Securities, or Money), or of fraudulent Bankruptcy, committed within the Jurisdiction of the requiring Party, shall be found within the Territories of the other, provided that such Persons are not Subjects of the Party upon which the Requisition is made. Provided also, that in the Case of a Person accused, the Surrender shall be made only when the Commission of the Crime shall be so established as that the Laws of the Country where the Fugitive or Person so accused shall be found would justify his Apprehension and Commitment for Trial if the Crime had been there committed, and in the Case of a Person convicted,

convicted, the Surrender shall be made only on the Production of an authenticated Copy of his Conviction and on Proof of his Identity.

Consequently, on the Part of the Danish Government, the Surrender shall be made only by the Consent of the Minister to whose Department appertains the Administration of Justice, and after the Production, in the Case of a Person accused, of a Warrant of Arrest or other equivalent Judicial Document issued by a Judge or other competent Authority in the United Kingdom, clearly setting forth the Acts for which the Fugitive shall have rendered himself accountable, or in the Case of a Person convicted, on the Production of an authenticated Copy of his Conviction and on Proof of his Identity.

On the Part of the British Government, the Surrender in the Case of a Person accused shall be made only on the Warrant or other equivalent Judicial Document for the Arrest of a Fugitive, issued by a Judge or Magistrate duly authorized to take Cognizance of the Acts charged against the Fugitive in Denmark, and on duly authenticated Depositions or Statements on Oath before such Judge or Magistrate, clearly setting forth the said Acts, or on such other Evidence thereof as, according to the Laws of England, would warrant the Apprehension of the said Fugitive and his Committal for Trial for the said Acts, if they had been therein committed, or in the Case of a Person convicted, on the Production of an authenticated Copy of his Conviction and on Proof of his Identity.

ARTICLE II.

In the Case of a Person accused or convicted of any of the Crimes mentioned in the preceding Article, who may have fled from a Colony or Possession of one of the High Contracting Parties and be found in a Colony or Possession of the other, the Surrender shall be made, subject always to the Conditions prescribed in the preceding Article, on a Requisition addressed by the Governor of the one Colony directly to the Governor of the other. The Governor upon whom the Requisition is made shall be at liberty either to grant the Surrender or to refer the Matter to his Government.

ARTICLE III.

The Expenses of any Detention and Surrender made in virtue of the preceding Articles shall be borne and defrayed by the Government in whose Name the Requisition shall have been made.

ARTICLE IV.

The present Convention shall come into operation as soon as the necessary Legislative Acts shall have been passed. Either of the High Contracting Parties shall be at liberty to give Notice to the other at any Time for its Termination; and in such Case it shall altogether cease and determine at the Expiration of Six Months from the Date of such Notice.

ARTICLE V.

The present Convention shall be ratified, and the Ratifications shall be exchanged at London in One Month, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the present Convention, and have affixed thereto the Seal of their Arms.

Done at London, the Fifteenth Day of April, in the Year of our Lord One thousand eight hundred and sixty-two.

(L.S.) RUSSELL.
(L.S.) TORBEN BILLE.

CAP. LXXI.

An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and sixty-two, and to appropriate the Supplies granted in this Session of Parliament. [7th *August* 1862.]

§ 1. There shall be applied for the Service of the Year 1862 the Sum of £7,858,537 2*s.* 10*d.* out of the Consolidated Fund.

2. The Treasury may cause £7,858,537 2*s.* 10*d.* of Exchequer Bills to be made out in manner prescribed by 48 G. 3. c. 1., 4 & 5 W. 4. c. 15., and 5 & 6 Vict. c. 66.

3. The Clauses, &c. in recited Acts extended to this Act.

4. Interest on Exchequer Bills.

5. Bank of England may advance £7,858,537 2*s.* 10*d.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

6. Bills prepared by virtue of this Act to be delivered to the Bank, as Security for such Advances.

7. Monies raised by Exchequer Bills to be applied to the Services voted by the Commons.

8. Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

9. Treasury may apply, for the Service of the Year 1862, £6,569,355 1*s.* 9*d.* Surplus of Ways and Means.

§ 10. Appro-

Consolidated Fund (Appropriation).

§ **10.** Appropriation of Ways and Means to Services hereafter expressed. 25 Vict. c. 1.; 25 Vict. c. 2.; 25 & 26 Vict. c. 31.

11. There shall be issued,

£364,338	0	0	For Naval Services for 1861–2; viz.:	For the Year ended 31st March 1862.
100,000	0	0	For Wages to additional Seamen, &c.	
30,000	0	0	For Provisions, &c.	
234,338	0	0	For Freight of Ships, Victualling, and Conveyance of Troops	

12.

11,794,305	0	0	For Navy Services, viz.:	For the Year ending 31st March 1863.
3,078,121	0	0	For Wages to 76,000 Seamen and Marines, &c.	
1,362,093	0	0	For Victuals, &c. in the Navy	
170,832	0	0	For Salaries, &c. in Admiralty Office	
297,602	0	0	For Salaries, &c. of Coast Guard, Naval Coast Volunteers, and Naval Reserve	
68,045	0	0	For the Navy Scientific Departments	
176,624	0	0	For Naval Establishments at home	
33,610	0	0	For Naval Establishments abroad	
1,147,678	0	0	For Wages of Artificers, &c. at home	
66,801	0	0	For Wages of Artificers, &c. abroad	
1,744,184	0	0	For Naval Stores	
1,453,561	0	0	For Steam Machinery, &c.	
464,170	0	0	For new Works in Naval Establishments	
66,000	0	0	For Medicines, &c.	
98,708	0	0	For Naval Miscellaneous Services	
702,308	0	0	For Naval Half Pay, &c.	
194,282	0	0	For Civil Pensions	
481,036	0	0	For Military Pensions	
188,650	0	0	For Freight of Ships, victualling and Conveyance of Troops, &c.	

13.

609,409	0	0	For Army Services for 1861–62; viz.:	
11,785	0	0	For Pay, &c. of Land Forces.	
76,510	0	0	For Miscellaneous Charges.	
11,000	0	0	For Manufacturing Departments, &c.	
27,275	0	0	For Wages.	
178,500	0	0	For Clothing and Necessaries.	
126,900	0	0	For Provisions, &c.	
170,077	0	0	For Stores for Land and Sea Service.	
7,362	0	0	For Barracks.	

14.

6,057,522	0	0	For Army Services, viz.:	For the Year ending 31st March 1863.
766,091	0	0	For Wages of Artificers, &c.	
597,264	0	0	For Clothing and Necessaries	
1,634,317	0	0	For Provisions, Barrack Furniture, &c.	
2,060,276	0	0	For Stores for Land and Sea Service	
163,491	0	0	For Fortifications	
158,128	0	0	For Civil Buildings	
677,955	0	0	For Barracks	
10,002,828	0	0	For other Army Services, viz.:	
5,355,596	0	0	For Pay, &c. of Land Forces exclusive of India	
706,892	0	0	For Miscellaneous Charges of ditto	
218,167	0	0	For Volunteer Corps	
209,901	0	0	For Departments of Secretary for War and Commander-in-Chief	
334,151	0	0	For Manufacturing Departments, &c.	
24,360	0	0	For Rewards for Military Services	
77,600	0	0	For General Officers	
479,722	0	0	For Reduced and Retired Officers	
179,876	0	0	For Pensions to Widows of Officers, and Compassionate List	
35,633	0	0	For Pensions, &c. to wounded Officers	
33,923	0	0	For In-Pensioners, &c. of Chelsea and Kilmainham Hospitals	
1,156,380	0	0	For Out-Pensioners of Chelsea Hospital	
143,364	0	0	For Superannuation and Retired Allowances	
296,283	0	0	For Educational and Scientific Branches	
750,980	0	0	For Disembodied Militia	

Consolidated Fund (Appropriation).

§ 15.	£1,000,000	0	0	For Exchequer Bonds, 1862.	
16.	28,934	4	7	To make good Deficiency for Post Office Services	For the Year ended 31st March 1862.
	25,587	0	0	To make good Deficiency of Post Office Packet Service	
17.	750,000	0	0	For Customs Department	
	1,382,274	0	0	For Inland Revenue Department	
	2,084,687	0	0	For Post Office, &c.	
	915,897	0	0	For Packet Service	
	535,834	0	0	For Superannuations, &c., Customs, Inland Revenue, and Post Office	
				CIVIL SERVICES.—*Class 1.*	
18.	33,583	0	0	For Repair of Royal Palaces	
	89,510	0	0	For Maintenance, &c. of Public Buildings, temporary Accommodation, &c.	
	14,611	0	0	For Furniture for Public Departments	
	86,664	0	0	For Maintenance, &c. of Royal Parks, Pleasure Grounds, &c.	
	32,647	0	0	For New Houses of Parliament	
	5,104	0	0	For Embassy Houses, &c. abroad	
	450	0	0	For new Consular Offices and Prison at Constantinople	
	2,500	0	0	For Approaches to Westminster Bridge	
	1,231	0	0	For Westminster Bridge	
	15,000	0	0	For new Foreign Office	
	1,250	0	0	For temporary Accommodation for Department for Foreign Affairs	
	10,000	0	0	For Industrial Museum, Edinburgh	
	903	0	0	For King's and Marischal Colleges, Aberdeen University	
	10,000	0	0	For Probate Court and Registries	
	1,705	0	0	For National Gallery, Trafalgar Square	
	2,500	0	0	For National Gallery, &c., Dublin	
	101,221	0	0	For New Packet Harbour and Harbour of Refuge at Holyhead, &c.	For the Year ending 31st March 1863.
	96,342	0	0	For erecting, &c. Public Buildings, Ireland	
	5,000	0	0	For New Record Buildings, Four Courts, Dublin	
	11,994	0	0	For erecting, &c. Lighthouses abroad	
	20,000	0	0	For Contributions in aid of Poor Relief Assessments	
	150,000	0	0	For Harbours of Refuge	
				CIVIL SERVICES.—*Class 2.*	
19.	69,646	0	0	For Salaries, &c. of Houses of Parliament	
	52,363	0	0	For the Treasury	
	25,856	0	0	For the Home Department	
	64,319	0	0	For Foreign Department	
	30,748	0	0	For the Department of the Colonies	
	20,566	0	0	For Privy Council	
	59,787	0	0	For Committee of Privy Council for Trade, &c.	
	2,760	0	0	For Lord Privy Seal	
	6,992	0	0	For Civil Service Commission	
	19,800	0	0	For Paymaster General's Department	
	6,565	0	0	For Department of Comptroller General of Exchequer	
	30,839	0	0	For Office of Commissioners of Works and Public Buildings	
	26,138	0	0	For Office of Woods, Forests, &c.	
	20,042	0	0	For Public Record Department and State Paper Office	
	226,123	0	0	For Administration of Poor Laws	
	62,734	0	0	For the Mint	
	26,025	0	0	For Salaries, &c. of Inspectors of Factories, Mines, &c.	
	6,316	0	0	For Civil Charges, &c., Scotland	
	6,431	0	0	For Officers, &c. of Lord Lieutenant of Ireland	
	16,535	0	0	For Chief Secretary, &c., Ireland	

	£3,587	0	0	For Inspection, &c. of Lunatic Asylums, Ireland -	
	24,301	0	0	For Board of Public Works, Ireland - -	
	32,931	0	0	For Department of Commissioners for auditing Public Accounts - - - -	
	19,818	0	0	For Copyhold, Inclosure, and Tithe Commission -	
	12,090	0	0	For Imprest Expenses, &c. of Copyhold, Inclosure, and Tithe Commission - - - -	
	47,578	0	0	For Salaries, &c. of General Register Office, London, Dublin, and Edinburgh - - -	
	14,669	0	0	For Salaries, &c., National Debt Office - -	
	4,120	0	0	For Salaries, &c., Public Works Loan Commissioners, &c. - - - - -	
	6,958	0	0	For Lunacy Commissioners, England, and Salaries, &c., Lunacy Board, Scotland - - -	
	1,223	0	0	For General Superintendent of County Roads in South Wales - - - - -	
	2,294	0	0	For Registrars of Friendly Societies, England, Scotland, and Ireland - - - -	
	17,743	0	0	For Charity Commission - - - - -	
	6,955	0	0	For Salaries, &c. of Office under the Local Government Act, and Inspection of Burial Grounds -	
	3,232	0	0	For collecting Agricultural and Emigration Statistics, Ireland - - - - -	
	2,268	0	0	For Salaries in Land Revenue Records and Inrolments, London, &c. - - - -	
	3,044	0	0	For Quarantine Expenses - - - -	
	32,000	0	0	For Foreign and other Secret Services - -	
	342,649	0	0	For Stationery, &c. for Public Departments -	
	115,580	0	0	For Postage of Letters on the Public Service -	
				CIVIL SERVICES.—*Class* 3.	
§ 20.	30,510	0	0	For Law Charges and Office of Solicitor to the Treasury, &c. - - - - -	For the Year ending 31st March 1863.
	167,678	0	0	For Prosecutions at Assizes and Quarter Sessions, &c. - - - - - -	
	228,475	0	0	For Police in Counties and Boroughs in England and Wales, and Police in Scotland -	
	3,098	0	0	For Crown Office, Queen's Bench - - -	
	11,540	0	0	For Department of Registrar of the Admiralty, and Admiralty Court, Dublin - - -	
	5,501	0	0	For Insolvent Debtors Court - - -	
	78,330	0	0	For Court of Probate, &c. - - - -	
	165,000	0	0	For County Courts - - - -	
	21,430	0	0	For Police Courts of the Metropolis - -	
	140,443	0	0	For Metropolitan Police - - - -	
	3,564	0	0	For Queen's Prison - - - -	
	18,092	0	0	For Revising Barristers, England and Wales -	
	3,675	0	0	For Annuities under Divorce and Matrimonial Causes Act - - - - -	
	24,237	0	0	For Compensations, &c. under "The Bankruptcy Act, 1861" - - - - -	
	3,342	0	0	For Lord Advocate and Solicitor General, Scotland	
	18,200	0	0	For Salaries, Court of Session, Scotland - -	
	11,076	0	0	For Court of Justiciary, Scotland - - -	
	5,000	0	0	For Criminal Prosecutions by Lord Advocate -	
	1,620	0	0	For the legal Branch of the Exchequer in Scotland	
	38,231	0	0	For Criminal Prosecutions, &c. in Scotland -	
	23,475	0	0	For Procurators Fiscal in Scotland - -	
	14,330	0	0	For Sheriff Clerks, Scotland - - -	
	2,300	0	0	For Expenses in Matters of Tithes, &c. - -	
	15,941	0	0	For General Register House, Edinburgh - -	
	1,305	0	0	For Department of Commissary Clerk, Edinburgh	
	1,490	0	0	For Department of Accountant in Bankruptcy, Scotland - - - - -	
	61,134	0	0	For Criminal Prosecutions, &c., Ireland -	

	£5,536	0	0	For Court of Chancery, Ireland	
	19,052	0	0	For Courts of Queen's Bench, Common Pleas, &c., Ireland	
	5,932	0	0	For Registrars to Judges, &c., Ireland	
	2,000	0	0	For Compensation to Seneschals of Manor Courts, Ireland	
	2,314	0	0	For Office for Registration of Judgments, Ireland	
	300	0	0	For Fees to Advocates, High Court of Delegates	
	6,893	0	0	For Salaries, &c. of Court of Bankruptcy, &c., Ireland	
	10,330	0	0	For Court of Probate, &c., Ireland	
	11,472	0	0	For Landed Estates Court, Ireland	
	1,150	0	0	For Consolidated Office of Writs, Dublin	
	420	0	0	For Revising Barristers, Ireland	
	50,600	0	0	For Salaries of Police Justices, Metropolitan Police, &c., Dublin	
	777,368	0	0	For Constabulary Force, Ireland	
	2,717	0	0	For Four Courts Marshalsea, Dublin	
	17,410	0	0	For General Superintendence of Prisons, &c.	
	350,000	0	0	For Government Prisons and Convict Establishments at home	
	227,604	0	0	For Maintenance of Prisoners and Removal of Convicts	
	30,510	0	0	For Transportation of Convicts	
	142,683	0	0	For Convict Establishments in the Colonies	
				CIVIL SERVICES.—*Class* 4.	
§ 21.	842,119	0	0	For Public Education, Great Britain	
	116,695	0	0	For Department of Science and Art, &c.	
	290,904	0	0	For Public Education, Ireland	
	795	0	0	For Secretary, &c. of Commissioners of Education, Ireland	
	5,473	0	0	For University of London	*For the Year ending 31st March 1863.*
	20,161	0	0	For Scottish Universities	
	2,312	0	0	For Queen's University, Ireland	
	4,800	0	0	For Queen's Colleges, Ireland	
	500	0	0	For Royal Irish Academy	
	2,750	0	0	For Expenses, Purchase of Pictures of the National Gallery, Ireland	
	2,500	0	0	For Theological Professors, Retired Allowances, &c., Belfast	
	99,012	0	0	For Salaries, &c. at British Museum, including Buildings, &c.	
	11,953	0	0	For Expenses, Purchase of Pictures, &c. of the National Gallery	
	1,000	0	0	For Gallery of Portraits of Eminent Persons	
	7,640	0	0	For Magnetic Observations abroad, &c.	
	500	0	0	For Royal Geographical Society	
	1,000	0	0	For Experiments by Royal Society	
				CIVIL SERVICES.—*Class* 5.	
22.	4,200	0	0	For Civil Establishment, Bermudas	
	6,278	0	0	For Ecclesiastical Establishment of British North American Provinces	
	1,438	0	0	For Indian Department, Canada	
	9,000	0	0	For British Columbia	
	55,000	0	0	For Expenses of Resumption of Vancouver's Island by the Crown	
	25,028	0	0	For Salaries of West Indian and Colonial Governors	
	10,800	0	0	For Stipendiary Justices in West Indies and Mauritius	
	19,634	0	0	For Civil Establishments, West Coast of Africa	
	5,923	0	0	For St. Helena	
	700	0	0	For Orange River Territory	

Consolidated Fund (Appropriation).

	£10,000	0	0	For Improvement of Kaffirs, and Government of British Kaffraria - - - -	For the Year ending 31st March 1863.
	79,193	0	0	For Repayment to Treasury Chest of Advances for Kaffir Police, &c. - - - -	
	960	0	0	For Heligoland - - - - -	
	3,986	0	0	For Falkland Island - - - -	
	4,374	0	0	For Labuan - - - - -	
	300	0	0	For Pitcairn's Islanders - - - -	
	10,834	0	0	For Emigration Board and Officers - -	
	242,971	0	0	For Expenses on account of Treasury Chest -	
	1,500	0	0	For Expedition to River Niger - - -	
	55,000	0	0	For Bounties on Slaves, and Tonnage Bounties, &c.	
	10,750	0	0	For Mixed Commissions for suppressing the Slave Trade - - - - -	
	167,783	0	0	For Consular Establishments abroad - -	
	86,748	0	0	For Establishments in China, Japan, and Siam -	
	35,000	0	0	For Extraordinary Disbursements of Embassies and Missions abroad - - - -	
	50,000	0	0	For Special Missions, Outfits, &c. - - -	
	40,000	0	0	For surveying the Boundary Line in Western Part of North America - - - -	
	2,827	0	0	For Salaries of Junior Attachés to Embassies and Missions abroad - - - -	
				CIVIL SERVICES.—*Class* 6.	
§ 23.	184,706	0	0	For Superannuation Allowances and Compensations, Public Service - - - - -	
	812	0	0	For Toulonese and Corsican Emigrants, &c. -	
	325	0	0	For the Refuge for the Destitute - - -	
	3,062	0	0	For Polish Refugees, &c. - - - -	
	58,700	0	0	For Pensions to Masters and Seamen, Merchant Service, and their Widows and Children -	
	20,400	0	0	For distressed British Seamen abroad - -	
	3,726	0	0	For Miscellaneous Allowances formerly defrayed from Civil List, &c. - - - -	
	2,539	0	0	For Allowances to Treasurers of Public Infirmaries, Ireland - - - - - -	
	2,600	0	0	For Westmoreland Lock Hospital, Dublin - -	
	700	0	0	For Rotunda Lying-in Hospital, Dublin - -	
	200	0	0	For Coombe Lying-in Hospital, Dublin - -	
	7,600	0	0	For Hospitals of House of Industry, Dublin -	
	2,500	0	0	For House of Recovery and Fever Hospital, Dublin	
	600	0	0	For Meath Hospital, Dublin - - -	
	100	0	0	For St. Mark's Ophthalmic Hospital, Dublin -	
	1,300	0	0	For Dr. Steevens' Hospital, Dublin - -	
	245	0	0	For Board of Superintendence of Hospitals, Dublin	
	9,034	0	0	For Charitable Allowances charged on Concordatum Fund in Ireland, &c. - - - -	
	39,747	0	0	For Dissenting Ministers, Ireland - - -	
				CIVIL SERVICES.—*Class* 7.	
24.	3,750	0	0	For Ecclesiastical Commissioners, England -	
	15,788	0	0	For sundry temporary Commissions - -	
	29,088	0	0	For Fees, &c. under Patent Law Amendment Act -	
	15,764	0	0	For Board of Fisheries, Scotland - - -	
	2,000	0	0	For Annuity to Board of Manufacturers, Scotland -	
	115,877	0	0	For Payments of Difference of Dues payable under Treaties of Reciprocity - - - -	
	3,500	0	0	For Inspectors of Corn Returns - - - -	
	1,000	0	0	For adjusting Boundaries of Counties, &c., Ireland -	
	34,550	0	0	For taking the Census - - - -	
	3,030	0	0	For Engagements with Telegraph Companies -	
	2,647	0	0	For Telegraphic Cable between Malta and Alexandria	
	4,645	0	0	For Expenses formerly paid from Civil Contingencies - - - - - -	

§ **25.** Supplies to be applied only for the Purposes aforesaid.
26. Expenditure for Navy and Army Services respectively to be confined to the separate Services for which granted.
Treasury may in certain Cases of Exigency, authorize Expenditure unprovided for; provided that the aggregate Grants for the Navy Services and for the Army Services respectively be not exceeded.
27. Rules to be observed in the Application of the Sum appropriating Half Pay.
Not to prevent the receiving of Half Pay under any Act relating to the General or Local Militia, &c.
Paymaster General, by Permission of the Treasury, may issue Half Pay to Officers appointed to Civil Offices since July 1828.
An Account of the Number of Officers so receiving Half Pay to be laid before Parliament annually.
28. Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.
29. Half Pay Allowances to Chaplains of Regiments not holding Ecclesiastical Benefices derived from the Crown.
30. Widows, &c. claiming Pensions to make required Declaration.
31. Declarations to be made as specified in 5 & 6 W. 4. c. 62.

CAP. LXXII.

An Act to continue certain Turnpike Acts in *Great Britain*. [7th *August* 1862.]

'WHEREAS it is expedient to continue for limited Times the Acts herein-after specified:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Continuation of Acts, except 53 G. 3. c. xxiv., 11 G. 4. & 1 W. 4. c. vi. (in part), 11 G. 4. & 1 W. 4. cc. xxxix., &c.

1. The Acts mentioned in the Schedule to this Act annexed shall continue in force until the First Day of *November* One thousand eight hundred and sixty-three, and no longer, unless Parliament in the meantime continues the same; but every other Act now in force for regulating, making, amending, or repairing any Turnpike Road in *Great Britain* which will expire at or before the End of the next Session of Parliament shall continue in force until the First Day of *November* One thousand eight hundred and sixty-three and to the End of the then next Session of Parliament, except an Act of the Fifty-third Year of King *George* the Third, Chapter Twenty-four, "for enlarging the Term and Powers "of an Act of His present Majesty, for repairing the Roads leading from the Parishes of *Yoxford*, "*Saxmundham*, and *Benhall*, in the County of *Suffolk*, to the Town of *Aldeburgh* in the said County;" an Act of the Eleventh Year of King *George* the Fourth, Chapter Six, "for more effectually repairing "and improving the Road from *Horsham* to the Road leading to *Guildford* at *Aldford Cross Ways*, "with Two Branches therefrom, and for making and maintaining a new Branch of Road to communi- "cate therewith, all in the Counties of *Surrey* and *Sussex*," so far as the same relates to the *Rowhook* or new Branch of Road; an Act of the same Year, Chapter Thirty-nine, "for making a Turnpike Road "from the Bridge over the River *Bure* at *Great Yarmouth* to *Acle* (with certain Branches therefrom), "all in the County of *Norfolk*;" and an Act of the same Year, Chapter One hundred, "for more "effectually repairing and improving the Road from *Cromford Bridge* to the Turnpike Road at or near "*Langley Mill* in the County of *Derby*."

Short Title.

2. This Act may be cited for all Purposes as "The Annual Turnpike Acts Continuance Act, 1862."

SCHEDULE.

52 G. 3. c. xxvii. An Act to continue the Term and alter and enlarge the Powers of an Act passed in the Twenty-third Year of His present Majesty, for completing the Road from Cirencester in the County of Gloucester, through Tetbury, to Woefield Corner, and a Road from thence to or near Lambridge near the City of Bath, and for other Purposes relating thereto; and also to repair a certain Road from Duffton to Underbridge in the Parish of Shipton Moigne in the said County.

53 G. 3. c. cxxxv. An Act for continuing and amending Two Acts of His present Majesty, for repairing the Road from Shelton to Blakeley Lane Head, and from Bucknall to Weston Coyney, in the County of Stafford, and also for altering and repairing the Road from Adderley Green to Lane End in the same County.

53 G. 3. c. clxxxvii. An Act for enlarging the Term and Powers of an Act of King George the Second, and Two Acts of His present Majesty, for repairing the Road from Bowes in the County of York to Brough-under-Stainmore in the County of Westmoreland; and for repairing and widening the Road from Maiden Castle to Kaber Cross, and other Roads therein mentioned, in the said Counties.

54 G. 3. c. xxxi. An Act for continuing and amending Three Acts, One of His late Majesty and Two of His present Majesty, for repairing the Road from Middleton Tyas Lane End to Bowes in the North Riding of the County of York.

57 G. 3. c. v. An Act for repairing the Road from the Cross Hands on the Worcester and Oxford Turnpike Road to Halford Bridge, and other Roads therein mentioned, in the Counties of Gloucester, Warwick, and Worcester.

An

Turnpike Acts Continuance.

An Act for more effectually repairing and improving the Road leading from Studley Bridge, through the Borough of Chippenham, to Pickwick, and from the East End of Chippenham Bridge to Lower Stanton, and from the East End of the said Bridge to join the Road at Draycot Cerne in the County of Wilts. 58 G. 3. c. xliii.

An Act for continuing and amending Three Acts of His late and present Majesty, for repairing the Road from Kighley to Halifax in the West Riding of the County of York. 59 G. 3. c. xii.

An Act to repeal so much of an Act of the Fortieth Year of His present Majesty, for repairing certain Roads in the County of Monmouth, as relates to the Pont Pool and Usk Districts of Road, and for granting other Powers in lieu thereof; and for making a new Branch of Road from the said Usk District. 59 G. 3. c. cxxi.

An Act for more effectually repairing and improving the Road from the Town of Pool in the County of Montgomery, through Oswestry in the County of Salop, to Wrexham in the County of Denbigh, and several other Roads therein mentioned, in the said Counties, and in the County of Merioneth; and for making several new Branches of Roads to communicate with the said Roads in the Counties of Salop, Montgomery, and Denbigh. 1 G. 4. c. xlv.

An Act to continue the Term and to alter, amend, and enlarge the Powers of several Acts passed for repairing the Road leading from Burleigh Bridge in Loughborough to Ashby-de-la-Zouch in the County of Leicester; and also the Road branching out of the said Road at Coleorton Church to Rempstone in the Counties of Leicester and Nottingham. 1 & 2 G. 4. c. xxxix.

An Act for amending and more effectually repairing the Highway between Hockliffe and Woburn in the County of Bedford; and for repairing the Road leading through Woburn to Tickford Bridge in Newport Pagnell in the County of Buckingham. 1 & 2 G. 4. c. lxxxv.

An Act for continuing the Term and altering and enlarging the Powers of an Act of the Forty-second Year of the Reign of His late Majesty King George the Third, for repairing and improving the Road from the City of Canterbury to the Town and Port of Sandwich in the County of Kent. 3 G. 4. c. xl.

An Act to enlarge the Term and Powers of several Acts passed for repairing and widening the Road from the Hand and Post in Upton Field in the Parish of Burford in the County of Oxford to a Place in the Parish of Preston in the County of Gloucester called Dancy's Fancy. 3 G. 4. c. xlvii.

An Act for repairing the Roads from the Borough of Tamworth in the Counties of Stafford and Warwick to the Town of Ashby-de-la-Zouch in the County of Leicester, and from Harrington Bridge (heretofore Sawley Ferry) in the said County of Leicester to a Turnpike Gate at or near the End of Swarcliffe Lane, leading to Ashby-de-la-Zouch aforesaid. 4 G. 4. c. cxxii.

An Act for amending and maintaining the Roads leading from the Town of Newent in the County of Gloucester, and other Roads in the Counties of Gloucester and Hereford. 5 G. 4. c. xi.

An Act for more effectually repairing and improving so much of the Road from Keswick in the County of Cumberland, by Dunmail Raise and Ambleside, to Kirkby in Kendal in the County of Westmoreland, as is situate in the said County of Westmoreland, and also the Road from Plumbgarth's Cross, near Kirkby in Kendal aforesaid, to the Lake called Windermere, in the County of Westmoreland. 5 G. 4. c. xiv.

An Act for repairing the Road leading from the Worcester Turnpike Road in the Village of Broadway in the County of Worcester to the Stratford-upon-Avon Turnpike Road in the Village of Mickleton in the County of Gloucester. 5 G. 4. c. xxviii.

An Act for repairing, improving, and maintaining several Roads leading to and from Cerne Abbas in the County of Dorset. 5 G. 4. c. xxx.

An Act for enlarging the Term and Powers of several Acts passed for repairing the High Road from Boroughbridge in the County of York to Catterick in the same County, and from thence to Piersbridge on the River Tees. 6 G. 4. c. ix.

An Act for making and maintaining a Turnpike Road from Brighouse in the Parish of Halifax to Denholme Gate in the Parish of Bradford in the West Riding of the County of York. 6 G. 4. c. xliv.

An Act for more effectually repairing and improving the Roads from Sheet Bridge to Portsmouth and from Petersfield to the Alton and Alresford Turnpike Road near Ropley in the County of Southampton, and for making and maintaining a new Branch of Road to communicate therewith. 6 G. 4. c. lxxxvii.

An Act for making and maintaining a Turnpike Road from the Town of Denbigh in the County of Denbigh to Pentre Voelas in the said County, and from thence to Fynnon Eidda in the County of Carnarvon. 6 G. 4. c. cxlviii.

An Act for making and maintaining a Turnpike Road from Doncaster, through Hatfield, to Baln Croft Barn near Thorne, with One Branch therefrom, in the West Riding of the County of York. 6 G. 4. c. clxxxv.

An Act for more effectually repairing and improving several Roads leading to and from the Towns of Newton Bushell, South Bovey, and Moretonhampstead, in the County of Devon. 7 G. 4. c. xcii.

An Act for more effectually repairing and improving the Road from Standedge in Saddleworth in the County of York to Oldham in the County of Lancaster, and other Roads in the said County of York, and for making and maintaining Two new Branches to communicate therewith. 7 & 8 G. 4. c. lxiv.

An Act for altering and maintaining the Road from Stirling to Drymen Bridge in the Counties of Stirling and Perth. 7 & 8 G. 4. c. xcvi.

An Act for more effectually repairing so much of the Road from the Town of Newcastle-upon-Tyne to the City of Carlisle as is within the County of Northumberland. 9 G. 4. c. lxxii.

An

10 G. 4. c. xviii. An Act for amending, altering, and improving the Roads leading to the Town of Okehampton in the County of Devon, and making and maintaining a certain new Road to communicate therewith.

10 G. 4. c. lxxxi. An Act for maintaining and repairing the Road from the River at Swathling, through Botley, to the Road at Sherril Heath in the County of Southampton.

10 G. 4. c. cxv. An Act for more effectually repairing and improving the Road from the Bottom of Church Lane in the Town of Newcastle-under-Lyme in the County of Stafford to the Road leading from Woore to Chester near Nantwich in the County Palatine of Chester, and other Roads therein mentioned.

11 G. 4. c. iii. An Act for more effectually repairing and improving the Roads from Market Harborough to Loughborough, and from Filling Gate to the Melton Mowbray Turnpike Road, in the County of Leicester.

11 G. 4. c. vii. An Act for repairing and improving the Road from the Nottingham and Mansfield Turnpike Road, through Kirkby and Pinxton, to Carter Lane, and to the Colliery near Pinxton Green in the Counties of Nottingham and Derby.

11 G. 4. c. xxi. An Act for more effectually repairing, amending, widening, and improving the Road from the West Cowgate, near Newcastle-upon-Tyne, to the Alemouth Turnpike Road in the County of Northumberland, and for making and maintaining other Roads communicating therewith.

11 G. 4. c. xxvi. An Act for maintaining the Road from Catterick Bridge in the County of York, by the Towns of Yarm and Stockton, and through the Town of Sedgefield, to the City of Durham.

11 G. 4. c. lxxxviii. An Act for repairing the Turnpike Road from the Top of Whitesheet Hill to the Wilton Turnpike Road at or near Barford in the County of Wilts.

11 G. 4. c. lxxxix. An Act for repairing, altering, and improving the Roads from Ashbourne to Sudbury, and from Sudbury to Yoxall Bridge, and from Hatton Moor to Tutbury, and from Uttoxeter to or near the Village of Draycott-in-the-Clay, and from Hadley Plain on the late Forest or Chase of Needwood to Callingwood Plain on the same late Forest or Chase.

11 G. 4. c. xcix. An Act for amending and improving the Road from Tonbridge to Ightham, and other Roads communicating therewith, in the County of Kent.

1 W. 4. c. i. An Act for more effectually repairing and otherwise improving the Road from Highgate in the County of Middlesex, through Whetstone, to Chipping Barnet in the County of Hertford, and the Road from Chipping Barnet to the Thirteen Mile Stone near Gannick Corner in the Parish of South Mims in the said County of Middlesex.

1 W. 4. c. xi. An Act for repairing the Road from Birmingham to Bromsgrove.

1 W. 4. c. xiii. An Act for more effectually repairing the Road from the Rotherham and Mansfield Turnpike Road, at or near Clown in the County of Derby, to the Worksop and Kelham Turnpike Road at or near Budby in the County of Nottingham.

1 W. 4. c. xiv. An Act for repairing the Watling Street Road, the Mancester and Wolvey Heath Road, and other Roads communicating therewith, in the Counties of Leicester and Warwick.

1 W. 4. c. xviii. An Act for more effectually repairing the Road from Albion Street in the Town of Cheltenham in the County of Gloucester to Bunch Lane in or near the Village of Bishop's Cleeve in the said County, to join the Turnpike Road leading from the Town of Evesham in the County of Worcester to the said Town of Cheltenham.

1 W. 4. c. xxviii. An Act for more effectually amending and widening the Road from a Place near the Village of Milford in the County of Surrey, through Haslemere, to the Forty-third Mile Stone at Carpenter's Heath, and from thence to a Bridge near the Blue Bell Inn, over Houndley's Water, at the Boundary of the said County of Surrey.

1 W. 4. c. xxxii. An Act for more effectually repairing and improving the Road from the City of Norwich to North Walsham in the County of Norfolk.

1 W. 4. c. xxxiii. An Act for more effectually repairing the Road from Stopham Bridge in the Parish of Pulborough to the Direction Post in the Parish of Steyning on the Turnpike Road leading from Steyning to Horsham in the County of Sussex.

1 W. 4. c. xxxv. An Act for repairing and maintaining the Road from Wakefield to Aberford in the County of York.

1 W. 4. c. xxxvi. An Act for more effectually repairing and improving the Roads from Lemsford Mills in the Parish of Bishop's Hatfield, through Welwyn and Stevenage, to Hitchin, and from Welwyn, through Codicot, to Hitchin aforesaid, all in the County of Hertford.

1 W. 4. c. xxxviii. An Act for more effectually repairing and improving the Road from the Leicester and Welford Road near Foston Lane to the Road leading from Hinckley to Ashby-de-la-Zouch, and for repairing Hunt's Lane and Wood Lane, in the Parishes of Desford and Newbold in the County of Leicester.

1 W. 4. c. xl. An Act for making and maintaining a Turnpike Road from the City of Coventry to Stoney Stanton in the County of Leicester, to unite with the present Turnpike Road there leading through Narborough to the Borough of Leicester.

1 W. 4. c. xlii. An Act for more effectually repairing and maintaining the Road over Horley Common in the County of Surrey to a Place called Black Corner, and from thence to the Brighthelmston Turnpike Road at Cuckfield in the County of Sussex.

1 W. 4. c. xlv. An Act for repairing and maintaining the Road leading from the High Road between Bromley and Farnborough in the County of Kent to Beggars Bush in the Turnpike Road leading from Tonbridge Wells to Maresfield in the County of Sussex.

1 W. 4. c. lxi. An Act for maintaining and improving the Road from Titchfield to Cosham in the County of Southampton.

An Act for more effectually repairing and improving the Roads called "The Pucklechurch or Lower District of Roads," in the Counties of Gloucester and Wilts. 1 W. 4. c. lxii.

An Act for repairing the Turnpike Road from the Salutation Inn to Christian Malford Bridge in the County of Wilts, called The Draycot or Upper District; and for disuniting the said Road from a certain other Road called The Pucklechurch Lower District, in the County of Gloucester. 1 W. 4. c. lxiii.

An Act for more effectually repairing several Roads in or near the Town of Bruton and other Roads in the Counties of Somerset and Wilts, and for making and maintaining Two other Roads communicating therewith. 1 W. 4. c. lxvi.

An Act for more effectually repairing and improving the Roads from Tunbridge Wells in the County of Kent to the Cross Ways at or near Maresfield Street, and from Florence Farm to Forest Row in the County of Sussex. 1 W. 4. c. lxx.

An Act for making a Turnpike Road (with a Branch therefrom) from the Angel Inn near Darlington in the County of Durham to Barton Lane End in the County of York. 1 & 2 W. 4. c. xiii.

An Act for more effectually repairing and improving several Roads leading into and from the Town of Cheltenham in the County of Gloucester, and for making new Branches of Roads to communicate therewith. 1 & 2 W. 4. c. xvi.

An Act for more effectually repairing and otherwise improving the several Roads from the South Gate in the Borough of King's Lynn into the Parishes of East Walton, Narborough, Stoke Ferry, and Downham Market, in the County of Norfolk. 1 & 2 W. 4. c. xx.

An Act for consolidating the Trusts of certain Roads called the Breamish and Wooler Turnpike Roads in the County of Northumberland, and for more effectually improving and maintaining the same. 1 & 2 W. 4. c. xxiii.

An Act for more effectually maintaining and improving the Road from Soho Hill in the Parish of Handsworth to the Walsall Road on the Northern Side of Hamstead Bridge, and another Road from Brown's Green to the Friary, in the County of Stafford. 1 & 2 W. 4. c. xxiv.

An Act for more effectually repairing certain Roads leading to and from the Town of Abergavenny in the County of Monmouth, and for making and maintaining several new Branches of Road to communicate therewith. 1 & 2 W. 4. c. xxvi.

An Act for making and maintaining a Road from the Bottom of Kirkgate to the Bottom of Westgate, both in the Parish of Wakefield in the West Riding of the County of York. 1 & 2 W. 4. c. xxvii.

An Act to continue and amend an Act of the Fifth Year of His late Majesty, for repairing the Roads from Durweston Bridge to Caundle Bishop, and other Roads, in the Counties of Dorset and Somerset, so far as relates to the Vale of Blackmoor Turnpike Roads. 1 & 2 W. 4. c. xxx.

An Act for improving and maintaining the Road from the South Side of a Bridge over the River Colne, called Engine Bridge, in the Township of Huddersfield in the West Riding of the County of York, to Woodhead in the County Palatine of Chester, and from thence to a Bridge over the River Mersey, called Enterclough Bridge, on the Confines of the County of Derby. 1 & 2 W. 4. c. xl.

An Act for more effectually repairing and improving certain Roads leading to and from the Town of Cirencester in the County of Gloucester, and Wootton Bassett in the County of Wilts. 1 & 2 W. 4. c. xli.

An Act for repairing the Road from the Town of Wisbech in the Isle of Ely in the County of Cambridge to the Town of Thorney in the same Isle and County. 1 & 2 W. 4. c. xliii.

An Act for more effectually repairing the Road from North Shields in the County of Northumberland to the Town of Newcastle-upon-Tyne, and certain Branches communicating therewith; and also for making and repairing additional Branches of Road. 1 & 2 W. 4. c. lxxii.

An Act to amend an Act of the Seventh Year of the Reign of His late Majesty King George the Fourth, for more effectually repairing and improving the several Roads leading to and from the Towns of Newton Bushell, South Bovey, and Moretonhampstead, in the County of Devon. 6 W. 4. c. lxxxiv.

An Act for repairing the Road leading from a certain Point in the Kennington Road in the Parish of Saint Mary Lambeth in the County of Surrey to Highgate in the County of Sussex, and thence to Witchcross in the same County, and several other Roads therein mentioned. 13 & 14 Vict. c. lxxxv.

CAP. LXXIII.

An Act for continuing the Copyhold, Inclosure, and Tithe Commission, and entitling the Commissioners to Superannuation Allowance. [7th *August* 1862.]

'WHEREAS in the Year One thousand eight hundred and thirty-six certain Persons were appointed Commissioners for the Purposes of carrying into effect the Act for the Commutation of Tithes in *England* and *Wales*, under the Title of "The Tithe Commissioners for *England* and *Wales*:" And whereas in the Year One thousand eight hundred and forty-one, by the Act of the Session of the Fifth and Sixth Years of Her present Majesty, Chapter Thirty-five, herein-after referred to as "the Copyhold Act," the Tithe Commissioners for the Time being were appointed Copyhold Commissioners for the Purposes of that Act; and it was thereby provided, that if the Duties of the Tithe Commissioners ceased before the Copyhold Act was fully carried into execution, it should be lawful for One of Her Majesty's Principal Secretaries of State to appoint any Number of fit Persons, not exceeding Three, to be Copyhold Commissioners: And whereas in the Year One thousand eight hundred and

'forty-five Provision was made for the Appointment of Two Persons who, with the First Commissioner 'of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, were to be the Commis- 'sioners for carrying that Act into execution, under the Style of the Inclosure Commissioners for '*England* and *Wales*: And whereas in the Year One thousand eight hundred and fifty-one, by the 'Act of the Session holden in the Fourteenth and Fifteenth Years of Her present Majesty, Chapter 'Fifty-three, intituled *An Act to consolidate and continue the Copyhold and Inclosure Commissioners, 'and to provide for the Completion of Proceedings under the Tithe Commutation Acts*, the Powers of 'Appointment of Commissioners and other Officers contained in the Copyhold Act were continued for 'a limited Time, and the Commissioners appointed thereunder were continued, but it was provided 'that all the Duties of the Inclosure Commissioners and all the unperformed Duties of the Tithe 'Commissioners should be performed by the Commissioners continued or appointed as aforesaid: And 'whereas, by certain Acts, and ultimately by an Act of the Session holden in the Twenty-third and 'Twenty-fourth Years of Her present Majesty, Chapter Eighty-one, the said Powers of appointing 'Commissioners and other Officers have been continued, and the Period limited for holding Office 'by the Commissioners and other Officers appointed aforesaid has been extended until the First Day 'of *August* One thousand eight hundred and sixty-one and thenceforth until the End of the next 'Session of Parliament: And whereas, under the above Acts and divers other Acts of Parliament, and 'in particular by the Land Drainage Act, One thousand eight hundred and sixty-one, divers Powers of 'a permanent Character relating to Drainage and the Management and Improvement of Estates have 'been imposed on the Commissioners continued or appointed as aforesaid: And whereas, notwith- 'standing the Length of Time that the said Commissioners have been established, the said Commissioners, 'including the resident Assistant Commissioner in charge of the Survey Department, are not deemed 'to be in the permanent Civil Service of the State, and consequently are not entitled to Superannuation 'Allowance in pursuance of "The Superannuation Act, 1859:" And whereas it is expedient that the 'Powers of Appointment contained in the Copyhold Act should be continued, and the Period limited 'by the said Act and the Acts for amending the same for the Tenure of Office by the Commissioners 'should be extended in manner herein mentioned, and that the said Commissioners, including such 'resident Assistant Commissioner as aforesaid, should be deemed to be entitled to Superannuation 'Allowance:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Continuation of Power of Appointment.

1. So much of the Copyhold Act as authorizes the Appointment of Commissioners and other Officers as therein mentioned shall be continued until the First Day of *August* One thousand eight hundred and sixty-seven, and thenceforth until the End of the then next Session of Parliament, and the Period limited for the holding of Office by the Commissioners and such other Officers as aforesaid shall in like Manner be extended until the First Day of *August* One thousand eight hundred and sixty-seven, and thenceforth until the End of the next Session of Parliament.

Superannuation of Officers.

2. The Commissioners acting in execution of the several Acts herein-before mentioned, including such resident Assistant Commissioner as aforesaid, shall, for the Purposes of the Superannuation Act, 1859, be deemed to have served in the permanent Civil Service of the State, and to have held their respective Appointments directly from the Crown.

CAP. LXXIV.

An Act to enable the Commissioners of Her Majesty's Works to acquire additional Land for the Purposes of the "Public Offices Extension Act of 1859," by way of Exchange for Land already acquired but not wanted for the Purposes of the said Act. [7th *August* 1862.]

'WHEREAS the Three Pieces of Ground described in the First Schedule to this Act, and colored 'Blue on the Plan herein-after mentioned, and marked A, B, and C in the same Schedule and 'Plan, have been acquired by and are now vested in the Commissioners of Her Majesty's Works and 'Public Buildings, for the Purposes of the Act of the Twenty-second Year of Her Majesty, Chapter 'Nineteen, (called the Public Offices Extension Act, 1859,) under and by virtue of the following Acts; '(namely,) the Piece of Ground marked A, under the Act of the Twenty-fourth and Twenty-fifth Years 'of Her Majesty, Chapter Thirty-three (called the Supplemental Public Offices Extension Act, 1861); 'the Piece of Ground marked B, under the Act of the Fifteenth and Sixteenth Years of Her Majesty, 'Chapter Twenty-eight; and the Piece of Ground marked C, under the said Public Offices Extension 'Act, 1859, and the Act of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapter Eighty- 'eight: And whereas the Three Pieces of Ground described in the Second Schedule to this Act and 'colored Red in the said Plan herein-after mentioned, and marked D, E, and F in the same Schedule 'and Plan form Part of *St. James's Park*: And whereas it has been found that the Pieces of Ground 'described in the said First Schedule will not be required for the Purposes of the said Public Offices 'Extension Act, 1859, and that the Pieces of Ground described in the said Second Schedule will be 'required for the Purposes thereof, and it is therefore expedient that an Exchange of the Pieces of Ground comprised in the said Two Schedules respectively should be effected as herein-after mentioned: And

'whereas

'whereas a Plan describing the Ground comprised in the said First and Second Schedules, wherein 'the Ground comprised in the said First Schedule is colored Blue as aforesaid, and the Ground com- 'prised in the said Second Schedule is colored Red as aforesaid, has been prepared by or under the 'Direction of the Commissioners of Her Majesty's Works and Public Buildings: And whereas the 'Ground marked A was Part of the Lands belonging to Her Majesty in right of Her Crown, particu- 'larly mentioned in the said Supplemental Offices Extension Act, 1861; and the Sum of Two thousand 'four hundred and seventy Pounds, in the same Act stated to be the ascertained Value of such Lands, 'has been paid by the said Commissioners of Her Majesty's Works and Public Buildings to the Com- 'missioners of Her Majesty's Woods, Forests, and Land Revenues, for the Purchase of the said Lands 'belonging to Her Majesty as by the said last-mentioned Act is directed: And whereas the said Com- 'missioners of Her Majesty's Works and Public Buildings have also paid the full Value for the said 'Piece of Ground marked B, but no Money Consideration has been or was to be paid for the Purchase 'of the said Piece of Ground marked C, the same being Part of *St. James's Park*:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Plan to be deposited in Offices of Works, &c.

1. Copies of the said Plan describing the Ground to be given up by, and the Ground to be acquired by the said Commissioners of Her Majesty's Works and Public Buildings under the Authority of this Act, shall be signed by the Commissioners for executing the Office of Lord High Treasurer, and shall be deposited in the Office of the Commissioners of Her Majesty's Works and Public Buildings, and in the Office of Land Revenue Records and Enrolments; and all Persons shall be at liberty at all seasonable Times to inspect the Copy of the said Plan deposited in the said Offices, at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection.

Land, &c. in First Schedule vested in Her Majesty.

Land, &c. in Second Schedule vested in Commissioners of Works, &c.

2. Immediately on the passing of this Act all the said Ground and Hereditaments described in the said First Schedule to this Act, and colored Blue in the said Plan, shall become and be vested in Her Majesty, Her Heirs and Successors, as Part and Parcel of *St. James's Park*, for all the Estate and Interest therein of the said Commissioners of Her Majesty's Works and Public Buildings; and all the Ground and Hereditaments described in the said Second Schedule to this Act, and colored Red in the said Plan, shall become and be vested in the said Commissioners of Her Majesty's Works and Public Buildings, their Successors and Assigns, as incorporated by and for the Purposes of the said Public Offices Extension Act, 1859, for all the Estate and Interest therein of Her Majesty.

Provision as to Compensation provided by 24 & 25 Vict. c. 88. repealed as far as relates to Property herein named.

3. 'Whereas by the said Act of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapter 'Eighty-eight, after providing for the Transfer to the said Commissioners of Her Majesty's Works and 'Public Buildings of the Piece of Land forming Part of *St. James's Park* therein mentioned, and which 'included the said Piece of Ground marked C in the said First Schedule hereto, it was enacted, that 'Compensation should be made to the Land Revenues of the Crown in respect of the said Transfer in 'manner following, (namely,) whenever the annual Produce of the said Revenues should cease to be 'carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and '*Ireland*, and should be retained by the Crown as Part of its Hereditary Revenues, the Value of the 'Premises thereby transferred, exclusive of the Value of any Buildings erected thereon, should 'be determined by Arbitration, and the Amount of such Value, when determined, should be deducted 'from the Amount for the Time being chargeable upon the said Revenues in respect of Advances made 'out of the Consolidated Fund, or, if there should be no such Amount then chargeable, should be paid 'to the Account of the said Revenues:' Be it enacted, That the said Provision for Compensation shall be repealed so far as relates to the said Piece of Ground marked C, and in lieu thereof shall be applicable to the Piece of Ground marked F, it being intended that, as regards the Pieces of Ground marked D and E, no such Compensation shall be payable, the same being considered as given in exchange for the said Pieces of Ground marked A and B, which were not Parts of the said *St. James's Park*.

Saving Rights as to Parishes of Saint Margaret and Saint John.

4. Nothing herein contained shall vary or affect the Provisions of the Forty-eighth Section of the said Public Offices Extension Act, 1859, as altered by the Fifth Section of the said Supplemental Public Offices Extension Act, 1861, relating to the Contribution of the Commissioners towards the Rates of the Parishes of *Saint Margaret* and *Saint John the Evangelist, Westminster*, either as regards the maximum Sum payable by the Commissioners or as regards the annual Amount with reference to which the Deficiencies in the Rates are to be calculated and ascertained.

Public Offices Extension Act and this Act to be as One.

5. The said Public Offices Extension Act, 1859, shall be read and construed to all Intents and Purposes whatsoever (except as expressly varied by this Act) as if the Land and Hereditaments comprised in the said Second Schedule to this Act were comprised in the Schedule to the said Public Offices Extension Act, 1859.

Limitation of Actions.

6. 'Whereas by the Fifty-third Section of the said Public Offices Extension Act, 1859, it is provided 'that in every Action or Suit brought or prosecuted for anything done in pursuance thereof as therein 'mentioned, the Defendant shall and may, at his Election, plead specially, or plead the General Issue, 'and give the said Act and the special Matter in Evidence at any Trial to be had thereupon, and that 'the same was done in pursuance and by the Authority of the said Act:' Be it enacted and declared, That in case any Defendant shall plead the General Issue as aforesaid in any Action or Suit relating

to the Land and Hereditaments comprised in the said Second Schedule hereto or any Part thereof, or to anything done in respect thereof, he may in like Manner give the special Matter in Evidence, and that the same was done in pursuance and by the Authority of the said Public Offices Extension Act, 1859, and of this Act.

General Saving.

7. Saving and reserving always to all Persons and Bodies Politic or Corporate soever, excepting the Queen's Majesty, Her Heirs and Successors, and the Commissioners of Her Majesty's Works and Public Buildings, all such Right, Title, Interest, Claim, and Demand whatsoever (if any) in, to, or out of the said Ground and Hereditaments comprised in the Schedules to this Act, or any Part thereof, as they or any of them could or might have lawfully claimed in case this Act had not been passed.

The FIRST SCHEDULE.

A. A Strip of Land containing One thousand four hundred and sixty Superficial Feet or thereabouts, forming Part of the Gardens of Nos. 13, 14, 15, and 16, Duke Street, Westminster.

B. A triangular Piece of Ground forming the North-west Corner of the late State Paper Office, containing One hundred and sixty Superficial Feet or thereabouts.

C. A Strip of Land Part of the South Parade and enclosed Lawn in Saint James's Park, containing Three thousand four hundred and fourteen Superficial Feet or thereabouts.

The SECOND SCHEDULE.

D. A Strip of Ground on the West Side of the late State Paper Office, containing Four hundred and sixty Superficial Feet or thereabouts.

E. A Strip of Ground on the North Side of the late State Paper Office, containing One thousand and sixty-seven Superficial Feet or thereabouts.

F. A Strip of Ground Part of the South Parade and enclosed Lawn in St. James's Park, containing Two thousand five hundred and five Superficial Feet or thereabouts.

C A P. LXXV.

An Act to revive and continue an Act for amending the Laws relating to Savings Banks in *Ireland*. [7th *August* 1862.]

[11 & 12 *Vict. c.* 133. *continued till January* 1, 1865, *and from thence until the End of the next Session of Parliament.*]

C A P. LXXVI.

An Act to amend "The Weights and Measures (*Ireland*) Act, 1860;" to abolish local and customary Denominations of Weight, and to regulate the Mode of weighing Articles sold, in *Ireland*. [7th *August* 1862.]

23 & 24 Vict. c. 119.

'WHEREAS an Act was passed in the Twenty-third and Twenty-fourth Years of the Reign of 'Her Majesty, intituled *An Act to amend the Law relating to Weights and Measures in* 'Ireland: And whereas it is expedient that the said Act should be amended in the Manner herein-after 'mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

PART I.

Commencement of Act.

1. This Act shall commence and take effect on the First Day of *January* One thousand eight hundred and sixty-three.

Short Title.

2. This Act may for all Purposes be cited as "The Weights and Measures (*Ireland*) Amendment Act, 1862."

Certain Sections of recited Act repealed.

3. The Fourth, Fifth, Sixth, Seventh, Ninth, Eleventh, Twelfth, Thirteenth, and Fourteenth Sections of the said recited Act (except so much of the said Fourth Section as repeals the Eighteenth Section of "The Summary Jurisdiction (*Ireland*) Act, 1851,") shall be and are hereby repealed: Provided always, that, notwithstanding such Repeal of the said Eleventh and Twelfth Sections, all such Expenses as are mentioned in the said Sections respectively whichshall have been incurred, and shall not have been paid before the Commencement of this Act, shall be presented, raised, and levied in the Manner directed by the said Sections respectively.

This Act incorporated with recited Act.

4. This Act shall be deemed to be incorporated with the said recited Act, and shall be as if the said recited Act (except such Parts thereof as have been repealed or amended by this Act) and this Act were One Act.

Certain Head and other Constables to be ex-officio Inspectors of Weights and Measures.

5. From and after the Commencement of this Act, such Head or other Constables only in each Petty Sessions District as shall be selected under this Act by the Inspector General of Constabulary in *Ireland*, with the Approval of the Lord Lieutenant, shall be *ex-officio* Inspectors of Weights and Measures within such District, and shall possess and exercise all the Powers and Authorities, and be subject to the like Penalties for any Neglect or Offence in the Discharge of such Duties, which any Inspector

Inspector of Weights and Measures heretofore possessed or exercised or had been liable to under and by virtue of the Act of the Fifth and Sixth Years of King *William* the Fourth, Chapter Sixty-three, or any other Act now in force, and shall perform such Duties, under the Direction of the Justices at Petty Sessions, without Fee or Reward, and notwithstanding any Manorial Jurisdiction or Claim of Jurisdiction within such District: Provided that if within One Month from the Date of such Selection the Justices shall signify their Disapproval of the Selection of any Head or other Constable, another Selection shall be made by the same Authority, subject to the same Conditions, and the Inspector General of Constabulary shall give Notice, or cause Notice to be given, to the Clerk of the Petty Sessions District, within Three Days of any such Selection having been made in his District, who shall immediately make known the said Selection to the Justices of the District.

Inspector General to appoint One Officer in each County or Borough to have Custody of Imperial Standards, who shall also stamp Sub-Standards.

6. The Inspector General of Constabulary shall, with the Approval of the Lord Lieutenant, also appoint some Sub-Inspector of Constabulary in every County or Borough in *Ireland* to have the Charge of such Copy or Copies of the Imperial Standard Weights and Measures as shall have been provided for such County or Borough under the Provisions of the said first-recited Act, or may be so provided under this Act; and such Sub-Inspector shall duly stamp or cause to be duly stamped from Time to Time such Sub-Standard Weights and Measures as may be transmitted to him for such Purpose; and any Inspector of Weights and Measures in any such County or Borough in whose Custody any Copy or Copies of the Imperial Standard Weights and Measures shall have been deposited, under the Provisions of the said first-recited Act, shall, within One Calendar Month after the Commencement of this Act, transmit the same to the Sub-Inspector appointed to have the Custody of the same, under the Provisions of this Act, subject to a Penalty for Neglect or Refusal not exceeding Ten Pounds.

Grand Jury and Town Council to provide One Set of Copies of Imperial Standards for each County or Borough, and also as many Sub-Standards as may be necessary.

7. It shall be lawful for the Grand Jury of each County and the Town Council of each Borough and they are hereby required to provide One complete Set of Copies of the Imperial Standard Weights and Measures for each such County or Borough respectively, where the same has not been already provided, and to have the same from Time to Time duly compared and re-verified in the Manner required by the Fifteenth Section of the said first-recited Act, and also to provide for each such County or Borough respectively as many Copies in Iron or other sufficient Material of the County Copies of the Imperial Standard Weights and Measures, and such accurate Beams and Scales, as shall be necessary for such County or Borough respectively; and such Inspector General may direct that such Copies shall be duly stamped by the Sub-Inspector of Constabulary in whose Custody any Copy or Copies of the Imperial Standard Weights and Measures shall have been placed, as herein-before mentioned, and the said last-mentioned Copies shall be called "The Sub-Standard Weights and Measures;" and such Grand Jury and Town Council shall also provide such good and sufficient Stamps for stamping or sealing Weights and Measures used or to be used in such County or Borough respectively as they shall consider to be necessary for such Purpose: Provided always, that not less than One Set of "The Sub-Standard Weights and Measures," and One Set of accurate Beams and Scales, shall be provided for each Petty Sessions District in any County, and not less than Two such Sets shall be provided for any Borough.

Ex-officio Inspectors of Weights and Measures may enter Shops, &c. to inspect Beams, &c.

8. It shall be lawful for every *ex-officio* Inspector of Weights and Measures, in addition to the Powers given to such Inspectors by the said first-recited Act, at all reasonable Times to enter into any Shop, Store, Warehouse, Yard, or Place within his Jurisdiction where Goods shall be purchased or exposed or kept for Sale, and there to inspect all Beams, Scales, Balances, and Weights and Measures, in the Possession of any Person purchasing, selling, offering, or exposing for Sale any Goods; and if upon such Inspection or Examination any such Beams, Scales, or Balances, or Weights or Measures, shall be found light or unjust, or otherwise contrary to the Provisions of the said Act of the Fifth and Sixth Years of King *William* the Fourth or this Act, or if any Fraud shall be wilfully committed in the using thereof, the same shall be liable to be seized and forfeited, and the Person or Persons using or having in his or her Possession any such false or unjust Beams, Scales, or Balances, or light or unjust Weights or Measures, shall be liable to any Penalty not exceeding Five Pounds as shall be adjudged by any Justice or Justices before whom any such Conviction shall take place.

Judge of Assize to order Copies of Standards, &c. in Counties in Ireland when it has not been done by Grand Juries.

9. The Judge of Assize before the Close of the Assizes which shall be held for any County in *Ireland* next after the Commencement of this Act, and at the First Assizes which shall be held in every succeeding Year, shall inquire of the Foreman of the Grand Jury whether One complete Set of such Copies of the Imperial Standard Weights and Measures and a sufficient Number of Sub-Standard Copies of Weights and Measures, Beams and Scales, and County Stamps, have been provided in such County; and in every Case in which it shall appear to such Judge, upon due Inquiry, that One Set at least of such Copies, and a sufficient Number of Sub-Standard Copies, Beams, Scales, and County Stamps, have not been so provided, such Judge shall forthwith order the Treasurer of the County to provide One complete Set of such Copies of the Imperial Weights and Measures, and such Number of Sub-Standard Weights and Measures, Beams and Scales, and County Stamps, as shall, subject to the Provisions herein-before contained, appear to such Judge to be sufficient for such County for the Purposes of this Act; and every such Order shall have the Effect of a Presentment on the County at large for such Sum as may be necessary to procure the same; and such Treasurer shall, within Three Calendar Months next

next after he shall receive such Order, fully execute the same, or failing so to do shall be liable to any Penalty not exceeding Twenty Pounds.

Chairman of Quarter Sessions to order Copies of Standard Weights and Measures in Boroughs within the County, in case it has not been done by Town Council.

10. The Chairman of Quarter Sessions for each County in *Ireland* at the Quarter Sessions of the Peace which shall be held for such County next after the Twenty-fifth Day of *March* in the Year One thousand eight hundred and sixty-three, and at such Quarter Sessions in every succeeding Year, shall inquire whether One complete Set of such Copies of the Imperial Standard Weights and Measures, and a sufficient Number of Sub-Standard Copies of Weights and Measures, Beams and Scales, and Borough Stamps, have been provided in each Borough within such County; and in every Case in which it shall appear to such Chairman, upon due Inquiry, that One Set at least of such Copies, and a sufficient Number of Sub-Standard Copies, Beams, Scales, and Borough Stamps, have not been so provided, such Chairman of Quarter Sessions shall forthwith order the Town Clerk or other proper Officer of such Borough to provide One complete Set of such Copies of the Imperial Standard Weights and Measures, and also such Number of Sub-Standard Weights and Measures, Beams and Scales, and Borough Stamps, as such Chairman shall think sufficient; and every such Order shall have the Effect of an Order of the Town Council of such Borough to raise such Amount by way of Rate in such Borough as may be necessary to procure a complete Set of such Copies of the Imperial Standard Weights and Measures, and also such Number of Copies of the Sub-Standard Weights and Measures, Beams and Scales, and Borough Stamps, as shall, subject to the Provisions herein-before contained, appear to such Chairman of Quarter Sessions to be sufficient, and as he shall direct; and such Town Clerk or other Officer shall, within Three Calendar Months next after he shall receive such Order, fully execute the same, or failing so to do shall be liable to any Penalty not exceeding Twenty Pounds: Provided always, that in any Borough in which no Rate is levied, and which Borough is liable to the Payment of County Cess, the Expenses incurred under the said recited Act or this Act shall be defrayed by the County in which the said Borough or the greater Part thereof is situate.

PART II.

Denominations of Weight and Mode of Weighing.

'And whereas it is expedient to abolish all local and customary Denominations of Weight, and to 'prohibit improper Deductions in weighing, and otherwise to regulate the Mode of weighing Articles 'sold:' Be it therefore enacted as follows:

Extent of Part II.

11. The Provisions of this Part of this Act shall extend and apply throughout *Ireland* to all Contracts, Bargains, Sales, and Dealings, save as herein-after excepted.

Contracts to be made by Denominations of Imperial Weight, otherwise to be void.

12. Every Contract, Bargain, Sale, or Dealing—

For any Quantity of Corn, Grain, Pulses, Potatoes, Hay, Straw, Flax, Roots, Carcases of Beef or Mutton, Butter, Wool, or dead Pigs, sold, delivered, or agreed for;

Or for any Quantity of any other Commodity sold, delivered, or agreed for by Weight (not being a Commodity which may by Law be sold by Troy Weight or by Apothecaries Weight),

shall be made or had by One of the following Denominations of Imperial Standard Weight; namely,

The Ounce Avoirdupois;
The Pound Avoirdupois of Sixteen Ounces;
The Stone of Fourteen Pounds;
The Quarter Hundred of Twenty-eight Pounds;
The Half Hundred of Fifty-six Pounds;
The Hundredweight of One hundred and twelve Pounds;
Or the Ton of Twenty Hundredweight;

and not by any local or customary Denomination of Weight whatsoever, otherwise such Contract, Bargain, Sale, or Dealing shall be void: Provided always, that nothing in the present Section shall be deemed to prevent the Use, in any Contract, Bargain, Sale, or Dealing, of the Denomination of the Quarter, Half, or other aliquot Part of the Ounce, Pound, or other Denomination aforesaid, or shall be deemed to extend to any Contract, Bargain, Sale, or Dealing relating to standing or growing Crops.

Mode of weighing. Deductions prohibited.

13. Every Article sold by Weight shall, if weighed, be weighed in full net standing Beam; and for the Purposes of every Contract, Bargain, Sale, or Dealing, the Weight so ascertained shall be deemed the true Weight of the Article, and no Deduction or Allowance for Tret or Beamage, or on any other Account, or under any other Name whatsoever, the Weight of any Sack, Bag, Cask, Firkin, or other Covering in which such Article may be alone excepted, shall be claimed or made by any Purchaser on any Pretext whatever, under a Penalty of not exceeding Five Pounds.

PART III.

Prevention of Frauds.

Penalty on counterfeiting of Brand.

14. If any Person commit any of the following Offences he shall for each Offence be liable to a Penalty not exceeding Five Pounds:

(1.) If he, with Intent to defraud, counterfeit or procure to be counterfeited any Brand or Stamp used by or under the Authority of the Owner or Lessee of a Market or Fair, or of any Person having

having by Law the Control of a Market or Fair, to denote the Weight, Measure, or Quality of any Article sold in the Market or Fair, or within the prescribed Limits, during the holding of the Market or Fair, or of any Cask, Firkin, or other Vessel, Covering, or Thing in which such Article is sold, or the Impression of any such Brand or Stamp:

(2.) Or, with the like Intent, use or procure to be used any such counterfeit Brand or Stamp or Impression:

(3.) Or, with the like Intent, alter an Impression of any such genuine Brand or Stamp:

(4.) Or, with the like Intent, have in his Possession anything having thereon an Impression of any such counterfeit Brand or Stamp, or a fraudulently altered Impression of any such genuine Brand or Stamp:

(5.) Or, with the like Intent, transfer or apply any Cask, Firkin, or other Vessel, Covering, or Thing, having thereon an Impression of any such genuine Brand or Stamp, to any Article other than that for denoting the Weight, Measure, or Quality whereof such Impression was made on such Cask, Firkin, or other Vessel, Covering, or Thing, or in any other Manner alter the *bonâ fide* Application of an Impression of any such genuine Brand or Stamp:

(6.) Or knowingly weigh or cause to be weighed, contrary to the Provisions of this Act, or act or assist in committing or connive at any Fraud respecting the weighing or the Weight or Measure of any such Article as in Part II. of this Act is mentioned:

(7.) Or, with Intent to defraud, alter any Ticket specifying the Weight of any such Article:

(8.) Or, with Intent to defraud, make or use, or be privy to the making or using, of any such Ticket, falsely stating the Weight of any such Article, or of any Covering, Cart, or Load:

(9.) Or shall dispose of, sell, or cause to be sold any Weight or Measure having a false or counterfeit Stamp, or a Stamp purporting to resemble a genuine Stamp.

Penalty for fraudulently increasing Weight of Butter in Casks.

15. If any Person shall wilfully pack up or mix, or cause to be packed up or mixed, with or in any Butter contained in any Firkin or Cask, any Salt, Pickle, or other Substance, with Intent to increase the Weight of such Butter, and shall bring or send any Butter so packed or mixed to any Market for Sale, he shall be liable to pay a Fine not exceeding Forty Shillings, or be imprisoned for any Period not exceeding One Month, as the Justice or Justices shall determine.

Penalty for fraudulently increasing Weight of Fleeces.

16. If any Person shall wind or cause to be wound in any Fleece any Wool not being sufficiently rivered or washed, or wind or cause to be wound within any Fleeces any deceitful Locks, Cots, Skin, or Lamb's Wool, or any Substance, Matter, or Thing whereby the Fleece may be rendered more weighty, to the Deceit and Loss of the Buyer, such Person shall be liable to a Penalty of Two Shillings for every Fleece so fraudulently made up.

PART IV.

General Provisions.

Penalties how recoverable.

17. Any Penalty recoverable under the Provisions of this Act shall be recoverable in a summary Way, with respect to the Police District of *Dublin* Metropolis, subject and according to the Provisions of any Act regulating the Powers and Duties of Justices of the Peace for such District, or of the Police of such District, and with respect to other Parts of *Ireland*, before a Justice or Justices of the Peace sitting in Petty Sessions, subject and according to the Provisions of "The Petty Sessions (*Ireland*) Act, 1851," and any Act amending the same.

14 & 15 Vict. c. 93.

Limitation of Proceedings for Penalties.

18. No Penalty imposed by Part Two or Part Three of this Act shall be recovered unless Proceedings for Recovery thereof are commenced within Three Months next after the Commission of the alleged Offence, or in case of a continuing Offence within Three Months after the alleged Offence has ceased to be committed.

Nothing to prevent Persons being indicted for Offences.

19. Nothing in this Act shall be taken to prevent any Person from being indicted for any indictable Offence made punishable on summary Conviction by this Act, or to prevent any Person from being liable under any other Act or otherwise to any other or higher Penalty or Punishment than is provided for any Offence by this Act, but so that no Person be punished twice for the same Offence.

CAP. LXXVII.

An Act to suspend the making of Lists and the Ballots for the Militia of the United Kingdom. [7th *August* 1862.]

[*Lists and Ballots for Militia suspended until October* 1, 1863.]

CAP. LXXVIII.

An Act for providing a further Sum towards defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of *Dover* and *Portland*, and of creating a Central Arsenal. [7th *August* 1862.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, having further considered the State, Condition, and Sufficiency of the Fortifications existing for the Defence of the United Kingdom, and being

being desirous to provide forthwith for the Construction of certain Works for the Defence of Your Royal Arsenals and Dockyards and the Ports of *Dover* and *Portland*, and for the Creation of a Central Arsenal, have cheerfully granted to Your Majesty the further Sum of One million two hundred thousand Pounds, to be paid out of the Consolidated Fund, towards defraying the Expenses incurred or to be incurred for those Purposes, and we have resolved that a Sum not exceeding the said Sum of One million two hundred thousand Pounds be raised by such Terminable Annuities as herein-after mentioned, and we do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Sum of 1,200,000*l.* to be issued out of Consolidated Fund towards Expenses after mentioned.

1. Towards defraying the Expenses herein-after mentioned any Sum or Sums not exceeding in the whole the Sum of One million two hundred thousand Pounds shall be issued and applied out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or the growing Produce thereof, and it shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to issue and apply the same accordingly.

Appropriation of the Money so issued to the Expenses of constructing Fortifications, and providing a Central Arsenal.

2. Such Sum or Sums as may be issued out of the Consolidated Fund or the growing Produce thereof, as aforesaid, shall be applied, as mentioned in the Schedule to this Act, towards defraying the Expenses incurred or to be incurred in constructing the aforesaid Fortifications and Works for the Defence of the Royal Arsenals and Dockyards of the United Kingdom (including the Naval Establishment at *Haulbowline*), and the Fortifications at *Dover* and *Portland*, and in providing a Central Arsenal, and in purchasing the Land and Rights in Land that may be required for the Purposes of such Fortifications, Works, and Arsenal; and the Commissioners of Her Majesty's Treasury shall from Time to Time apply such Sum or Sums accordingly: Provided always, that it shall not be lawful to apply any of such Sums to any Work not specifically named in the Schedule, nor to apply to any Work any greater Sum than that which is set down in the Schedule as the total estimated Cost of the Work, nor for Her Majesty's Principal Secretary of State for the War Department to enter into any Contract involving the Expenditure in any District of a greater Sum than is hereby and by the Act of the Twenty-third and Twenty-fourth Years of *Victoria*, Chapter One hundred and nine, authorized to be expended during the Period ending on the First Day of *August* One thousand eight hundred and sixty-three, without inserting in such Contract a Condition that the same shall not be binding on the said Principal Secretary until it has lain for One Month upon the Table of the House of Commons without Disapproval; and the said Contract shall have no Force or Validity until it shall have lain for One Month upon the Table of the House of Commons without Disapproval, unless previous to the Lapse of that Period such Contract shall have been approved by a Resolution of the said House.

Treasury to raise 1,200,000*l.* by creating Annuities for a Term not exceeding Thirty Years.

3. To provide for the Issues to be made out of the Consolidated Fund or the growing Produce thereof, and to repay to the Consolidated Fund the Amount which may have been previously so issued under this Act, or for either of those Purposes, it shall be lawful for the Commissioners of Her Majesty's Treasury at any Time or from Time to Time, after the passing this Act, to raise any Sum or Sums not exceeding in the whole the Sum of One million two hundred thousand Pounds, as herein-after mentioned; and for raising all or any Portions which may be so raised from Time to Time of the said Sum of One million two hundred thousand Pounds, it shall be lawful for the Commissioners of the Treasury to cause to be created, and vested in the Contributors to the said Sum or to the respective Portions thereof, Annuities for such Term not exceeding the Term of Thirty Years as the Commissioners of the Treasury may think fit to fix in the Contract with such Contributors, and to be payable half-yearly by equal Payments on the Fifth Day of *April* and the Tenth Day of *October*.

Treasury to fix the Term and Amount of Annuity to be granted to Contributors for every 100*l.* and Terms of Payment of Subscriptions.

4. It shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to contract, in such Manner and under such Regulations as they may deem advisable, with any Person or Persons, Body or Bodies Politic or Corporate, who may be willing to advance the whole or any Part of the said Sum of One million two hundred thousand Pounds, or of the Portion thereof which the said Commissioners may at any Time think it requisite to raise, and to appoint and fix the Amount and Times of Payment of Deposits and Instalments of or in respect of the Sums contracted to be advanced, and to declare and fix the Term and the Amount of Annuity to be created under this Act to which the several Persons and Corporations advancing such Sums (who are herein referred to as the Contributors), their respective Executors or Administrators, Successors or Assigns, shall be entitled in respect of each One hundred Pounds contributed and paid, and to appoint on which of the half-yearly Days herein-before mentioned the First Half Year's Payment of Annuity shall become due, and the Time or Times at which the said Annuities or proportional Amounts thereof shall be placed in the Books of the Bank of *England* to the Credit of the respective Contributors, their Executors, Administrators, Successors, and Assigns, and to fix the Time during which Receipts for such Deposits or Instalments as aforesaid shall be assignable; and the several Contributors, their Executors, Administrators, Successors, or Assigns, shall be entitled for every One hundred Pounds by them respectively advanced and paid to an Annuity for such Term and of such Amount as shall be so fixed by the Commissioners of the Treasury, to be payable during the Term so fixed by half-yearly Payments as aforesaid, the first half-yearly Payment to be due as the said Commissioners may have appointed as aforesaid.

5. It

Power to Guardians, &c. to subscribe for Infants.

5. It shall and may be lawful for any Guardian or Trustee having the Disposition of the Money of any Infant to contribute and pay for or towards advancing any Part of any Sum to be raised by Annuities in manner aforesaid; and such Infant, upon the Payment of such Sum or Sums subscribed by such Guardian or Trustee, shall become a Contributor within the Meaning of this Act, and be entitled to have and receive the Annuities, Advantages, and Payments in respect thereof, in such and the like Manner as any other Contributor; and such Guardian or Trustee, as to the said Sum or Sums so advanced, is hereby discharged, so as the Name of such Infant be expressed in the Receipt or Receipts for such Money.

Time at which Annuities may be transferred.

6. All Deposits, Instalments, and Sums to be paid by the Contributors, their Executors or Administrators, Successors or Assigns, in respect of any Portion of the said Sum of One million two hundred thousand Pounds, shall be paid to the Cashier or Cashiers of the Governor and Company of the Bank of *England;* and as soon as any Contributors, their Executors, Administrators, Successors, or Assigns, shall, after Payment of the required Deposit, have made due Payment of any subsequent Instalment payable by them respectively on the Days appointed by the said Commissioners of the Treasury towards a Sum raised under this Act, such Contributors may have a proportional Amount of the Annuities to which they may be entitled in respect of such Instalment forthwith placed in the Books of the Bank of *England* to the Credit of such respective Contributors, their Executors, Administrators, Successors, or Assigns, and on Payment of the last Instalment such Contributors, their Executors, Administrators, Successors, or Assigns, shall have a proportional Amount of like Annuities placed to their respective Credits corresponding, at the Rate aforesaid, to the aggregate Amount of the Deposit and of such last Instalment; and the Persons to whose Credit such Annuities, or such proportional Parts thereof, shall be so placed, their respective Executors, Administrators, Successors, and Assigns, shall have Power to assign and transfer the same, or any Part, Share, or Proportion thereof, to any other Person or Persons, Body or Bodies Politic or Corporate whatsoever, in the Books of the Bank of *England* (in such Manner as is herein-after directed); and the said Governor and Company of the Bank of *England* are hereby required, as soon as conveniently may be after Notice from the Commissioners of the Treasury for the Purpose, to prepare proper Books for the Purpose of entering the Names of all such Contributors, and of placing to their Credit the Annuities to which they will be entitled under this Act.

Contributors may anticipate Payments.

7. All such Contributors, their Executors, Administrators, Successors, or Assigns, who shall pay into the Hands of the said Cashier or Cashiers the whole of their respective Contribution Money, or any Part thereof, in anticipation of the Instalments appointed by the Commissioners of the Treasury, or any of them, shall be entitled to have forthwith inscribed into their respective Names the whole or such proportional Amount of the said Annuities; but Discount shall not be allowed on any such Payment in anticipation of any of the said Instalments.

Annuities payable, &c. at the Bank.

8. All the Annuities created under this Act shall be payable and paid and be transferable at the Bank of *England.*

Money to be issued out of the Consolidated Fund for Payment of Annuities and Charges, &c.

9. So much Money shall from Time to Time be set apart and issued at the Receipt of the Exchequer, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland,* to the said Cashier or Cashiers of the Governor and Company of the Bank of *England,* as shall be sufficient to satisfy and pay the said Annuities to be created under the Act, together with the Charges attending the same, and all the said Annuities shall be charged and chargeable upon and are hereby charged upon and made payable out of the said Consolidated Fund.

Bank of England to appoint a Cashier and an Accountant General, and the Treasury to order Money to be issued to the Cashier for Payment of Annuities.

10. For the more easy and sure Payment of the Annuities established by this Act, the said Governor and Company of the Bank of *England* and their Successors shall from Time to Time, until all the said Annuities shall have expired, appoint and employ One or more sufficient Person or Persons within their Office in the City of *London* to be their Chief or First Cashier or Cashiers, and One or other sufficient Person within the same Office to be their Accountant General; and so much of the Money by this Act to be set apart for the Purpose as shall be sufficient from Time to Time to answer the said Annuities and the Charges attending the same shall, by Order of the Commissioners of Her Majesty's Treasury, without any further Warrant to be sued for, had, or obtained in that Behalf, from Time to Time, at the respective Days of Payment in this Act appointed for Payment thereof, be issued and paid at the Receipt of the Exchequer to the said Chief or First Cashier or Cashiers of the said Governor and Company of the Bank of *England,* and their Successors for the Time being, by way of Imprest and upon Account for the Payment of the Dividends payable by virtue of this Act; and such Cashier or Cashiers to whom the said Money shall from Time to Time be issued shall from Time to Time, without Delay, pay the same accordingly, and render his or their Accounts thereof to the Commissioners for auditing the Public Accounts; and the said Accountant General for the Time being shall from Time to Time inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereto, in order to prevent any Fraud, Negligence, or Delay.

Cashier to give Receipts for Subscriptions, and pay the Money he re-

11. The Cashier or Cashiers of the Governor and Company of the Bank of *England* who shall receive any Deposits or Instalments from Contributors in respect of any Portion of the said Sum of One million two hundred thousand Pounds shall give a Receipt or Receipts in Writing to every such Contributor for all such Sums, and also Warrants for the proportional Amounts of Annuity to be created in respect of

ceives into the Exchequer.

of the Instalments intermediate between the Deposit and the last Instalment on the Payment of those Instalments respectively; and the Receipts and Warrants so to be given shall be assignable and transferable by Delivery thereof during such Time as shall have been fixed by the Commissioners of Her Majesty's Treasury, and no longer; and such Cashier or Cashiers shall give Security to the Satisfaction of the Commissioners of Her Majesty's Treasury for duly answering and paying into the Receipt of the Exchequer as after mentioned all the Monies which he or they shall hereafter receive from Time to Time of and for any Portion of the said Sum of One million two hundred thousand Pounds, and for accounting duly for the same, and for Performance of the Trust hereby in him or them reposed, and shall from Time to Time pay all such Monies as soon as he or they shall receive the same or any Part thereof, or within Five Days afterwards at the farthest, into and shall account for the same in the Exchequer, according to the due Course thereof.

The Money paid into the Exchequer to form Part of the Consolidated Fund.

12. All such Sums of Money as shall be from Time to Time paid into the Receipt of Her Majesty's Exchequer in respect of the said Sum of One million two hundred thousand Pounds, or any Portion thereof, raised by Annuities as aforesaid, shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

A Book to be kept in the Accountant General's Office for entering Contributors Names, and a Duplicate to be transmitted to the Exchequer.

13. In the Office of the Accountant General of the Governor and Company of the Bank of *England* for the Time being a Book or Books shall be provided and kept, in which the Names of the Contributors to any Portion of the said Sum of One million two hundred thousand Pounds, which may be raised under this Act, shall be fairly entered; which Book or Books the said respective Contributors, their respective Executors, Administrators, Successors, and Assigns, shall and may from Time to Time and at all seasonable Times resort to and inspect without any Fee or Charge; and the said Accountant General shall, at such Time or Times as may be directed by the Commissioners of the Treasury, transmit an attested Duplicate, fairly written on Paper, of the said Book or Books, into the Office of the Receipt of the Exchequer, there to remain for ever.

Subscriptions paid in part, and not completed, forfeited.

14. In case any such Contributors to any Portion of the Sum of One million two hundred thousand Pounds which may be raised under this Act, after having paid to the said Cashier or Cashiers any Sum or Sums of Money as a Deposit, at the Time and in the Manner appointed by the Commissioners of the Treasury, in part of the Sum or Sums so by them respectively subscribed, or their respective Executors, Administrators, Successors, or Assigns, shall not advance and pay to the said Cashier or Cashiers the Residue of the Sum or Sums so subscribed at the Times and in the Manner which shall have been appointed by the Commissioners of the Treasury, then and in every such Case such Deposit shall be forfeited for the Benefit of the Public, and all Right and Title to the said Deposit, and to the Annuity in respect thereof, shall be extinguished.

Annuities to be deemed Personal Estate.

15. All Persons and Corporations who shall be entitled to any of the Annuities which may be created under this Act, and all Persons and Corporations lawfully claiming under them, shall be possessed thereof as of a Personal Estate, which shall not be descendible to Heirs, nor liable to any Foreign Attachment by the Custom of *London* or otherwise.

Accountant General to keep Books for entering Transfers.

16. Books shall be constantly kept by the said Accountant General for the Time being, wherein all Assignments or Transfers of all Annuities created under this Act shall be entered and registered, which Entry shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers, or if such Parties be absent by their respective Attorney or Attorneys thereunto lawfully authorized in Writing under his or their Hand and Seal or Hands and Seals, to be attested by Two or more Witnesses; and the several Persons to whom such Transfers shall be made may respectively underwrite their Acceptance thereof; and no other Method of assigning and transferring the said Annuities, or any Part thereof, or any Interest therein, shall be good or available in Law; and no Stamp Duties whatsoever shall be charged on any of the said Transfers, any Law or Statute to the contrary notwithstanding.

Transfers not liable to Stamp Duties.

Power to Treasury to add Annuities created under this Act to Stock of existing terminable Annuities of like Duration.

17. Provided, That it shall be lawful for the Commissioners of Her Majesty's Treasury, if they think it expedient so to do, for raising all or any Portion of the said Sum of One million two hundred thousand Pounds, to contract and provide that all or any of the terminable Annuities to be created under the Provisions of this Act in respect of such Sum or Portion as aforesaid shall be consolidated with and deemed Part of the Joint Stock of the terminable Annuities created by the Act of the Session holden in the Eighteenth and Nineteenth Years of Her Majesty, Chapter Eighteen, or of the Joint Stock of any terminable Annuities transferable at the Bank of *England* and charged on the Consolidated Fund by the Authority of Parliament, for the same Term for the Time being unexpired, and payable on the same half-yearly Days as the Annuities which they may contract to create, and in every such Case the Annuities to be created under this Act shall be added to and form Part of the Joint Stock of the previously existing Annuities accordingly.

Allowance to Bank of England for the Expense of Management.

18. It shall be lawful for the Commissioners of Her Majesty's Treasury to direct the Payment out of the Consolidated Fund to the Governor and Company of the Bank of *England* of the Sum of Six hundred Pounds for the said Contributions as an Allowance for the Service, Pains, and Labour of the said Cashier or Cashiers employed in receiving, paying, and accounting for the same, and also for the Service, Pains, and Labour of the said Accountant General for performing the Trust reposed in him by this

this Act, which Allowance in respect of the Service, Pains, and Labour of the said Cashier or Cashiers and Accountant General of the said Governor and Company shall be for the Use of the said Governor and Company, and at their Disposal only.

Fortifications, &c. to be executed under the Direction of the Secretary for War.

19. The Fortifications, Works, and Central Arsenal, the Expenses of constructing and providing which are to be defrayed under this Act, shall be constructed and provided respectively under the Direction of Her Majesty's Principal Secretary of State for the War Department, and the Land to be purchased and acquired for the Purposes of such Fortifications, Works, and Central Arsenal shall be vested in the said Secretary of State on behalf of Her Majesty.

Accounts to be laid before Parliament.

20. The Commissioners of Her Majesty's Treasury shall in the Month of *April* in the Year One thousand eight hundred and sixty-three, and in every subsequent Year in which any Part of the said Sum of One million two hundred thousand Pounds shall be issued from the Consolidated Fund or raised by Annuities under this Act, cause to be prepared an Account of the Monies raised under this Act up to the First Day of that Month, and of the Amount of Annuities created in respect of the Money so raised, and of the Monies which shall have been issued out of the Consolidated Fund in respect of the Sum of One million two hundred thousand Pounds charged on that Fund under this Act up to the First Day of *April*, specially showing the Works or Purposes for or in respect of which the Monies may have been applied, and showing the Amount, if any, which may remain to be raised of the said Sum of One million two hundred thousand Pounds authorized to be raised under this Act, and the Amount, if any, remaining to be issued or applied of the said Sum of One million two hundred thousand Pounds charged on the said Consolidated Fund; and every such Account shall be laid before both Houses of Parliament forthwith after the Preparation thereof, or if Parliament be not sitting then within Fourteen Days after the next Meeting of Parliament.

Persons counterfeiting Receipts for Contributions, &c. guilty of Felony.

21. If any Person shall forge or counterfeit, or cause or procure to be forged or counterfeited, or shall willingly act or assist in the forging or counterfeiting, any Receipt or Receipts for the whole or any Part or Parts of the said Contributions towards any Sum raised under this Act, either with or without the Name or Names of any Person or Persons being inserted therein as the Contributor or Contributors thereto, or Payer or Payers thereof or of any Part or Parts thereof, or shall alter any Number, Figure, or Word therein, or utter or publish as true any such false, forged, counterfeited, or altered Receipt or Receipts, with Intent to defraud the Governor and Company of the Bank of *England* or any Body Politic or Corporate, or any Person or Persons whatsoever, every such Person so forging or counterfeiting or altering, or causing or procuring to be forged or counterfeited or altered, or willingly acting or assisting in the forging or counterfeiting, or altering, uttering, or publishing as aforesaid, shall be guilty of Felony, and being convicted thereof shall, at the Discretion of the Court, be liable to be kept in Penal Servitude for any Term not less than Three Years, or to be imprisoned, with or without Hard Labour, or with or without Solitary Confinement, for any Term not exceeding Two Years.

Bank to continue a Corporation till the Annuities hereby granted cease.

22. The said Governor and Company of the Bank of *England*, and their Successors, notwithstanding the Redemption of all or any of their own Funds, in pursuance of the Acts for establishing the same or any of them, shall continue a Corporation for the Purposes of this Act until the Annuities created under this Act shall cease.

SCHEDULE.

1. Station.	2. District.	3. Name of Work.	4. Estimated Cost of Works and Lands.	5. Estimated Expenditure upon the Works and Lands to 31 July 1862.	6. Amount proposed for Works 1862–3.	7. Further Amount required to complete the Works.
			£	£	£	£
Portsmouth -	Spithead -	Horse Sand Fort - -	260,000	15,000	18,000	823,000
		No Man's Land - -	290,000			
		Sturbridge - - -	306,000	6,000	1,000	—
	Needles -	Needles Battery - -	7,000	- - -	- - -	4,000
		Hatherwood - -	4,000	2,000	7,000	—
		Warden Point - -	9,000	2,500	12,000	15,500
		Cliff End - - -	30,000	- - -	8,000	22,000
		Golden Hill - -	30,000	13,000	25,000	70,000
		Hurst Castle - -	108,000	- - -	12,000	75,000
	Isle of Wight	Puckpool and St. Helen's Batteries.	87,000	25,000	40,000	30,000
		Sandown Bay Defences -	95,000	- - -	5,000	30,000
		Military Road, and Posts for Defence of South West Coast.	35,000			

Fortifications (Provision for Expenses).

1. Station.	2. District.	3. Name of Work.	4. Estimated Cost of Works and Lands.	5. Estimated Expenditure upon the Works and Lands to 31 July 1862.	6. Amount proposed for Works 1862–3.	7. Further Amount required to complete the Works.
			£	£	£	£
Portsmouth	Portsdown	Fort Wallington	75,000	10,000	20,000	45,000
		Fort Nelson	75,000	10,000	20,000	45,000
		Fort Southwick	85,000	10,000	20,000	55,000
		Fort Widley	75,000	10,000	20,000	45,000
		Fort Purbrook and Outworks	135,000	25,000	30,000	80,000
	Gosport	Gilkicker Battery	50,000	- - -	10,000	40,000
		Stokes Bay Line	40,000	26,000	5,000	9,000
		Fort Grange	60,000			
		Fort Rowner	60,000	100,000	55,000	25,000
		Fort Brockhurst	60,000			
	Gosport "Advance."	Fort Fareham	113,000	8,000	25,000	80,000
	Hilsea	Hilsea Lines	120,000	25,000	20,000	75,000
	Southsea	Eastney Batteries	15,000	7,000	6,000	2,000
		Lump's Battery	5,000	6,000	2,000	—
		Southsea Castle	35,000	- - -	5,000	30,000
Plymouth	Sea Defences	Picklecombe Battery	85,000	15,000	25,000	45,000
		Staddon Point Battery	80,000	5,000	20,000	55,000
		Breakwater Fort	145,000	10,000	25,000	110,000
		Drake's Island Battery	35,000	12,000	20,000	3,000
		Eastern King Battery	2,000	2,000	—	—
		Western King Battery	3,000	2,500	500	—
		Mount Edgecumbe Battery	8,000	2,000	5,000	1,000
	Staddon	Staddon Fort	93,000	33,000	50,000	85,000
		Fort Stamford	75,000			
	Maker	Knatterbury	5,000	- - -	- - -	5,000
		Whitesand Bay	10,000	4,000	6,000	—
		Cawsand Bay	10,000	5,000	5,000	—
		Maker Barracks	20,000	- - -	- - -	20,000
	North Eastern	North Eastern Defences	350,000	- - -	50,000	300,000
	Devonport	Devonport Lines	10,000	7,000	2,500	500
	Antony	Fort Tregantle	130,000	75,000	45,000	10,000
		Fort Scraesdon	130,000	30,000	40,000	60,000
Pembroke	Milford Haven	Stack Rock Fort	60,000	17,000	25,000	18,000
		South Hook Battery	30,000	8,000	15,000	7,000
		Hubberstone Battery	35,000	15,000	20,000	—
		Popton Battery	45,000	17,000	20,000	8,000
		Chapel Bay Battery	10,000	- - -	5,000	5,000
		Fort Scoveston (North of Milford Haven).	76,000	11,000	15,000	50,000
		Works to Southward of Milford Haven.	80,000	- - -	- - -	80,000
Portland	Portland	Verne Citadel, and Batteries connected therewith.	127,000	32,000	30,000	65,000
		Nothe Fort	80,000	20,000	30,000	30,000
		Breakwater Batteries	145,000	15,000	30,000	100,000
Gravesend	Thames	Coalhouse Fort	90,000	20,000	40,000	30,000
		Cliffe Fort	80,000	18,000	30,000	32,000
		Shornmead	80,000	12,000	30,000	38,000
Medway and Sheerness.	Sea Defences	Isle of Grain	85,000	30,000	40,000	15,000
		Garrison Point	80,000	6,000	30,000	44,000
		Hoo Fort	50,000	24,000	20,000	45,000
		Darnet Fort	59,000		20,000	
		Slough Battery	15,000	- - -	10,000	5,000
	Works in front of Mile Town.	Cheney Rock Battery	20,000	- - -	5,000	15,000
		Queenborough Battery	20,000	- - -	5,000	15,000
Chatham	Eastern	Eastern Defences	500,000	- - -	- - -	500,000
Dover	Dover	Castle Hill Fort	90,000	25,000	25,000	40,000
		Dover Castle	10,000	5,000	1,000	4,000
		Western Heights	149,000	60,000	64,000	25,000

Fortifications (Provision for Expenses). — *Coal Mines.*

1. Station.	2. District.	3. Name of Work.	4. Estimated Cost of Works and Lands.	5. Estimated Expenditure upon the Works and Lands to 31 July 1862.	6. Amount proposed for Works 1862–3.	7. Further Amount required to complete the Works.
			£	£	£	£
Cork - -	Cork - -	Spike Island Defences -	10,000	2,000	2,000	6,000
		Carlisle Fort - -	79,000	9,000	20,000	50,000
		Camden Fort - -	70,000	4,000	8,000	58,000
		Total Works - -	5,630,000	850,000	1,200,000	3,580,000
Lands - - - - - - - -			1,030,000	430,000		
Site for Central Arsenal - - - - - -			150,000	—		
Incidental Expenses to 31st July 1862 - - -			50,000	50,000		
		£	6,860,000	1,330,000		
Available from Amount provided by 23 & 24 Vict. c. 109. for Payments for Lands purchased, and incidental Expenses - - - - - - -			- - -	670,000		
		Provided for by 23 & 24 Vict. c. 109. - - - -		2,000,000		
		Total of this Enactment - - - - - -		1,200,000		
		Total of both Enactments - - - -		3,200,000		

CAP. LXXIX.

An Act to amend the Law relating to Coal Mines. [7th *August* 1862.]

'WHEREAS it is expedient to amend an Act passed in the Session holden in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and fifty-one, and intituled *An Act for the Regulation and Inspection of Mines*, and herein-after referred to as the "Principal Act:" Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 23 & 24 Vict. c. 151.

1. This Act shall apply only to Coal Mines and Ironstone Mines mentioned in the Seventh Section of the Principal Act. Application of Act.

2. The Expression "existing Mine" shall mean a Mine that is actually being worked at the Time of the passing of this Act: Interpretation of Terms.

The Expression "new Mine" shall mean a Mine opened after the passing of this Act, or an old Mine the working of which is begun afresh after the passing of this Act.

3. After the passing of this Act it shall not be lawful for the Owner of a new Mine, and after the First Day of *January* One thousand eight hundred and sixty-five it shall not be lawful for the Owner of an existing Mine to employ any Person in working within such Mine, or to permit any Person to be in such Mine for the Purpose of working therein, unless there are in communication with every Seam of such Mine for the Time being at work at least Two Shafts or Outlets, separated by natural Strata of not less than Ten Feet in Breadth, by which Shafts or Outlets distinct Means of Ingress and Egress are available to the Persons employed in the Mine; but it shall not be necessary for the Two Shafts or Outlets to belong to the same Mine, if the Persons therein employed have available Means of Ingress and Egress by not less than Two Shafts or Outlets, One or more of which may belong to another Mine. Prohibition of single Shafts.

This Section shall not apply to opening a new Mine for the Purpose of searching for or proving Minerals, or to any Working for the Purpose of making a Communication between Two or more Shafts, so long as not more than Twenty Persons are employed at any one Time in the said new Mine or Working.

4. If the Owner of any existing Mine objects, within such Time as is herein-after mentioned, in Writing addressed to One of Her Majesty's Principal Secretaries of State, that by reason of the Nature of the Mine, or from its being nearly exhausted, or from any other special Cause, he ought to be exempted from the Obligation of providing an additional Shaft or Outlet in pursuance of this Act, or that he cannot provide an additional Shaft or Outlet within the Time limited by this Act, a Reference shall be made to Arbitration as to whether the Owner ought or ought not, under the Circumstances, to provide an additional Shaft or Outlet, or ought or ought not to have an Extension of Time for providing an additional Shaft or Outlet: If the Result of the Arbitration is in favour of the Owner, he shall, as the Case requires, be relieved from the Obligation of providing an additional Shaft or Outlet, or have such Extension of Time granted to him for providing an additional Shaft or Outlet as may be determined Appeal by Owner of existing Mine to Arbitration.

mined by the Award: If the Result of the Arbitration be against the Owner, or if no Award is made by reason of any Default or Neglect on the Part of the Owner, he shall be bound to comply with the Provisions of this Act, in the same Manner as if this Section had not been enacted.

Mode of conducting Arbitrations.

5. Arbitrations, in pursuance of this Act, shall be conducted in manner directed by the Thirteenth Section of the Principal Act in Cases where the Owner, within the Twenty Days therein mentioned, objects to any Alterations in or Additions to Rules, or Rules by way of Substitution proposed by the Secretary of State; but no Objection made in pursuance of this Act by the Owner of an existing Mine shall be entertained unless it is made within the Times following; that is to say, if he claims to be exempted from the Obligation of providing an additional Shaft or Outlet in pursuance of this Act, within Six Calendar Months after the passing of this Act; and if he claims to have an Extension of Time for providing an additional Shaft or Outlet, within the Six Calendar Months immediately preceding the First Day of *January* One thousand eight hundred and sixty-five.

Power to enforce by Injunction Compliance with Act.

6. Any of Her Majesty's Superior Courts of Law or Equity may, upon the Application of the Attorney General acting on behalf of the said Secretary of State, prohibit by Injunction the working of any Mine in which any Person is employed in working, or is permitted to be for the Purpose of working, in contravention of the Provisions of this Act, and may award such Costs in the Matter of the Injunction as the Court thinks just; but this Section shall be without Prejudice to any other Remedy permitted by Law for enforcing the Provisions of this Act.

Agreements in contravention of Act illegal.

7. No Person shall be precluded by any Agreement made before the passing of this Act from doing such Acts as may be necessary for providing an additional Shaft or Outlet to a Mine where the same is required by this Act, or be liable under any Agreement to any Penalty or Forfeiture for doing such Acts as may be necessary in order to comply with the Provisions of this Act.

Construction of Act.

8. This Act shall be construed as One with the Principal Act, and the Powers hereby given shall be deemed to be in addition to and not in derogation of any Powers conferred by the Principal Act, and such last-mentioned Powers may be exercised in the same Manner as if this Act had not been passed.

CAP. LXXX.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland*; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia; and to authorize the Employment of the Non-commissioned Officers. [7th *August* 1862.]

[*This Act is to continue in force until September* 1, 1863.]

CAP. LXXXI.

An Act to make perpetual *An Act to amend the Procedure and Powers of the Court for Divorce and Matrimonial Causes.* [7th *August* 1862.]

'WHEREAS an Act passed in the Session of Parliament held in the Twenty-third and Twenty-fourth Years of the Reign of Her Majesty, Chapter One hundred and forty-four, and intituled '*An Act to amend the Procedure and Powers of the Court for Divorce and Matrimonial Causes*, is 'about to expire; and it is expedient to make the same perpetual:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

23 & 24 Vict. c. 144.

Recited Act made perpetual.

1. There shall be repealed the Eighth Section of the said Act, whereby it is provided that the same is to continue in force until the Thirty-first Day of *July* One thousand eight hundred and sixty-two and no longer, and the said Act shall be and is hereby made perpetual.

CAP. LXXXII.

An Act for the more economical Recovery of Poor Rates and other Local Rates and Taxes. [7th *August* 1862.]

'WHEREAS it is expedient to provide for the more economical Recovery of Poor Rates and other Local Rates and Taxes:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Consolidation of Proceedings for the Recovery of Rates.

1. Where any Number of Local Rates and Taxes, whether of the same or of different Kinds, are due from the same Person, the Rates and Taxes so due may be included in the same Information, Complaint, Summons, Order, Warrant, or other Document required by Law to be laid before Justices or to be issued by Justices, and every such Document as aforesaid shall, as respects each Rate or Tax comprised in it, be construed as a separate Document, and its Invalidity as respects any one Rate or Tax shall not affect its Validity as respects any other Rate or Tax comprised in it:

No

No Costs shall be allowed in respect of several Informations, Complaints, Summonses, Orders, Warrants, or other such Documents as aforesaid, in Cases where, in the Opinion of the Justices or Court having Jurisdiction over the said Costs, One Information, Complaint, Summons, Order, Warrant, or other Document as aforesaid might have sufficed, regard being had to the Provisions of this Act.

CAP. LXXXIII.

An Act to amend the Laws in force for the Relief of the destitute Poor in *Ireland*, and to continue the Powers of the Commissioners. [7th *August* 1862.]

'WHEREAS it is expedient to amend the Laws in force for the Relief of the destitute Poor in *Ireland*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

As to charging Expense of Relief to Electoral Divisions.

1. For the Purpose of charging the Expense of Relief to any Electoral Division, every Person making Application for Relief after the passing of this Act shall be deemed to have been resident in such Electoral Division in which, during the Period of Five Years next before his Application for Relief, he shall have been longest usually resident, whether by usually occupying any Tenement situate, or by usually sleeping, within such District: Provided always, that where any such Person shall not have occupied a Tenement or slept within any such Electoral Division for at least Two Years in the whole during the said Period of Five Years, the Expense of the Relief of such Person shall in such Case be borne by and charged against the whole Union in which he or she is relieved: Provided also, that where any Person chargeable to any Electoral Division shall have received Relief, and shall cease to be relieved, and shall thereafter within the Period of Twelve Months again begin to receive Relief, such last-mentioned Relief shall be chargeable on the Electoral Division to which such Person was in the first instance chargeable: Provided also, that the Cost for the Relief of destitute Poor who shall not have resided in the Union where such Relief is given for the last Five Years next previous to receiving such Relief shall be charged and chargeable according to the Provisions of an Act passed in the Tenth Year of Her present Majesty, intituled *An Act to make further Provision for the Relief of the destitute Poor in* Ireland: Provided also, that in estimating the Time of Residence in the Union or Electoral Division, Residence in the Workhouse shall be considered to be Residence in the Union, and also in the Electoral Division, if there be any such to which the Pauper during such Residence shall be chargeable, but shall not be considered to be Residence in the Electoral Division in which the Workhouse is situate unless the Pauper be chargeable to such Division.

Sect. 10 of 10 Vict. c. 31. repealed.

2. 'And whereas by an Act passed in the Tenth Year of the Reign of Her Majesty, Chapter Thirty-one, Section Ten, it is provided that no Person who shall be in the Occupation of any Land of greater Extent than the Quarter of a Statute Acre shall be deemed and taken to be a destitute poor Person under the Provisions of an Act passed in the Second Year of the Reign of Her Majesty, Chapter Fifty-six, for the more effectual Relief of the destitute Poor in *Ireland*, or of the Acts amending the same: And whereas it is expedient that the said Provision of the said Act should be repealed as far as relates to Relief within the Workhouse:' Therefore, from and after the passing of this Act the Tenth Section of the said Act passed in the Tenth Year of the Reign of Her Majesty, Chapter Thirty-one, shall be and the same is hereby repealed: Provided always, that any Person who shall be in Occupation of any Land of greater Extent than a Quarter of a Statute Acre, and who shall be considered by the Board of Guardians to require Relief, shall be relieved by them in the Workhouse, and not otherwise.

Power to Guardians to admit poor Persons requiring Medical or Surgical Aid into Hospitals.

3. 'And whereas the Guardians of the Poor of Unions in *Ireland* are empowered to admit into any Building provided by them for a Fever Hospital, or into any Part of the Workhouse appropriated by them, with the Consent of the Commissioners to that Purpose, poor Persons affected with Fever or other dangerous contagious Disease, and it is expedient to extend such Power:' Be it enacted, That it shall be lawful for such Guardians to admit into the Infirmary of the Workhouse any poor Persons requiring Medical or Surgical Aid in Hospital, and to provide for their Treatment and Maintenance therein, charging the Expense thereof on the Electoral Division or Union at large, as the Case may be, according to such Person's Chargeability by Residence under the Laws which are or shall be in force for the Relief of the destitute Poor in *Ireland*: Provided that no Person admitted to the Workhouse for Medical or Surgical Treatment in Hospital shall be required by the Guardians to be accompanied by any Member of his or her Family as a Condition of such Person's Admission into the Workhouse.

Poor Persons of sufficient Ability to pay the Cost of their Maintenance in a Hospital, or Part thereof appropriated to a

4. Every poor Person who shall be so admitted into the Infirmary of the Workhouse in pursuance of the Authority in that Behalf which is herein-before given, and every poor Person who shall hereafter be admitted into any Building provided by the Guardians of any Union for a Fever Hospital, or into any Part of the Workhouse appropriated as a Fever Hospital, who shall nevertheless be considered by the Guardians to be of sufficient Ability to pay the Cost of his or her Maintenance while in Hospital, or some Portion of such Cost, shall be required to repay such Proportion thereof as the Guardians shall determine; provided that such Proportion shall in no Case exceed the Average of the general Cost of Maintenance, Medical and Surgical Treatment in such Hospital or Infirmary; and all such Sums shall

be

Hospital, required to pay same.

be recoverable from such poor Persons, or from those liable by Law to maintain them, by the same Ways and Means as the Cost of Relief given by way of Loan is recoverable under the Acts in force for the Relief of the destitute Poor in *Ireland*; and all such Sums, or any Part thereof which shall be recovered, shall be lodged with the Treasurer of the Union, to the Credit of the Electoral Division chargeable for the Maintenance of such poor Person, or to the Credit of the Union, as the Case may be: Provided also, that for the Purpose of the Recovery of the Cost of Maintenance as aforesaid, every Master or Mistress shall be deemed liable to maintain his or her Domestic Servant so long as the Service shall continue, and also his or her Apprentice residing under his or her Roof.

As to Admission of Constabulary Patients.

5. On the Requisition of any Inspector or Sub-Inspector of Constabulary, or Head Constable in charge of a Station, it shall be lawful for the Board of Guardians to admit into the Workhouse Infirmary or Fever Hospital any Constable or Sub-Constable of the said Force, on Service within the Union, who shall be suffering from Fever or other Disease or bodily Injury requiring Treatment in Hospital; and every such Constable or Sub-Constable shall contribute the full average Cost of daily Maintenance and Establishment Charges, Medical and Surgical Treatment in such Hospital for the whole Term of his Continuance therein; and the Amount of such Cost may be recovered by the Guardians of the Union by the same Ways and Means as the Cost of Relief given by way of Loan is recoverable under the Acts in force for the Relief of the destitute Poor in *Ireland*.

Poor Persons claiming to pay Cost of their Maintenance not to be disfranchised.

6. Every poor Person admitted into the Fever Hospital or Infirmary of a Workhouse who shall on Admission claim to repay the entire Cost of his or her Maintenance therein, according to the full average Cost thereof, as herein-before stated, and every poor Person admitted into such Fever Hospital or Infirmary on whose Behalf the Person liable by Law to maintain such poor Person shall claim to repay the entire Cost of such Maintenance therein as aforesaid, and every Constable or Sub-Constable so admitted, shall be entered in a separate Register from that in which the other Persons admitted into the Workhouse are registered; and the Person so relieved and the Person so claiming shall not, after Payment of the said Charges of Maintenance, be subject to any Disfranchisement or Disability as Persons having received Relief from the Poor Rates; and such Register shall at all reasonable Times be open for the Inspection of those Persons who shall desire to examine or take Extracts from it, without any Charge for such Inspection or Extracts; and a Copy of such Register, or of any Part of it, signed by the Clerk of the Union, and under the Seal of the Board of Guardians, shall be legal Evidence of the Facts stated in such Copy in any Court of Record, without Proof of the Signature of the Clerk, or of the affixing of such Seal.

Guardians may send Inmates of Workhouse to Hospital or Infirmary.

7. It shall be lawful for the Guardians of any Union in Cases requiring special Treatment to send any Inmate or Inmates of the Workhouse of such Union requiring Medical or Surgical Treatment to any Hospital or Infirmary the Governor, Governors, or Managers of which shall be willing and able to receive such Inmate or Inmates, and to pay to the Governor, Governors, or Managers of such Hospital or Infirmary, out of the Rates of the Union or Electoral Division, as the Case may be, the Cost of the Maintenance and Treatment in such Hospital or Infirmary of the Persons so sent as aforesaid; and the Guardians may also pay out of the Rates of the Union the Cost of the Conveyance of such Persons from the Workhouse of the Union to such Hospital or Infirmary, and also the Cost of the Conveyance of such Persons, when discharged from such Hospital or Infirmary, to the said Workhouse; and the entire Cost of such Maintenance, Treatment, and Conveyance as aforesaid shall be deemed Part of the Cost of Maintenance and Treatment of such Inmate or Inmates in the Workhouse of such Union.

Guardians to have same Authority as Parents in Cases of Children under 15 Years of Age relieved without Parents.

8. Every Child under the Age of Fifteen Years, without a Parent, relieved in a Workhouse, shall be subject to the Authority of the Board of Guardians in the same Manner as such Child would be subject to the Authority of its Parents or Parent, if living together with such Parents or Parent, excepting as regards the Religious Denomination of such Child, and no such Child shall be discharged from the Workhouse otherwise than by the Order of the Board of Guardians; but nothing herein shall authorize the Detention of any Child without a Parent, if any Relative of such Child, who in the Opinion of the Board of Guardians shall be a fit Person to be intrusted with such Child, and of sufficient Ability to maintain such Child, shall claim its Discharge from the Workhouse for the Purpose of its being maintained out of the Workhouse otherwise than at the Charge of the Poor Rates.

Relief to Orphans and deserted Children.

9. 'And whereas it has been found that the Mortality among Infant Children admitted into Work-'houses without their Mothers is very large, and that in other respects the Workhouses are not well 'suited in all Cases for the Care and Nurture of such Children during Infancy; and it is therefore 'expedient to extend the Powers of Boards of Guardians for the Relief of destitute poor Children who 'are Orphans, or who have been deserted by their Parents:' Be it enacted, That it shall be lawful for the Board of Guardians to provide for the Relief of any Orphan or deserted Child out of the Workhouse, if they shall think fit to do so, by placing such Child out at Nurse, according to their Discretion; provided that no Child shall be placed out with any Person who does not profess the same Religion as that in which the Child has been registered: Provided that no Child shall continue to be so relieved after the Age of Five Years: Provided always, that the Guardians of the Poor may, with Consent of the Poor Law Commissioners, continue such Relief from Year to Year until the Child attain the Age of Eight Years, should the Guardians consider that such Extension of Outdoor Relief be necessary for the Preservation of the Child's Health.

10. From

Boards of Guardians to recover Costs of Maintenance of illegitimate Children in Poor-houses under Fourteen.

10. From and after the passing of this Act, when Oath shall have been made before any Two Justices of the Peace in Petty Sessions (which Oath the said Justices are hereby empowered to administer) by the Mother of any illegitimate Child, and the same shall have been supported by corroborative Evidence, it shall be lawful for the Boards of Guardians to recover from the putative Father the Cost of the Maintenance of such illegitimate Child during the Time that he is in receipt of Relief from the Poor Rates, and while under the Age of Fourteen; and such Cost of Maintenance, and the Costs of Suit, shall be recoverable by Process in the Name of the Guardians before the Barrister at Quarter Sessions from the Person who shall have been adjudged to be the Father of the Child.

As to Religious Education of Children the Religion of whose Parents is not known.

11. 'And whereas by the Act of the Second Year of the Reign of Her Majesty, intituled *An Act for 'the more effectual Relief of the destitute Poor in* Ireland, it is provided, that no Order of the Commissioners 'sioners nor any Byelaw shall authorize the Education of any Child in a Workhouse in any Religious 'Creed other than that professed by the Parents or Parent of the Child, and to which such Parents or 'Parent shall object, and in the Case of an Orphan to which the Guardian or Guardians, Godfather or 'Godmother, shall object; but no such Provision is made for the Case of a Child not being an Orphan, 'the Religion of whose Parents or Parent is unknown:' Be it enacted, That in every such last-mentioned Case the Guardian or Guardians, Godfather or Godmother of the Child, shall have the like Power to object as the Parents or Parent of a Child would have if living, or as the Guardian or Guardians, Godfather or Godmother, would have in the Case of an Orphan.

As to rating of unoccupied Buildings.

12. 'And whereas Doubts have existed as to the Liability of unoccupied Buildings to be rated in the 'Rates for the Relief of the Poor, and it is expedient to remove such Doubts:' Be it enacted, That from and after the passing of this Act the Guardians shall, in making every Rate for the Relief of the destitute Poor, specify on the Face thereof the Period for the Service of which the Rate is estimated to provide, and that when any Building liable to Assessment under the Provisions of the Acts for the Relief of the destitute Poor in *Ireland* is unoccupied at the Time of making any such Rate on the Electoral Division in which such Building shall be situate, the Board of Guardians shall in every such Case include such Building in the said Rate, describing it in the Column appropriated to the Name of the Occupier or immediate Lessor, as the Case may be, as "empty," and such Building shall be deemed to be rated to the Relief of the Poor as fully and effectually as if it had been occupied at the Time of the Rate made, and the Name of the Occupier or immediate Lessor inserted in the said Rate: Provided always, that if such Building shall continue to be unoccupied during the whole of the Period for which the Rate was estimated as aforesaid, the Rate so made on the said Building shall not be recoverable; provided also, that if after the making of the said Rate, and before the Expiration of the Period for which the Rate was so estimated as aforesaid, any Person or Persons shall occupy such Building for any Portion of such Period, the Board of Guardians shall be entitled to recover from the Occupier or the immediate Lessor, if he be liable to pay the same, a Portion only of the said Rate proportioned to the Time during which the said Building shall have been so occupied; and the same shall be recovered from the Occupier or immediate Lessor, as the Case may be, in the same Manner as if he had been originally rated for such Building, or, in default of Payment by such Occupier, from the subsequent Occupier of the Premises.

County Cess Collectors not to be entitled to collect Poor Rates in preference to other Persons. 1 & 2 Vict. c. 56.

13. From and after the passing of this Act, so much of the Act passed in the First and Second Years of Her Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in* Ireland, as provides that every Rate made on each Electoral Division shall and may, if any Collector for the Time authorized to collect the County Cess on any Part of such Electoral Division shall be approved of by the Commissioners, and shall give Security to the Satisfaction of the Commissioners, and shall accept such Salary or Allowance as shall be approved by the Commissioners for his Trouble in that Behalf, be levied by such Collector, who shall, so far as relates to the Collection of such Rate, be deemed a paid Officer of the Union within which such Electoral Division shall be situate, shall be and the same is hereby repealed; and from and after the passing of this Act it shall and may be lawful for the Guardians of any Union, subject to the Approval of the Commissioners, to appoint from Time to Time such and so many Persons as they may deem expedient to collect and levy the Rates so made on the several Electoral Divisions.

Not to affect District comprised in Dublin Rates Act. 12 & 13 Vict. c. 91.

14. Nothing herein-before contained regarding the rating of Premises or the Collection of Rates shall apply to Premises situate within the District for the Collection of Poor Rates as defined by the Act passed in the Session held in the Twelfth and Thirteenth Years of the Reign of Her Majesty, intituled *An Act to provide for the Collection of Rates in the City of* Dublin.

Non-occupying Ratepayers to give full Description of the Property in respect of which they claim to vote, and of their

15. No Ratepayer shall be entitled to vote in the Election of Guardians, either in Person or by Proxy, in respect of any Property not in his actual Occupation, or to give any Vote in addition to the Vote or Votes to which he would be entitled as an Occupier paying Rent equal to the net annual Value of the Property in his actual Occupation, unless he or his Proxy shall, One Month at the least previous to the Day on which he shall claim to vote, have given to the Guardians, or to some Person acting as Returning Officer, a Statement in Writing of the Name and Address of such Ratepayer, and the Description and local Situation of the Property in respect of which he claims to vote, specifying, in Cities, Towns, and their Suburbs having Streets and other Roadways, the Name of the Street or Roadway, and the Number

Interest therein.

of the House or Tenement, if any, and the Parish in which the Property is situate, and in other Places the Barony, Parish, and Townland, so that the Property may be ascertained and identified with reasonable Certainty, together with the Nature of the Interest of the Ratepayer therein, and its net annual Value over and above all Rents payable by him, and the Amount of Rent payable to him, and the Names of the Tenants or Occupiers by whom Poor Rates have been deducted from such Rent; and no such Proxy shall be entitled to claim to vote unless such Proxy shall have given to the Guardians, or some Person acting as Returning Officer, One Month at the least previous to the Day on which he shall claim to vote, the Original or an attested Copy of the Writing appointing such Proxy; and every such Claim to vote, whether by the Ratepayer or his Proxy, shall be executed in the Presence of a Justice of the Peace.

Limitation of Property and Proxy Claims.

16. No Claim of a Ratepayer to vote in the Election of Guardians, either in Person or by Proxy, in respect of any Property not in his actual Occupation, or to give a Vote or Votes in addition to the Vote or Votes to which he would be entitled as an Occupier paying Rent equal to the net annual Value of the Property in his Occupation, shall continue in force beyond the Period of Five Years from the Date on which he or his Proxy shall have given such Statement as aforesaid: Provided that every Appointment of a Proxy may be revoked at any Time; provided also, that no Person shall be entitled to vote as Proxy for more than Twenty Owners of Property in any One Electoral Division or Ward unless he be a Steward, Bailiff, Land Agent, or Collector of Rents for the Owners of Property for whom he may be appointed to vote.

Owners or immediate Lessors rated under Sects. 1 & 4 of 6 & 7 Vict. c. 92., Sect. 63. of 12 & 13 Vict. c. 91., and Sect. 10. of 12 & 13 Vict. c. 104. may vote as Occupiers.

17. 'And whereas Doubts have been entertained whether Owners or immediate Lessors of Property 'who are rated under the Provisions of the Act of the Sixth and Seventh Years of Her Majesty, Chapter 'Ninety-two, Sections One and Four, or under the Provisions of the Act of the Twelfth and Thirteenth 'Years of Her Majesty, Chapter Ninety-one, Section Sixty-three, or under the Provisions of the Act 'of the Twelfth and Thirteenth Years of Her Majesty, Chapter One hundred and four, Section Ten, 'are entitled to vote as Ratepayers in respect of Property for which they are so rated:' Be it enacted, That it shall be lawful for Owners or immediate Lessors who are so rated as aforesaid to vote, in Person or by Proxy, in the Election of Guardians in respect of the Property or Rent for which they are so rated, in the same Manner as Occupiers paying no Rent or paying Rent less than the net annual Value of the rateable Property, as the Case may be; provided that every such Owner or immediate Lessor or his Proxy shall have lodged a Statement in the Manner herein-before provided with reference to Persons claiming to vote in respect of Property not in their actual Occupation.

No Person to vote for a greater Amount of Rent than rateable Value.

18. No Person receiving Rent shall be entitled to vote as aforesaid in respect thereof for any greater Amount of Rent than the annual Value of the Property out of which such Claim arises, according to the Valuation of the same in the Survey or Valuation of rateable Hereditaments for the Time being in force in the Union.

Occupiers and immediate Lessors who are rated not to vote unless all Rates Six Months due have been paid.

19. 'Whereas it is provided by the said recited Act, that no Occupier paying Rent to any Landlord 'shall be entitled to vote under the Provisions of the said Act unless he shall have paid all the Poor 'Rates previously made and assessed upon him, except such as shall have been made or become due 'within the Six Calendar Months immediately preceding such voting; and it is expedient to extend 'the said Provision:' Be it enacted, That no Occupier rated to the Poor Rate shall be entitled to vote in that Capacity unless he shall have paid all the Poor Rates previously made and assessed upon him, except such as shall have been made or become due within Six Calendar Months immediately preceding such voting; and no Owner or immediate Lessor who is rated under the Provisions of the Act of the Sixth and Seventh Years of Her Majesty, Chapter Ninety-two, Sections One and Four, or the Act of the Twelfth and Thirteenth Years of Her Majesty, Chapter Ninety-one, Section Sixty-three, or the Act of the Twelfth and Thirteenth Years of Her Majesty, Chapter One hundred and four, Section Ten, and this Act, shall be entitled to vote in respect of the Property for which he is so rated, unless he shall have paid all the Rates made and assessed on him in respect of such Property, except such as shall have been made or become due within Six Calendar Months immediately preceding such voting.

Guardian elected for Two or more Divisions to notify for which he will act.

20. From and after the passing of this Act, in the event of any One Person being elected a Guardian by the Ratepayers of Two or more Electoral Divisions, Electoral Districts, or Wards, as the Case may be, he shall forthwith notify to the Returning Officer for which of such Electoral Divisions, Electoral Districts, or Wards, as the Case may be, he will choose to act as Guardian, which Notification shall be transmitted to the Commissioners by the Returning Officer of such Union; and the Commissioners shall thereupon take Order for a further Election of Guardian in the other of such Divisions, Districts, or Wards, as the Case may be.

Solicitors who are Guardians not to act for or against Board.

21. No Solicitor who is a Member of any Board of Guardians shall act professionally as Solicitor either for or against the Board of Guardians of which he is a Member; and every Solicitor so acting shall forfeit the Sum of One hundred Pounds, with full Costs of Suit, to any Person who shall sue for the same by Action of Debt in any of Her Majesty's Courts of Record in *Dublin*.

Paid Officers and others incapable of serving as Guardians.

22. No paid Officer engaged in the Administration of the Laws for the Relief of the Poor, or under the Act for the better Distribution, Support, and Management of Medical Charities in *Ireland*, nor any Person who, having been such paid Officer, shall have been dismissed within Five Years previously from such Office, shall be capable of serving as a Guardian; and no Person receiving any fixed Salary

or

or Emolument from the Poor Rates in any Union shall be capable of serving as a Guardian in such Union.

Burial Expenses of Persons dying unknown.

23. 'And whereas no legal Provision exists for the Burial of the Bodies of unknown Persons who 'have been drowned and cast ashore in *Ireland*, or who have otherwise perished and been found dead:' Be it enacted, That the Guardians of each Union in *Ireland* shall provide for the Burial of the dead Body of every such Person dying or found dead within such Union whose Family or Connexions shall not be known, and whose Body shall not be claimed by any Person for the Purpose of Burial, and shall charge the Expenses of such Burial on the Poor Rates of the Union: Provided that the Relieving Officer of the Union, with the Sanction of the Guardian or One of the Guardians of the Electoral Division in which such Person shall be found dead, shall proceed without Delay in the Burial of such dead Body, giving Notice to the Guardians of his Proceedings therein, and of the Expenses incurred by him as soon thereafter as may be practicable in each Case, such Expense in each Case not to exceed Seven Shillings and Sixpence.

Where no new Guardians nominated, old ones to remain in Office.

24. When, at the Expiration of the Year of Office of the Guardians of the Poor, no Nomination of a Guardian or Guardians for any Electoral Division shall have been made, the Guardian or Guardians of any such Electoral Division shall remain in Office for the ensuing Year, and have Power to exercise all the Functions of Guardians of the Poor, as if duly re-elected.

After Division of Electoral Divisions into Wards, Ratepayers under the last Rate may vote for Guardians.

25. 'Whereas under Provisions of an Act passed in the Second Year of the Reign of Her Majesty, 'Chapter One, the Commissioners are empowered to constitute certain Cities, Boroughs, and Towns 'Electoral Divisions into Wards for the Election of Guardians:' Be it enacted, That when the Commissioners shall have divided any Electoral Division into Wards as aforesaid, every Ratepayer who, under the last Rate made in any Union, shall have paid or contributed, or be liable to pay or contribute, Rate in respect of Property in any Ward, shall have a Vote or Votes for the Election of Guardians in such Ward according to the Scale of Votes provided by the Act of the First and Second Years of *Victoria*, Chapter Fifty-six.

Appointment of Commissioners administering Laws for Relief of Poor in Ireland acting under 10 & 11 Vict. c. 90., &c. further continued.

26. 'And whereas the Provisions of an Act of the Tenth and Eleventh Years of Her Majesty, 'Chapter Ninety, relating to the Constitution and Appointment of Commissioners for administering 'the Laws for the Relief of the Poor in *Ireland*, Secretaries, Inspectors, and other Officers, were 'continued from Time to Time, and by an Act passed in the Twenty-third and Twenty-fourth Years 'of Her Majesty, Chapter One hundred and forty-eight, such Provisions were further continued until 'the Twenty-third Day of *July* One thousand eight hundred and sixty-one, and thenceforth until the 'End of the present Session of Parliament; and it is expedient that the Commission for administering 'the Law for the Relief of the Poor in *Ireland*, as constituted under the said Act and an Act of the 'Fourteenth and Fifteenth Years of the Reign of Her Majesty, Chapter Sixty-eight, should be further 'continued for a limited Time:' Therefore the Commissioners appointed by Her Majesty, or to be appointed by Her Majesty, Her Heirs and Successors, under the Authority of the said last-mentioned Acts or either of them, together with every Person by the said Acts or either of them constituted by virtue of his Office such Commissioner, and every Inspector and other Officer and Person appointed or to be appointed by the Commissioners under the Provisions of the said recited Acts now in force, shall, unless he shall previously resign or be removed, or otherwise cease to hold his Office, be empowered to hold his Office and exercise the Powers thereof, under the said last-mentioned Acts or either of them, until the Twenty-third Day of *July* One thousand eight hundred and sixty-three, and thenceforth until the End of the then next Session of Parliament; and until the Expiration of the said Period it shall be lawful for Her Majesty, Her Heirs and Successors, from Time to Time, at Pleasure, to remove the Commissioner or Commissioners for the Time being appointed by Her Majesty, or to be appointed by Her Majesty, Her Heirs and Successors, under the said Acts or either of them, and upon every Vacancy in the Office of the Commissioner or Commissioners so appointed or to be appointed, either by Removal, Death, Resignation, or otherwise, to appoint, as in the said Acts or either of them is described, some other fit Person to the said Office.

CAP. LXXXIV.

An Act to continue the Duties of Excise on Sugar made in the United Kingdom, and to amend the Laws relating to the Duties of Excise. [7th *August* 1862.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards raising the necessary Supplies for defraying Your Majesty's public Expenses and making an Addition to the Public Revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the Duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Excise Duties on British Sugar continued,

1. The Duties of Excise on Sugar made in the United Kingdom specified in Schedule (B.) of the Act passed in the Twentieth and Twenty-first Years of Her Majesty's Reign, Chapter Sixty-one, shall be

tinued until 1st July 1863.

continued, and be levied and charged until the First Day of *July* One thousand eight hundred and sixty-three.

23 & 24 Vict. c. 114. not to affect any other Duties than the Excise Duties on Spirits.

2. 'And whereas an Act was passed in the Twenty-third and Twenty-fourth Years of Her Majesty's 'Reign, Chapter One hundred and fourteen, to reduce into One Act and to amend the Excise Regula- 'tions relating to the distilling, rectifying, and dealing in Spirits; and by the said Act certain Acts and 'Parts of Acts specified in Schedule (C.) thereto annexed were repealed, and Doubts may arise 'whether by such Repeal other Duties than those of Excise on Spirits and the Regulations for charging 'and collecting the same may not have been prejudiced or affected contrary to the true Intent and 'Meaning of the said last-recited Act:' Be it enacted and declared, That nothing in the said last-recited Act or the said Schedule contained shall be construed, deemed, or taken to have repealed or affected any Duties of Excise in force at the Time of the passing of the same Act, or the Regulations for charging or collecting the same, except as to the Duties of Excise on Spirits, and all such Duties and Regulations in force as aforesaid, except as aforesaid, are hereby declared to have remained and shall continue to be and remain in full Force and Effect, and the said Duties to have been and to be lawfully charged and chargeable in like Manner as they would have been if the said last-recited Act had not been passed, unless or until the same have been or shall be otherwise expressly repealed.

CAP. LXXXV.

An Act to facilitate the Transmission of Moveable Property in *Scotland*. [7th *August* 1862.]

'WHEREAS it is expedient to facilitate the Transmission of Moveable Estate in *Scotland*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Personal Bond or Conveyance of Moveable Estate may be assigned in the Form set forth in Schedule A.

1. From and after the passing of this Act, it shall be competent to any Party, in right of a Personal Bond or of a Conveyance of Moveable Estate, to assign such Bond or Conveyance by Assignation in or as nearly as may be in the Form set forth in Schedule A. hereto annexed; and it shall be competent to write the Assignation or Assignations on the Bond or Conveyance itself in or as nearly as may be in the Form set forth in Schedule B. hereto annexed; which Assignation shall be registrable in the Books of any Court, in Terms of any Clause of Registration contained in the Bond or Conveyance so assigned; and such Assignation, upon being duly stamped and duly intimated, shall have the same Force and Effect as a duly stamped and duly intimated Assignation according to the Forms at present in use.

Certified Copy to be delivered to Person or Persons to whom Intimation may in any Case be requisite.

2. An Assignation shall be validly intimated (1) by a Notary Public delivering a Copy thereof, certified as correct, to the Person or Persons to whom Intimation may in any Case be requisite, or (2) by the Holder of such Assignation, or any Person authorized by him, transmitting a Copy thereof certified as correct by Post to such Person; and (in the First Case) a Certificate by such Notary Public in or as nearly as may be in the Form set forth in Schedule C. hereto annexed, and (in the Second Case) a written Acknowledgment by the Person to whom such Copy may have been transmitted by Post as aforesaid of the Receipt of the Copy, shall be sufficient Evidence of such Intimation having been duly made: Provided always, that if the Deed or Instrument containing such Assignation shall likewise contain other Conveyances or Declarations of Trust Purposes, it shall not be necessary to deliver or transmit a full Copy thereof, but only a Copy of such Part thereof as respects the Subject Matter of such Assignation.

As to Transmission of Personal Bond, &c.

3. Nothing in this Act contained shall prevent the Transmission of any Personal Bond or Conveyance of Moveable Estate, or the Intimation of any Assignation according to the Forms at present in use.

Interpretation of Terms.

4. The following Words in this Act, and in the Schedules annexed to this Act, shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say, the Word "Bond" and the Word "Conveyance" shall extend to and include Personal Bonds for Payment or Performance, Bonds of Caution, Bonds of Guarantee, Bonds of Relief, Bonds and Assignations in Security of every Kind, Decreets of any Court, Policies of Assurance of any Assurance Company or Association in *Scotland*, whether held by Parties resident in *Scotland* or elsewhere, Protests of Bills or of Promissory Notes, Dispositions, Assignations, or other Conveyances of Moveable or Personal Property or Effects, Assignations, Translations, and Retrocessions, and also Probative Extracts of all such Deeds from the Books of any competent Court; the Word "Assignation" shall also include Translations and Retrocessions, and Probative Extracts thereof; the Words "Moveable Estate" shall extend to and include all Personal Debts and Obligations, and Moveable or Personal Property or Effects of every Kind.

Short Title.

5. This Act may be cited for all Purposes as the "Transmission of Moveable Property (*Scotland*) Act, 1862."

SCHEDULES referred to in the foregoing Act.

SCHEDULE A.

I *A.B.*, in consideration of, *&c.* [*or otherwise, as the Case may be*], do hereby assign to *C.D.* and his Heirs or Assignees [*or otherwise, as the Case may be,*] the Bond [*or other Deed, describing it,*] granted by

by *E.F.*, dated *&c.*, by which [*here specify the Nature of the Deed, and specify also any connecting Title, and any Circumstances requiring to be stated in regard to the Nature and Extent of the Right required.*] In witness whereof, *&c.*

[*Insert Testing Clause in usual Form.*]

SCHEDULE B.

I *A.B.*, in consideration of, *&c.* [*or otherwise, as the Case may be,*] do hereby assign to *C.D.* and his Heirs or Assignees [*or otherwise, as the Case may be,*] the foregoing [*or within-written*] Bond [*or other Writ or Deed, describing it,*] granted in my Favour [*or otherwise, as the Case may be, specifying any connecting Title, and any Circumstances requiring to be stated in regard to the Nature and Extent of the Right assigned*]. In witness whereof, *&c.*

[*Insert Testing Clause in usual Form.*]

SCHEDULE C.

I (*A*) of the City of Notary Public, do hereby attest and declare, That upon the Day of and between the Hours of and I duly intimated to *B.* [*here describe the Party*] the within written Assignation [*or otherwise, as the Case may be*], *or* an Assignation granted by [*here describe it*], and that by delivering to the said *A.* personally [*or otherwise*] by leaving for the said *A.* within his Dwelling House at *E.*, in the Hands of [*here describe the Party*], a full Copy thereof, [*or if a partial Copy here quote the Portion of the Deed which has been delivered*], to be given to him; all of which was done in presence of *C.* and *D.* [*here name and describe the Two Witnesses*], who subscribe this Attestation along with me. In witness whereof.

[*Insert Testing Clause in usual Form, to be subscribed by the Party and the Two Witnesses.*]

CAP. LXXXVI.

An Act to amend the Law relating to Commissions of Lunacy and the Proceedings under the same, and to provide more effectually for the visiting of Lunatics, and for other Purposes.

[7th *August* 1862.]

'WHEREAS it is expedient to amend the Law relating to Commissions of Lunacy and the Proceedings under the same, and to provide more effectually for the visiting of Persons found lunatic by Inquisition, and to make the other Provisions herein-after contained with respect to certain Officers in Lunacy, and otherwise:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited as "The Lunacy Regulation Act, 1862."

Interpretation.

2. In this Act, unless there be something in the Subject Matter or Context repugnant to the Construction, the following Terms shall have the Meanings herein-after assigned to them:

Act to be construed as Part of Lunacy Regulation Act, 1853. 16 & 17 Vict. c. 70.

The Expression "the Lord Chancellor intrusted as aforesaid" and the several other Expressions and Words mentioned and referred to in the Second Section of the Act passed in the Session of Parliament holden in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, Chapter Seventy, intituled *An Act for the Regulation of Proceedings under Commissions of Lunacy, and the Consolidation and Amendment of the Acts respecting Lunatics so found by Inquisition and their Estates*, shall be read and construed according to the Interpretations thereof contained in the said Section:

And generally the Provisions of the said Act (except so far as the same are altered by or are inconsistent with this Act) shall extend and apply to the several Cases and Matters provided for by this Act, in the same Way as if this Act had been incorporated with and had formed Part of the said Act.

Nature and Limit of Inquiry under Commissions of Lunacy.

3. The Inquiry to be made under every Order for Inquiry or Commission of Lunacy or Issue shall be confined to the Question whether or not the Person who is the Subject of the Inquiry is at the Time of such Inquiry of unsound Mind, and incapable of managing himself or his Affairs, and no Evidence as to anything done or said by such Person, or as to his Demeanour or State of Mind at any Time being more than Two Years before the Time of the Inquiry, shall be receivable in Proof of Insanity on any such Inquiry, or on the Trial of any Traverse of an Inquisition, unless the Judge or Master shall otherwise direct.

Inquiries before a Jury to be made by means of an Issue to One of the Superior Courts of Common Law.

4. Wherever, under the said Act, the Lord Chancellor intrusted as aforesaid shall order an Inquiry before a Jury, he may by his Order direct an Issue to be tried in One of Her Majesty's Superior Courts of Common Law at *Westminster*, and the Question in such Issue shall be, whether the alleged insane Person is of unsound Mind and incapable of managing himself or his Affairs; and the Provisions of the said Act with respect to Commissions of Lunacy, and Orders for Inquiry to be tried by a Jury, and the Trial thereof, and the Constitution of the Jury, shall apply to any Issue to be directed as aforesaid, and the Trial thereof, and subject thereto such Issue and the Trial thereof shall be regulated by the Act of the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter One hundred and nine,

 intituled

intituled *An Act to amend the Law concerning Games and Wagers*, and the Verdict upon any such Issue, finding the alleged insane Person to be of unsound Mind and incapable of managing himself or his Affairs, shall have the same Force to all Intents and Purposes as an Inquisition under a Commission of Lunacy, finding a Person to be of unsound Mind and incapable of managing himself or his Affairs, returned into the Court of Chancery.

Reference in other Acts to Inquisition to apply to Verdict on Issue.

5. Where in any Act of Parliament, Order, Rule of Court, or Instrument Reference is made to a Commission of Lunacy, or the Inquisition thereon, the Issue hereby authorized to be directed, and the Verdict thereon, operating as an Inquisition, shall be deemed to be intended by or comprehended in the Reference.

Examination of alleged Lunatic on the holding of the Inquisition.

6. On the Trial of every such Issue as last aforesaid the alleged insane Person shall, if he is within the Jurisdiction, be examined before the taking of the Evidence is commenced, and at the Close of the Proceedings, before the Jury consult as to their Verdict, unless the presiding Judge shall otherwise direct; and such Examinations of the alleged insane Person shall take place either in open Court or in private as such Judge shall direct.

No Traverse of an Inquisition made by One of the Judges of the Superior Courts and by a Jury to be granted, but new Trial may be ordered by the Lord Chancellor.

7. No Person shall be entitled to a Traverse of any Inquisition made under any such Order as aforesaid upon the Oath of a Jury; but it shall be lawful for the Lord Chancellor intrusted as aforesaid, if he shall think fit, upon a Petition being presented to him within Three Months next after the Trial of any such Issue, to order that a new Trial shall be had of such Issue or a new Inquiry made as to the Insanity of such Person, subject to such Directions and upon such Conditions as to the Lord Chancellor intrusted as aforesaid may seem proper.

Sections One hundred and forty-eight, One hundred and forty-nine, and One hundred and fifty of the said Act (which Sections relate to Petitions and Orders for the Traverse of Inquisitions) shall not apply to any Case coming within the last preceding Section of this Act.

Section One hundred and fifty-one of the said Act shall apply to all Proceedings taken, Orders made, and Things done, pending a new Trial or new Inquiry or the Petition for the same, in the same Manner as is provided by the said Section with respect to such Matters pending a Traverse or the Petition for the same.

Demand of Inquiry by Jury.

8. And with reference to Inquiries before the Master without a Jury, and the Right of the alleged Lunatic to demand an Inquiry by a Jury, be it enacted, upon the Hearing of any Petition for Inquiry it shall be lawful for the alleged Lunatic, by himself, his Counsel or Solicitor, orally, or by Petition addressed to the Lord Chancellor intrusted as aforesaid, to demand an Inquiry by a Jury, and such Demand shall have the same Effect as if made by Notice filed with the Registrar in accordance with the Provisions of the said Act.

Demand of Inquiry by Jury may be withdrawn.

9. Upon such Hearing the alleged Lunatic may, by himself, his Counsel or Solicitor, orally, or by Petition as aforesaid, withdraw any Notice of demanding an Inquiry by a Jury previously filed by him.

Commission may be superseded on Conditions.

10. And with respect to the superseding of Commissions, be it enacted, That if it shall appear to the Lord Chancellor that it is not expedient or for the Benefit of the Lunatic that the Commission should be unconditionally superseded, but that same should be superseded on Terms and Conditions, he may, upon the Consent of the Lunatic and such other Persons, if any, whose Consent he may deem necessary, order the Commission to be superseded upon such Terms and Conditions as he shall think proper; and all the Provisions contained in "The Lunacy Regulation Act, 1853," in relation to the superseding of the Commission in Cases where a Traverse has been applied for, and to the Proceedings for the fulfilling of such Terms and Conditions, shall apply to all Cases in which the Commission shall be superseded upon Terms and Conditions under the Provisions herein contained.

Lord Chancellor may order Costs.

11. It shall be lawful for the Lord Chancellor intrusted as aforesaid to order the Costs, Charges, and Expenses of and incidental to the Presentation of any Petition for a Commission in the Nature of a Writ De lunatico inquirendo, or for any Order of Inquiry under "The Lunacy Regulation Act, 1853," and of and incidental to the Prosecution of any Inquiry, Inquisition, Issue, Traverse, or other Proceeding consequent upon such Commission or Order, to be paid either by the Party or Parties who shall have presented such Petition, or by the Party or Parties opposing such Petition, or out of the Estate of the alleged Lunatic, or partly in one way and partly in another, as the Lord Chancellor intrusted as aforesaid shall in each Case think proper; and such Order shall have the same Force and Effect as Orders for the Payment of Money made by the High Court of Chancery in Cases within its Jurisdiction.

As to Property in insane Persons when of small Amount.

In order that the Property of insane Persons when the same is of small Amount may be applied for their Benefit in a summary and inexpensive Manner, be it enacted as follows:

Power to Lord Chancellor, where Property of Lunatic does not exceed 1,000*l.* in Value or 50*l.* per Ann.,

12. Where, by the Report of One of the Masters in Lunacy or of the Commissioners in Lunacy, or by Affidavit or otherwise, it is established to the Satisfaction of the Lord Chancellor intrusted as aforesaid that any Person is of unsound Mind and incapable of managing his Affairs, and that his Property does not exceed One thousand Pounds in Value, or that the Income thereof does not exceed Fifty Pounds *per Annum*, the Lord Chancellor intrusted as aforesaid may, without directing any Inquiry under a Commission of Lunacy, make such Order as he may consider expedient for the Purpoes of rendering the Property of such Person, or the Income thereof, available for his Maintenance or

Benefit

Benefit or for carrying on his Trade or Business: Provided nevertheless, that the alleged insane Person shall have such personal Notice of the Application for such Order as aforesaid as the Lord Chancellor shall by General Order to be made as after mentioned direct.

to apply it for his Benefit in a summary Manner, &c.

13. For the Purpose of giving effect to any such Order as is mentioned in the last preceding Section the Lord Chancellor intrusted as aforesaid may order any Land, Stock, or other Property of such Person as aforesaid to be sold, charged by way of Mortgage, or otherwise disposed of, and a Conveyance, Transfer, Charge, or other Disposition thereof to be executed or made by any Person on his Behalf, and may order the Proceeds of any such Sale, Charge, or other Disposition, or the Dividends or Income of such Land, Stock, or Property to be paid to any Relative of such insane Person, or to such other Person as it may be considered proper to trust with the Application thereof, to be by him applied in the Maintenance or for the Benefit of the insane Person, or of him and his Family, either at the Discretion of such Relative or Person, or in such Manner, and subject to such Control, and with or without such Security for the Application thereof, as the Lord Chancellor intrusted as aforesaid may direct; and for the Purpose above mentioned the Lord Chancellor intrusted as aforesaid shall have all the same Powers with respect to the Transfer, Sale, and Disposition of, and otherwise respecting, the Real and Personal Property of such Person as aforesaid as if he had been found lunatic by Inquisition.

Power to sell Land or other Property of Lunatic for his Benefit.

14. The Lord Chancellor may from Time to Time make such General Orders as he may think fit for regulating the Procedure to be adopted and the Duties to be performed by the Masters and Officers in Lunacy for obtaining such Reports as aforesaid, and for carrying the Objects of the Two last preceding Sections into effect, and for vesting in such Masters and Officers such Powers as the Lord Chancellor may consider expedient for the Purposes aforesaid.

Power to make General Orders, to carry into effect the last preceding Section.

15. Where any Person has, on the Trial of any Indictment, been acquitted on the Ground of Insanity, it shall be lawful for the Lord Chancellor intrusted as aforesaid, on being satisfied by Affidavit or otherwise of the continued Insanity of such Person, and of his being still in Confinement, to make any such Order with respect to the Property of such Person, and the Application thereof for his Maintenance or Benefit, or that of his Family, or for carrying on his Trade or Business, as is mentioned in the Three last preceding Sections of this Act.

Power to apply Property of Persons acquitted on the Ground of Insanity for their Benefit.

Charging Orders.

And for the Purpose of extending the Powers over the Property of Lunatics given by Section One hundred and sixteen of the said Act, be it enacted as follows:

16. Where it appears to the Lord Chancellor intrusted as aforesaid to be for the Lunatic's Benefit, he may by Order direct any Estate or Interest of the Lunatic in Land or Stock, either in possession, reversion, remainder, contingency, or expectancy, and either existing or which may exist at any future Time, to stand and be charged with any Monies advanced or to be advanced, or due or to become due, to any Person for or in respect of any of the Purposes or Matters mentioned in the said Section, and either with or without Interest on such Monies; and he may also by Order direct any such Estate and Interest to be dealt with and disposed of in such Manner as he shall consider expedient for any of the Purposes aforesaid, or for securing any Monies advanced or to be advanced for such Purposes or any of them, and with or without Interest for the same; and every Charge and Disposition directed or made by or in pursuance of any such Order shall be valid and effectual to all Intents and Purposes, and shall take effect accordingly, subject only to any prior Charge to which the Estate or Interest affected thereby may at the Date of such Order be subject.

Extending Powers of charging Lunatic's Property for his Maintenance, Debts, and Costs.

General.

17. Every Conveyance, Transfer, Charge, or other Disposition made or executed by virtue of this Act, and every Payment made in pursuance of this Act, shall be valid to all Intents, and binding upon all Persons whomsoever; and this Act shall be a full Indemnity and Discharge to the Governor and Company of the Bank of *England*, their Officers and Servants, and all other Persons respectively, for all Acts and Things done or permitted to be done in pursuance thereof, or of any Order of the Lord Chancellor intrusted as aforesaid made or purporting to be made under this Act; and such Acts and Things respectively shall not be questioned or impeached in any Court of Law or Equity to their Detriment.

All Deeds, &c. made in pursuance of this Act to be binding. Indemnity to the Bank of England, &c.

18. To give further and better Effect to the Fifty-fifth, Fifty-sixth, and Sixtieth Sections of the said Act, respecting the Attendance of Witnesses before the said Masters, the Masters may in the Matter of any Lunatic or alleged Lunatic compel by Summons the Attendance of any Person to give Evidence before them, whether such Person has or has not previously given Evidence by Affidavit; and every Person so summoned shall be bound to attend as required by the Summons, and give Evidence before the said Masters, in like Manner as is provided by the Sixtieth Section of the said Act in the Case of Persons who have given Evidence by Affidavit.

Power to Masters to summon Witnesses.

Visiting.

And with respect to the visiting of Lunatics, be it enacted as follows:

19. It shall be the Duty of the Visitors to visit Persons of unsound Mind within the Meaning of this Act at such Times and in such Rotation and Manner, and to make such Inquiries and Investigations as to their Care and Treatment and mental and bodily Health, and the Arrangements for their Maintenance and Comfort, and otherwise respecting them, as the Lord Chancellor shall by General Orders, or as the Lord Chancellor intrusted as aforesaid shall by Special Order in any particular Case from Time to Time direct.

Duties of Visitors.

20. Pro-

All Lunatics to be visited Four Times a Year.

20. Provided always, That from and after the First Day of *October* next every Lunatic shall be personally visited and seen by One of the said Visitors Four Times at least in every Year, and such Visits shall be so regulated as that the Interval between successive Visits to any such Lunatic shall in no Case exceed Four Months: Provided always, that Lunatics who are resident in licensed Houses, Asylums, or registered Hospitals shall not necessarily be visited by any of the said Visitors more than once in the Year, unless the Lord Chancellor intrusted as aforesaid shall otherwise direct.

Visitors also to visit alleged Lunatics, and make a Report, &c. to the Lord Chancellor.

21. The Visitors shall also visit such Persons alleged to be insane, and shall make such Inquiries and Reports in reference to them as the Lord Chancellor intrusted as aforesaid may direct, and at the Expiration of every Six Calendar Months they shall report to the Lord Chancellor the Number of Visits which they shall have made, the Number of Patients they shall have seen, and the Number of Miles they shall have travelled during such Months, and shall on the First Day of *January* in each Year make a Return to the Lord Chancellor of all Sums received by them for travelling Expenses, or upon any other Account; and a Copy of such Reports, showing the Number of Visits made, the Number of Patients seen, and the Number of Miles travelled, and also a Copy of such Return of Sums received for travelling Expenses, or upon any other Account, shall be laid before Parliament on or before the First Day of *February* in each Year, if Parliament be then sitting, and if not, within Twenty-one Days next after the Commencement of the next Session of Parliament.

16 & 17 Vict. c. 70. ss. 104, 105. repealed.

22. Sections One hundred and four and One hundred and five of the said Act (which Sections relate to the visiting of Lunatics) are hereby repealed.

Officers in Lunacy.

Lord Chancellor may allow Pensions to present Visitors.

23. The Lord Chancellor may, if he shall so think fit, on a Petition presented to him for that Purpose, order Annuities, not exceeding One Half of their respective Salaries, to be paid to the present Medical Visitors or either of them, in case they or either of them shall be desirous of retiring from the Offices held by them, they having already attained the respective Ages of Seventy-eight and Eighty-one Years, and having served as such Medical Visitors for Twenty-eight and Twenty Years respectively.

Visitors to hold Office during good Behaviour, and to receive Salaries, &c.

24. The Medical Visitors to be hereafter appointed and the Legal Visitor shall hold their Offices during their good Behaviour, but may be removed therefrom by the Lord Chancellor in case of Misconduct or Neglect in the Discharge of their Duties, or of their being disabled from performing the same, and they shall receive Salaries of Fifteen hundred Pounds each, and shall not be in any way engaged in the Practice of their respective Professions.

Clerks to the Visitors.

25. Such Clerks to the Visitors may from Time to Time be appointed by the Lord Chancellor and at such Salaries as the Lord Chancellor, with the Approbation of the Commissioners of Her Majesty's Treasury, shall from Time to Time direct: So much of Section Twenty-three of the said Act as refers to the Clerk of the Secretary to the said Visitors is hereby repealed.

Superannuation Allowances to Officers in Lunacy.

26. The Lord Chancellor may, if he shall so think fit, order to be paid to any Officer who has served for Twenty Years in any Office or Offices in Lunacy, and who shall be above Sixty Years of Age, and shall be desirous of retiring, or who is disabled by permanent Infirmity from the Performance of his Duties, such Superannuation Allowance, not exceeding Two Thirds of the Salary payable to such Officer or Person at the Time of his Resignation, as the Lord Chancellor, with the Approbation of the Commissioners of Her Majesty's Treasury, may approve.

Payment of Pensions and Salaries.

27. All Annuities and Salaries ordered to be paid in pursuance of this Act shall be payable out of "The Suitors Fee Fund Account" mentioned in the said Act, and at the Times and in the Manner directed by the Twenty-fifth Section of the said Act.

Registrar to hold Office during good Behaviour.

28. The Registrar in Lunacy shall hold his Office during good Behaviour, and may be removed therefrom by the Lord Chancellor in case of Misconduct or Neglect in the Discharge of his Duties or his being disabled from performing the same.

Orders.

And with respect to Orders in Lunacy, be it enacted as follows:

Office Copies of Orders to be acted upon by Accountant General and others.

29. The Accountant General and all other Persons, and the Governor and Company of the Bank of *England*, shall act upon all Office Copies of Orders in Lunacy purporting to be signed by the Registrar in Lunacy, and sealed with the Seal of his Office, in the same Manner as such Persons are by Section One hundred and one of the said Act required to act upon Office Copies of Reports confirmed by Fiat.

CAP. LXXXVII.

An Act to consolidate and amend the Laws relating to Industrial and Provident Societies.

[7th *August* 1862.]

15 & 16 Vict. c. 31.

'WHEREAS by the Industrial and Provident Societies Act, 1852, it is enacted, that it shall be 'lawful for any Number of Persons to establish a Society under the Provisions thereof and of 'the therein-recited Act, for the Purpose of raising by voluntary Subscriptions of the Members thereof 'a Fund for attaining any Purpose or Object for the Time being authorized by the Laws in force with 'respect to Friendly Societies or by the said recited Act, by carrying on or exercising in common any 'Labour, Trade, or Handicraft, or several Labours, Trades, or Handicrafts, except the working of 'Mines, Minerals, or Quarries beyond the Limits of the United Kingdom of *Great Britain* and *Ireland*, 'and also except the Business of Banking, whether in the said United Kingdom or elsewhere; and that 'the said Act shall apply to all Societies already established for any of the Purposes herein mentioned,

'so

'so soon as they shall conform to the Provisions hereof: And whereas by an Act passed in the Seven- 17 & 18 Vict.
'teenth and Eighteenth Years of Her present Majesty, Chapter Twenty-five, various Provisions were c. 25.
'made for the better enabling legal Proceedings to be carried on in any Matter concerning the Societies
'formed under the said Act of 1852: And whereas the last-mentioned Act was amended by an Act
'passed in the First Session of the Nineteenth and Twentieth Years of Her present Majesty, Chapter 19 & 20 Vict.
'Forty: And whereas various Societies have been formed and are now carrying on Business under the c. 40.
'Provisions of the said recited Acts, and it is desirable to consolidate and amend the Laws relating to
'such Societies:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Recited Acts repealed.

1. The Industrial and Provident Societies Act, 1852, and the said recited Acts for the Amendment thereof, are hereby repealed from the passing of this Act.

As to Societies registered under recited Acts.

2. All Societies registered under the Industrial and Provident Societies Act, 1852, shall be entitled to obtain a Certificate of Registration on Application to the Registrar of Friendly Societies, and for which Certificate no Fee shall be payable to the Registrar.

Constitution of Societies under this Act.

3. Any Number of Persons, not being less than Seven, may establish a Society under this Act for the Purpose of carrying on any Labour, Trade, or Handicraft, whether wholesale or retail, except the working of Mines and Quarries, and except the Business of Banking, and of applying the Profits for any Purposes allowed by the Friendly Societies Acts, or otherwise permitted by Law.

Rules.

4. The Rules of every such Society shall contain Provisions in respect of the several Matters mentioned in the Schedule annexed to this Act.

Registration of Society.

5. Two Copies of the Rules shall be forwarded to the Registrar of Friendly Societies of *England*, *Scotland*, or *Ireland*, according to the Place where the Office of the Society is situate, and shall be dealt with by him in the Manner provided by the Friendly Societies Act, 1855; and he shall thereupon give his Certificate of Registration, and such Certificate shall in all Cases be conclusive Evidence that the Society has been duly registered, and thereupon the Members of such Society shall become a Body Corporate, by the Name therein described, having a perpetual Succession and a Common Seal, with Power to hold Lands and Buildings, with limited Liability.

Certificate to vest all Property in Society now held in trust.

6. The Certificate of Registration shall vest in the Society all the Property that may at the Time be vested in any Person in trust for the Society; and all legal Proceedings then pending by or against any such Trustee or other Officer on account of the Society may be prosecuted by or against the Society in its registered Name without Abatement.

Copy of Rules on Demand.

7. A Copy of the Rules shall be delivered by the Society to every Person, on Demand, on Payment of a Sum not exceeding One Shilling.

No Society to be registered by same Name as that of any existing Society.

8. No Society shall be registered under a Name identical with that by which any other existing Society has been registered, or so nearly resembling such Name as to be likely to deceive the Members or the Public, and the Word "Limited" shall be the last Word in the Name of every Society registered under this Act.

Member's Interests limited to 200*l.*

9. No Member shall be entitled, in any Society registered under this Act, to hold or claim any Interest exceeding the Sum of Two hundred Pounds.

Publication of Name by a Society.

10. Every Society registered under this Act shall paint or affix, and shall keep painted or affixed, its Name on the Outside of every Office or Place in which the Business of the Society is carried on, in a conspicuous Position, in Letters easily legible, and shall have its Name engraven in legible Characters on its Seal, and shall have its Name mentioned in legible Characters in all Notices, Advertisements, and other official Publications of such Society, and in all Bills of Exchange, Promissory Notes, Endorsements, Cheques, and Orders for Money or Goods purporting to be signed by or on behalf of such Company, and in all Bills of Parcels, Invoices, Receipts, and Letters of Credit of the Society.

Penalties on Non-publication of Name, &c.

11. If any Society under this Act does not paint or affix, and keep painted or affixed, its Name in manner directed by this Act, it shall be liable to a Penalty not exceeding Five Pounds for not so painting or affixing its Name, and for every Day during which such Name is not so kept painted or affixed; and if any Officer of such Society or any Person on its Behalf uses any Seal purporting to be a Seal of the Society whereon its Name is not so engraven as aforesaid, or issues or authorizes the Issue of any Notice, Advertisement, or other official Publication of such Society, or signs or authorizes to be signed on behalf of such Society any Bill of Exchange, Promissory Note, Endorsement, Cheque, Order for Money or Goods, or issues or authorizes to be issued any Bill of Parcels, Invoice, Receipt, or Letter of Credit of the Society, wherein its Name is not mentioned in manner aforesaid, he shall be liable to a Penalty of Fifty Pounds, and shall further be personally liable to the Holder of any such Bill of Exchange, Promissory Note, Cheque, or Order for Money or Goods, for the Amount thereof, unless the same is duly paid by the Society.

Every Society to have a registered Office. Penalty on Default.

12. Every Society under this Act shall have a registered Office to which all Communications and Notices may be addressed: If any Society registered under this Act carries on Business without having such an Office, it shall incur a Penalty not exceeding Five Pounds for every Day during which Business is so carried on.

Notice of Situation of registered Office.

13. Notice of the Situation of such registered Office, and of any Change therein, shall be given to the Registrar, and recorded by him: Until such Notice is given the Society shall not be deemed to have complied with the Provisions of this Act.

Signature and Effect of Rules.

14. The Rules of every Society registered under this Act shall bind the Society, and the Members thereof, to the same Extent as if each Member had subscribed his Name and affixed his Seal thereto, and there were in such Rules contained a Covenant on the Part of himself, his Heirs, Executors, and Administrators, to conform to such Rules subject to the Provisions of this Act; and all Monies payable by any Member to the Society in pursuance of such Rules shall be deemed to be a Debt due from such Member to the Society.

Application of Friendly Societies Acts to this Act.

15. The Provisions of the Friendly Societies Acts shall apply to Societies registered under this Act in the following Particulars:

Exemption from Stamp Duties and Income Tax:
Settlements of Disputes by Arbitration or Justices:
Compensation to Members unjustly excluded:
Power of Justices or County Courts in case of Fraud:
Jurisdiction of the Registrar.

Power to Member to nominate Persons into whose Name his Interest may be transferred at his Death.

16. The Provisions of the Friendly Societies Act, 1854, whereby a Member of any Society registered thereunder is allowed to nominate any Persons to whom his Investment in such Society shall be paid, shall extend, in the Case of Societies registered under this Act, to allow any Member thereof to nominate any Persons into whose Name his Interest in such Society at his Decease shall be transferred: Provided nevertheless, that any such Society may, in lieu of making such Transfer, elect to pay to any Persons so nominated the full Value of such Interest.

As to the Winding-up of Societies.

17. Any Society registered under this Act may be wound up either by the Court or voluntarily, in the same Manner and under the same Circumstances under and in which any Company may be wound up under any Acts or Act for the Time being in force for winding up Companies; and all the Provisions of such Acts or Act with respect to winding up shall apply to such Society, with this Exception, that the Court having Jurisdiction in the Winding-up shall be the County Court of the District in which the Office of the Society is situated.

Dissolution of Society not to prevent winding up of its Affairs.

18. In case of the Dissolution of any such Society, such Society shall nevertheless be considered as subsisting, and be in all respects subject to the Provisions of this Act, so long and so far as any Matters relating to the same remain unsettled, to the Intent that such Society may do all things necessary to the winding up of the Concerns thereof, and that it may be sued and sue, under the Provisions of this Act, in respect of all Matters relating to such Society.

Joint Stock Companies Acts to apply.

19. The Provisions of the Joint Stock Companies Acts as to Bills of Exchange and the Admissibility of the Register of Shares in Evidence shall apply to all Societies registered under this Act.

Liability of present and past Members of Society.

20. In the event of a Society registered under this Act being wound up, every present and past Member of such Society shall be liable to contribute to the Assets of the Society to an Amount sufficient for Payment of the Debts and Liabilities of the Society, and the Costs, Charges, and Expenses of the Winding-up, and for the Payment of such Sums as may be required for the Adjustment of the Rights of the Contributories amongst themselves, with the Qualifications following; (that is to say,)

(1.) No past Member shall be liable to contribute to the Assets of the Society if he has ceased to be a Member for a Period of One Year or upwards prior to the Commencement of the Winding-up:

(2.) No past Member shall be liable to contribute in respect of any Debt or Liability of the Society contracted after the Time at which he ceased to be a Member:

(3.) No past Member shall be liable to contribute to the Assets of the Society unless it appears to the Court that the existing Members are unable to satisfy the Contributions required to be made by them in order to satisfy all just Demands upon such Society:

(4.) No Contribution shall be required from any Member exceeding the Amount (if any) unpaid on the Shares in respect of which he is liable as a past or present Member.

Society may be constituted under Companies Acts.

21. Any Society registered under this Act may be constituted a Company under the Companies Acts, by conforming to the Provisions set forth in such Act, and thereupon shall cease to retain its Registration under this Act.

Members may inspect Books.

22. Every Person or Member having an Interest in the Funds of any Society registered under this Act may inspect the Books and the Names of the Members at all reasonable Hours at the Office of the Society.

Sheriffs Jurisdiction in Scotland.

23. The Sheriff in *Scotland* shall within his County have the like Jurisdiction as is hereby given to the Judge of the County Court in any Matter arising under this Act.

Annual Returns to be prepared as Registrar may direct.

24. A General Statement of the Funds and Effects of any Society registered under this Act shall be transmitted to the Registrar once in every Year, and shall exhibit fully the Assets and Liabilities of the Society, and shall be prepared and made out within such Period, and in such Form, and shall comprise such Particulars as the Registrar shall from Time to Time require; and the Registrar shall have Authority to require such Evidence as he may think expedient of all Matters required to be done, and of all Documents required to be transmitted to him under this Act; and every Member of or any Depositor

Depositor in any such Society shall be entitled to receive, on Application to the Treasurer or Secretary of that Society, a Copy of such Statement, without making any Payment for the same.

Recovery of Penalties.

25. All Penalties imposed by this Act, or by the Rules of any Society registered under this Act, may be recovered in a summary Manner before Two Justices, as directed by an Act passed in the Eleventh and Twelfth Years of the Reign of Her present Majesty Queen *Victoria*, Chapter Forty-three, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions and Orders.*

Short Title.

26. This Act may be cited as "The Industrial and Provident Societies Act, 1862."

SCHEDULE of Matters to be provided for in the Rules.

1. Object and Name, and Place of Office of the Society, which must in all Cases be registered as One of limited Liability.
2. Terms of Admission of Members.
3. Mode of holding Meetings and Right of Voting, and of making or altering Rules.
4. Determination whether the Shares shall be transferable, and in case it be determined that the Shares shall be transferable, Provision for the Form of Transfer and Registration of Shares and for the Consent of the Committee of Management and Confirmation by the General Meeting of the Society; and in case Shares shall not be transferable, Provision for paying to Members Balance due to them on withdrawing from the Society.
5. Provision for the Audit of Accounts.
6. Power to invest Part of Capital in another Society; provided that no such Investment be made in any other Society not registered under this Act, or the Joint Stock Companies Act, as a Society or Company with limited Liability.
7. Power and Mode of withdrawing from the Society, and Provisions for the Claims of Executors, Administrators, or Assigns of Members.
8. Mode of Application of Profits.
9. Appointment of Managers and other Officers, and their respective Powers and Remuneration.

CAP. LXXXVIII.

An Act to amend the Law relating to the fraudulent marking of Merchandise.

[7th *August* 1862.]

'WHEREAS it is expedient to amend the Laws relating to the fraudulent marking of Merchandise, and to the Sale of Merchandise falsely marked for the Purpose of Fraud:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Construction of Words.

1. In the Construction of this Act the Word "Person" shall include any Person, whether a Subject of Her Majesty or not, and any Body Corporate or Body of the like Nature, whether constituted according to the Law of this Country or of any of Her Majesty's Colonies or Dominions, or according to the Law of any Foreign Country, and also any Company, Association, or Society of Persons, whether the Members thereof be Subjects of Her Majesty or not, or some of such Persons Subjects of Her Majesty and some of them not, and whether such Body Corporate, Body of the like Nature, Company, Association, or Society be established or carry on Business within Her Majesty's Dominions or elsewhere, or partly within Her Majesty's Dominions and partly elsewhere; the Word "Mark" shall include any Name, Signature, Word, Letter, Device, Emblem, Figure, Sign, Seal, Stamp, Diagram, Label, Ticket, or other Mark of any other Description; and the Expression "Trade Mark" shall include any and every such Name, Signature, Word, Letter, Device, Emblem, Figure, Sign, Seal, Stamp, Diagram, Label, Ticket, or other Mark as aforesaid lawfully used by any Person to denote any Chattel, or (in *Scotland*) any Article of Trade, Manufacture, or Merchandise, to be an Article or Thing of the Manufacture, Workmanship, Production, or Merchandise of such Person, or to be an Article or Thing of any peculiar or particular Description made or sold by such Person, and shall also include any Name, Signature, Word, Letter, Number, Figure, Mark, or Sign which in pursuance of any Statute or Statutes for the Time being in force relating to registered Designs is to be put or placed upon or attached to any Chattel or Article during the Existence or Continuance of any Copyright or other sole Right acquired under the Provisions of such Statutes or any of them; the Word "Misdemeanor" shall include Crime and Offence in *Scotland;* and the Word "Court" shall include any Sheriff or Sheriff Substitute in *Scotland.*

Forging a Trade Mark or falsely applying any Trade Mark with Intent to defraud, a Misdemeanor.

2. Every Person who, with Intent to defraud, or to enable another to defraud any Person, shall forge or counterfeit, or cause or procure to be forged or counterfeited, any Trade Mark, or shall apply, or cause or procure to be applied, any Trade Mark or any forged or counterfeited Trade Mark to any Chattel or Article not being the Manufacture, Workmanship, Production, or Merchandise of any Person denoted or intended to be denoted by such Trade Mark, or denoted or intended to be denoted by such forged or counterfeited Trade Mark, or not being the Manufacture, Workmanship, Production, or

or Merchandise of any Person whose Trade Mark shall be so forged or counterfeited, or shall apply, or cause or procure to be applied, any Trade Mark or any forged or counterfeited Trade Mark to any Chattel or Article, not being the particular or peculiar Description of Manufacture, Workmanship, Production, or Merchandise denoted or intended to be denoted by such Trade Mark or by such forged or counterfeited Trade Mark, shall be guilty of a Misdemeanor, and every Person so committing a Misdemeanor shall also forfeit to Her Majesty every Chattel and Article belonging to such Person to which he shall have so unlawfully applied, or caused or procured to be applied, any such Trade Mark or forged or counterfeited Trade Mark as aforesaid, and every Instrument in the Possession or Power of such Person, and by means of which any such Trade Mark, or forged or counterfeited Trade Mark as aforesaid, shall have been so applied, and every Instrument in the Possession or Power of such Person for applying any such Trade Mark or forged or counterfeit Trade Mark as aforesaid, shall be forfeited to Her Majesty; and the Court before which any such Misdemeanor shall be tried may order such forfeited Articles as aforesaid to be destroyed or otherwise disposed of as such Court shall think fit.

Applying a forged Trade Mark to any Vessel, Case, Wrapper, &c. in or with which any Article is sold or intended to be sold, a Misdemeanor.

3. Every Person who, with Intent to defraud, or to enable another to defraud any Person, shall apply or cause or procure to be applied any Trade Mark or any forged or counterfeited Trade Mark to any Cask, Bottle, Stopper, Vessel, Case, Cover, Wrapper, Band, Reel, Ticket, Label, or other Thing in, on, or with which any Chattel or Article shall be intended to be sold or shall be sold or uttered or exposed for Sale, or intended for any Purpose of Trade or Manufacture, or shall enclose or place any Chattel or Article, or cause or procure any Chattel or Article to be enclosed or placed, in, upon, under, or with any Cask, Bottle, Stopper, Vessel, Case, Cover, Wrapper, Band, Reel, Ticket, Label, or other Thing to which any Trade Mark shall have been falsely applied, or to which any forged or counterfeited Trade Mark shall have been applied, or shall apply or attach or cause or procure to be applied or attached to any Chattel or Article any Case, Cover, Reel, Ticket, Label, or other Thing to which any Trade Mark shall have been falsely applied, or to which any forged or counterfeited Trade Mark shall have been applied, or shall enclose, place, or attach any Chattel or Article, or cause or procure any Chattel or Article to be enclosed, placed, or attached, in, upon, under, with, or to any Cask, Bottle, Stopper, Vessel, Case, Cover, Wrapper, Band, Reel, Ticket, Label, or other Thing having thereon any Trade Mark of any other Person, shall be guilty of a Misdemeanor, and every Person so committing a Misdemeanor shall also forfeit to Her Majesty every such Chattel and Article, and also every such Cask, Bottle, Stopper, Vessel, Case, Cover, Wrapper, Band, Reel, Ticket, Label, or other Thing as aforesaid in the Possession or Power of such Person; and every other similar Cask, Bottle, Stopper, Vessel, Case, Cover, Wrapper, Band, Reel, Ticket, Label, or other Thing made to be used in like Manner as aforesaid, and every Instrument in the Possession or Power of such Person, and by means of which any such Trade Mark or forged or counterfeited Trade Mark as aforesaid shall have been applied, and also every Instrument in the Possession or Power of such Person for applying any such Trade Mark or forged or counterfeit Trade Mark as aforesaid, shall be forfeited to Her Majesty; and the Court before which any such Misdemeanor shall be tried may order such forfeited Articles as aforesaid to be destroyed or otherwise disposed of as such Court shall think fit.

Selling Articles with forged or false Trade Marks after 31st December 1863, Penalty equal to Value of Article sold, and a Sum not exceeding 5*l.* nor less than 10*s.*

4. Every Person who, after the Thirty-first Day of *December* One thousand eight hundred and sixty-three, shall sell, utter, or expose either for Sale or for any Purpose of Trade or Manufacture, or cause or procure to be sold, uttered, or exposed for Sale or other Purpose as aforesaid, any Chattel or Article, together with any forged or counterfeited Trade Mark, which he shall know to be forged or counterfeited, or together with the Trade Mark of any other Person applied or used falsely or wrongfully or without lawful Authority or Excuse, knowing such Trade Mark of another Person to have been so applied or used as aforesaid, and that whether any such Trade Mark or forged or counterfeited Trade Mark as aforesaid, together with which any such Chattel or Article shall be sold, uttered, or exposed for Sale or other Purpose as aforesaid, shall be in, upon, about, or with such Chattel or Article, or in, upon, about, or with any Cask, Bottle, Stopper, Vessel, Case, Cover, Wrapper, Band, Reel, Ticket, Label, or other Thing in, upon, about, or with which such Chattel or Article shall be so sold or uttered or exposed for Sale or other Purpose as aforesaid, shall for every such Offence forfeit and pay to Her Majesty a Sum of Money equal to the Value of the Chattel or Article so sold, uttered, offered, or exposed for Sale or other Purpose as aforesaid, and a further Sum not exceeding Five Pounds and not less than Ten Shillings.

Additions to and Alterations of Trade Marks made with Intent to defraud to be deemed Forgeries.

5. Every Addition to and every Alteration of, and also every Imitation of any Trade Mark which shall be made, applied, or used with Intent to defraud, or to enable any other Person to defraud, or which shall cause a Trade Mark with such Alteration or Addition, or shall cause such Imitation of a Trade Mark to resemble any genuine Trade Mark so or in such Manner as to be calculated or likely to deceive, shall be and be deemed to be a false, forged, and counterfeited Trade Mark within the Meaning of this Act; and every Act of making, applying, or otherwise using any such Addition to or Alteration of a Trade Mark, or any such Imitation of a Trade Mark as aforesaid done by any Person with Intent to defraud, or to enable any other Person to defraud, shall be and be deemed to be forging and counterfeiting a Trade Mark within the Meaning of this Act.

Any Person who, after 31st

6. Where any Person who, at any Time after the Thirty-first Day of *December* One thousand eight hundred and sixty-three, shall have sold, uttered, or exposed for Sale or other Purpose as aforesaid, or shall

shall have caused or procured to be sold, uttered, or exposed for Sale or other Purpose as aforesaid, any Chattel or Article, together with any forged or counterfeited Trade Mark, or together with the Trade Mark of any other Person used without lawful Authority or Excuse as aforesaid, and that whether any such Trade Mark, or such forged or counterfeited Trade Mark as aforesaid, be in, upon, about, or with such Chattel or Article, or in, upon, about, or with any Cask, Bottle, Stopper, Vessel, Case, Cover, Wrapper, Band, Reel, Ticket, Label, or other Thing in, upon, about, or with which such Chattel or Article shall have been sold or exposed for Sale, such Person shall be bound upon Demand in Writing delivered to him or left for him at his last known Dwelling House or at the Place of Sale or Exposure for Sale by or on the Behalf of any Person whose Trade Mark shall have been so forged or counterfeited, or used without lawful Authority or Excuse as aforesaid, to give to the Person requiring the same, or his Attorney or Agent, within Forty-eight Hours after such Demand, full Information in Writing of the Name and Address of the Person from whom he shall have purchased or obtained such Chattel or Article, and of the Time when he obtained the same; and it shall be lawful for any Justice of the Peace, on Information on Oath of such Demand and Refusal, to summon before him the Party refusing, and on being satisfied that such Demand ought to be complied with to order such Information to be given within a certain Time to be appointed by him; and any such Party who shall refuse or neglect to comply with such Order shall for every such Offence forfeit and pay to Her Majesty the Sum of Five Pounds, and such Refusal or Neglect shall be *primâ facie* Evidence that the Person so refusing or neglecting had full Knowledge that the Trade Mark, together with which such Chattel or Article was sold, uttered, or exposed for Sale or other Purpose as aforesaid, at the Time of such selling, uttering, or exposing was a forged, counterfeited, and false Trade Mark, or was the Trade Mark of a Person which had been used without lawful Authority or Excuse, as the Case may be.

December 1863, shall have sold an Article having a false Trade Mark to be bound to give Information where he procured it;

Power to Justices to summon Parties refusing to give Information.

Penalty for Refusal 5*l.*

7. Every Person who, with Intent to defraud or to enable another to defraud, shall put or cause or procure to be put upon any Chattel or Article, or upon any Cask, Bottle, Stopper, Vessel, Case, Cover, Wrapper, Band, Reel, Ticket, Label, or other Thing, together with which any Chattel or Article shall be intended to be or shall be sold or uttered or exposed for Sale, or for any Purpose of Trade or Manufacture, or upon any Case, Frame, or other Thing in or by means of which any Chattel or Article shall be intended to be or shall be exposed for Sale, any false Description, Statement, or other Indication of or respecting the Number, Quantity, Measure, or Weight of such Chattel or Article, or any Part thereof, or of the Place or Country in which such Chattel or Article shall have been made, manufactured, or produced, or shall put or cause or procure to be put upon any such Chattel or Article, Cask, Bottle, Stopper, Vessel, Case, Cover, Wrapper, Band, Reel, Ticket, Label, or Thing as aforesaid, any Word, Letter, Figure, Signature, or Mark for the Purpose of falsely indicating such Chattel or Article, or the Mode of manufacturing or producing the same, or the Ornamentation, Shape, or Configuration thereof, to be the Subject of any existing Patent, Privilege, or Copyright shall for every such Offence forfeit and pay to Her Majesty a Sum of Money equal to the Value of the Chattel or Article so sold or uttered or exposed for Sale, and a further Sum not exceeding Five Pounds and not less than Ten Shillings.

Marking any false Indication of Quantity, &c. upon an Article with Intent to defraud, Penalty a Sum equal to the Value of the Article and the further Sum not exceeding 5*l.* and not less than 10*s.*

8. Every Person who, after the Thirty-first Day of *December* One thousand eight hundred and sixty-three, shall sell, utter, or expose for Sale or for any Purpose of Trade or Manufacture, or shall cause or procure to be sold, uttered, or exposed for Sale or other Purpose as aforesaid, any Chattel or Article upon which shall have been, to his Knowledge, put, or upon any Cask, Bottle, Stopper, Vessel, Case, Cover, Wrapper, Band, Reel, Ticket, Label, or other Thing together with which such Chattel or Article shall be sold or uttered or exposed for Sale or other Purpose as aforesaid, shall have been so put, or upon any Case, Frame, or other Thing used or employed to expose or exhibit such Chattel or Article for Sale shall have been so put, any false Description, Statement, or other Indication of or respecting the Number, Quantity, Measure, or Weight of such Chattel or Article or any Part thereof, or the Place or Country in which such Chattel or Article shall have been made, manufactured, or produced, shall for every such Offence forfeit and pay to Her Majesty a Sum not exceeding Five Pounds and not less than Five Shillings.

Selling or exposing for Sale after the 31st December 1863 Articles with false Statement of Quantities, &c., Penalty not more than 5*l.* or less than 5*s.*

9. Provided always, That the Provisions of this Act shall not be construed so as to make it any Offence for any Person to apply to any Chattel or Article, or to any Cask, Bottle, Stopper, Vessel, Case, Cover, Wrapper, Band, Reel, Ticket, Label, or other Thing with which such Chattel or Article shall be sold or intended to be sold, any Name, Word, or Expression generally used for indicating such Chattel or Article to be of some particular Class or Description of Manufacture only, or so as to make it any Offence for any Person to sell, utter, or offer or expose for Sale any Chattel or Article to which, or to any Cask, Bottle, Stopper, Vessel, Case, Cover, Wrapper, Band, Reel, Ticket, Label, or other Thing sold therewith, any such generally used Name, Word, or Expression as aforesaid shall have been applied.

Proviso that it shall not be an Offence to apply Names or Words known to be used for indicating particular Classes of Manufactures.

10. In every Indictment, Pleading, Proceeding, and Document whatsoever in which any Trade Mark shall be intended to be mentioned it shall be sufficient to mention or state the same to be a Trade Mark without further or otherwise describing such Trade Mark, or setting forth any Copy or Fac-simile thereof; and in every Indictment, Pleading, Proceeding, and Document whatsoever in which it shall be intended to mention any forged or counterfeit Trade Mark it shall be sufficient to mention or state the same to be a forged or counterfeit Trade Mark without further or otherwise describing such forged or counterfeit Trade Mark, or setting forth any Copy or Fac-simile thereof.

Description of Trade Marks and forged Trade Marks in Indictments, &c.

11. The

Conviction not to affect any Right or Civil Remedy.

11. The Provisions in this Act contained of or concerning any Act, or any Proceeding, Judgment, or Conviction for any Act hereby declared to be a Misdemeanor or Offence, shall not nor shall any of them take away, diminish, or prejudicially affect any Suit, Process, Proceeding, Right, or Remedy which any Person aggrieved by such Act may be entitled to at Law, in Equity, or otherwise, and shall not nor shall any of them exempt or excuse any Person from answering or making Discovery upon Examination as a Witness or upon Interrogatories, or otherwise, in any Suit or other Civil Proceeding: Provided always, that no Evidence, Statement, or Discovery which any Person shall be compelled to give or make shall be admissible in Evidence against such Person in support of any Indictment for a Misdemeanor at Common Law or otherwise, or of any Proceeding under the Provisions of this Act.

Intent to defraud, &c. any particular Person need not be alleged in an Indictment, &c. or proved.

12. In every Indictment, Information, Conviction, Pleading, and Proceeding against any Person for any Misdemeanor or other Offence against the Provisions of this Act in which it shall be necessary to allege or mention an Intent to defraud, or to enable another to defraud, it shall be sufficient to allege or mention that the Person accused of having done any Act which is hereby made a Misdemeanor or other Offence did such Act with Intent to defraud, or with Intent to enable some other Person to defraud, without alleging or mentioning an Intent to defraud any particular Person; and on the Trial of any such Indictment or Information for any such Misdemeanor, and on the Hearing of any Information or Charge of or for any such other Offence as aforesaid, and on the Trial of any Action against any Person to recover a Penalty for any such other Offence as aforesaid, it shall not be necessary to prove an Intent to defraud any particular Person, or an Intent to enable any particular Person to defraud any particular Person, but it shall be sufficient to prove with respect to every such Misdemeanor and Offence that the Person accused did the Act charged with Intent to defraud, or with Intent to enable some other Person to defraud, or with the Intent that any other Person might be enabled to defraud.

Persons aiding in Misdemeanor guilty.

13. Every Person who shall aid, abet, counsel, or procure the Commission of any Offence which is by this Act made a Misdemeanor shall also be guilty of a Misdemeanor.

Punishment for Misdemeanor under this Act.

14. Every Person who shall be convicted or found guilty of any Offence which is by this Act made a Misdemeanor shall be liable, at the Discretion of the Court and as the Court shall award, to suffer such Punishment by Imprisonment for not more than Two Years, with or without Hard Labour, or by Fine, or both by Imprisonment with or without Hard Labour and Fine, and also by Imprisonment until the Fine (if any) shall have been paid and satisfied.

Recovery of Penalties.

15. In every Case in which any Person shall have committed or done any Offence or Act whereby he shall have forfeited or become liable to pay to Her Majesty any of the Penalties or Sums of Money mentioned in the Provisions of this Act, every such Penalty or Sum of Money shall or may be recovered in *England*, *Wales*, or *Ireland* in an Action of Debt, which any Person may as Plaintiff for and on behalf of Her Majesty commence and prosecute to Judgment in any Court of Record, and the Amount of every such Penalty or Sum of Money to be recovered in any such Action shall or may be determined by the Jury (if any) sworn to try any Issue in such Action, and if there shall be no such Jury then by the Court or some other Jury, as the Court shall think fit, or instead of any such Action being commenced such Penalty or Sum of Money shall or may in *England* or *Wales* be recovered by a summary Proceeding before Two Justices of the Peace having Jurisdiction in the County or Place where the Party offending shall reside or have any Place of Business, or in the County or Place in which the Offence shall have been committed; and shall or may in *Ireland* be recovered in like Manner by Civil Bill in the Civil Bill Court of the County or Place in which the Offence was committed, or in which the Offender shall reside or have any Place of Business; and shall or may in *Scotland* be recovered by Action before the Court of Session in ordinary Form or by summary Action before the Sheriff of the County where the Offence shall have been committed or the Offender may reside or have any Place of Business, which Sheriff, upon Proof of the Offence, either by the Confession of the Person offending or by the Oath or Affirmation of One or more credible Witnesses, shall convict the Offender, and find him liable in the Penalty or Penalties aforesaid as also in Expenses; and it shall be lawful for the Sheriff in pronouncing such Judgment for the Penalty or Penalties and Costs to insert in such Judgment a Warrant in the event of such Penalty or Penalties and Costs not being paid to levy and recover the Amount of the same by Poinding: Provided always, that it shall be lawful to the Sheriff, in the event of his dismissing the Action and assoilzing the Defender, to find the Complainer liable in Expenses, and any Judgment so to be pronounced by the Sheriff in such summary Action shall be final and conclusive, and not subject to Review by Advocation, Suspension, Reduction, or otherwise.

Summary Proceedings before Justices to be within 11 & 12 Vict. c. 43.

16. In every Case in which any such Penalty or Sum of Money forfeited to Her Majesty as hereinbefore mentioned shall be sought to be recovered by a summary Proceeding before Two Justices of the Peace, the Offence or Act by the committing or doing of which such Penalty or Sum of Money shall have been so forfeited shall be and be deemed to be an Offence and Act within the Meaning of a Statute passed in the Twelfth Year of the Reign of Her present Majesty, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions and Orders*; and the Information, Conviction of the Offender, and other Proceedings for the Recovery of the Penalty or Sum so forfeited shall be had according to the Provisions of the said Act.

17. In

In Actions Penalties to be accounted for in like Manner as other Monies payable to the Crown, and Plaintiffs to recover full Costs of Suit.

17. In every Case in which Judgment shall be obtained in any such Action as aforesaid for the Amount of any such Penalty or Sum of Money forfeited to Her Majesty, the Amount thereof shall be paid by the Defendant to the Sheriff or the Officer of the Court, who shall account for the same in like Manner as other Monies payable to Her Majesty, and if it be not paid, may be recovered, or the Amount thereof levied, or the Payment thereof enforced, by Execution or other proper Proceeding, as Money due to Her Majesty; and the Plaintiff suing on behalf of Her Majesty, upon obtaining Judgment, shall be entitled to recover and have Execution for all his Costs of Suit, which shall include a full Indemnity for all Costs and Charges which he shall or may have expended or incurred in, about, or for the Purposes of the Action, unless the Court, or a Judge thereof, shall direct that Costs of the ordinary Amount only shall be allowed.

Limitations of Actions, &c.

18. No Person shall commence any Action or Proceeding for the Recovery of any Penalty, or procuring the Conviction of any Offender in manner herein-before provided, after the Expiration of Three Years next after the committing of the Offence, or One Year next after the first Discovery thereof by the Person proceeding.

After 31st December 1863 Vendor of an Article with a Trade Mark to be deemed to contract that the Mark is genuine.

19. In every Case in which at any Time after the Thirty-first Day of *December* One thousand eight hundred and sixty-three any Person shall sell or contract to sell (whether by Writing or not) to any other Person any Chattel or Article with any Trade Mark thereon, or upon any Cask, Bottle, Stopper, Vessel, Case, Cover, Wrapper, Band, Reel, Ticket, Label, or other Thing together with which such Chattel or Article shall be sold or contracted to be sold, the Sale or Contract to sell shall in every such Case be deemed to have been made with a Warranty or Contract by the Vendor to or with the Vendee that every Trade Mark upon such Chattel or Article, or upon any such Cask, Bottle, Stopper, Vessel, Case, Cover, Wrapper, Band, Reel, Ticket, Label, or other Thing as aforesaid, was genuine and true, and not forged or counterfeit, and not wrongfully used, unless the contrary shall be expressed in some Writing signed by or on behalf of the Vendor, and delivered to and accepted by the Vendee.

After 31st December 1863 Vendor of an Article with Description upon it of its Quantity to be deemed to contract that the Description was true.

20. In every Case in which at any Time after the Thirty-first Day of *December* One thousand eight hundred and sixty-three any Person shall sell or contract to sell (whether by Writing or not) to any other Person any Chattel or Article upon which, or upon any Cask, Bottle, Stopper, Vessel, Case, Cover, Wrapper, Band, Reel, Ticket, Label, or other Thing together with which such Chattel or Article shall be sold or contracted to be sold, any Description, Statement, or other Indication of or respecting the Number, Quantity, Measure, or Weight of such Chattel or Article, or the Place or Country in which such Chattel or Article shall have been made, manufactured, or produced, the Sale or Contract to sell shall in every such Case be deemed to have been made with a Warranty or Contract by the Vendor to or with the Vendee that no such Description, Statement, or other Indication was in any material respect false or untrue, unless the contrary shall be expressed in some Writing signed by or on behalf of the Vendor, and delivered to and accepted by the Vendee.

In Suits at Law or in Equity against Persons for using forged Trade Marks, Court may order Article to be destroyed, and may award Injunction, &c.

21. In every Case in any Suit at Law or in Equity against any Person for forging or counterfeiting any Trade Mark, or for fraudulently applying any Trade Mark, to any Chattel or Article, or for selling, exposing for Sale, or uttering any Chattel or Article with any Trade Mark falsely or wrongfully applied thereto, or with any forged or counterfeit Trade Mark applied thereto, or for preventing the Repetition or Continuance of any such wrongful Act, or the Committal of any similar Act, in which the Plaintiff shall obtain a Judgment or Decree against the Defendant, the Court shall have Power to direct every such Chattel and Article to be destroyed or otherwise disposed of; and in every such Suit in a Court of Law the Court shall or may upon giving Judgment for the Plaintiff award a Writ of Injunction or Injunctions to the Defendant commanding him to forbear from committing and not by himself or otherwise to repeat or commit any Offence or wrongful Act of the like Nature as that of which he shall or may have been convicted by such Judgment, and any Disobedience of any such Writ of Injunction or Injunctions shall be punished as a Contempt of Court; and in every such Suit at Law or in Equity it shall be lawful for the Court or a Judge thereof to make such Order as such Court or Judge shall think fit for the Inspection of every or any Manufacture or Process carried on by the Defendant in which any such forged or counterfeit Trade Mark, or any such Trade Mark as aforesaid, shall be alleged to be used or applied as aforesaid, and of every or any Chattel, Article, and Thing in the Possession or Power of the Defendant alleged to have thereon or in any way attached thereto any forged or counterfeit Trade Mark, or any Trade Mark falsely or wrongfully applied, and every or any Instrument in the Possession or Power of the Defendant used or intended to be or capable of being used for producing or making any forged or counterfeit Trade Mark, or Trade Mark alleged to be forged or counterfeit, or for falsely or wrongfully applying any Trade Mark; and any Person who shall refuse or neglect to obey any such Order shall be guilty of a Contempt of Court.

Persons aggrieved by Forgeries may recover Damages against the guilty Parties.

22. In every Case in which any Person shall do or cause to be done any of the wrongful Acts following; (that is to say,) shall forge or counterfeit any Trade Mark; or for the Purpose of Sale, or for the Purpose of any Manufacture or Trade, shall apply any forged or counterfeit Trade Mark to any Chattel or Article, or to any Cask, Bottle, Stopper, Vessel, Case, Cover, Wrapper, Band, Reel, Ticket, Label, or Thing in or with which any Chattel or Article shall be intended to be sold or shall be sold or uttered or exposed for Sale, or for any Purpose of Trade or Manufacture; or shall inclose or place any

Chattel

Chattel or Article in, upon, under, or with any Cask, Bottle, Stopper, Vessel, Case, Cover, Wrapper, Band, Reel, Ticket, Label, or other Thing to which any Trade Mark shall have been falsely applied, or to which any forged or counterfeit Trade Mark shall have been applied; or shall apply or attach to any Chattel or Article any Case, Cover, Reel, Wrapper, Band, Ticket, Label, or other Thing to which any Trade Mark shall have been falsely applied, or to which any forged or counterfeit Trade Mark shall have been applied; or shall inclose, place, or attach any Chattel or Article in, upon, under, with, or to any Cask, Bottle, Stopper, Vessel, Case, Cover, Reel, Wrapper, Band, Ticket, Label, or other Thing having thereon any Trade Mark of any other Person; every Person aggrieved by any such wrongful Act shall be entitled to maintain an Action or Suit for Damages in respect thereof against the Person who shall be guilty of having done such Act or causing or procuring the same to be done, and for preventing the Repetition or Continuance of the wrongful Act, and the Committal of any similar Act.

Defendant obtaining a Verdict to have full Indemnity for Costs.

23. In every Action which any Person shall under the Provisions of this Act commence as Plaintiff for or on behalf of Her Majesty for recovering any Penalty or Sum of Money, if the Defendant shall obtain Judgment, he shall be entitled to recover his Costs of Suit, which shall include a full Indemnity for all the Costs, Charges, and Expenses by him expended or incurred in, about, or for the Purposes of the Action, unless the Court or a Judge thereof shall direct that Costs of the ordinary Amount only shall be allowed.

A Plaintiff suing for a Penalty may be compelled to give Security for Costs.

24. In any Action which any Person shall, under the Provisions of this Act, commence as Plaintiff for or on behalf of Her Majesty for recovering any Penalty or Sum of Money, if it shall be shown to the Satisfaction of the Court or a Judge thereof that the Person suing as Plaintiff for or on behalf of Her Majesty has no Ground for alleging that he has been aggrieved by the committing of the alleged Offence in respect of which the Penalty or Sum of Money is alleged to have become payable, and also that the Person so suing as Plaintiff is not resident within the Jurisdiction of the Court, or not a Person of sufficient Property to be able to pay any Costs which the Defendant may recover in the Action, the Court or Judge shall or may order that the Plaintiff shall give Security by the Bond or Recognizance of himself and a Surety, or by the Deposit of a Sum of Money, or otherwise, as the Court or Judge shall think fit, for the Payment to the Defendant of any Costs which he may be entitled to recover in the Action.

Act not to affect the Cutlers of Hallamshire, nor to repeal 59 G. 3. c. 7.

25. Nothing in this Act contained shall be construed to affect the Rights and Privileges of the Corporation of Cutlers of the Liberty of *Hallamshire* in the County of *York*, nor shall anything in this Act contained be construed in any way to repeal or make void any of the Provisions contained in the Fifty-ninth *George* Third, Chapter Seven, intituled *An Act to regulate the Cutlery Trade in* England.

Short Title.

26. The Expression "The Merchandise Marks Act, 1862," shall be a sufficient Description of this Act.

CAP. LXXXIX.

An Act for the Incorporation, Regulation, and Winding-up of Trading Companies and other Associations. [7th *August* 1862.]

'WHEREAS it is expedient that the Laws relating to the Incorporation, Regulation, and Winding-up of Trading Companies and other Associations should be consolidated and amended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Short Title.

1. This Act may be cited for all Purposes as "The Companies Act, 1862."

Commencement of Act.

2. This Act, with the Exception of such temporary Enactment as is herein-after declared to come into operation immediately, shall not come into operation until the Second Day of *November* One thousand eight hundred and sixty-two, and the Time at which it so comes into operation is herein-after referred to as the Commencement of this Act.

Definition of Insurance Company.

3. For the Purposes of this Act a Company that carries on the Business of Insurance in common with any other Business or Businesses shall be deemed to be an Insurance Company.

Prohibition of Partnerships exceeding certain Number.

4. No Company, Association, or Partnership consisting of more than Ten Persons shall be formed, after the Commencement of this Act, for the Purpose of carrying on the Business of Banking, unless it is registered as a Company under this Act, or is formed in pursuance of some other Act of Parliament, or of Letters Patent; and no Company, Association, or Partnership consisting of more than Twenty Persons shall be formed, after the Commencement of this Act, for the Purpose of carrying on any other Business that has for its Object the Acquisition of Gain by the Company, Association, or Partnership, or by the individual Members thereof, unless it is registered as a Company under this Act, or is formed in pursuance of some other Act of Parliament, or of Letters Patent, or is a Company engaged in working Mines within and subject to the Jurisdiction of the Stannaries.

5. This

Division of Act.

5. This Act is divided into Nine Parts, relating to the following Subject Matters:
The First Part,—to the Constitution and Incorporation of Companies and Associations under this Act:
The Second Part,—to the Distribution of the Capital and Liability of Members of Companies and Associations under this Act:
The Third Part,—to the Management and Administration of Companies and Associations under this Act:
The Fourth Part,—to the winding up of Companies and Associations under this Act:
The Fifth Part,—to the Registration Office:
The Sixth Part,—to Application of this Act to Companies registered under the Joint Stock Companies Acts:
The Seventh Part,—to Companies authorized to register under this Act:
The Eighth Part,—to Application of this Act to unregistered Companies:
The Ninth Part,—to Repeal of Acts, and temporary Provisions.

PART I.

CONSTITUTION AND INCORPORATION OF COMPANIES AND ASSOCIATIONS UNDER THIS ACT.

Memorandum of Association.

Mode of forming Company.

6. Any Seven or more Persons associated for any lawful Purpose may, by subscribing their Names to a Memorandum of Association, and otherwise complying with the Requisitions of this Act in respect of Registration, form an incorporated Company, with or without limited Liability.

Mode of limiting Liability of Members.

7. The Liability of the Members of a Company formed under this Act may, according to the Memorandum of Association, be limited either to the Amount, if any, unpaid on the Shares respectively held by them, or to such Amount as the Members may respectively undertake by the Memorandum of Association to contribute to the Assets of the Company in the event of its being wound up.

Memorandum of Association of a Company limited by Shares.

8. Where a Company is formed on the Principle of having the Liability of its Members limited to the Amount unpaid on their Shares, herein-after referred to as a Company limited by Shares, the Memorandum of Association shall contain the following Things; (that is to say,)
(1.) The Name of the proposed Company, with the Addition of the Word "Limited" as the last Word in such Name:
(2.) The Part of the United Kingdom, whether *England*, *Scotland*, or *Ireland*, in which the registered Office of the Company is proposed to be situate:
(3.) The Objects for which the proposed Company is to be established:
(4.) A Declaration that the Liability of the Members is limited:
(5.) The Amount of Capital with which the Company proposes to be registered divided into Shares of a certain fixed Amount:
Subject to the following Regulations:
(1.) That no Subscriber shall take less than One Share:
(2.) That each Subscriber of the Memorandum of Association shall write opposite to his Name the Number of Shares he takes.

Memorandum of Association of a Company limited by Guarantee.

9. Where a Company is formed on the Principle of having the Liability of its Members limited to such Amount as the Members respectively undertake to contribute to the Assets of the Company in the event of the same being wound up, herein-after referred to as a Company limited by Guarantee, the Memorandum of Association shall contain the following Things; (that is to say,)
(1.) The Name of the proposed Company, with the Addition of the Word "Limited" as the last Word in such Name:
(2.) The Part of the United Kingdom, whether *England*, *Scotland*, or *Ireland*, in which the registered Office of the Company is proposed to be situate:
(3.) The Objects for which the proposed Company is to be established:
(4.) A Declaration that each Member undertakes to contribute to the Assets of the Company, in the event of the same being wound up, during the Time that he is a Member, or within One Year afterwards, for Payment of the Debts and Liabilities of the Company contracted before the Time at which he ceases to be a Member, and of the Costs, Charges, and Expenses of winding up the Company, and for the Adjustment of the Rights of the Contributories amongst themselves, such Amount as may be required, not exceeding a specified Amount.

Memorandum of Association of an Unlimited Company.

10. Where a Company is formed on the Principle of having no Limit placed on the Liability of its Members, herein-after referred to as an Unlimited Company, the Memorandum of Association shall contain the following Things; (that is to say,)
(1.) The Name of the proposed Company:
(2.) The Part of the United Kingdom, whether *England*, *Scotland*, or *Ireland*, in which the registered Office of the Company is proposed to be situate:
(3.) The Objects for which the proposed Company is to be established.

 11. The

Stamp, Signature, and Effect of Memorandum of Association.

11. The Memorandum of Association shall bear the same Stamp as if it were a Deed, and shall be signed by each Subscriber in the Presence of, and be attested by, One Witness at the least, and that Attestation shall be a sufficient Attestation in *Scotland* as well as in *England* and *Ireland:* It shall, when registered, bind the Company and the Members thereof to the same Extent as if each Member had subscribed his Name and affixed his Seal thereto, and there were in the Memorandum contained, on the Part of himself, his Heirs, Executors, and Administrators, a Covenant to observe all the Conditions of such Memorandum, subject to the Provisions of this Act.

Power of certain Companies to alter Memorandum of Association.

12. Any Company limited by Shares may so far modify the Conditions contained in its Memorandum of Association, if authorized to do so by its Regulations as originally framed, or as altered by special Resolution in manner herein-after mentioned, as to increase its Capital, by the Issue of new Shares of such Amount as it thinks expedient, or to consolidate and divide its Capital into Shares of larger Amount than its existing Shares, or to convert its paid-up Shares into Stock, but, save as aforesaid, and save as is herein-after provided in the Case of a Change of Name, no Alteration shall be made by any Company in the Conditions contained in its Memorandum of Association.

Power of Companies to change Name.

13. Any Company under this Act, with the Sanction of a special Resolution of the Company passed in manner herein-after mentioned, and with the Approval of the Board of Trade testified in Writing under the Hand of One of its Secretaries or Assistant Secretaries, may change its Name, and upon such Change being made the Registrar shall enter the new Name on the Register in the Place of the former Name, and shall issue a Certificate of Incorporation altered to meet the Circumstances of the Case; but no such Alteration of Name shall affect any Rights or Obligations of the Company, or render defective any legal Proceedings instituted or to be instituted by or against the Company, and any legal Proceedings may be continued or commenced against the Company by its new Name that might have been continued or commenced against the Company by its former Name.

Articles of Association.

Regulations to be prescribed by Articles of Association.

14. The Memorandum of Association may, in the Case of a Company limited by Shares, and shall, in the Case of a Company limited by Guarantee or unlimited, be accompanied, when registered, by Articles of Association signed by the Subscribers to the Memorandum of Association, and prescribing such Regulations for the Company as the Subscribers to the Memorandum of Association deem expedient: The Articles shall be expressed in separate Paragraphs, numbered arithmetically: They may adopt all or any of the Provisions contained in the Table marked A. in the First Schedule hereto: They shall, in the Case of a Company, whether limited by Guarantee or unlimited, that has a Capital divided into Shares, state the Amount of Capital with which the Company proposes to be registered; and in the Case of a Company, whether limited by Guarantee or unlimited, that has not a Capital divided into Shares, state the Number of Members with which the Company proposes to be registered, for the Purpose of enabling the Registrar to determine the Fees payable on Registration: In a Company limited by Guarantee or unlimited, and having a Capital divided into Shares, each Subscriber shall take One Share at the least, and shall write opposite to his Name in the Memorandum of Association the Number of Shares he takes.

Application of Table A.

15. In the Case of a Company limited by Shares, if the Memorandum of Association is not accompanied by Articles of Association, or in so far as the Articles do not exclude or modify the Regulations contained in the Table marked A. in the First Schedule hereto, the last-mentioned Regulations shall, so far as the same are applicable, be deemed to be the Regulations of the Company in the same Manner and to the same Extent as if they had been inserted in Articles of Association, and the Articles had been duly registered.

Stamp, Signature, and Effect of Articles of Association.

16. The Articles of Association shall be printed, they shall bear the same Stamp as if they were contained in a Deed, and shall be signed by each Subscriber in the Presence of, and be attested by, One Witness at the least, and such Attestation shall be a sufficient Attestation in *Scotland* as well as in *England* and *Ireland:* When registered, they shall bind the Company and the Members thereof to the same Extent as if each Member had subscribed his Name and affixed his Seal thereto, and there were in such Articles contained a Covenant on the Part of himself, his Heirs, Executors, and Administrators, to conform to all the Regulations contained in such Articles, subject to the Provisions of this Act; and all Monies payable by any Member to the Company, in pursuance of the Conditions and Regulations of the Company, or any of such Conditions or Regulations, shall be deemed to be a Debt due from such Member to the Company, and in *England* and *Ireland* to be in the Nature of a Specialty Debt.

General Provisions.

Registration of Memorandum of Association and Articles of Association, with Fees as in Table B.

17. The Memorandum of Association and the Articles of Association, if any, shall be delivered to the Registrar of Joint Stock Companies herein-after mentioned, who shall retain and register the same: There shall be paid to the Registrar by a Company having a Capital divided into Shares, in respect of the several Matters mentioned in the Table marked B. in the First Schedule hereto, the several Fees therein specified, or such smaller Fees as the Board of Trade may from Time to Time direct; and by a Company not having a Capital divided into Shares, in respect of the several Matters mentioned in the

Table

Table marked C. in the First Schedule hereto, the several Fees therein specified, or such smaller Fees as the Board of Trade may from Time to Time direct: All Fees paid to the said Registrar in pursuance of this Act shall be paid into the Receipt of Her Majesty's Exchequer, and be carried to the Account of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Effect of Registration.

18. Upon the Registration of the Memorandum of Association, and of the Articles of Association in Cases where Articles of Association are required by this Act or by the Desire of the Parties to be registered, the Registrar shall certify under his Hand that the Company is incorporated, and in the Case of a Limited Company that the Company is limited: The Subscribers of the Memorandum of Association, together with such other Persons as may from Time to Time become Members of the Company, shall thereupon be a Body Corporate by the Name contained in the Memorandum of Association, capable forthwith of exercising all the Functions of an incorporated Company, and having perpetual Succession and a Common Seal, with Power to hold Lands, but with such Liability on the Part of the Members to contribute to the Assets of the Company in the event of the same being wound up as is herein-after mentioned: A Certificate of the Incorporation of any Company given by the Registrar shall be conclusive Evidence that all the Requisitions of this Act in respect of Registration have been complied with.

Copies of Memorandum and Articles to be given to Members.

19. A Copy of the Memorandum of Association, having annexed thereto the Articles of Association, if any, shall be forwarded to every Member at his Request, on Payment of the Sum of One Shilling or such less Sum as may be prescribed by the Company for each Copy; and if any Company makes default in forwarding a Copy of the Memorandum of Association and Articles of Association, if any, to a Member, in pursuance of this Section, the Company so making default shall for each Offence incur a Penalty not exceeding One Pound.

Prohibition against Identity of Names in Companies.

20. No Company shall be registered under a Name identical with that by which a subsisting Company is already registered, or so nearly resembling the same as to be calculated to deceive, except in a Case where such subsisting Company is in the course of being dissolved and testifies its Consent in such Manner as the Registrar requires; and if any Company, through Inadvertence or otherwise, is, without such Consent as aforesaid, registered by a Name identical with that by which a subsisting Company is registered, or so nearly resembling the same as to be calculated to deceive, such first-mentioned Company may, with the Sanction of the Registrar, change its Name, and upon such Change being made the Registrar shall enter the new Name on the Register in the Place of the former Name, and shall issue a Certificate of Incorporation altered to meet the Circumstances of the Case; but no such Alteration of Name shall affect any Rights or Obligations of the Company, or render defective any legal Proceedings instituted or to be instituted by or against the Company, and any legal Proceedings may be continued or commenced against the Company by its new Name that might have been continued or commenced against the Company by its former Name.

Prohibition against certain Companies holding Land.

21. No Company formed for the Purpose of promoting Art, Science, Religion, Charity, or any other like Object, not involving the Acquisition of Gain by the Company or by the individual Members thereof, shall, without the Sanction of the Board of Trade, hold more than Two Acres of Land; but the Board of Trade may, by Licence under the Hand of One of their Principal Secretaries or Assistant Secretaries, empower any such Company to hold Lands in such Quantity and subject to such Conditions as they think fit.

PART II.

Distribution of Capital and Liability of Members of Companies and Associations under this Act.

Distribution of Capital.

Nature of Interest in Company.

22. The Shares or other Interest of any Member in a Company under this Act shall be Personal Estate, capable of being transferred in manner provided by the Regulations of the Company, and shall not be of the Nature of Real Estate, and each Share shall, in the Case of a Company having a Capital divided into Shares, be distinguished by its appropriate Number.

Definition of "Member."

23. The Subscribers of the Memorandum of Association of any Company under this Act shall be deemed to have agreed to become Members of the Company whose Memorandum they have subscribed, and upon the Registration of the Company shall be entered as Members on the Register of Members herein-after mentioned; and every other Person who has agreed to become a Member of a Company under this Act, and whose Name is entered on the Register of Members, shall be deemed to be a Member of the Company.

Transfer by Personal Representative.

24. Any Transfer of the Share or other Interest of a deceased Member of a Company under this Act, made by his Personal Representative, shall, notwithstanding such Personal Representative may not himself be a Member, be of the same Validity as if he had been a Member at the Time of the Execution of the Instrument of Transfer.

Register of Members.

25. Every Company under this Act shall cause to be kept in One or more Books a Register of its Members, and there shall be entered therein the following Particulars:

(1.) The Names and Addresses, and the Occupations, if any, of the Members of the Company, with the Addition, in the Case of a Company having a Capital divided into Shares, of a Statement of the Shares held by each Member, distinguishing each Share by its Number: And of the Amount paid or agreed to be considered as paid on the Shares of each Member:

(2.) The Date at which the Name of any Person was entered in the Register as a Member:

(3.) The Date at which any Person ceased to be a Member:

And any Company acting in contravention of this Section shall incur a Penalty not exceeding Five Pounds for every Day during which its Default in complying with the Provisions of this Section continues, and every Director or Manager of the Company who shall knowingly and wilfully authorize or permit such Contravention shall incur the like Penalty.

Annual List of Members.

26. Every Company under this Act, and having a Capital divided into Shares, shall make, once at least in every Year, a List of all Persons who, on the Fourteenth Day succeeding the Day on which the Ordinary General Meeting, or if there is more than One Ordinary Meeting in each Year, the First of such Ordinary General Meetings is held, are Members of the Company; and such List shall state the Names, Addresses, and Occupations of all the Members therein mentioned, and the Number of Shares held by each of them, and shall contain a Summary specifying the following Particulars:

(1.) The Amount of the Capital of the Company, and the Number of Shares into which it is divided:

(2.) The Number of Shares taken from the Commencement of the Company up to the Date of the Summary:

(3.) The Amount of Calls made on each Share:

(4.) The total Amount of Calls received:

(5.) The total Amount of Calls unpaid:

(6.) The total Amount of Shares forfeited:

(7.) The Names, Addresses, and Occupations of the Persons who have ceased to be Members since the last List was made, and the Number of Shares held by each of them.

The above List and Summary shall be contained in a separate Part of the Register, and shall be completed within Seven Days after such Fourteenth Day as is mentioned in this Section, and a Copy shall forthwith be forwarded to the Registrar of Joint Stock Companies.

Penalty on Company, &c. not keeping a proper Register.

27. If any Company under this Act, and having a Capital divided into Shares, makes default in complying with the Provisions of this Act with respect to forwarding such List of Members or Summary as is herein-before mentioned to the Registrar, such Company shall incur a Penalty not exceeding Five Pounds for every Day during which such Default continues, and every Director and Manager of the Company who shall knowingly and wilfully authorize or permit such Default shall incur the like Penalty.

Company to give Notice of Consolidation or of Conversion of Capital into Stock.

28. Every Company under this Act, having a Capital divided into Shares, that has consolidated and divided its Capital into Shares of larger Amount than its existing Shares, or converted any Portion of its Capital into Stock, shall give Notice to the Registrar of Joint Stock Companies of such Consolidation, Division, or Conversion, specifying the Shares so consolidated, divided, or converted.

Effect of Conversion of Shares into Stock.

29. Where any Company under this Act, and having a Capital divided into Shares, has converted any Portion of its Capital into Stock, and given Notice of such Conversion to the Registrar, all the Provisions of this Act which are applicable to Shares only shall cease as to so much of the Capital as is converted into Stock; and the Register of Members hereby required to be kept by the Company, and the List of Members to be forwarded to the Registrar, shall show the Amount of Stock held by each Member in the List instead of the Amount of Shares and the Particulars relating to Shares herein-before required.

Entry of Trusts on Register.

30. No Notice of any Trust, expressed, implied, or constructive, shall be entered on the Register, or be receivable by the Registrar, in the Case of Companies under this Act and registered in *England* or *Ireland*.

Certificate of Shares or Stock.

31. A Certificate, under the Common Seal of the Company, specifying any Share or Shares or Stock held by any Member of a Company, shall be *primâ facie* Evidence of the Title of the Member to the Share or Shares or Stock therein specified.

Inspection of Register.

32. The Register of Members, commencing from the Date of the Registration of the Company, shall be kept at the registered Office of the Company herein-after mentioned: Except when closed as herein-after mentioned, it shall during Business Hours, but subject to such reasonable Restrictions as the Company in General Meeting may impose, so that not less than Two Hours in each Day be appointed for Inspection, be open to the Inspection of any Member gratis, and to the Inspection of any other Person on the Payment of One Shilling, or such less Sum as the Company may prescribe, for each Inspection; and every such Member or other Person may require a Copy of such Register, or of any Part thereof, or of such List or Summary of Members as is herein-before mentioned, on Payment of Sixpence for every Hundred Words required to be copied: If such Inspection or Copy is refused, the Company shall incur for each Refusal a Penalty not exceeding Two Pounds, and a further Penalty not exceeding Two Pounds for every Day during which such Refusal continues, and every Director and Manager of the Company who shall knowingly authorize or permit such Refusal shall incur the like Penalty; and in addition to the above Penalty, as respects Companies registered in *England*

England and *Ireland*, any Judge sitting in Chambers, or the Vice Warden of the Stannaries, in the Case of Companies subject to his Jurisdiction, may by Order compel an immediate Inspection of the Register.

Power to close Register.

33. Any Company under this Act may, upon giving Notice by Advertisement in some Newspaper circulating in the District in which the registered Office of the Company is situated, close the Register of Members for any Time or Times not exceeding in the whole Thirty Days in each Year.

Notice of Increase of Capital and of Members to be given to Registrar.

34. Where a Company has a Capital divided into Shares, whether such Shares may or may not have been converted into Stock, Notice of any Increase in such Capital beyond the registered Capital, and where a Company has not a Capital divided into Shares, Notice of any Increase in the Number of Members beyond the registered Number, shall be given to the Registrar in the Case of an Increase of Capital, within Fifteen Days from the Date of the passing of the Resolution by which such Increase has been authorized, and in the Case of an Increase of Members within Fifteen Days from the Time at which such Increase of Members has been resolved on or has taken place, and the Registrar shall forthwith record the Amount of such Increase of Capital or Members: If such Notice is not given within the Period aforesaid the Company in default shall incur a Penalty not exceeding Five Pounds for every Day during which such Neglect to give Notice continues, and every Director and Manager of the Company who shall knowingly and wilfully authorize or permit such Default shall incur the like Penalty.

Remedy for improper Entry or Omission of Entry in Register.

35. If the Name of any Person is, without sufficient Cause, entered in or omitted from the Register of Members of any Company under this Act, or if Default is made or unnecessary Delay takes place in entering on the Register the Fact of any Person having ceased to be a Member of the Company, the Person or Member aggrieved, or any Member of the Company, or the Company itself, may as respects Companies registered in *England* or *Ireland*, by Motion in any of Her Majesty's Superior Courts of Law or Equity, or by Application to a Judge sitting in Chambers, or to the Vice Warden of the Stannaries in the Case of Companies subject to his Jurisdiction, and as respects Companies registered in *Scotland* by summary Petition to the Court of Session, or in such other Manner as the said Courts may direct, apply for an Order of the Court that the Register may be rectified; and the Court may either refuse such Application, with or without Costs, to be paid by the Applicant, or it may, if satisfied of the Justice of the Case, make an Order for the Rectification of the Register, and may direct the Company to pay all the Costs of such Motion, Application, or Petition, and any Damages the Party aggrieved may have sustained: The Court may in any Proceeding under this Section decide on any Question relating to the Title of any Person who is a Party to such Proceeding to have his Name entered in or omitted from the Register, whether such Question arises between Two or more Members or alleged Members, or between any Members or alleged Members and the Company, and generally the Court may in any such Proceeding decide any Question that it may be necessary or expedient to decide for the Rectification of the Register; provided that the Court, if a Court of Common Law, may direct an Issue to be tried, in which any Question of Law may be raised, and a Writ of Error or Appeal, in the Manner directed by "The Common Law Procedure Act, 1854," shall lie.

Notice to Registrar of Rectification of Register.

36. Whenever any Order has been make rectifying the Register, in the Case of a Company hereby required to send a List of its Members to the Registrar, the Court shall, by its Order, direct that due Notice of such Rectification be given to the Registrar.

Register to be Evidence.

37. The Register of Members shall be *primâ facie* Evidence of any Matters by this Act directed or authorized to be inserted therein.

Liability of Members.

Liability of present and past Members of Company.

38. In the event of a Company formed under this Act being wound up, every present and past Member of such Company shall be liable to contribute to the Assets of the Company to an Amount sufficient for Payment of the Debts and Liabilities of the Company, and the Costs, Charges, and Expenses of the Winding-up, and for the Payment of such Sums as may be required for the Adjustment of the Rights of the Contributories amongst themselves, with the Qualifications following; (that is to say,)

(1.) No past Member shall be liable to contribute to the Assets of the Company if he has ceased to be a Member for a Period of One Year or upwards prior to the Commencement of the Winding-up:

(2.) No past Member shall be liable to contribute in respect of any Debt or Liability of the Company contracted after the Time at which he ceased to be a Member:

(3.) No past Member shall be liable to contribute to the Assets of the Company unless it appears to the Court that the existing Members are unable to satisfy the Contributions required to be made by them in pursuance of this Act:

(4.) In the Case of a Company limited by Shares, no Contributions shall be required from any Member exceeding the Amount, if any, unpaid on the Shares in respect of which he is liable as a present or past Member:

(5.) In

(5.) In the Case of a Company limited by Guarantee, no Contribution shall be required from any Member exceeding the Amount of the Undertaking entered into on his Behalf by the Memorandum of Association:

(6.) Nothing in this Act contained shall invalidate any Provision contained in any Policy of Insurance or other Contract whereby the Liability of individual Members upon any such Policy or Contract is restricted, or whereby the Funds of the Company are alone made liable in respect of such Policy or Contract:

(7.) No Sum due to any Member of a Company, in his Character of a Member, by way of Dividends, Profits, or otherwise, shall be deemed to be a Debt of the Company, payable to such Member in a Case of Competition between himself and any other Creditor not being a Member of the Company; but any such Sum may be taken into account, for the Purposes of the final Adjustment of the Rights of the Contributories amongst themselves.

PART III.

MANAGEMENT AND ADMINISTRATION OF COMPANIES AND ASSOCIATIONS UNDER THIS ACT.

Provisions for Protection of Creditors.

Registered Office of Company.

39. Every Company under this Act shall have a registered Office to which all Communications and Notices may be addressed: If any Company under this Act carries on Business without having such an Office, it shall incur a Penalty not exceeding Five Pounds for every Day during which Business is so carried on.

Notice of Situation of registered Office.

40. Notice of the Situation of such registered Office, and of any Change therein, shall be given to the Registrar, and recorded by him: Until such Notice is given the Company shall not be deemed to have complied with the Provisions of this Act with respect to having a registered Office.

Publication of Name by a Limited Company.

41. Every Limited Company under this Act, whether limited by Shares or by Guarantee, shall paint or affix, and shall keep painted or affixed, its Name on the Outside of every Office or Place in which the Business of the Company is carried on, in a conspicuous Position, in Letters easily legible, and shall have its Name engraven in legible Characters on its Seal, and shall have its Name mentioned in legible Characters in all Notices, Advertisements, and other official Publications of such Company, and in all Bills of Exchange, Promissory Notes, Endorsements, Cheques, and Orders for Money or Goods purporting to be signed by or on behalf of such Company, and in all Bills of Parcels, Invoices, Receipts, and Letters of Credit of the Company.

Penalties on Non-publication of Name.

42. If any Limited Company under this Act does not paint or affix, and keep painted or affixed, its Name in manner directed by this Act, it shall be liable to a Penalty not exceeding Five Pounds for not so painting or affixing its Name, and for every Day during which such Name is not so kept painted or affixed, and every Director and Manager of the Company who shall knowingly and wilfully authorize or permit such Default shall be liable to the like Penalty; and if any Director, Manager, or Officer of such Company, or any Person on its Behalf, uses or authorizes the Use of any Seal purporting to be a Seal of the Company whereon its Name is not so engraven as aforesaid, or issues or authorizes the Issue of any Notice, Advertisement, or other official Publication of such Company, or signs or authorizes to be signed on behalf of such Company any Bill of Exchange, Promissory Note, Endorsement, Cheque, Order for Money or Goods, or issues or authorizes to be issued any Bill of Parcels, Invoice, Receipt, or Letter of Credit of the Company, wherein its Name is not mentioned in manner aforesaid, he shall be liable to a Penalty of Fifty Pounds, and shall further be personally liable to the Holder of any such Bill of Exchange, Promissory Note, Cheque, or Order for Money or Goods, for the Amount thereof, unless the same is duly paid by the Company.

Register of Mortgages.

43. Every Limited Company under this Act shall keep a Register of all Mortgages and Charges specifically affecting Property of the Company, and shall enter in such Register in respect of each Mortgage or Charge a short Description of the Property mortgaged or charged, the Amount of Charge created, and the Names of the Mortgagees or Persons entitled to such Charge: If any Property of the Company is mortgaged or charged without such Entry as aforesaid being made, every Director, Manager, or other Officer of the Company who knowingly and wilfully authorizes or permits the Omission of such Entry shall incur a Penalty not exceeding Fifty Pounds: The Register of Mortgages required by this Section shall be open to Inspection by any Creditor or Member of the Company at all reasonable Times; and if such Inspection is refused, any Officer of the Company refusing the same, and every Director and Manager of the Company authorizing or knowingly and wilfully permitting such Refusal, shall incur a Penalty not exceeding Five Pounds, and a further Penalty not exceeding Two Pounds for every Day during which such Refusal continues; and in addition to the above Penalty, as respects Companies registered in *England* and *Ireland*, any Judge sitting in Chambers, or the Vice Warden of the Stannaries in the Case of Companies subject to his Jurisdiction, may by Order compel an immediate Inspection of the Register.

Certain Companies to pub-

44. Every Limited Banking Company and every Insurance Company, and Deposit, Provident, or Benefit Society under this Act shall, before it commences Business, and also on the First *Monday* in *February*

February and the First *Monday* in *August* in every Year during which it carries on Business, make a Statement in the Form marked D. in the First Schedule hereto, or as near thereto as Circumstances will admit, and a Copy of such Statement shall be put up in a conspicuous Place in the registered Office of the Company, and in every Branch Office or Place where the Business of the Company is carried on, and if Default is made in compliance with the Provisions of this Section the Company shall be liable to a Penalty not exceeding Five Pounds for every Day during which such Default continues, and every Director and Manager of the Company who shall knowingly and wilfully authorize or permit such Default shall incur the like Penalty. lish Statement entered in Schedule.

Every Member and every Creditor of any Company mentioned in this Section shall be entitled to a Copy of the above-mentioned Statement on Payment of a Sum not exceeding Sixpence.

45. Every Company under this Act, and not having a Capital divided into Shares, shall keep at its registered Office a Register containing the Names and Addresses and the Occupations of its Directors or Managers, and shall send to the Registrar of Joint Stock Companies a Copy of such Register, and shall from Time to Time notify to the Registrar any Change that takes place in such Directors or Managers. List of Directors to be sent to Registrar.

46. If any Company under this Act, and not having a Capital divided into Shares, makes default in keeping a Register of its Directors or Managers, or in sending a Copy of such Register to the Registrar in compliance with the foregoing Rules, or in notifying to the Registrar any Change that takes place in such Directors or Managers, such delinquent Company shall incur a Penalty not exceeding Five Pounds for every Day during which such Default continues, and every Director and Manager of the Company who shall knowingly and wilfully authorize or permit such Default shall incur the like Penalty. Penalty on Company not keeping Register of Directors.

47. A Promissory Note or Bill of Exchange shall be deemed to have been made, accepted, or endorsed on behalf of any Company under this Act, if made, accepted, or endorsed in the Name of the Company by any Person acting under the Authority of the Company, or if made, accepted, or endorsed by or on behalf or on account of the Company, by any Person acting under the Authority of the Company. Promissory Notes and Bills of Exchange.

48. If any Company under this Act carries on Business when the Number of its Members is less than Seven for a Period of Six Months after the Number has been so reduced, every Person who is a Member of such Company during the Time that it so carries on Business after such Period of Six Months, and is cognizant of the Fact that it is so carrying on Business with fewer than Seven Members, shall be severally liable for the Payment of the whole Debts of the Company contracted during such Time, and may be sued for the same, without the Joinder in the Action or Suit of any other Member. Prohibition against carrying on Business with less than Seven Members.

Provisions for Protection of Members.

49. A General Meeting of every Company under this Act shall be held once at the least in every Year. General Meeting of Company.

50. Subject to the Provisions of this Act, and to the Conditions contained in the Memorandum of Association, any Company formed under this Act may, in General Meeting, from Time to Time, by passing a Special Resolution in manner herein-after mentioned, alter all or any of the Regulations of the Company contained in the Articles of Association or in the Table marked A. in the First Schedule, where such Table is applicable to the Company, or make new Regulations to the Exclusion of or in addition to all or any of the Regulations of the Company; and any Regulations so made by Special Resolution shall be deemed to be Regulations of the Company of the same Validity as if they had been originally contained in the Articles of Association, and shall be subject in like Manner to be altered or modified by any subsequent Special Resolution. Power to alter Regulations by Special Resolution.

51. A Resolution passed by a Company under this Act shall be deemed to be special whenever a Resolution has been passed by a Majority of not less than Three Fourths of such Members of the Company for the Time being entitled, according to the Regulations of the Company, to vote as may be present, in Person or by Proxy (in Cases where by the Regulations of the Company Proxies are allowed), at any General Meeting of which Notice specifying the Intention to propose such Resolution has been duly given, and such Resolution has been confirmed by a Majority of such Members for the Time being entitled, according to the Regulations of the Company, to vote as may be present, in Person or by Proxy, at a subsequent General Meeting, of which Notice has been duly given, and held at an Interval of not less than Fourteen Days, nor more than One Month from the Date of the Meeting at which such Resolution was first passed: At any Meeting mentioned in this Section, unless a Poll is demanded by at least Five Members, a Declaration of the Chairman that the Resolution has been carried shall be deemed conclusive Evidence of the Fact, without Proof of the Number or Proportion of the Votes recorded in favour of or against the same: Notice of any Meeting shall, for the Purposes of this Section, be deemed to be duly given and the Meeting to be duly held, whenever such Notice is given and Meeting held in manner prescribed by the Regulations of the Company: In computing the Majority under this Section, when a Poll is demanded, Reference shall be had to the Number of Votes to which each Member is entitled by the Regulations of the Company. Definition of Special Resolution.

52. In default of any Regulations as to voting every Member shall have One Vote, and in default of any Regulations as to summoning General Meetings a Meeting shall be held to be duly summoned of which Seven Days Notice in Writing has been served on every Member in manner in which Notices are required Provision where no Regulations as to Meetings.

required to be served by the Table marked A. in the First Schedule hereto, and in default of any Regulations as to the Persons to summon Meetings Five Members shall be competent to summon the same, and in default of any Regulations as to who is to be Chairman of such Meeting, it shall be competent for any Person elected by the Members present to preside.

Registry of Special Resolutions.

53. A Copy of any Special Resolution that is passed by any Company under this Act shall be printed and forwarded to the Registrar of Joint Stock Companies, and be recorded by him: If such Copy is not so forwarded within Fifteen Days from the Date of the Confirmation of the Resolution, the Company shall incur a Penalty not exceeding Two Pounds for every Day after the Expiration of such Fifteen Days during which such Copy is omitted to be forwarded, and every Director and Manager of the Company who shall knowingly and wilfully authorize or permit such Default shall incur the like Penalty.

Copies of Special Resolutions.

54. Where Articles of Association have been registered, a Copy of every Special Resolution for the Time being in force shall be annexed to or embodied in every Copy of the Articles of Association that may be issued after the passing of such Resolution: Where no Articles of Association have been registered, a Copy of any Special Resolution shall be forwarded in Print to any Member requesting the same on Payment of One Shilling, or such less Sum as the Company may direct: And if any Company makes default in complying with the Provisions of this Section it shall incur a Penalty not exceeding One Pound for each Copy in respect of which such Default is made; and every Director and Manager of the Company who shall knowingly and wilfully authorize or permit such Default shall incur the like Penalty.

Execution of Deeds abroad.

55. Any Company under this Act may, by Instrument in Writing under its Common Seal, empower any Person, either generally or in respect of any specified Matters, as its Attorney, to execute Deeds on its Behalf in any Place not situate in the United Kingdom; and every Deed signed by such Attorney, on behalf of the Company, and under his Seal, shall be binding on the Company, and have the same Effect as if it were under the Common Seal of the Company.

Examination of Affairs of Company by Inspectors.

56. The Board of Trade may appoint One or more competent Inspectors to examine into the Affairs of any Company under this Act, and to report thereon, in such Manner as the Board may direct, upon the Applications following; (that is to say,)

(1.) In the Case of a Banking Company that has a Capital divided into Shares, upon the Application of Members holding not less than One Third Part of the whole Shares of the Company for the Time being issued:

(2.) In the Case of any other Company that has a Capital divided into Shares, upon the Application of Members holding not less than One Fifth Part of the whole Shares of the Company for the Time being issued:

(3.) In the Case of any Company not having a Capital divided into Shares, upon the Application of Members being in Number not less than One Fifth of the whole Number of Persons for the Time being entered on the Register of the Company as Members.

Application for Inspection to be supported by Evidence.

57. The Application shall be supported by such Evidence as the Board of Trade may require for the Purpose of showing that the Applicants have good Reason for requiring such Investigation to be made, and that they are not actuated by malicious Motives in instituting the same; the Board of Trade may also require the Applicants to give Security for Payment of the Costs of the Inquiry before appointing any Inspector or Inspectors.

Inspection of Books.

58. It shall be the Duty of all Officers and Agents of the Company to produce for the Examination of the Inspectors all Books and Documents in their Custody or Power: Any Inspector may examine upon Oath the Officers and Agents of the Company in relation to its Business, and may administer such Oath accordingly: If any Officer or Agent refuses to produce any Book or Document hereby directed to be produced, or to answer any Question relating to the Affairs of the Company, he shall incur a Penalty not exceeding Five Pounds in respect of each Offence.

Result of Examination how dealt with.

59. Upon the Conclusion of the Examination the Inspectors shall report their Opinion to the Board of Trade: Such Report shall be written or printed, as the Board of Trade directs: A Copy shall be forwarded by the Board of Trade to the registered Office of the Company, and a further Copy shall, at the Request of the Members upon whose Application the Inspection was made, be delivered to them or to any One or more of them: All Expenses of and incidental to any such Examination as aforesaid shall be defrayed by the Members upon whose Application the Inspectors were appointed, unless the Board of Trade shall direct the same to be paid out of the Assets of the Company, which it is hereby authorized to do.

Power of Company to appoint Inspectors.

60. Any Company under this Act may by Special Resolution appoint Inspectors for the Purpose of examining into the Affairs of the Company: The Inspectors so appointed shall have the same Powers and perform the same Duties as Inspectors appointed by the Board of Trade, with this Exception, that, instead of making their Report to the Board of Trade, they shall make the same in such Manner and to such Persons as the Company in General Meeting directs; and the Officers and Agents of the Company shall incur the same Penalties, in case of any Refusal to produce any Book or Document hereby required to be produced to such Inspectors, or to answer any Question, as they would have incurred if such Inspector had been appointed by the Board of Trade.

Report of Inspectors to be Evidence.

61. A Copy of the Report of any Inspectors appointed under this Act, authenticated by the Seal of the Company into whose Affairs they have made Inspection, shall be admissible in any legal Proceeding, as Evidence of the Opinion of the Inspectors in relation to any Matter contained in such Report.

Notices.

Service of Notices on Company.

62. Any Summons, Notice, Order, or other Document required to be served upon the Company may be served by leaving the same, or sending it through the Post in a prepaid Letter addressed to the Company, at their registered Office.

Rules as to Notices by Letter.

63. Any Document to be served by Post on the Company shall be posted in such Time as to admit of its being delivered in the due Course of Delivery within the Period (if any) prescribed for the Service thereof; and in proving Service of such Document it shall be sufficient to prove that such Document was properly directed, and that it was put as a prepaid Letter into the Post Office.

Authentication of Notices of Company.

64. Any Summons, Notice, Order, or Proceeding requiring Authentication by the Company, may be signed by any Director, Secretary, or other authorized Officer of the Company, and need not be under the Common Seal of the Company, and the same may be in Writing or in Print, or partly in Writing and partly in Print.

Legal Proceedings.

Recovery of Penalties.

65. All Offences under this Act made punishable by any Penalty may be prosecuted summarily before Two or more Justices, as to *England*, in manner directed by an Act passed in the Session holden in the Eleventh and Twelfth Years of the Reign of Her Majesty Queen *Victoria*, Chapter Forty-three, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions and Orders*, or any Act amending the same; and as to *Scotland*, before Two or more Justices or the Sheriff of the County, in manner directed by the Act passed in the Session of Parliament holden in the Seventeenth and Eighteenth Years of the Reign of Her Majesty Queen *Victoria*, Chapter One hundred and four, intituled *An Act to amend and consolidate the Acts relating to Merchant Shipping*, or any Act amending the same, as regards Offences in *Scotland* against that Act, not being Offences by that Act described as Felonies or Misdemeanors; and as to *Ireland*, in manner directed by the Act passed in the Session holden in the Fourteenth and Fifteenth Years of the Reign of Her Majesty Queen *Victoria*, Chapter Ninety-three, intituled *An Act to consolidate and amend the Acts regulating the Proceedings of Petty Sessions and the Duties of Justices of the Peace out of Quarter Sessions in* Ireland, or any Act amending the same.

Application of Penalties.

66. The Justices or Sheriff imposing any Penalty under this Act may direct the whole or any Part thereof to be applied in or towards Payment of the Costs of the Proceedings, or in or towards the rewarding the Person upon whose Information or at whose Suit such Penalty has been recovered; and, subject to such Direction, all Penalties shall be paid into the Receipt of Her Majesty's Exchequer, in such Manner as the Treasury may direct, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom.

Evidence of Proceedings at Meetings.

67. Every Company under this Act shall cause Minutes of all Resolutions and Proceedings of General Meetings of the Company, and of the Directors or Managers of the Company in Cases where there are Directors or Managers, to be duly entered in Books to be from Time to Time provided for the Purpose; and any such Minute as aforesaid, if purporting to be signed by the Chairman of the Meeting at which such Resolutions were passed or Proceedings had, or by the Chairman of the next succeeding Meeting, shall be received as Evidence in all legal Proceedings; and until the contrary is proved, every General Meeting of the Company or Meeting of Directors or Managers in respect of the Proceedings of which Minutes have been so made shall be deemed to have been duly held and convened, and all Resolutions passed thereat or Proceedings had, to have been duly passed and had, and all Appointments of Directors, Managers, or Liquidators shall be deemed to be valid, and all Acts done by such Directors, Managers, or Liquidators shall be valid, notwithstanding any Defect that may afterwards be discovered in their Appointments or Qualifications.

Jurisdiction of Vice Warden of Stannaries.

68. In the Case of Companies under this Act, and engaged in working Mines within and subject to the Jurisdiction of the Stannaries, the Court of the Vice Warden of the Stannaries shall have and exercise the like Jurisdiction and Powers, as well on the Common Law as on the Equity Side thereof, which it now possesses by Custom, Usage, or Statute in the Case of unincorporated Companies, but only so far as such Jurisdiction or Powers are consistent with the Provisions of this Act and with the Constitution of Companies as prescribed or required by this Act; and for the Purpose of giving fuller Effect to such Jurisdiction in all Actions, Suits, or legal Proceedings instituted in the said Court, in Causes or Matters whereof the Court has Cognizance, all Process issuing out of the same, and all Orders, Rules, Demands, Notices, Warrants, and Summonses required or authorized by the Practice of the Court to be served on any Company, whether registered or not registered, or any Member or Contributory thereof, or any Officer, Agent, Director, Manager, or Servant thereof, may be served in any Part of *England* without any Special Order of the Vice Warden for that Purpose, or by such Special Order may be served in any Part of the United Kingdom of *Great Britain* and *Ireland*, or in the adjacent Islands, Parcel of the Dominions of the Crown, on such Terms and Conditions as the Court shall think fit; and all Decrees,

Orders, and Judgments of the said Court made or pronounced in such Causes or Matters may be enforced in the same Manner in which Decrees, Orders, and Judgments of the Court may now by Law be enforced, whether within or beyond the local Limits of the Stannaries; and the Seal of the said Court, and the Signature of the Registrar thereof, shall be judicially noticed by all other Courts and Judges in *England*, and shall require no other Proof than the Production thereof: The Registrar of the said Court, or the Assistant Registrar, in making Sales under any Decree or Order of the Court shall be entitled to the same Privilege of selling by Auction or Competition without a Licence, and without being liable to Duty, as a Judge of the Court of Chancery is entitled to in pursuance of the Acts in that Behalf.

Provision as to Costs in Actions brought by certain Limited Companies.

69. Where a Limited Company is Plaintiff or Pursuer in any Action, Suit, or other legal Proceeding, any Judge having Jurisdiction in the Matter may, if it appears by any credible Testimony that there is Reason to believe that if the Defendant be successful in his Defence the Assets of the Company will be insufficient to pay his Costs, require sufficient Security to be given for such Costs, and may stay all Proceedings until such Security is given.

Declaration in Action against Members.

70. In any Action or Suit brought by the Company against any Member to recover any Call or other Monies due from such Member in his Character of Member, it shall not be necessary to set forth the special Matter, but it shall be sufficient to allege that the Defendant is a Member of the Company, and is indebted to the Company in respect of a Call made or other Monies due whereby an Action or Suit hath accrued to the Company.

Alteration of Forms.

Board of Trade may alter Forms in Schedule.

71. The Forms set forth in the Second Schedule hereto, or Forms as near thereto as Circumstances admit, shall be used in all Matters to which such Forms refer; the Board of Trade may from Time to Time make such Alterations in the Tables and Forms contained in the First Schedule hereto, so that it does not increase the Amount of Fees payable to the Registrar in the said Schedule mentioned, and in the Forms in the Second Schedule, or make such Additions to the last-mentioned Forms, as it deems requisite: Any such Table or Form, when altered, shall be published in the *London Gazette*, and upon such Publication being made such Table or Form shall have the same Force as if it were included in the Schedule to this Act, but no Alteration made by the Board of Trade in the Table marked A. contained in the First Schedule shall affect any Company registered prior to the Date of such Alteration, or repeal, as respects such Company, any Portion of such Table.

Arbitrations.

Power for Companies to refer Matters to Arbitration.

72. Any Company under this Act may from Time to Time, by Writing under its Common Seal, agree to refer and may refer to Arbitration, in accordance with "The Railway Companies Arbitration Act, 1859," any existing or future Difference, Question, or other Matter whatsoever in dispute between itself and any other Company or Person, and the Companies Parties to the Arbitration may delegate to the Person or Persons to whom the Reference is made Power to settle any Terms or to determine any Matter capable of being lawfully settled or determined by the Companies themselves, or by the Directors or other managing Body of such Companies.

Provisions of 22 & 23 Vict. c. 59. to apply.

73. All the Provisions of "The Railway Companies Arbitration Act, 1859," shall be deemed to apply to Arbitrations between Companies and Persons in pursuance of this Act; and in the Construction of such Provisions "the Companies" shall be deemed to include Companies authorized by this Act to refer Disputes to Arbitration.

PART IV.

WINDING UP OF COMPANIES AND ASSOCIATIONS UNDER THIS ACT.

Preliminary.

Meaning of Contributory.

74. The Term "Contributory" shall mean every Person liable to contribute to the Assets of a Company under this Act, in the event of the same being wound up: It shall also, in all Proceedings for determining the Persons who are to be deemed Contributories, and in all Proceedings prior to the final Determination of such Persons, include any Person alleged to be a Contributory.

Nature of Liability of Contributory.

75. The Liability of any Person to contribute to the Assets of a Company under this Act in the event of the same being wound up, shall be deemed to create a Debt (in *England* and *Ireland* of the Nature of a Specialty) accruing due from such Person at the Time when his Liability commenced, but payable at the Time or respective Times when Calls are made as herein-after mentioned for enforcing such Liability; and it shall be lawful in the Case of the Bankruptcy of any Contributory to prove against his Estate the estimated Value of his Liability to future Calls, as well as Calls already made.

Contributories in case of Death.

76. If any Contributory dies either before or after he has been placed on the List of Contributories herein-after mentioned, his Personal Representatives, Heirs, and Devisees shall be liable in a due Course of Administration to contribute to the Assets of the Company in discharge of the Liability of such deceased Contributory, and such Personal Representatives, Heirs, and Devisees shall be deemed to be Contributories accordingly.

Contributories in case of Bankruptcy.

77. If any Contributory becomes bankrupt, either before or after he has been placed on the List of Contributories, his Assignees shall be deemed to represent such Bankrupt for all the Purposes of the

Winding-

Winding-up, and shall be deemed to be Contributories accordingly, and may be called upon to admit to Proof against the Estate of such Bankrupt, or otherwise to allow to be paid out of his Assets in due Course of Law, any Monies due from such Bankrupt in respect of his Liability to contribute to the Assets of the Company being wound up; and for the Purposes of this Section any Person who may have taken the Benefit of any Act for the Relief of Insolvent Debtors before the Eleventh Day of *October* One thousand eight hundred and sixty-one shall be deemed to have become bankrupt.

Contributories in case of Marriage.

78. If any Female Contributory marries, either before or after she has been placed on the List of Contributories, her Husband shall during the Continuance of the Marriage be liable to contribute to the Assets of the Company the same Sum as she would have been liable to contribute if she had not married, and he shall be deemed to be a Contributory accordingly.

Winding up by Court.

Circumstances under which Company may be wound up by Court.

79. A Company under this Act may be wound up by the Court as herein-after defined, under the following Circumstances; (that is to say,)

(1.) Whenever the Company has passed a Special Resolution requiring the Company to be wound up by the Court:

(2.) Whenever the Company does not commence its Business within a Year from its Incorporation, or suspends its Business for the Space of a whole Year:

(3.) Whenever the Members are reduced in Number to less than Seven:

(4.) Whenever the Company is unable to pay its Debts:

(5.) Whenever the Court is of opinion that it is just and equitable that the Company should be wound up.

Company when deemed unable to pay its Debts.

80. A Company under this Act shall be deemed to be unable to pay its Debts,

(1.) Whenever a Creditor, by Assignment or otherwise, to whom the Company is indebted, at Law or in Equity, in a Sum exceeding Fifty Pounds then due, has served on the Company, by leaving the same at their registered Office, a Demand under his Hand requiring the Company to pay the Sum so due, and the Company has for the Space of Three Weeks succeeding the Service of such Demand neglected to pay such Sum, or to secure or compound for the same to the reasonable Satisfaction of the Creditor:

(2.) Whenever, in *England* and *Ireland*, Execution or other Process issued on a Judgment, Decree, or Order obtained in any Court in favour of any Creditor, at Law or in Equity, in any Proceeding instituted by such Creditor against the Company, is returned unsatisfied in whole or in part:

(3.) Whenever, in *Scotland*, the Inducie of a Charge for Payment on an Extract Decree, or an Extract registered Bond, or an Extract registered Protest have expired without Payment being made:

(4.) Whenever it is proved to the Satisfaction of the Court that the Company is unable to pay its Debts.

Definition of "the Court."

81. The Expression "the Court," as used in this Part of this Act, shall mean the following Authorities; (that is to say,)

In the Case of a Company engaged in working any Mine within and subject to the Jurisdiction of the Stannaries,—the Court of the Vice Warden of the Stannaries, unless the Vice Warden certifies that in his Opinion the Company would be more advantageously wound up in the High Court of Chancery, in which Case "the Court" shall mean the High Court of Chancery:

In the Case of a Company registered in *England* that is not engaged in working any such Mine as aforesaid,—the High Court of Chancery:

In the Case of a Company registered in *Ireland*, the Court of Chancery in *Ireland*:

In all Cases of Companies registered in *Scotland*, the Court of Session in either Division thereof:

Provided that where the Court of Chancery in *England* or *Ireland* makes an Order for winding up a Company under this Act, it may, if it thinks fit, direct all subsequent Proceedings for winding up the same to be had in the Court of Bankruptcy having Jurisdiction in the Place in which the registered Office of the Company is situate; and thereupon such last-mentioned Court of Bankruptcy shall, for the Purposes of winding up the Company, be deemed to be "the Court" within the Meaning of the Act, and shall have for the Purposes of such Winding-up all the Powers of the High Court of Chancery, or of the Court of Chancery in *Ireland*, as the Case may require.

Application for winding up to be made by Petition.

82. Any Application to the Court for the winding up of a Company under this Act shall be by Petition; it may be presented by the Company, or by any One or more Creditor or Creditors, Contributory or Contributories of the Company, or by all or any of the above Parties, together or separately; and every Order which may be made on any such Petition shall operate in favour of all the Creditors and all the Contributories of the Company in the same Manner as if it had been made upon the joint Petition of a Creditor and a Contributory.

Power of Court.

83. Any Judge of the High Court of Chancery may do in Chambers any Act which the Court is hereby authorized to do; and the Vice Warden of the Stannaries may direct that a Petition for winding up a Company be heard by him at such Time and at such Place within the Jurisdiction of the

Stannaries, or within or near to the Place where the registered Office of the Company is situated, as he may deem to be convenient to the Parties concerned, or (with the Consent of the Parties concerned) at any Place in *England*; and all Orders made thereupon shall have the same Force and Effect as if they had been made by the Vice Warden sitting at *Truro* or elsewhere within the Jurisdiction of the Court, and all Parties and Persons summoned to attend at the Hearing of any such Petition shall be compellable to give their Attendance before the Vice Warden by like Process and in like Manner as at the Hearing of any Cause or Matter at the usual Sitting of the said Court; and the Registrar of the Court may, subject to Exception or Appeal to the Vice Warden as heretofore used, do and exercise such and the like Acts and Powers in the Matter of winding up as he is now used to do and exercise in a Suit on the Equity Side of the said Court.

Commencement of winding up.

84. A Winding-up of a Company by the Court shall be deemed to commence at the Time of the Presentation of the Petition for the Winding-up.

Court may grant Injunction.

85. The Court may, at any Time after the Presentation of a Petition for winding up a Company under this Act, and before making an Order for winding up the Company, upon the Application of the Company, or of any Creditor or Contributory of the Company, restrain further Proceedings in any Action, Suit, or Proceeding against the Company, upon such Terms as the Court thinks fit; the Court may also at any Time after the Presentation of such Petition, and before the First Appointment of Liquidators, appoint provisionally an Official Liquidator of the Estate and Effects of the Company.

Course to be pursued by Court on hearing Petition.

86. Upon hearing the Petition the Court may dismiss the same with or without Costs, may adjourn the Hearing conditionally or unconditionally, and may make any Interim Order, or any other Order that it deems just.

Actions, &c. to be stayed after Order for winding up.

87. When an Order has been made for winding up a Company under this Act no Suit, Action, or other Proceeding shall be proceeded with or commenced against the Company except with the Leave of the Court, and subject to such Terms as the Court may impose.

Copy of Order to be forwarded to Registrar.

88. When an Order has been made for winding up a Company under this Act, a Copy of such Order shall forthwith be forwarded by the Company to the Registrar of Joint Stock Companies, who shall make a Minute thereof in his Books relating to the Company.

Power of Court to stay Proceedings.

89. The Court may at any Time after an Order has been made for winding up a Company, upon the Application by Motion of any Creditor or Contributory of the Company, and upon Proof to the Satisfaction of the Court that all Proceedings in relation to such Winding-up ought to be stayed, make an Order staying the same, either altogether or for a limited Time, on such Terms and subject to such Conditions as it deems fit.

Effect of Order on Share Capital of Company limited by Guarantee.

90. When an Order has been made for winding up a Company limited by Guarantee and having a Capital divided into Shares, any Share Capital that may not have been called up shall be deemed to be Assets of the Company, and to be a Debt (in *England* and *Ireland* of the Nature of a Specialty) due to the Company from each Member to the Extent of any Sums that may be unpaid on any Shares held by him, and payable at such Time as may be appointed by the Court.

Court may have regard to Wishes of Creditors or Contributories.

91. The Court may, as to all Matters relating to the Winding-up, have regard to the Wishes of the Creditors or Contributories, as proved to it by any sufficient Evidence, and may, if it thinks it expedient, direct Meetings of the Creditors or Contributories to be summoned, held, and conducted in such Manner as the Court directs, for the Purpose of ascertaining their Wishes, and may appoint a Person to act as Chairman of any such Meeting, and to report the Result of such Meeting to the Court: In the Case of Creditors, regard is to be had to the Value of the Debts due to each Creditor, and in the Case of Contributories to the Number of Votes conferred on each Contributory by the Regulations of the Company.

Official Liquidators.

Appointment of Official Liquidator.

92. For the Purpose of conducting the Proceedings in winding up a Company, and assisting the Court therein, there may be appointed a Person or Persons to be called an Official Liquidator or Official Liquidators; and the Court having Jurisdiction may appoint such Person or Persons, either provisionally or otherwise, as it thinks fit, to the Office of Official Liquidator or Official Liquidators; in all Cases if more Persons than One are appointed to the Office of Official Liquidator, the Court shall declare whether any Act hereby required or authorized to be done by the Official Liquidator is to be done by all or any One or more of such Persons. The Court may also determine whether any and what Security is to be given by any Official Liquidator on his Appointment; if no Official Liquidator is appointed, or during any Vacancy in such Appointment, all the Property of the Company shall be deemed to be in the Custody of the Court.

Resignations, Removals, filling up Vacancies, and Compensation.

93. Any Official Liquidator may resign or be removed by the Court on due Cause shown: And any Vacancy in the Office of an Official Liquidator appointed by the Court shall be filled by the Court: There shall be paid to the Official Liquidator such Salary or Remuneration, by way of Per-centage or otherwise, as the Court may direct; and if more Liquidators than One are appointed such Remuneration shall be distributed amongst them in such Proportions as the Court directs.

Style and Duties of Official Liquidator.

94. The Official Liquidator or Liquidators shall be described by the Style of the Official Liquidator or Official Liquidators of the particular Company in respect of which he is or they are appointed, and not

not by his or their individual Name or Names; he or they shall take into his or their Custody, or under his or their Control, all the Property, Effects, and Things in Actions to which the Company is or appears to be entitled, and shall perform such Duties in reference to the Winding-up of the Company as may be imposed by the Court.

Powers of Official Liquidator.

95. The Official Liquidator shall have Power, with the Sanction of the Court, to do the following Things:

To bring or defend any Action, Suit, or Prosecution, or other legal Proceeding, Civil or Criminal, in the Name and on behalf of the Company:

To carry on the Business of the Company, so far as may be necessary for the beneficial winding up of the same:

To sell the Real and Personal and Heritable and Moveable Property, Effects, and Things in Action of the Company by Public Auction or Private Contract, with Power to transfer the whole thereof to any Person or Company, or to sell the same in Parcels:

To do all Acts and to execute, in the Name and on behalf of the Company, all Deeds, Receipts, and other Documents, and for that Purpose to use, when necessary, the Company's Seal:

To prove, rank, claim, and draw a Dividend, in the Matter of the Bankruptcy or Insolvency or Sequestration of any Contributory, for any Balance against the Estate of such Contributory, and to take and receive Dividends in respect of such Balance, in the Matter of Bankruptcy or Insolvency or Sequestration, as a separate Debt due from such Bankrupt or Insolvent, and rateably with the other separate Creditors:

To draw, accept, make, and endorse any Bill of Exchange or Promissory Note in the Name and on behalf of the Company, also to raise upon the Security of the Assets of the Company from Time to Time any requisite Sum or Sums of Money; and the drawing, accepting, making, or endorsing of every such Bill of Exchange or Promissory Note as aforesaid on behalf of the Company shall have the same Effect with respect to the Liability of such Company as if such Bill or Note had been drawn, accepted, made, or endorsed by or on behalf of such Company in the course of carrying on the Business thereof:

To take out, if necessary, in his official Name, Letters of Administration to any deceased Contributory, and to do in his official Name any other Act that may be necessary for obtaining Payment of any Monies due from a Contributory or from his Estate, and which Act cannot be conveniently done in the Name of the Company; and in all Cases where he takes out Letters of Administration, or otherwise uses his official Name for obtaining Payment of any Monies due from a Contributory, such Monies shall for the Purpose of enabling him to take out such Letters or recover such Monies, be deemed to be due to the Official Liquidator himself:

To do and execute all such other Things as may be necessary for winding up the Affairs of the Company and distributing its Assets.

Discretion of Official Liquidator.

96. The Court may provide by any Order that the Official Liquidator may exercise any of the above Powers without the Sanction or Intervention of the Court, and where an Official Liquidator is provisionally appointed may limit and restrict his Powers by the Order appointing him.

Appointment of Solicitor to Official Liquidator.

97. The Official Liquidator may, with the Sanction of the Court, appoint a Solicitor or Law Agent to assist him in the Performance of his Duties.

Ordinary Powers of Court.

Collection and Application of Assets.

98. As soon as may be after making an Order for winding up the Company, the Court shall settle a List of Contributories, with Power to rectify the Register of Members in all Cases where such Rectification is required in pursuance of this Act, and shall cause the Assets of the Company to be collected, and applied in discharge of its Liabilities.

Provision as to representative Contributories.

99. In settling the List of Contributories the Court shall distinguish between Persons who are Contributories in their own Right and Persons who are Contributories as being Representatives of or being liable to the Debts of others; it shall not be necessary, where the Personal Representative of any deceased Contributory is placed on the List, to add the Heirs or Devisees of such Contributory, nevertheless such Heirs or Devisees may be added as and when the Court thinks fit.

Power of Court to require Delivery of Property.

100. The Court may, at any Time after making an Order for winding up a Company, require any Contributory for the Time being settled on the List of Contributories, Trustee, Receiver, Banker, or Agent, or Officer of the Company to pay, deliver, convey, surrender, or transfer forthwith, or within such Time as the Court directs, to or into the Hands of the Official Liquidator, any Sum or Balance, Books, Papers, Estate, or Effects which happen to be in his Hands for the Time being, and to which the Company is *primâ facie* entitled.

Power of Court to order Payment of Debts by Contributory.

101. The Court may, at any Time after making an Order for winding up the Company, make an Order on any Contributory for the Time being settled on the List of Contributories, directing Payment to be made, in manner in the said Order mentioned, of any Monies due from him or from the Estate of the Person whom he represents to the Company, exclusive of any Monies which he or the Estate of the Person whom he represents may be liable to contribute by virtue of any Call made or to be made by the Court in pursuance of this Part of this Act; and it may, in making such Order, when the Company is

not

not limited, allow to such Contributory by way of Set-off any Monies due to him or the Estate which he represents from the Company on any independent Dealing or Contract with the Company, but not any Monies due to him as a Member of the Company in respect of any Dividend or Profit:

Provided that when all the Creditors of any Company whether limited or unlimited are paid in full, any Monies due on any Account whatever to any Contributory from the Company may be allowed to him by way of Set-off against any subsequent Call or Calls.

Power of Court to make Calls.

102. The Court may, at any Time after making an Order for winding up a Company, and either before or after it has ascertained the Sufficiency of the Assets of the Company, make Calls on and order Payment thereof by all or any of the Contributories for the Time being settled on the List of Contributories, to the Extent of their Liability, for Payment of all or any Sums it deems necessary to satisfy the Debts and Liabilities of the Company, and the Costs, Charges, and Expenses of winding it up, and for the Adjustment of the Rights of the Contributories amongst themselves, and it may, in making a Call, take into consideration the Probability that some of the Contributories upon whom the same is made may partly or wholly fail to pay their respective Portions of the same.

Power of Court to order Payment into Bank.

103. The Court may order any Contributory, Purchaser, or other Person from whom Money is due to the Company to pay the same into the Bank of *England* or any Branch thereof to the Account of the Official Liquidator instead of to the Official Liquidator, and such Order may be enforced in the same Manner as if it had directed Payment to the Official Liquidator.

Regulation of Account with Court.

104. All Monies, Bills, Notes, and other Securities paid and delivered into the Bank of *England* or any Branch thereof in the event of a Company being wound up by the Court, shall be subject to such Order and Regulation for the keeping of the Account of such Monies and other Effects, and for the Payment and Delivery in, or Investment and Payment and Delivery out of the same as the Court may direct.

In case of representative Contributory not paying Monies ordered.

105. If any Person made a Contributory as Personal Representative of a deceased Contributory makes default in paying any Sum ordered to be paid by him, Proceedings may be taken for administering the Personal and Real Estates of such deceased Contributory, or either of such Estates, and of compelling Payment thereout of the Monies due.

Order conclusive Evidence.

106. Any Order made by the Court in pursuance of this Act upon any Contributory shall, subject to the Provisions herein contained for appealing against such Order, be conclusive Evidence that the Monies, if any, thereby appearing to be due or ordered to be paid are due, and all other pertinent Matters stated in such Order are to be taken to be truly stated as against all Persons, and in all Proceedings whatsoever, with the Exception of Proceedings taken against the Real Estate of any deceased Contributory, in which Case such Order shall only be *primâ facie* Evidence for the Purpose of charging his Real Estate, unless his Heirs or Devisees were on the List of Contributories at the Time of the Order being made.

Court may exclude Creditors not proving in certain Time.

107. The Court may fix a certain Day or certain Days on or within which Creditors of the Company are to prove their Debts or Claims, or to be excluded from the Benefit of any Distribution made before such Debts are proved.

Proceedings in the Court of the Vice Warden of the Stannaries on Proof of Debts.

108. If in the course of proving the Debts and Claims of Creditors in the Court of the Vice Warden of the Stannaries any Debt or Claim is disputed by the Official Liquidator or by any Creditor or Contributory, or appears to the Court to be open to Question, the Court shall have Power, subject to Appeal as herein-after provided, to adjudicate upon it, and for that Purpose the said Court shall have and exercise all needful Powers of Inquiry touching the same by Affidavit or by oral Examination of Witnesses or of Parties, whether voluntarily offering themselves for Examination or summoned to attend by compulsory Process of the Court, or to produce Documents before the Court; and the Court shall also have Power, incidentally, to decide on the Validity and Extent of any Lien or Charge claimed by any Creditor on any Property of the Company in respect of such Debt, and to make Declarations of Right, binding on all Persons interested; and for the more satisfactory Determination of any Question of Fact, or mixed Question of Law and Fact arising on such Inquiry, the Vice Warden shall have Power, if he thinks fit, to direct and settle any Action or Issue to be tried either on the Common Law Side of his Court, or by a Common or Special Jury, before the Justices of Assize in and for the Counties of *Cornwall* or *Devon*, or at any Sitting of One of the Superior Courts in *London* or *Middlesex*, which Action or Issue shall accordingly be tried in due Course of Law, and without other or further Consent of Parties; and the Finding of the Jury in such Action or Issue shall be conclusive of the Facts found, unless the Judge who tried it makes known to the Vice Warden that he was not satisfied with the Finding, or unless it appears to the Vice Warden that, in consequence of Miscarriage, Accident, or the subsequent Discovery of fresh material Evidence, such Finding ought not to be conclusive.

Court to adjust Rights of Contributories.

109. The Court shall adjust the Rights of the Contributories amongst themselves, and distribute any Surplus that may remain amongst the Parties entitled thereto.

Court to order Costs.

110. The Court may, in the event of the Assets being insufficient to satisfy the Liabilities, make an Order as to the Payment out of the Estate of the Company of the Costs, Charges, and Expenses incurred in winding up any Company in such Order of Priority as the Court thinks just.

111. When

Dissolution of Company.

111. When the Affairs of the Company have been completely wound up, the Court shall make an Order that the Company be dissolved from the Date of such Order, and the Company shall be dissolved accordingly.

Registrar to make Minute of Dissolution.

112. Any Order so made shall be reported by the Official Liquidator to the Registrar, who shall make a Minute accordingly in his Books of the Dissolution of such Company.

Penalty on not reporting Dissolution.

113. If the Official Liquidator makes default in reporting to the Registrar, in the Case of a Company being wound up by the Court, the Order that the Company be dissolved, he shall be liable to a Penalty not exceeding Five Pounds for every Day during which he is so in default.

Petition to be Lis pendens.

114. Any Petition for winding up a Company by the Court under this Act shall constitute a Lis pendens within the Terms of the Act passed in the Session holden in the Second and Third Years of the Reign of Her present Majesty, Chapter Eleven, and intituled *An Act for the better Protection of Purchasers against Judgments, Crown Debts, Lis pendens, and Fiats in Bankruptcy*, provided the same is duly registered in manner required by such Act concerning Suits in Equity.

Extraordinary Powers of Court.

Power of Court to summon Persons before it suspected of having Property of Company.

115. The Court may, after it has made an Order for winding up the Company, summon before it any Officer of the Company or Person known or suspected to have in his Possession any of the Estate or Effects of the Company, or supposed to be indebted to the Company, or any Person whom the Court may deem capable of giving Information concerning the Trade, Dealings, Estate, or Effects of the Company; and the Court may require any such Officer or Person to produce any Books, Papers, Deeds, Writings, or other Documents in his Custody or Power relating to the Company; and if any Person so summoned, after being tendered a reasonable Sum for his Expenses, refuses to come before the Court at the Time appointed, having no lawful Impediment (made known to the Court at the Time of its sitting, and allowed by it), the Court may cause such Person to be apprehended, and brought before the Court for Examination; nevertheless, in Cases where any Person claims any Lien on Papers, Deeds, or Writings or Documents produced by him, such Production shall be without Prejudice to such Lien, and the Court shall have Jurisdiction in the Winding-up to determine all Questions relating to such Lien.

Special Provisions as to Court of Vice Warden of the Stannaries.

116. If, after an Order for Winding-up in the Court of the Vice Warden of the Stannaries, it appears that any Person claims Property in, or any Lien, legal or equitable, upon any of the Machinery, Materials, Ores, or Effects on the Mine or on Premises occupied by the Company in connexion with the Mine, or to which the Company was, at the Time of the Order, *primâ facie* entitled, it shall be lawful for the Vice Warden or the Registrar to adjudicate upon such Claim on Interpleader in the Manner provided by Section Eleven of the Act passed in the Eighteenth Year of the Reign of Her present Majesty, Chapter Thirty-two; and any Action or Issue directed upon such Interpleader may, if the Vice Warden think fit, be tried in his Court or at the Assizes or the Sittings in *London* or *Middlesex*, before a Judge of One of the Superior Courts, in the Manner and on the Terms and Conditions hereinbefore provided in the Case of disputed Debts and Claims of Creditors.

Examination of Parties by Court.

117. The Court may examine upon Oath, either by Word of Mouth or upon written Interrogatories, any Person appearing or brought before them in manner aforesaid concerning the Affairs, Dealings, Estate, or Effects of the Company, and may reduce into Writing the Answers of every such Person, and require him to subscribe the same.

Power to arrest Contributory about to abscond, or to remove or conceal any of his Property.

118. The Court may, at any Time before or after it has made an Order for winding up a Company, upon Proof being given that there is probable Cause for believing that any Contributory to such Company is about to quit the United Kingdom, or otherwise abscond, or to remove or conceal any of his Goods or Chattels, for the Purpose of evading Payment of Calls, or for avoiding Examination in respect of the Affairs of the Company, cause such Contributory to be arrested, and his Books, Papers, Monies, Securities for Monies, Goods, and Chattels to be seized, and him and them to be safely kept until such Time as the Court may order.

Powers of Court cumulative.

119. Any Powers by this Act conferred on the Court shall be deemed to be in addition to and not in restriction of any other Powers subsisting, either at Law or in Equity, of instituting Proceedings against any Contributory, or the Estate of any Contributory, or against any Debtor of the Company for the Recovery of any Call or other Sums due from such Contributory or Debtor, or his Estate, and such Proceedings may be instituted accordingly.

Enforcement of and Appeal from Orders.

Power to enforce Orders.

120. All Orders made by the Court of Chancery in *England* or *Ireland* under this Act may be enforced in the same Manner in which Orders of such Court of Chancery made in any Suit pending therein may be enforced, and for the Purposes of this Part of this Act the Court of the Vice Warden of the Stannaries shall, in addition to its ordinary Powers, have the same Power of enforcing any Orders made by it as the Court of Chancery in *England* has in relation to Matters within the Jurisdiction of such Court, and for the last-mentioned Purposes the Jurisdiction of the Vice Warden of the Stannaries shall be deemed to be co-extensive in local Limits with the Jurisdiction of the Court of Chancery in *England*.

121. Where

Power to order Contributories in Scotland to pay Calls.

121. Where an Order, Interlocutor, or Decree has been made in *Scotland* for winding up a Company by the Court, it shall be competent to the Court in *Scotland* during Session, and to the Lord Ordinary on the Bills during Vacation, on Production by the Liquidators of a List certified by them of the Names of the Contributories liable in Payment of any Calls which they may wish to enforce, and of the Amount due by each Contributory respectively, and of the Date when the same became due, to pronounce forthwith a Decree against such Contributories for Payment of the Sums so certified to be due by each of them respectively, with Interest from the said Date till Payment, at the Rate of Five Pounds *per Centum per Annum*, in the same Way and to the same Effect as if they had severally consented to Registration for Execution, on a Charge of Six Days, of a legal Obligation to pay such Calls and Interest; and such Decree may be extracted immediately, and no Suspension thereof shall be competent, except on Caution or Consignation, unless with special Leave of the Court or Lord Ordinary.

Order made in England to be enforced in Ireland and Scotland.

122. Any Order made by the Court in *England* for or in the Course of the Winding-up of a Company under this Act shall be enforced in *Scotland* and *Ireland* in the Courts that would respectively have had Jurisdiction in respect of such Company if the registered Office of the Company had been situate in *Scotland* or *Ireland*, and in the same Manner in all respects as if such Order had been made by the Courts that are hereby required to enforce the same; and in like Manner Orders, Interlocutors, and Decrees made by the Court in *Scotland* for or in the Course of the Winding-up of a Company shall be enforced in *England* and *Ireland*, and Orders made by the Court in *Ireland* for or in the Course of winding up a Company shall be enforced in *England* and *Scotland* by the Courts which would respectively have had Jurisdiction in the Matter of such Company if the registered Office of the Company were situate in the Division of the United Kingdom where the Order is required to be enforced, and in the same Manner in all respects as if such Order had been made by the Court required to enforce the same in the Case of a Company within its own Jurisdiction.

Mode of dealing with Orders to be enforced by other Courts.

123. Where any Order, Interlocutor, or Decree made by one Court is required to be enforced by another Court, as herein-before provided, an Office Copy of the Order, Interlocutor, or Decree so made shall be produced to the proper Officer of the Court required to enforce the same, and the Production of such Office Copy shall be sufficient Evidence of such Order, Interlocutor, or Decree having been made, and thereupon such last-mentioned Court shall take such Steps in the Matter as may be requisite for enforcing such Order, Interlocutor, or Decree, in the same Manner as if it were the Order, Interlocutor, or Decree of the Court enforcing the same.

Appeals from Orders.

124. Rehearings of and Appeals from any Order or Decision made or given in the Matter of the Winding-up of a Company by any Court having Jurisdiction under this Act, may be had in the same Manner and subject to the same Conditions in and subject to which Appeals may be had from any Order or Decision of the same Court in Cases within its ordinary Jurisdiction; subject to this Restriction, that no such Rehearing or Appeal shall be heard unless Notice of the same is given within Three Weeks after any Order complained of has been made, in manner in which Notices of Appeal are ordinarily given, according to the Practice of the Court appealed from, unless such Time is extended by the Court of Appeal: Provided that it shall be lawful for the Lord Warden of the Stannaries, by a Special or General Order, to remit at once any Appeal allowed and regularly lodged with him against any Order or Decision of the Vice Warden made in the Matter of a Winding-up to the Court of Appeal in Chancery, which Court shall thereupon hear and determine such Appeal, and have Power to require all such Certificates of the Vice Warden, Records of Proceedings below, Documents, and Papers as the Lord Warden would or might have required upon the Hearing of such Appeal, and to exercise all other the Jurisdiction and Powers of the Lord Warden specified in the Act of Parliament passed in the Eighteenth Year of the Reign of Her present Majesty, Chapter Thirty-two, and any Order so made by the Court of Appeal in Chancery shall be final, without any further Appeal.

Judicial Notice to be taken of Signature of Officers.

125. In all Proceedings under this Part of this Act, all Courts, Judges, and Persons judicially acting, and all other Officers, Judicial or Ministerial, of any Court, or employed in enforcing the Process of any Court, shall take judicial Notice of the Signature of any Officer of the Courts of Chancery or Bankruptcy in *England* or in *Ireland*, or of the Court of Session in *Scotland*, or of the Registrar of the Court of the Vice Warden of the Stannaries, and also of the official Seal or Stamp of the several Offices of the Courts of Chancery or Bankruptcy in *England* or *Ireland*, or of the Court of Session in *Scotland*, or of the Court of the Vice Warden of the Stannaries, when such Seal or Stamp is appended to or impressed on any Document made, issued, or signed under the Provisions of this Part of the Act, or any official Copy thereof.

Special Commissioners for receiving Evidence.

126. The Commissioners of the Court of Bankruptcy and the Judges of the County Courts in *England* who sit at Places more than Twenty Miles from the General Post Office, and the Commissioners of Bankrupt and the Assistant Barristers and Recorders in *Ireland*, and the Sheriffs of Counties in *Scotland*, shall be Commissioners for the Purpose of taking Evidence under this Act in Cases where any Company is wound up in any Part of the United Kingdom, and it shall be lawful for the Court to refer the whole or any Part of the Examination of any Witnesses under this Act to any Person hereby appointed Commissioner, although such Commissioner is out of the Jurisdiction of the Court that made the Order or Decree for winding up the Company; and every such Commissioner shall, in addition to any Power of summoning and examining Witnesses, and requiring the Production or Delivery of Documents,

Documents, and certifying or punishing Defaults by Witnesses, which he might lawfully exercise as a Commissioner of the Court of Bankruptcy, Judge of a County Court, Commissioner of Bankrupt, Assistant Barrister, or Recorder, or as a Sheriff of a County, have in the Matter so referred to him all the same Powers of summoning and examining Witnesses, and requiring the Production or Delivery of Documents, and punishing Defaults by Witnesses, and allowing Costs and Charges and Expenses to Witnesses, as the Court which made the Order for winding up the Company has; and the Examination so taken shall be returned or reported to such last-mentioned Court in such Manner as it directs.

Court may order the Examination of Persons in Scotland.

127. The Court may direct the Examination in *Scotland* of any Person for the Time being in *Scotland*, whether a Contributory of the Company or not, in regard to the Estate, Dealings, or Affairs of any Company in the course of being wound up, or in regard to the Estate, Dealings, or Affairs of any Person being a Contributory of the Company, so far as the Company may be interested therein by reason of his being such Contributory, and the Order or Commission to take such Examination shall be directed to the Sheriff of the County in which the Person to be examined is residing or happens to be for the Time, and the Sheriff shall summon such Person to appear before him at a Time and Place to be specified in the Summons for Examination upon Oath as a Witness or as a Haver, and to produce any Books, Papers, Deeds, or Documents called for which may be in his Possession or Power, and the Sheriff may take such Examination either orally or upon written Interrogatories, and shall report the same in Writing in the usual Form to the Court, and shall transmit with such Report the Books, Papers, Deeds, or Documents produced, if the Originals thereof are required and specified by the Order, or otherwise such Copies thereof or Extracts therefrom, authenticated by the Sheriff, as may be necessary; and in case any Person so summoned fails to appear at the Time and Place specified, or appearing refuses to be examined or to make the Production required, the Sheriff shall proceed against such Person as a Witness or Haver duly cited, and failing to appear or refusing to give Evidence or make Production may be proceeded against by the Law of *Scotland;* and the Sheriff shall be entitled to such and the like Fees, and the Witness shall be entitled to such and the like Allowances, as Sheriffs when acting as Commissioners under Appointment from the Court of Session and as Witnesses and Havers are entitled to in the like Cases according to the Law and Practice of *Scotland:* If any Objection is stated to the Sheriff by the Witness, either on the Ground of his Incompetency as a Witness, or as to the Production required to be made, or on any other Ground whatever, the Sheriff may, if he thinks fit, report such Objection to the Court, and suspend the Examination of such Witness until such Objection has been disposed of by the Court.

Affidavits, &c. may be sworn in Ireland, Scotland, or the Colonies before any competent Court or Person.

128. Any Affidavit, Affirmation, or Declaration required to be sworn or made, under the Provisions or for the Purposes of this Part of this Act, may be lawfully sworn or made in *Great Britain* or *Ireland*, or in any Colony, Island, Plantation, or Place under the Dominion of Her Majesty in Foreign Parts, before any Court, Judge, or Person lawfully authorized to take and receive Affidavits, Affirmations, or Declarations, or before any of Her Majesty's Consuls or Vice-Consuls, in any Foreign Parts out of Her Majesty's Dominions, and all Courts, Judges, Justices, Commissioners, and Persons acting judicially shall take judicial Notice of the Seal or Stamp or Signature (as the Case may be) of any such Court, Judge, Person, Consul, or Vice-Consul attached, appended, or subscribed to any such Affidavit, Affirmation, or Declaration, or to any other Document to be used for the Purposes of this Part of this Act.

Voluntary Winding-up of Company.

Circumstances under which Company may be wound up voluntarily.

129. A Company under this Act may be wound up voluntarily,

(1.) Whenever the Period, if any, fixed for the Duration of the Company by the Articles of Association expires, or whenever the Event, if any, occurs, upon the Occurrence of which it is provided by the Articles of Association that the Company is to be dissolved, and the Company in General Meeting has passed a Resolution requiring the Company to be wound up voluntarily:

(2.) Whenever the Company has passed a Special Resolution requiring the Company to be wound up voluntarily:

(3.) Whenever the Company has passed an Extraordinary Resolution to the Effect that it has been proved to their Satisfaction that the Company cannot by reason of its Liabilities continue its Business, and that it is advisable to wind up the same:

For the Purposes of this Act any Resolution shall be deemed to be extraordinary which is passed in such Manner as would, if it had been confirmed by a subsequent Meeting, have constituted a Special Resolution, as herein-before defined.

Commencement of voluntary Winding-up.

130. A voluntary Winding-up shall be deemed to commence at the Time of the passing of the Resolution authorizing such Winding-up.

Effect of voluntary Winding-up on Status of Company.

131. Whenever a Company is wound up voluntarily the Company shall, from the Date of the Commencement of such Winding-up, cease to carry on its Business, except in so far as may be required for the beneficial Winding-up thereof, and all Transfers of Shares except Transfers made to or with the Sanction of the Liquidators, or Alteration in the Status of the Members of the Company taking place after the Commencement of such Winding-up shall be void, but its Corporate State and all its Corporate Powers shall, notwithstanding it is otherwise provided by its Regulations, continue until the Affairs of the Company are wound up.

Notice of Resolution to wind up voluntarily.

132. Notice of any Special Resolution or Extraordinary Resolution passed for winding up a Company voluntarily shall be given by Advertisement as respects Companies registered in *England* in the *London Gazette*, as respects Companies registered in *Scotland* in the *Edinburgh Gazette*, and as respects Companies registered in *Ireland* in the *Dublin Gazette*.

Consequences of voluntary Winding-up.

133. The following Consequences shall ensue upon the voluntary Winding-up of a Company:

(1.) The Property of the Company shall be applied in satisfaction of its Liabilities *pari passu*, and subject thereto, shall, unless it be otherwise provided by the Regulations of the Company, be distributed amongst the Members according to their Rights and Interests in the Company:

(2.) Liquidators shall be appointed for the Purpose of winding up the Affairs of the Company and distributing the Property:

(3.) The Company in General Meeting shall appoint such Persons or Person as it thinks fit to be Liquidators or a Liquidator, and may fix the Remuneration to be paid to them or him:

(4.) If One Person only is appointed, all the Provisions herein contained in reference to several Liquidators shall apply to him:

(5.) Upon the Appointment of Liquidators all the Power of the Directors shall cease, except in so far as the Company in General Meeting or the Liquidators may sanction the Continuance of such Powers:

(6.) When several Liquidators are appointed, every Power hereby given may be exercised by such One or more of them, as may be determined at the Time of their Appointment, or in default of such Determination by any Number not less than Two:

(7.) The Liquidators may, without the Sanction of the Court, exercise all Powers by this Act given to the Official Liquidator:

(8.) The Liquidators may exercise the Powers herein-before given to the Court of settling the List of Contributories of the Company, and any List so settled shall be *primâ facie* Evidence of the Liability of the Persons named therein to be Contributories:

(9.) The Liquidators may at any Time after the passing of the Resolution for winding up the Company, and before they have ascertained the Sufficiency of the Assets of the Company, call on all or any of the Contributories for the Time being settled on the List of Contributories to the Extent of their Liability to pay all or any Sums they deem necessary to satisfy the Debts and Liabilities of the Company, and the Costs, Charges, and Expenses of winding it up, and for the Adjustment of the Rights of the Contributories amongst themselves, and the Liquidators may in making a Call take into consideration the Probability that some of the Contributories upon whom the same is made may partly or wholly fail to pay their respective Portions of the same:

(10.) The Liquidators shall pay the Debts of the Company, and adjust the Rights of the Contributories amongst themselves.

Effect of Winding-up on Share Capital of Company limited by Guarantee.

134. Where a Company limited by Guarantee, and having a Capital divided into Shares, is being wound up voluntarily, any Share Capital that may not have been called up shall be deemed to be Assets of the Company, and to be a Specialty Debt due from each Member to the Company to the Extent of any Sums that may be unpaid on any Shares held by him, and payable at such Time as may be appointed by the Liquidators.

Power of Company to delegate Authority to appoint Liquidators.

135. A Company about to be wound up voluntarily, or in the course of being wound up voluntarily, may, by an Extraordinary Resolution, delegate to its Creditors, or to any Committee of its Creditors, the Power of appointing Liquidators or any of them, and supplying any Vacancies in the Appointment of Liquidators, or may by a like Resolution enter into any Arrangement with respect to the Powers to be exercised by the Liquidators, and the Manner in which they are to be exercised; and any Act done by the Creditors, in pursuance of such delegated Power, shall have the same Effect as if it had been done by the Company.

Arrangement when binding on Creditors.

136. Any Arrangement entered into between a Company about to be wound up voluntarily, or in the course of being wound up voluntarily, and its Creditors, shall be binding on the Company if sanctioned by an Extraordinary Resolution, and on the Creditors if acceded to by Three Fourths in Number and Value of the Creditors, subject to such Right of Appeal as is herein-after mentioned.

Power of Creditor or Contributory to appeal.

137. Any Creditor or Contributory of a Company that has in manner aforesaid entered into any Arrangement with its Creditors may, within Three Weeks from the Date of the Completion of such Arrangement, appeal to the Court against such Arrangement, and the Court may thereupon, as it thinks just, amend, vary, or confirm the same.

Power for Liquidators or Contributories in voluntary Winding-up to apply to Court.

138. Where a Company is being wound up voluntarily the Liquidators or any Contributory of the Company may apply to the Court in *England*, *Ireland*, or *Scotland*, or to the Lord Ordinary on the Bills in *Scotland* in Time of Vacation, to determine any Question arising in the Matter of such Winding-up, or to exercise, as respects the enforcing of Calls, or in respect of any other Matter, all or any of the Powers which the Court might exercise if the Company were being wound up by the Court; and the Court or Lord Ordinary in the Case aforesaid, if satisfied that the Determination of such Question, or the required Exercise of Power, will be just and beneficial, may accede, wholly or partially, to such Application,

Application, on such Terms and subject to such Conditions as the Court thinks fit, or it may make such other Order, Interlocutor, or Decree on such Application as the Court thinks just.

Power of Liquidators to call General Meeting.

139. Where a Company is being wound up voluntarily the Liquidators may, from Time to Time, during the Continuance of such Winding-up, summon General Meetings of the Company for the Purpose of obtaining the Sanction of the Company by Special Resolution or Extraordinary Resolution, or for any other Purposes they think fit; and in the event of the Winding-up continuing for more than One Year, the Liquidators shall summon a General Meeting of the Company at the End of the First Year, and of each succeeding Year from the Commencement of the Winding-up, or as soon thereafter as may be convenient, and shall lay before such Meeting an Account showing their Acts and Dealings, and the Manner in which the Winding-up has been conducted during the preceding Year.

Power to fill up Vacancy in Liquidators.

140. If any Vacancy occurs in the Office of Liquidators appointed by the Company, by Death, Resignation, or otherwise, the Company in General Meeting may, subject to any Arrangement they may have entered into with their Creditors, fill up such Vacancy, and a General Meeting for the Purpose of filling up such Vacancy may be convened by the continuing Liquidators, if any, or by any Contributory of the Company, and shall be deemed to have been duly held if held in manner prescribed by the Regulations of the Company, or in such other Manner as may, on Application by the continuing Liquidator, if any, or by any Contributory of the Company, be determined by the Court.

Power of Court to appoint Liquidators.

141. If from any Cause whatever there is no Liquidator acting in the Case of a voluntary Winding-up, the Court may, on the Application of a Contributory, appoint a Liquidator or Liquidators: The Court may also, on due Cause shown, remove any Liquidator, and appoint another Liquidator to act in the Matter of a voluntary Winding-up.

Liquidators on Conclusion of Winding-up to make up an Account.

142. As soon as the Affairs of the Company are fully wound up, the Liquidators shall make up an Account showing the Manner in which such Winding-up has been conducted, and the Property of the Company disposed of; and thereupon they shall call a General Meeting of the Company for the Purpose of having the Account laid before them and hearing any Explanation that may be given by the Liquidators: The Meeting shall be called by Advertisement, specifying the Time, Place, and Object of such Meeting; and such Advertisement shall be published One Month at least previously to the Meeting, as respects Companies registered in *England* in the *London Gazette*, and as respects Companies registered in *Scotland* in the *Edinburgh Gazette*, and as respects Companies registered in *Ireland* in the *Dublin Gazette*.

Liquidators to report Meeting to Registrar.

143. The Liquidators shall make a Return to the Registrar of such Meeting having been held, and of the Date at which the same was held, and on the Expiration of Three Months from the Date of the Registration of such Return the Company shall be deemed to be dissolved: If the Liquidators make default in making such Return to the Registrar they shall incur a Penalty not exceeding Five Pounds for every Day during which such Default continues.

Costs of voluntary Liquidation.

144. All Costs, Charges, and Expenses properly incurred in the voluntary Winding-up of a Company, including the Remuneration of the Liquidators, shall be payable out of the Assets of the Company in priority to all other Claims.

Saving of Rights of Creditors.

145. The voluntary Winding-up of a Company shall not be a Bar to the Right of any Creditor of such Company to have the same wound up by the Court, if the Court is of opinion that the Rights of such Creditor will be prejudiced by a voluntary Winding-up.

Power of Court to adopt Proceedings of voluntary Winding-up.

146. Where a Company is in course of being wound up voluntarily, and Proceedings are taken for the Purpose of having the same wound up by the Court, the Court may, if it thinks fit, notwithstanding that it makes an Order directing the Company to be wound up by the Court, provide in such Order or in any other Order for the Adoption of all or any of the Proceedings taken in the course of the voluntary Winding-up.

Winding up subject to the Supervision of the Court.

Power of Court, on Application, to direct Winding-up, subject to Supervision.

147. When a Resolution has been passed by a Company to wind up voluntarily, the Court may make an Order directing that the voluntary Winding-up should continue, but subject to such Supervision of the Court, and with such Liberty for Creditors, Contributories, or others, to apply to the Court, and generally upon such Terms and subject to such Conditions as the Court thinks just.

Petition for winding up, subject to Supervision.

148. A Petition, praying wholly or in part that a voluntary Winding-up should continue, but subject to the Supervision of the Court, and which Winding-up is herein-after referred to as a Winding-up subject to the Supervision of the Court, shall, for the Purpose of giving Jurisdiction to the Court over Suits and Actions, be deemed to be a Petition for winding up the Company by the Court.

Court may have regard to Wishes of Creditors.

149. The Court may, in determining whether a Company is to be wound up altogether by the Court or subject to the Supervision of the Court, in the Appointment of Liquidator or Liquidators, and in all other Matters relating to the winding up subject to Supervision, have regard to the Wishes of the Creditors or Contributories as proved to it by any sufficient Evidence, and may direct Meetings of the Creditors or Contributories to be summoned, held, and regulated in such Manner as the Court directs for the Purpose of ascertaining their Wishes, and may appoint a Person to act as Chairman of any such Meeting, and to report the Result of such Meeting to the Court: In the Case of Creditors, regard shall

be had to the Value of the Debts due to each Creditor, and in the Case of Contributories to the Number of Votes conferred on each Contributory by the Regulations of the Company.

Power to Court to appoint additional Liquidators in Winding-up subject to Supervision.

150. Where any Order is made by the Court for a Winding-up subject to the Supervision of the Court, the Court may, in such Order or in any subsequent Order, appoint any additional Liquidator or Liquidators; and any Liquidators so appointed by the Court shall have the same Powers, be subject to the same Obligations, and in all respects stand in the same Position as if they had been appointed by the Company: The Court may from Time to Time remove any Liquidators so appointed by the Court, and fill up any Vacancy occasioned by such Removal, or by Death or Resignation.

Effect of Order of Court for winding-up subject to Supervision.

151. Where an Order is made for a Winding-up subject to the Supervision of the Court, the Liquidators appointed to conduct such Winding-up may, subject to any Restrictions imposed by the Court, exercise all their Powers, without the Sanction or Intervention of the Court, in the same Manner as if the Company were being wound up altogether voluntarily; but, save as aforesaid, any Order made by the Court for a Winding-up, subject to the Supervision of the Court, shall for all Purposes, including the staying of Actions, Suits, and other Proceedings, be deemed to be an Order of the Court for winding up the Company by the Court, and shall confer full Authority on the Court to make Calls, or to enforce Calls made by the Liquidators, and to exercise all other Powers which it might have exercised if an Order had been made for winding up the Company altogether by the Court, and in the Construction of the Provisions whereby the Court is empowered to direct any Act or Thing to be done to or in favour of the Official Liquidators, the Expression Official Liquidators shall be deemed to mean the Liquidators conducting the Winding-up, subject to the Supervision of the Court.

Appointment in certain Cases of voluntary Liquidators to Office of Official Liquidators.

152. Where an Order has been made for the Winding-up of a Company subject to the Supervision of the Court, and such Order is afterwards superseded by an Order directing the Company to be wound up compulsorily, the Court may in such last-mentioned Order, or in any subsequent Order, appoint the voluntary Liquidators or any of them, either provisionally or permanently, and either with or without the Addition of any other Persons, to be Official Liquidators.

Supplemental Provisions.

Dispositions after the Commencement of the Winding-up avoided.

153. Where any Company is being wound up by the Court or subject to the Supervision of the Court all Dispositions of the Property, Effects, and Things in Action of the Company, and every Transfer of Shares, or Alteration in the Status of the Members of the Company made between the Commencement of the winding up and the Order for winding up, shall, unless the Court otherwise orders, be void.

The Books of the Company to be Evidence.

154. Where any Company is being wound up, all Books, Accounts, and Documents of the Company and of the Liquidators shall, as between the Contributories of the Company, be *primâ facie* Evidence of the Truth of all Matters purporting to be therein recorded.

As to Disposal of Books, Accounts, and Documents of the Company.

155. Where any Company has been wound up under this Act and is about to be dissolved, the Books, Accounts, and Documents of the Company and of the Liquidators may be disposed of in the following Way; that is to say, where the Company has been wound up by or subject to the Supervision of the Court, in such Way as the Court directs, and where the Company has been wound up voluntarily, in such Way as the Company by an Extraordinary Resolution directs; but after the Lapse of Five Years from the Date of such Dissolution, no Responsibility shall rest on the Company, or the Liquidators, or anyone to whom the Custody of such Books, Accounts, and Documents has been committed, by reason that the same, or any of them, cannot be made forthcoming to any Party or Parties claiming to be interested therein.

Inspection of Books.

156. Where an Order has been made for winding up a Company by the Court or subject to the Supervision of the Court, the Court may make such Order for the Inspection by the Creditors and Contributories of the Company of its Books and Papers as the Court thinks just, and any Books and Papers in the Possession of the Company may be inspected by Creditors or Contributories in conformity with the Order of the Court, but not further or otherwise.

Power of Assignee to sue.

157. Any Person to whom any Thing in Action belonging to the Company is assigned, in pursuance of this Act, may bring or defend any Action or Suit relating to such Thing in Action in his own Name.

Debts of all Descriptions to be proved.

158. In the event of any Company being wound up under this Act, all Debts payable on a Contingency, and all Claims against the Company, present or future, certain or contingent, ascertained or sounding only in Damages, shall be admissible to Proof against the Company, a just Estimate being made, so far as is possible, of the Value of all such Debts or Claims as may be subject to any Contingency or sound only in Damages, or for some other Reason do not bear a certain Value.

General Scheme of Liquidation may be sanctioned.

159. The Liquidators may, with the Sanction of the Court, where the Company is being wound up by the Court or subject to the Supervision of the Court, and with the Sanction of an Extraordinary Resolution of the Company where the Company is being wound up altogether voluntarily, pay any Classes of Creditors in full, or make such Compromise or other Arrangement as the Liquidators may deem expedient with Creditors or Persons claiming to be Creditors, or Persons having or alleging themselves to have any Claim, present or future, certain or contingent, ascertained or sounding only in Damages against the Company, or whereby the Company may be rendered liable.

160. The

Power to compromise.

160. The Liquidators may, with the Sanction of the Court, where the Company is being wound up by the Court or subject to the Supervision of the Court, and with the Sanction of an Extraordinary Resolution of the Company where the Company is being wound up altogether voluntarily, compromise all Calls and Liabilities to Calls, Debts, and Liabilities capable of resulting in Debts, and all Claims, whether present or future, certain or contingent, ascertained or sounding only in Damages, subsisting or supposed to subsist between the Company and any Contributory or alleged Contributory, or other Debtor or Person apprehending Liability to the Company, and all Questions in any way relating to or affecting the Assets of the Company or the winding up of the Company, upon the Receipt of such Sums, payable at such Times, and generally upon such Terms as may be agreed upon, with Power for the Liquidators to take any Security for the Discharge of such Debts or Liabilities, and to give complete Discharges in respect of all or any such Calls, Debts, or Liabilities.

Power for Liquidators to accept Shares, &c. as a Consideration for Sale of Property of Company.

161. Where any Company is proposed to be or is in the course of being wound up altogether voluntarily, and the whole or a Portion of its Business or Property is proposed to be transferred or sold to another Company, the Liquidators of the first-mentioned Company may, with the Sanction of a Special Resolution of the Company by whom they were appointed, conferring either a general Authority on the Liquidators, or an Authority in respect of any particular Arrangement, receive in Compensation or part Compensation for such Transfer or Sale Shares, Policies, or other like Interests in such other Company, for the Purpose of Distribution amongst the Members of the Company being wound up, or may enter into any other Arrangement whereby the Members of the Company being wound up may, in lieu of receiving Cash, Shares, Policies, or other like Interests, or in addition thereto, participate in the Profits of or receive any other Benefit from the purchasing Company; and any Sale made or Arrangement entered into by the Liquidators in pursuance of this Section shall be binding on the Members of the Company being wound up; subject to this Proviso, that if any Member of the Company being wound up who has not voted in favour of the Special Resolution passed by the Company of which he is a Member at either of the Meetings held for passing the same expresses his Dissent from any such Special Resolution in Writing addressed to the Liquidators or One of them, and left at the registered Office of the Company not later than Seven Days after the Date of the Meeting at which such Special Resolution was passed, such dissentient Member may require the Liquidators to do One of the following Things as the Liquidators may prefer; that is to say, either to abstain from carrying such Resolution into effect, or to purchase the Interest held by such dissentient Member at a Price to be determined in manner herein-after mentioned, such Purchase Money to be paid before the Company is dissolved, and to be raised by the Liquidators in such Manner as may be determined by Special Resolution: No Special Resolution shall be deemed invalid for the Purposes of this Section by reason that it is passed antecedently to or concurrently with any Resolution for winding up the Company, or for appointing Liquidators; but if an Order be made within a Year for winding up the Company by or subject to the Supervision of the Court, such Resolution shall not be of any Validity unless it is sanctioned by the Court.

Mode of determining Price.

162. The Price to be paid for the Purchase of the Interest of any dissentient Member may be determined by Agreement, but if the Parties dispute about the same, such Dispute shall be settled by Arbitration, and for the Purposes of such Arbitration the Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the Settlement of Disputes by Arbitration, shall be incorporated with this Act; and in the Construction of such Provisions this Act shall be deemed to be the Special Act, and "the Company" shall mean the Company that is being wound up, and any Appointment by the said incorporated Provisions directed to be made under the Hand of the Secretary, or any Two of the Directors, may be made under the Hand of the Liquidator, if only One, or any Two or more of the Liquidators if more than One.

Certain Attachments, Sequestrations, and Executions to be void.

163. Where any Company is being wound up by the Court or subject to the Supervision of the Court, any Attachment, Sequestration, Distress, or Execution put in force against the Estate or Effects of the Company after the Commencement of the Winding-up shall be void to all Intents.

Fraudulent Preference.

164. Any such Conveyance, Mortgage, Delivery of Goods, Payment, Execution, or other Act relating to Property as would, if made or done by or against any individual Trader, be deemed in the event of his Bankruptcy to have been made or done by way of undue or fraudulent Preference of the Creditors of such Trader, shall, if made or done by or against any Company, be deemed, in the event of such Company being wound up under this Act, to have been made or done by way of undue or fraudulent Preference of the Creditors of such Company, and shall be invalid accordingly; and for the Purposes of this Section the Presentation of a Petition for winding up a Company shall in the Case of a Company being wound up by the Court or subject to the Supervision of the Court, and a Resolution for winding up the Company shall, in the Case of a voluntary Winding-up, be deemed to correspond with the Act of Bankruptcy in the Case of an individual Trader; and any Conveyance or Assignment made by any Company formed under this Act of all its Estate and Effects to Trustees for the Benefit of all its Creditors shall be void to all Intents.

Power of Court to assess Damages against delinquent

165. Where, in the course of the Winding-up of any Company under this Act, it appears that any past or present Director, Manager, Official or other Liquidator, or any Officer of such Company, has misapplied or retained in his own Hands or become liable or accountable for any Monies of the Company,

Directors and Officers.

pany, or been guilty of any Misfeasance or Breach of Trust in relation to the Company, the Court may, on the Application of any Liquidator, or of any Creditor or Contributory of the Company, notwithstanding that the Offence is one for which the Offender is criminally responsible, examine into the Conduct of such Director, Manager, or other Officer, and compel him to repay any Monies so misapplied or retained, or for which he has become liable or accountable, together with Interest after such Rate as the Court thinks just, or to contribute such Sums of Money to the Assets of the Company by way of Compensation in respect of such Misapplication, Retainer, Misfeasance, or Breach of Trust, as the Court thinks just.

Penalty on Falsification of Books.

166. If any Director, Officer, or Contributory of any Company wound up under this Act destroys, mutilates, alters, or falsifies any Books, Papers, Writings, or Securities, or makes or is privy to the making of any false or fraudulent Entry in any Register, Book of Account, or other Document belonging to the Company with Intent to defraud or deceive any Person, every Person so offending shall be deemed to be guilty of a Misdemeanor, and upon being convicted shall be liable to Imprisonment for any Term not exceeding Two Years, with or without Hard Labour.

Prosecution of delinquent Directors in the Case of winding up by Court.

167. Where any Order is made for winding up a Company by the Court or subject to the Supervision of the Court, if it appear in the course of such Winding-up that any past or present Director, Manager, Officer, or Member of such Company has been guilty of any Offence in relation to the Company for which he is criminally responsible, the Court may, on the Application of any Person interested in such Winding-up, or of its own Motion, direct the Official Liquidators, or the Liquidators, (as the Case may be,) to institute and conduct a Prosecution or Prosecutions for such Offence, and may order the Costs and Expenses to be paid out of the Assets of the Company.

Prosecution of delinquent Directors, &c. in case of voluntary Winding-up.

168. Where a Company is being wound up altogether voluntarily, if it appear to the Liquidators conducting such Winding-up that any past or present Director, Manager, Officer, or Member of such Company has been guilty of any Offence in relation to the Company for which he is criminally responsible, it shall be lawful for the Liquidators, with the previous Sanction of the Court, to prosecute such Offender, and all Expenses properly incurred by them in such Prosecution shall be payable out of the Assets of the Company in priority to all other Liabilities.

Penalty of Perjury.

169. If any Person, upon any Examination upon Oath or Affirmation authorized under this Act, or in any Affidavit, Deposition, or solemn Affirmation in or about the Winding-up of any Company under this Act, or otherwise in or about any Matter arising under this Act, wilfully and corruptly gives false Evidence, he shall, upon Conviction, be liable to the Penalties of wilful Perjury.

Power of Courts to make Rules.

Power of Lord Chancellor of Great Britain to make Rules.

170. In *England* the Lord Chancellor of *Great Britain*, with the Advice and Consent of the Master of the Rolls, and any One of the Vice Chancellors for the Time being, or with the Advice and Consent of any Two of the Vice Chancellors, may, as often as Circumstances require, make such Rules concerning the Mode of Proceeding to be had for winding up a Company in the Court of Chancery as may from Time to Time seem necessary, but until such Rules are made the general Practice of the Court of Chancery, including the Practice hitherto in use in winding up Companies, shall, so far as the same is applicable and not inconsistent with this Act, apply to all Proceedings for winding up a Company.

Power of Court of Session in Scotland to make Rules.

171. In *Scotland* the Court of Session may make such Rules concerning the Mode of winding up as may be necessary by Act of Sederunt; but, until such Rules are made, the general Practice of the Court of Session in Suits pending in such Court shall, so far as the same is applicable, and not inconsistent with this Act, apply to all Proceedings for winding up a Company, and Official Liquidators shall in all respects be considered as possessing the same Powers as any Trustee on a Bankrupt Estate.

Power to make Rules in Stannaries Court.

172. The Vice Warden of the Stannaries may from Time to Time, with the Consent provided for by Section Twenty-three of the Act of Eighteenth of *Victoria*, Chapter Thirty-two, make Rules for carrying into effect the Powers conferred by this Act upon the Court of the Vice Warden, but, subject to such Rules, the general Practice of the said Court and of the Registrar's Office in the said Court, including the present Practice of the said Court in winding up Companies, may be applied to all Proceedings under this Act; the said Vice Warden may likewise, with the same Consent, make from Time to Time Rules for specifying the Fees to be taken in his said Court in Proceedings under this Act; and any Rules so made shall be of the same Force as if they had been enacted in the Body of this Act; and the Fees paid in respect of Proceeding taken under this Act, including Fees taken under "The Joint Stock Companies Act, 1856," in the Matter of winding up Companies, shall be applied exclusively towards Payment of such additional Officers, or such Increase of the Salaries of existing Officers, or Pensions to retired Officers, or such other needful Expenses of the Court, as the Lord Warden of the Stannaries shall, from Time to Time, on the Application of the Vice Warden or otherwise, think fit to direct, sanction, or assign, and meanwhile shall be kept as a separate Fund apart from the ordinary Fees of the Court arising from other Business, to await such Direction and Order of the Lord Warden herein, and to accumulate by Investment in Government Securities until the whole shall have been so appropriated.

Power of Lord Chancellor of

173. In *Ireland* the Lord Chancellor of *Ireland* may, as respects the winding up of Companies in *Ireland*, with the Advice and Consent of the Master of the Rolls in *Ireland*, exercise the same Power

of

of making Rules as is by this Act herein-before given to the Lord Chancellor of *Great Britain*; but until such Rules are made the general Practice of the Court of Chancery in *Ireland*, including the Practice hitherto in use in *Ireland* in winding up Companies, shall, so far as the same is applicable and not inconsistent with this Act, apply to all Proceedings for winding up a Company. Ireland to make Rules.

PART V.

Registration Office.

174. The Registration of Companies under this Act shall be conducted as follows; (that is to say,) Constitution of Registration Office.

(1.) The Board of Trade may from Time to Time appoint such Registrars, Assistant Registrars, Clerks, and Servants as they may think necessary for the Registration of Companies under this Act, and remove them at pleasure:

(2.) The Board of Trade may make such Regulations as they think fit with respect to the Duties to be performed by any such Registrars, Assistant Registrars, Clerks, and Servants as aforesaid:

(3.) The Board of Trade may from Time to Time determine the Places at which Offices for the Registration of Companies are to be established, so that there be at all Times maintained in each of the Three Parts of the United Kingdom at least One such Office, and that no Company shall be registered except at an Office within that Part of the United Kingdom in which by the Memorandum of Association the registered Office of the Company is declared to be established; and the Board may require that the Registrar's Office of the Court of the Vice Warden of the Stannaries shall be One of the Offices for the Registration of Companies formed for working Mines within the Jurisdiction of the Court:

(4.) The Board of Trade may from Time to Time direct a Seal or Seals to be prepared for the Authentication of any Documents required for or connected with the Registration of Companies:

(5.) Every Person may inspect the Documents kept by the Registrar of Joint Stock Companies; and there shall be paid for such Inspection such Fees as may be appointed by the Board of Trade, not exceeding One Shilling for each Inspection; and any Person may require a Certificate of the Incorporation of any Company, or a Copy or Extract of any other Document or any Part of any other Document, to be certified by the Registrar; and there shall be paid for such Certificate of Incorporation, certified Copy, or Extract such Fees as the Board of Trade may appoint, not exceeding Five Shillings for the Certificate of Incorporation, and not exceeding Sixpence for each Folio of such Copy or Extract, or in *Scotland* for each Sheet of Two hundred Words:

(6.) The existing Registrar, Assistant Registrars, Clerks, and other Officers and Servants in the Office for the Registration of Joint Stock Companies shall, during the Pleasure of the Board of Trade, hold the Offices and receive the Salaries hitherto held and received by them, but they shall in the Execution of their Duties conform to any Regulations that may be issued by the Board of Trade:

(7.) There shall be paid to any Registrar, Assistant Registrar, Clerk, or Servant that may hereafter be employed in the Registration of Joint Stock Companies such Salary as the Board of Trade may, with the Sanction of the Commissioners of the Treasury, direct:

(8.) Whenever any Act is herein directed to be done to or by the Registrar of Joint Stock Companies, such Act shall, until the Board of Trade otherwise directs, be done in *England* to or by the existing Registrar of Joint Stock Companies, or in his Absence to or by such Person as the Board of Trade may for the Time being authorize; in *Scotland* to or by the existing Registrar of Joint Stock Companies in *Scotland*; and in *Ireland* to or by the existing Assistant Registrar of Joint Stock Companies for *Ireland*, or by such Person as the Board of Trade may for the Time being authorize in *Scotland* or *Ireland* in the Absence of the Registrar; but in the event of the Board of Trade altering the Constitution of the existing Registry Office, such Act shall be done to or by such Officer or Officers and at such Place or Places with reference to the local Situation of the registered Offices of the Companies to be registered as the Board of Trade may appoint.

PART VI.

Application of Act to Companies registered under the Joint Stock Companies Acts.

175. The Expression "Joint Stock Companies Acts" as used in this Act shall mean "The Joint Stock Companies Act, 1856," "The Joint Stock Companies Acts, 1856, 1857," "The Joint Stock Banking Companies Act, 1857," and "The Act to enable Joint Stock Banking Companies to be formed on the Principle of Limited Liability," or any One or more of such Acts, as the Case may require; but shall not include the Act passed in the Eighth Year of the Reign of Her present Majesty, Chapter One hundred and ten, and intituled *An Act for the Registration, Incorporation, and Regulation of Joint Stock Companies.* Definition of Joint Stock Companies Acts.

176. Subject

Application of Act to Companies formed under Joint Stock Companies Acts.

176. Subject as herein-after mentioned, this Act, with the Exception of Table A. in the First Schedule, shall apply to Companies formed and registered under the said Joint Stock Companies Acts, or any of them, in the same Manner in the Case of a Limited Company as if such Company had been formed and registered under this Act as a Company limited by Shares, and in the Case of a Company other than a Limited Company as if such Company had been formed and registered as an Unlimited Company under this Act, with this Qualification, that wherever Reference is made expressly or impliedly to the Date of Registration, such Date shall be deemed to refer to the Date at which such Companies were respectively registered under the said Joint Stock Companies Acts or any of them, and the Power of altering Regulations by Special Resolution given by this Act shall, in the Case of any Company formed and registered under the said Joint Stock Companies Acts or any of them, extend to altering any Provisions contained in the Table marked B. annexed to "The Joint Stock Companies Act, 1856," and shall also in the Case of an Unlimited Company formed and registered as last aforesaid extend to altering any Regulations relating to the Amount of Capital or its Distribution into Shares, notwithstanding such Regulations are contained in the Memorandum of Association.

Application of Act to Companies registered under Joint Stock Companies Acts.

177. This Act shall apply to Companies registered but not formed under the said Joint Stock Companies Acts or any of them in the same Manner as it is herein-after declared to apply to Companies registered but not formed under this Act, with this Qualification, that wherever Reference is made expressly or impliedly to the Date of Registration, such Date shall be deemed to refer to the Date at which such Companies were respectively registered under the said Joint Stock Companies Acts or any of them.

Mode of transferring Shares.

178. Any Company registered under the said Joint Stock Companies Acts or any of them may cause its Shares to be transferred in manner hitherto in use, or in such other Manner as the Company may direct.

PART VII.

Companies authorized to register under this Act.

Regulations as to Registration of existing Companies.

179. The following Regulations shall be observed with respect to the Registration of Companies under this Part of this Act; (that is to say,)

(1.) No Company having the Liability of its Members limited by Act of Parliament or Letters Patent, and not being a Joint Stock Company as herein-after defined, shall register under this Act in pursuance of this Part thereof:

(2.) No Company having the Liability of its Members limited by Act of Parliament or by Letters Patent shall register under this Act in pursuance of this Part thereof as an Unlimited Company, or as a Company limited by Guarantee:

(3.) No Company that is not a Joint Stock Company as herein-after defined, shall in pursuance of this Part of this Act register under this Act as a Company limited by Shares:

(4.) No Company shall register under this Act in pursuance of this Part thereof unless an Assent to its so registering is given by a Majority of such of its Members as may be present, personally or by Proxy, in Cases where Proxies are allowed by the Regulations of the Company, at some General Meeting summoned for the Purpose:

(5.) Where a Company not having the Liability of its Members limited by Act of Parliament or Letters Patent is about to register as a Limited Company, the Majority required to assent as aforesaid shall consist of not less than Three Fourths of the Members present, personally or by Proxy, at such last-mentioned General Meeting:

(6.) Where a Company is about to register as a Company limited by Guarantee the Assent to its being so registered shall be accompanied by a Resolution declaring that each Member undertakes to contribute to the Assets of the Company, in the event of the same being wound up, during the Time that he is a Member, or within One Year afterwards, for Payment of the Debts and Liabilities of the Company contracted before the Time at which he ceased to be a Member, and of the Costs, Charges, and Expenses of winding up the Company, and for the Adjustment of the Rights of the Contributories amongst themselves, such Amount as may be required, not exceeding a specified Amount:

In computing any Majority under this Section when a Poll is demanded regard shall be had to the Number of Votes to which each Member is entitled according to the Regulations of the Company of which he is a Member.

Companies capable of being registered.

180. With the above Exceptions, and subject to the foregoing Regulations, every Company existing at the Time of the Commencement of this Act, including any Company registered under the said Joint Stock Companies Acts, consisting of Seven or more Members, and any Company hereafter formed in pursuance of any Act of Parliament other than this Act, or of Letters Patent, or being a Company engaged in working Mines within and subject to the Jurisdiction of the Stannaries, or being otherwise duly constituted by Law, and consisting of Seven or more Members, may at any Time hereafter register itself under this Act as an Unlimited Company, or a Company limited by Shares, or a Company limited by Guarantee; and no such Registration shall be invalid by reason that it has taken place with a view to the Company being wound up.

181. For

Definition of Joint Stock Company.

181. For the Purposes of this Part of this Act, so far as the same relates to the Description of Companies empowered to register as Companies limited by Shares, a Joint Stock Company shall be deemed to be a Company having a permanent paid-up or nominal Capital of fixed Amount, divided into Shares, also of fixed Amount, or held and transferable as Stock, or divided and held partly in one way and partly in the other, and formed on the Principle of having for its Members the Holders of Shares in such Capital, or the Holders of such Stock, and no other Persons; and such Company when registered with Limited Liability under this Act shall be deemed to be a Company limited by Shares.

Proviso as to Banking Company.

182. No Banking Company claiming to issue Notes in the United Kingdom shall be entitled to Limited Liability in respect of such Issue, but shall continue subject to Unlimited Liability in respect thereof, and, if necessary, the Assets shall be marshalled for the Benefit of the general Creditors, and the Members shall be liable for the whole Amount of the Issue, in addition to the Sum for which they would be liable as Members of a Limited Company.

Requisitions for Registration by Companies.

183. Previously to the Registration in pursuance of this Part of this Act of any Joint Stock Company there shall be delivered to the Registrar the following Documents; (that is to say,)

(1.) A List showing the Names, Addresses, and Occupations of all Persons who on a Day named in such List, and not being more than Six clear Days before the Day of Registration, were Members of such Company, with the Addition of the Shares held by such Persons respectively, distinguishing, in Cases where such Shares are numbered, each Share by its Number:

(2.) A Copy of any Act of Parliament, Royal Charter, Letters Patent, Deed of Settlement, Contract of Copartnery, Cost Book Regulations, or other Instrument constituting or regulating the Company:

(3.) If any such Joint Stock Company is intended to be registered as a Limited Company, the above List and Copy shall be accompanied by a Statement specifying the following Particulars; that is to say,

The nominal Capital of the Company and the Number of Shares into which it is divided:

The Number of Shares taken and the Amount paid on each Share:

The Name of the Company, with the Addition of the Word "Limited" as the last Word thereof:

With the Addition, in the Case of a Company intended to be registered as a Company limited by Guarantee, of the Resolution declaring the Amount of the Guarantee.

Requisitions for Registration by existing Company not being a Joint Stock Company.

184. Previously to the Registration in pursuance of this Part of this Act of any Company not being a Joint Stock Company there shall be delivered to the Registrar a List showing the Names, Addresses, and Occupations of the Directors or other Managers (if any) of the Company, also a Copy of any Act of Parliament, Letters Patent, Deed of Settlement, Contract of Copartnery, Cost Book Regulations, or other Instrument constituting or regulating the Company, with the Addition, in the Case of a Company intended to be registered as a Company limited by Guarantee, of the Resolution declaring the Amount of Guarantee.

Power for existing Company to register Amount of Stock instead of Shares.

185. Where a Joint Stock Company authorized to register under this Act has had the whole or any Portion of its Capital converted into Stock, such Company shall, as to the Capital so converted, instead of delivering to the Registrar a Statement of Shares, deliver to the Registrar a Statement of the Amount of Stock belonging to the Company, and the Names of the Persons who were Holders of such Stock, on some Day to be named in the Statement, not more than Six clear Days before the Day of Registration.

Authentication of Statements of existing Companies.

186. The Lists of Members and Directors and any other Particulars relating to the Company hereby required to be delivered to the Registrar shall be verified by a Declaration of the Directors of the Company delivering the same, or any Two of them, or of any Two other principal Officers of the Company, made in pursuance of the Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, Chapter Sixty-two.

Registrar may require Evidence, &c.

187. The Registrar may require such Evidence as he thinks necessary for the Purpose of satisfying himself whether an existing Company is or not a Joint Stock Company as herein-before defined.

On Registration of Banking Company with Limited Liability Notice to be given to Customers.

188. Every Banking Company existing at the Date of the passing of this Act which registers itself as a Limited Company shall, at least Thirty Days previous to obtaining a Certificate of Registration with Limited Liability, give Notice that it is intended so to register the same to every Person and Partnership Firm who have a Banking Account with the Company, and such Notice shall be given either by delivering the same to such Person or Firm, or leaving the same or putting the same into the Post addressed to him or them at such Address as shall have been last communicated or otherwise become known as his or their Address to or by the Company; and in case the Company omits to give any such Notice as is herein-before required to be given, then as between the Company and the Person or Persons only who are for the Time being interested in the Account in respect of which such Notice ought to have been given, and so far as respects such Account and all Variations thereof down to the Time at which such Notice shall be given, but not further or otherwise, the Certificate of Registration with Limited Liability shall have no Operation.

Exemption of certain Companies from

189. No Fees shall be charged in respect of the Registration in pursuance of this Part of this Act of any Company in Cases where such Company is not registered as a Limited Company, or where previously

viously to its being registered as a Limited Company the Liability of the Shareholders was limited by some other Act of Parliament or by Letters Patent.

Payment of Fees.

Power to Company to change Name.

190. Any Company authorized by this Part of this Act to register with Limited Liability shall, for the Purpose of obtaining Registration with Limited Liability, change its Name, by adding thereto the Word "Limited."

Certificate of Registration of existing Companies.

191. Upon Compliance with the Requisitions in this Part of this Act contained with respect to Registration, and on Payment of such Fees, if any, as are payable under the Tables marked B. and C. in the First Schedule hereto, the Registrar shall certify under his Hand that the Company so applying for Registration is incorporated as a Company under this Act, and, in the Case of a Limited Company, that it is limited, and thereupon such Company shall be incorporated, and shall have perpetual Succession and a Common Seal, with Power to hold Lands; and any Banking Company in *Scotland* so incorporated shall be deemed and taken to be a Bank incorporated, constituted, or established by or under Act of Parliament.

Certificate to be Evidence of Compliance with Act.

192. A Certificate of Incorporation given at any Time to any Company registered in pursuance of this Part of this Act shall be conclusive Evidence that all the Requisitions herein contained in respect of Registration under this Act have been complied with, and that the Company is authorized to be registered under this Act as a Limited or Unlimited Company, as the Case may be, and the Date of Incorporation mentioned in such Certificate shall be deemed to be the Date at which the Company is incorporated under this Act.

Transfer of Property to Company.

193. All such Property, Real and Personal, including all Interests and Rights in, to, and out of Property, Real and Personal, and including Obligations and Things in Action, as may belong to or be vested in the Company at the Date of its Registration under this Act, shall on Registration pass to and vest in the Company as incorporated under this Act for all the Estate and Interest of the Company therein.

Registration not to affect Obligations incurred previously.

194. The Registration in pursuance of this Part of this Act of any Company shall not affect or prejudice the Liability of such Company to have enforced against it, or its Right to enforce, any Debt or Obligation incurred, or any Contract entered into, by, to, with, or on behalf of such Company previously to such Registration.

Continuation of existing Actions and Suits.

195. All such Actions, Suits, and other legal Proceedings as may at the Time of the Registration of any Company registered in pursuance of this Part of this Act have been commenced by or against such Company, or the Public Officer or any Member thereof, may be continued in the same Manner as if such Registration had not taken place; nevertheless, Execution shall not issue against the Effects of any individual Member of such Company upon any Judgment, Decree, or Order obtained in any Action, Suit, or Proceeding so commenced as aforesaid; but in the event of the Property and Effects of the Company being insufficient to satisfy such Judgment, Decree, or Order, an Order may be obtained for winding up the Company.

Effect of Registration under Act.

196. When a Company is registered under this Act in pursuance of this Part thereof, all Provisions contained in any Act of Parliament, Deed of Settlement, Contract of Copartnery, Cost Book Regulations, Letters Patent, or other Instrument constituting or regulating the Company, including, in the Case of a Company registered as a Company Limited by Guarantee, the Resolution declaring the Amount of the Guarantee, shall be deemed to be Conditions and Regulations of the Company, in the same Manner and with the same Incidents as if they were contained in a registered Memorandum of Association and Articles of Association; and all the Provisions of this Act shall apply to such Company and the Members, Contributories, and Creditors thereof, in the same Manner in all respects as if it had been formed under this Act, subject to the Provisions following; (that is to say,)

(1.) That Table A. in the First Schedule to this Act shall not, unless adopted by Special Resolution, apply to any Company registered under this Act in pursuance of this Part thereof:

(2.) That the Provisions of this Act relating to the numbering of Shares shall not apply to any Joint Stock Company whose Shares are not numbered:

(3.) That no Company shall have Power to alter any Provision contained in any Act of Parliament relating to the Company:

(4.) That no Company shall have Power, without the Sanction of the Board of Trade, to alter any Provision contained in any Letters Patent relating to the Company:

(5.) That in the event of the Company being wound up, every Person shall be a Contributory, in respect of the Debts and Liabilities of the Company contracted prior to Registration, who is liable, at Law or in Equity, to pay or contribute to the Payment of any Debt or Liability of the Company contracted prior to Registration, or to pay or contribute to the Payment of any Sum for the Adjustment of the Rights of the Members amongst themselves in respect of any such Debt or Liability; or to pay or contribute to the Payment of the Costs, Charges, and Expenses of winding up the Company, so far as relates to such Debts or Liabilities as aforesaid; and every such Contributory shall be liable to contribute to the Assets of the Company, in the course of the Winding-up, all Sums due from him in respect of any such Liability as aforesaid; and in the event of the Death, Bankruptcy, or Insolvency of any such Contributory as last aforesaid, or Marriage of any such Contributory being a Female, the

Provisions herein-before contained with respect to the Representatives, Heirs, and Devisees of deceased Contributories, and with reference to the Assignees of bankrupt or insolvent Contributories, and to the Husbands of married Contributories, shall apply:

(6.) That nothing herein contained shall authorize any Company to alter any such Provisions contained in any Deed of Settlement, Contract of Copartnery, Cost Book Regulations, Letters Patent, or other Instrument constituting or regulating the Company, as would, if such Company had originally been formed under this Act, have been contained in the Memorandum of Association, and are not authorized to be altered by this Act:

But nothing herein contained shall derogate from any Power of altering its Constitution or Regulations which may be vested in any Company registering under this Act in pursuance of this Part thereof by virtue of any Act of Parliament, Deed of Settlement, Contract of Copartnery, Letters Patent, or other Instrument constituting or regulating the Company.

Power of Court to restrain further Proceedings.

197. The Court may, at any Time after the Presentation of a Petition for winding up a Company registered in pursuance of this Part of this Act, and before making an Order for winding up the Company, upon the Application by Motion of any Creditor of the Company, restrain further Proceedings in any Action, Suit, or legal Proceeding against any Contributory of the Company as well as against the Company as herein-before provided, upon such Terms as the Court thinks fit.

Order for winding up Company.

198. Where an Order has been made for winding up a Company registered in pursuance of this Part of the Act, in addition to the Provisions herein-before contained, it is hereby further provided that no Suit, Action, or other legal Proceeding shall be commenced or proceeded with against any Contributory of the Company in respect of any Debt of the Company, except with the Leave of the Court, and subject to such Terms as the Court may impose.

PART VIII.

Application of Act to unregistered Companies.

Winding-up of unregistered Companies.

199. Subject as herein-after mentioned, any Partnership, Association, or Company, except Railway Companies incorporated by Act of Parliament, consisting of more than Seven Members, and not registered under this Act, and herein-after included under the Term unregistered Company, may be wound up under this Act, and all the Provisions of this Act with respect to winding up shall apply to such Company, with the following Exceptions and Additions:

(1.) An unregistered Company shall, for the Purpose of determining the Court having Jurisdiction in the Matter of the Winding-up, be deemed to be registered in that Part of the United Kingdom where its principal Place of Business is situate; or, if it has a principal Place of Business situate in more than One Part of the United Kingdom, then in each Part of the United Kingdom where it has a principal Place of Business; moreover the principal Place of Business of an unregistered Company, or (where it has a principal Place of Business situate in more than One Part of the United Kingdom) such One of its principal Places of Business as is situate in that Part of the United Kingdom in which Proceedings are being instituted, shall for all the Purposes of the winding up of such Company be deemed to be the registered Office of the Company:

(2.) No unregistered Company shall be wound up under this Act voluntarily or subject to the Supervision of the Court:

(3.) The Circumstances under which an unregistered Company may be wound up are as follows; (that is to say,)

(*a.*) Whenever the Company is dissolved, or has ceased to carry on Business, or is carrying on Business only for the Purpose of winding up its Affairs;

(*b.*) Whenever the Company is unable to pay its Debts;

(*c.*) Whenever the Court is of opinion that it is just and equitable that the Company should be wound up:

(4.) An unregistered Company shall, for the Purposes of this Act, be deemed to be unable to pay its Debts,

(*a.*) Whenever a Creditor to whom the Company is indebted, at Law or in Equity, by Assignment or otherwise, in a Sum exceeding Fifty Pounds then due, has served on the Company, by leaving the same at the principal Place of Business of the Company, or by delivering to the Secretary or some Director or principal Officer of the Company, or by otherwise serving the same in such Manner as the Court may approve or direct, a Demand under his Hand requiring the Company to pay the Sum so due, and the Company has for the Space of Three Weeks succeeding the Service of such Demand neglected to pay such Sum, or to secure or compound for the same to the Satisfaction of the Creditor:

(*b.*) Whenever any Action, Suit, or other Proceeding has been instituted against any Member of the Company for any Debt or Demand due, or claimed to be due, from the Company, or from him in his Character of Member of the Company, and Notice in Writing of the Institution

Institution of such Action, Suit, or other legal Proceeding having been served upon the Company by leaving the same at the principal Place of Business of the Company, or by delivering it to the Secretary, or some Director, Manager, or principal Officer of the Company, or by otherwise serving the same in such Manner as the Court may approve or direct, the Company has not within Ten Days after Service of such Notice paid, secured, or compounded for such Debt or Demand, or procured such Action, Suit, or other legal Proceeding to be stayed, or indemnified the Defendant to his reasonable Satisfaction against such Action, Suit, or other legal Proceeding, and against all Costs, Damages, and Expenses to be incurred by him by reason of the same:

(*c.*) Whenever, in *England* or *Ireland*, Execution or other Process issued on a Judgment, Decree, or Order obtained in any Court in favour of any Creditor in any Proceeding at Law or in Equity instituted by such Creditor against the Company, or any Member thereof as such, or against any Person authorized to be sued as nominal Defendant on behalf of the Company, is returned unsatisfied:

(*d.*) Whenever, in the Case of an unregistered Company engaged in working Mines within and subject to the Jurisdiction of the Stannaries, a customary Decree or Order absolute for the Sale of the Machinery, Materials, and Effects of such Mine has been made in a Creditor's Suit in the Court of the Vice Warden:

(*e.*) Whenever, in *Scotland*, the Induciæ of a Charge for Payment on an Extract Decree, or an Extract registered Bond, or an Extract registered Protest, have expired without Payment being made:

(*f.*) Whenever it is otherwise proved to the Satisfaction of the Court that the Company is unable to pay its Debts.

Who to be deemed a Contributory in the event of Company being wound up.

200. In the event of an unregistered Company being wound up every Person shall be deemed to be a Contributory who is liable, at Law or in Equity, to pay or contribute to the Payment of any Debt or Liability of the Company, or to pay or contribute to the Payment of any Sum for the Adjustment of the Rights of the Members amongst themselves, or to pay or contribute to the Payment of the Costs, Charges, and Expenses of winding up the Company, and every such Contributory shall be liable to contribute to the Assets of the Company in the course of the Winding-up all Sums due from him in respect of any such Liability as aforesaid; but in the event of the Death, Bankruptcy, or Insolvency of any Contributory, or Marriage of any Female Contributory, the Provisions herein-before contained with respect to the Personal Representatives, Heirs, and Devisees of a deceased Contributory, and to the Assignees of a bankrupt or insolvent Contributory, and to the Husband of married Contributories, shall apply.

Power of Court to restrain further Proceedings.

201. The Court may, at any Time after the Presentation of a Petition for winding up an unregistered Company, and before making an Order for winding up the Company, upon the Application of any Creditor of the Company, restrain further Proceedings in any Action, Suit, or Proceeding against any Contributory of the Company, or against the Company as herein-before provided, upon such Terms as the Court thinks fit.

Effect of Order for winding up Company.

202. Where an Order has been made for winding up an unregistered Company in addition to the Provisions herein-before contained in the Case of Companies formed under this Act, it is hereby further provided that no Suit, Action, or other legal Proceeding shall be commenced or proceeded with against any Contributory of the Company in respect of any Debt of the Company, except with the Leave of the Court, and subject to such Terms as the Court may impose.

Provision in case of unregistered Company.

203. If any unregistered Company has no Power to sue and be sued in a common Name, or if for any Reason it appears expedient, the Court may by the Order made for winding up such Company, or by any subsequent Order, direct that all such Property, Real and Personal, including all Interest, Claims, and Rights into and out of Property, Real and Personal, and including Things in Action, as may belong to or be vested in the Company, or to or in any Person or Persons on Trust for or on behalf of the Company, or any Part of such Property, is to vest in the Official Liquidator or Official Liquidators by his or their official Name or Names, and thereupon the same or such Part thereof as may be specified in the Order shall vest accordingly, and the Official Liquidator or Official Liquidators may, in his or their official Name or Names, or in such Name or Names and after giving such Indemnity as the Court directs, bring or defend any Actions, Suits, or other legal Proceeding relating to any Property vested in him or them, or any Actions, Suits, or other legal Proceedings necessary to be brought or defended for the Purposes of effectually winding up the Company and recovering the Property thereof.

Provisions in this Part of Act cumulative.

204. The Provisions made by this Part of the Act with respect to unregistered Companies shall be deemed to be made in addition to and not in restriction of any Provisions herein-before contained with respect to winding up Companies by the Court, and the Court or Official Liquidator may, in addition to anything contained in this Part of the Act, exercise any Powers or do any Act in the Case of unregistered Companies which might be exercised or done by it or him in winding up Companies formed under this Act; but an unregistered Company shall not, except in the event of its being wound up, be deemed to be a Company under this Act, and then only to the Extent provided by this Part of this Act.

PART

PART IX.

Repeal of Acts, and temporary Provisions.

Repeal of Acts.

205. After the Commencement of this Act there shall be repealed the several Acts specified in the First Part of the Third Schedule hereto, with this Qualification, that so much of the said Acts as is set forth in the Second Part of the said Third Schedule shall be hereby re-enacted and continue in force as if unrepealed.

Saving Clause as to Repeal.

206. No Repeal hereby enacted shall affect,

(1.) Anything duly done under any Acts hereby repealed:

(2.) The Incorporation of any Company registered under any Act hereby repealed:

(3.) Any Right or Privilege acquired or Liability incurred under any Act hereby repealed:

(4.) Any Penalty, Forfeiture, or other Punishment incurred in respect of any Offence against any Act hereby repealed:

(5.) Table B. in the Schedule annexed to the Joint Stock Companies Act, 1856, or any Part thereof, so far as the same applies to any Company existing at the Time of the Commencement of this Act.

Saving of existing Proceedings for winding up.

207. Where previously to the Commencement of this Act an Order has been made for winding up a Company under any Acts or Act hereby repealed, or a Resolution has been passed for winding up a Company voluntarily, such Company shall be wound up in the same Manner and with the same Incidents as if this Act were not passed, and for the Purposes of such Winding-up such repealed Acts or Act shall be deemed to remain in full Force.

Saving of Conveyance Deeds.

208. Where previously to the Commencement of this Act any Conveyance, Mortgage, or other Deed has been made in pursuance of any Act hereby repealed, such Deed shall be of the same Force as if this Act had not passed, and for the Purposes of such Deed such repealed Act shall be deemed to remain in full Force.

Compulsory Registration of certain Companies.

209. Every Insurance Company completely registered under the Act passed in the Eighth Year of the Reign of Her present Majesty, Chapter One hundred and ten, intituled *An Act for the Registration, Incorporation, and Regulation of Joint Stock Companies*, shall on or before the Second Day of *November* One thousand eight hundred and sixty-two, and every other Company required by any Act hereby repealed to register under the said Joint Stock Companies Acts, or One of such Acts, and which has not so registered, shall, on or before the Expiration of the Thirty-first Day from the Commencement of this Act, register itself as a Company under this Act, in manner and subject to the Regulations herein-before contained, with this Exception, that no Company completely registered under the said Act of the Eighth Year of the Reign of Her present Majesty shall be required to deliver to the Registrar a Copy of its Deed of Settlement; and for the Purpose of enabling such Insurance Companies as are mentioned in this Section to register under this Act, this Act shall be deemed to come into operation immediately on the passing thereof; nevertheless the Registration of such Companies shall not have any Effect until the Time of the Commencement of this Act. No Fees shall be charged in respect of the Registration of any Company required to register by this Section.

Penalty on Company not registering. 21 Vict. c. 14. s. 28.

210. If any Company required by the last Section to register under this Act makes default in complying with the Provisions thereof, then, from and after the Day upon which such Company is required to register under this Act, until the Day on which such Company is registered under this Act (which it is empowered to do at any Time), the following Consequences shall ensue; (that is to say,)

(1.) The Company shall be incapable of suing either at Law or in Equity, but shall not be incapable of being made a Defendant to a Suit either at Law or in Equity:

(2.) No Dividend shall be payable to any Shareholder in such Company:

(3.) Each Director or Manager of the Company shall for each Day during which the Company so being in default carries on Business incur a Penalty not exceeding Five Pounds, and such Penalty may be recovered by any Person, whether a Shareholder or not in the Company, and be applied by him to his own Use:

Nevertheless, such Default shall not render the Company so being in default illegal, nor subject it to any Penalty or Disability, other than as specified in this Section; and Registration under this Act shall cancel any Penalty or Forfeiture, and put an end to any Disability which any Company may have incurred under any Act hereby repealed by reason of its not having registered under the said Joint Stock Companies Acts, 1856, 1857, or One of them.

Temporary Power for Companies to change registered Office.

211. Upon the Application of the Directors of any Company registered under the Joint Stock Companies Acts as herein-before defined, or any of them, made within One Year after the Date of the Commencement of this Act, sanctioned by a Resolution passed at an Extraordinary General Meeting, but subject to the Restrictions herein-after mentioned, the Board of Trade shall have Authority by their Certificate in Writing to change the registered Office of any such Company from any one Part of the United Kingdom of *Great Britain* and *Ireland* to any other Part thereof, and the Registrar of Joint Stock Companies with whom the Memorandum of Registration of such Company has been registered shall, upon Receipt of such Certificate, note in Writing upon the Margin or at the Foot of the said

said Memorandum the Name of the Place to which such registered Office is to be transferred, and the Day upon which such Transfer is pursuant to such Certificate to take place, and shall attach the Certificate to the Memorandum, and the said Registrar shall thereupon transmit to the Registrar of Joint Stock Companies for that Part of the United Kingdom to which the registered Office is to be so transferred Copies of the said Certificate and of the said Memorandum of Registration so noted certified by him; and the said Registrar for the said last-mentioned Part of the United Kingdom shall, upon Receipt of such Copies of Certificate and Memorandum, retain and register the same in like Manner, and on Payment of the like Fees to him as provided in the Case of the Registration of an original Memorandum of Registration, and thereupon the Place of the registered Office shall, from the said last-mentioned Registration and the said Day mentioned in the said Certificate, be the Place mentioned as such on the said Certificate: Provided, however, that such Change shall in nowise alter or affect anything theretofore done by the said Company, or any of their Rights or Liabilities in respect thereof.

Restrictions on Issue of Certificate.

212. The Board of Trade shall not issue their Certificate in pursuance of the foregoing Section until they are satisfied that an Advertisement of the Intention of the Company to apply to the Board of Trade for a Certificate, with a Declaration that all Parties objecting thereto are forthwith to apply to the Board of Trade, has been published once at the least in each of Four successive Weeks in the Newspapers following; that is to say, in some Newspaper circulating in the District where the registered Office of the Company is situate, and also if the Company is registered in *England* in the *London Gazette*, if in *Ireland* in the *Dublin Gazette*, if in *Scotland* in the *Edinburgh Gazette*, nor until the said Board are satisfied that the Objections, if any, that may be urged against the Issue of such Certificate are groundless.

FIRST SCHEDULE.

TABLE A.

REGULATIONS for MANAGEMENT of a COMPANY LIMITED by SHARES.

Shares.

(1.) If several Persons are registered as joint Holders of any Share, any One of such Persons may give effectual Receipts for any Dividend payable in respect of such Share.

(2.) Every Member shall, on Payment of One Shilling, or such less Sum as the Company in General Meeting may prescribe, be entitled to a Certificate, under the Common Seal of the Company, specifying the Share or Shares held by him, and the Amount paid up thereon.

(3.) If such Certificate is worn out or lost, it may be renewed, on Payment of One Shilling, or such less Sum as the Company in General Meeting may prescribe.

Calls on Shares.

(4.) The Directors may from Time to Time make such Calls upon the Members in respect of all Monies unpaid on their Shares as they think fit, provided that Twenty-one Days Notice at least is given of each Call, and each Member shall be liable to pay the Amount of Calls so made to the Persons and at the Times and Places appointed by the Directors.

(5.) A Call shall be deemed to have been made at the Time when the Resolution of the Directors authorizing such Call was passed.

(6.) If the Call payable in respect of any Share is not paid before or on the Day appointed for Payment thereof, the Holder for the Time being of such Share shall be liable to pay Interest for the same at the Rate of Five Pounds per Cent. per Annum from the Day appointed for the Payment thereof to the Time of the actual Payment.

(7.) The Directors may, if they think fit, receive from any Member willing to advance the same all or any Part of the Monies due upon the Shares held by him beyond the Sums actually called for; and upon the Monies so paid in advance, or so much thereof as from Time to Time exceeds the Amount of the Calls then made upon the Shares in respect of which such Advance has been made, the Company may pay Interest at such Rate as the Member paying such Sum in advance and the Directors agree upon.

Transfers of Shares.

(8.) The Instrument of Transfer of any Share in the Company shall be executed both by the Transferor and Transferee, and the Transferor shall be deemed to remain a Holder of such Share until the Name of the Transferee is entered in the Register Book in respect thereof.

(9.) Shares in the Company shall be transferred in the following Form:—

I *A.B.* of in consideration of the Sum of Pounds paid to me by *C.D.* of do hereby transfer to the said *C.D.* the Share [*or* Shares] numbered standing in my Name in the Books of the Company, to hold unto the said *C.D.*, his Executors, Administrators, and Assigns, subject to the several Conditions on which I held the same at the Time of the Execution hereof; and I the said *C.D.* do hereby agree to take the said Share [*or* Shares] subject to the same Conditions. As witness our Hands, the Day of

(10.) The Company may decline to register any Transfer of Shares made by a Member who is indebted to them.

(11.) The Transfer Books shall be closed during the Fourteen Days immediately preceding the Ordinary General Meeting in each Year.

Transmission of Shares.

(12.) The Executors or Administrators of a deceased Member shall be the only Persons recognized by the Company as having any Title to his Share.

(13.) Any Person becoming entitled to a Share in consequence of the Death, Bankruptcy, or Insolvency of any Member, or in consequence of the Marriage of any Female Member, may be registered as a Member upon such Evidence being produced as may from Time to Time be required by the Company.

(14.) Any Person who has become entitled to a Share in consequence of the Death, Bankruptcy, or Insolvency of any Member, or in consequence of the Marriage of any Female Member, may, instead of being registered himself, elect to have some Person to be named by him registered as a Transferee of such Share.

(15.) The Person so becoming entitled shall testify such Election by executing to his Nominee an Instrument of Transfer of such Share.

(16.) The Instrument of Transfer shall be presented to the Company, accompanied with such Evidence as the Directors may require to prove the Title of the Transferor, and thereupon the Company shall register the Transferee as a Member.

Forfeiture of Shares.

(17.) If any Member fails to pay any Call on the Day appointed for Payment thereof, the Directors may, at any Time thereafter, during such Time as the Call remains unpaid, serve a Notice on him, requiring him to pay such Call, together with Interest and any Expenses that may have accrued by reason of such Nonpayment.

(18.) The Notice shall name a further Day, on or before which such Call, and all Interest and Expenses that have accrued by reason of such Nonpayment, are to be paid. It shall also name the Place where Payment is to be made (the Place so named being either the registered Office of the Company or some other Place at which Calls of the Company are usually made payable). The Notice shall also state that in the event of Nonpayment at or before the Time and at the Place appointed the Shares in respect of which such Call was made will be liable to be forfeited.

(19.) If the Requisitions of any such Notice as aforesaid are not complied with, any Share in respect of which such Notice has been given may at any Time thereafter, before Payment of all Calls, Interest, and Expenses due in respect thereof has been made, be forfeited, by a Resolution of the Directors to that Effect.

(20.) Any Share so forfeited shall be deemed to be the Property of the Company, and may be disposed of in such Manner as the Company in General Meeting thinks fit.

(21.) Any Member whose Shares have been forfeited shall notwithstanding be liable to pay to the Company all Calls owing upon such Shares at the Time of the Forfeiture.

(22.) A statutory Declaration in Writing, that the Call in respect of a Share was made and Notice thereof given, and that Default in Payment of the Call was made, and that the Forfeiture of the Share was made by a Resolution of the Directors to that Effect, shall be sufficient Evidence of the Facts therein stated, as against all Persons entitled to such Share, and such Declaration and the Receipt of the Company for the Price of such Share shall constitute a good Title to such Share, and a Certificate of Proprietorship shall be delivered to a Purchaser, and thereupon he shall be deemed the Holder of such Share discharged from all Calls due prior to such Purchase, and he shall not be bound to see to the Application of the Purchase Money, nor shall his Title to such Share be affected by any Irregularity in the Proceedings in reference to such Sale.

Conversion of Shares into Stock.

(23.) The Directors may, with the Sanction of the Company previously given in General Meeting, convert any paid up Shares into Stock.

(24.) When any Shares have been converted into Stock, the several Holders of such Stock may thenceforth transfer their respective Interests therein, or any Part of such Interests, in the same Manner and subject to the same Regulations as and subject to which any Shares in the Capital of the Company may be transferred, or as near thereto as Circumstances admit.

(25.) The several Holders of Stock shall be entitled to participate in the Dividends and Profits of the Company according to the Amount of their respective Interests in such Stock; and such Interests shall, in proportion to the Amount thereof, confer on the Holders thereof respectively the same Privileges and Advantages for the Purpose of voting at Meetings of the Company, and for other Purposes, as would have been conferred by Shares of equal Amount in the Capital of the Company; but so that none of such Privileges or Advantages, except the Participation in the Dividends and Profits of the Company, shall be conferred by any such aliquot Part of Consolidated Stock as would not, if existing in Shares, have conferred such Privileges or Advantages.

Increase

Increase in Capital.

(26.) The Directors may, with the Sanction of a special Resolution of the Company previously given in General Meeting, increase its Capital by the Issue of new Shares, such aggregate Increase to be of such Amount, and to be divided into Shares of such respective Amounts, as the Company in General Meeting directs, or, if no Direction is given, as the Directors think expedient.

(27.) Subject to any Direction to the contrary that may be given by the Meeting that sanctions the Increase of Capital, all new Shares shall be offered to the Members in proportion to the existing Shares held by them, and such Offer shall be made by Notice specifying the Number of Shares to which the Member is entitled, and limiting a Time within which the Offer, if not accepted, will be deemed to be declined, and after the Expiration of such Time, or on the Receipt of an Intimation from the Member to whom such Notice is given that he declines to accept the Shares offered, the Directors may dispose of the same in such Manner as they think most beneficial to the Company.

(28.) Any Capital raised by the Creation of new Shares shall be considered as Part of the original Capital, and shall be subject to the same Provisions with reference to the Payment of Calls, and the Forfeiture of Shares on Nonpayment of Calls, or otherwise, as if it had been Part of the original Capital.

General Meetings.

(29.) The First General Meeting shall be held at such Time, not being more than Six Months after the Registration of the Company, and at such Place, as the Directors may determine.

(30.) Subsequent General Meetings shall be held at such Time and Place as may be prescribed by the Company in General Meeting; and if no other Time or Place is prescribed, a General Meeting shall be held on the First Monday in February in every Year, at such Place as may be determined by the Directors.

(31.) The above-mentioned General Meetings shall be called Ordinary Meetings; all other General Meetings shall be called Extraordinary.

(32.) The Directors may, whenever they think fit, and they shall upon a Requisition made in Writing by not less than One Fifth in Number of the Members of the Company, convene an Extraordinary General Meeting.

(33.) Any Requisition made by the Members shall express the Object of the Meeting proposed to be called, and shall be left at the registered Office of the Company.

(34.) Upon the Receipt of such Requisition the Directors shall forthwith proceed to convene an Extraordinary General Meeting. If they do not proceed to convene the same within Twenty-one Days from the Date of the Requisition, the Requisitionists, or any other Members amounting to the required Number, may themselves convene an Extraordinary General Meeting.

Proceedings at General Meetings.

(35.) Seven Days Notice at the least, specifying the Place, the Day, and the Hour of Meeting, and in case of special Business the general Nature of such Business, shall be given to the Members in manner herein-after mentioned, or in such other Manner, if any, as may be prescribed by the Company in General Meeting; but the Non-receipt of such Notice by any Member shall not invalidate the Proceedings at any General Meeting.

(36.) All Business shall be deemed special that is transacted at an Extraordinary Meeting, and all that is transacted at an Ordinary Meeting, with the Exception of sanctioning a Dividend and the Consideration of the Accounts, Balance Sheets, and the ordinary Report of the Directors.

(37.) No Business shall be transacted at any General Meeting, except the Declaration of a Dividend, unless a Quorum of Members is present at the Time when the Meeting proceeds to Business; and such Quorum shall be ascertained as follows; that is to say, if the Persons who have taken Shares in the Company at the Time of the Meeting do not exceed Ten in Number, the Quorum shall be Five; if they exceed Ten there shall be added to the above Quorum One for every Five additional Members up to Fifty, and One for every Ten additional Members after Fifty, with this Limitation, that no Quorum shall in any Case exceed Twenty.

(38.) If within One Hour from the Time appointed for the Meeting a Quorum is not present, the Meeting, if convened upon the Requisition of Members, shall be dissolved: In any other Case it shall stand adjourned to the same Day in the next Week, at the same Time and Place; and if at such adjourned Meeting a Quorum is not present, it shall be adjourned sine die.

(39.) The Chairman (if any) of the Board of Directors shall preside as Chairman at every General Meeting of the Company.

(40.) If there is no such Chairman, or if at any Meeting he is not present within Fifteen Minutes after the Time appointed for holding the Meeting, the Members present shall choose some One of their Number to be Chairman.

(41.) The

(41.) The Chairman may, with the Consent of the Meeting, adjourn any Meeting from Time to Time and from Place to Place, but no Business shall be transacted at any adjourned Meeting other than the Business left unfinished at the Meeting from which the Adjournment took place.

(42.) At any General Meeting, unless a Poll is demanded by at least Five Members, a Declaration by the Chairman that a Resolution has been carried, and an Entry to that Effect in the Book of Proceedings of the Company, shall be sufficient Evidence of the Fact, without Proof of the Number or Proportion of the Votes recorded in favour of or against such Resolution.

(43.) If a Poll is demanded by Five or more Members it shall be taken in such Manner as the Chairman directs, and the Result of such Poll shall be deemed to be the Resolution of the Company in General Meeting. In the Case of an Equality of Votes at any General Meeting the Chairman shall be entitled to a Second or Casting Vote.

Votes of Members.

(44.) Every Member shall have One Vote for every Share up to Ten: He shall have an additional Vote for every Five Shares beyond the first Ten Shares up to One hundred, and an additional Vote for every Ten Shares beyond the first Hundred Shares.

(45.) If any Member is a Lunatic or Idiot he may vote by his Committee, Curator bonis, or other legal Curator.

(46.) If One or more Persons are jointly entitled to a Share or Shares, the Member whose Name stands first in the Register of Members as One of the Holders of such Share or Shares, and no other, shall be entitled to vote in respect of the same.

(47.) No Member shall be entitled to vote at any General Meeting unless all Calls due from him have been paid, and no Member shall be entitled to vote in respect of any Share that he has acquired by Transfer at any Meeting held after the Expiration of Three Months from the Registration of the Company, unless he has been possessed of the Share in respect of which he claims to vote for at least Three Months previously to the Time of holding the Meeting at which he proposes to vote.

(48.) Votes may be given either personally or by Proxy.

(49.) The Instrument appointing a Proxy shall be in Writing, under the Hand of the Appointor, or if such Appointor is a Corporation, under their Common Seal, and shall be attested by One or more Witness or Witnesses: No Person shall be appointed a Proxy who is not a Member of the Company.

(50.) The Instrument appointing a Proxy shall be deposited at the registered Office of the Company not less than Seventy-two Hours before the Time for holding the Meeting at which the Person named in such Instrument proposes to vote, but no Instrument appointing a Proxy shall be valid after the Expiration of Twelve Months from the Date of its Execution.

(51.) Any Instrument appointing a Proxy shall be in the following Form:—

Company Limited.

I of in the County of being a Member of the Company Limited, and entitled to Vote *or* Votes, hereby appoint of as my Proxy, to vote for me and on my Behalf at the [Ordinary *or* Extraordinary, *as the Case may be*] General Meeting of the Company to be held on the Day of , and at any Adjournment thereof [*or*, at any Meeting of the Company that may be held in the Year].

As witness my Hand, this Day of .

Signed by the said in the Presence of .

Directors.

(52.) The Number of the Directors, and the Names of the First Directors, shall be determined by the Subscribers of the Memorandum of Association.

(53.) Until Directors are appointed the Subscribers of the Memorandum of Association shall be deemed to be Directors.

(54.) The future Remuneration of the Directors, and their Remuneration for Services performed previously to the First General Meeting, shall be determined by the Company in General Meeting.

Powers of Directors.

(55.) The Business of the Company shall be managed by the Directors, who may pay all Expenses incurred in getting up and registering the Company, and may exercise all such Powers of the Company as are not by the foregoing Act, or by these Articles, required to be exercised by the Company in General Meeting, subject nevertheless to any Regulations of these Articles, to the Provisions of the foregoing Act, and to such Regulations, being not inconsistent with the aforesaid Regulations or Provisions, as may be prescribed by the Company in General Meeting; but no Regulation made by the Company in General Meeting shall invalidate any prior Act of the Directors which would have been valid if such Regulation had not been made.

(56.) The continuing Directors may act notwithstanding any Vacancy in their Body.

Disqualification of Directors.

(57.) The Office of Director shall be vacated,—

If he holds any other Office or Place of Profit under the Company;

If he becomes bankrupt or insolvent;

If he is concerned in or participates in the Profits of any Contract with the Company:

But the above Rules shall be subject to the following Exceptions:

That no Director shall vacate his Office by reason of his being a Member of any Company which has entered into Contracts with or done any Work for the Company of which he is Director; nevertheless he shall not vote in respect of such Contract or Work; and if he does so vote his Vote shall not be counted.

Rotation of Directors.

(58.) At the First Ordinary Meeting after the Registration of the Company the whole of the Directors shall retire from Office; and at the First Ordinary Meeting in every subsequent Year One Third of the Directors for the Time being, or if their Number is not a Multiple of Three, then the Number nearest to One Third, shall retire from Office.

(59.) The One Third or other nearest Number to retire during the First and Second Years ensuing the First Ordinary Meeting of the Company shall, unless the Directors agree among themselves, be determined by Ballot: In every subsequent Year the One Third or other nearest Number who have been longest in Office shall retire.

(60.) A retiring Director shall be re-eligible.

(61.) The Company at the General Meeting at which any Directors retire in manner aforesaid shall fill up the vacated Offices by electing a like Number of Persons.

(62.) If at any Meeting at which an Election of Directors ought to take place the Places of the vacating Directors are not filled up, the Meeting shall stand adjourned till the same Day in the next Week, at the same Time and Place; and if at such adjourned Meeting the Places of the vacating Directors are not filled up, the vacating Directors, or such of them as have not had their Places filled up, shall continue in Office until the Ordinary Meeting in the next Year, and so on from Time to Time until their Places are filled up.

(63.) The Company may from Time to Time, in General Meeting, increase or reduce the Number of Directors, and may also determine in what Rotation such increased or reduced Number is to go out of Office.

(64.) Any casual Vacancy occurring in the Board of Directors may be filled up by the Directors, but any Person so chosen shall retain his Office so long only as the vacating Director would have retained the same if no Vacancy had occurred.

(65.) The Company, in General Meeting, may, by a special Resolution, remove any Director before the Expiration of his Period of Office, and may by an ordinary Resolution appoint another Person in his Stead: The Person so appointed shall hold Office during such Time only as the Director in whose Place he is appointed would have held the same if he had not been removed.

Proceedings of Directors.

(66.) The Directors may meet together for the Despatch of Business, adjourn, and otherwise regulate their Meetings as they think fit, and determine the Quorum necessary for the Transaction of Business: Questions arising at any Meeting shall be decided by a Majority of Votes: In case of an Equality of Votes the Chairman shall have a Second or Casting Vote: A Director may at any Time summon a Meeting of the Directors.

67.) The Directors may elect a Chairman of their Meetings, and determine the Period for which he is to hold Office; but if no such Chairman is elected, or if at any Meeting the Chairman is not present at the Time appointed for holding the same, the Directors present shall choose some One of their Number to be Chairman of such Meeting.

(68.) The Directors may delegate any of their Powers to Committees consisting of such Member or Members of their Body as they think fit: Any Committee so formed shall, in the Exercise of the Powers so delegated, conform to any Regulations that may be imposed on them by the Directors.

(69.) A Committee may elect a Chairman of their Meetings: If no such Chairman is elected, or if he is not present at the Time appointed for holding the same, the Members present shall choose One of their Number to be Chairman of such Meeting.

(70.) A Committee may meet and adjourn as they think proper: Questions arising at any Meeting shall be determined by a Majority of Votes of the Members present; and in case of an Equality of Votes the Chairman shall have a Second or Casting Vote.

(71.) All Acts done by any Meeting of the Directors, or of a Committee of Directors, or by any Person acting as a Director, shall, notwithstanding that it be afterwards discovered that there was some Defect in the Appointment of any such Directors or Persons acting as aforesaid, or that they or any of them were disqualified, be as valid as if every such Person had been duly appointed and was qualified to be a Director.

Dividends.

(72.) The Directors may, with the Sanction of the Company in General Meeting, declare a Dividend to be paid to the Members in proportion to their Shares.

(73.) No Dividend shall be payable except out of the Profits arising from the Business of the Company.

(74.) The Directors may, before recommending any Dividend, set aside out of the Profits of the Company such Sum as they think proper as a reserved Fund to meet Contingencies, or for equalizing Dividends, or for repairing or maintaining the Works connected with the Business of the Company, or any Part thereof; and the Directors may invest the Sum so set apart as a reserved Fund upon such Securities as they may select.

(75.) The Directors may deduct from the Dividends payable to any Member all such Sums of Money as may be due from him to the Company on account of Calls or otherwise.

(76.) Notice of any Dividend that may have been declared shall be given to each Member in manner herein-after mentioned; and all Dividends unclaimed for Three Years, after having been declared, may be forfeited by the Directors for the Benefit of the Company.

(77.) No Dividend shall bear Interest as against the Company.

Accounts.

(78.) The Directors shall cause true Accounts to be kept,—

Of the Stock in Trade of the Company;

Of the Sums of Money received and expended by the Company, and the Matter in respect of which such Receipt and Expenditure takes place; and,

Of the Credits and Liabilities of the Company:

The Books of Account shall be kept at the registered Office of the Company, and, subject to any reasonable Restrictions as to the Time and Manner of inspecting the same that may be imposed by the Company in General Meeting, shall be open to the Inspection of the Members during the Hours of Business.

(79.) Once at the least in every Year the Directors shall lay before the Company in General Meeting a Statement of the Income and Expenditure for the past Year, made up to a Date not more than Three Months before such Meeting.

(80.) The Statement so made shall show, arranged under the most convenient Heads, the Amount of gross Income, distinguishing the several Sources from which it has been derived, and the Amount of gross Expenditure, distinguishing the Expense of the Establishment, Salaries, and other like Matters: Every Item of Expenditure fairly chargeable against the Year's Income shall be brought into Account, so that a just Balance of Profit and Loss may be laid before the Meeting; and in Cases where any Item of Expenditure which may in Fairness be distributed over several Years has been incurred in any One Year the whole Amount of such Item shall be stated, with the Addition of the Reasons why only a Portion of such Expenditure is charged against the Income of the Year.

(81.) A Balance Sheet shall be made out in every Year, and laid before the Company in General Meeting, and such Balance Sheet shall contain a Summary of the Property and Liabilities of the Company arranged under the Heads appearing in the Form annexed to this Table, or as near thereto as Circumstances admit.

(82.) A printed Copy of such Balance Sheet shall, Seven Days previously to such Meeting, be served on every Member in the Manner in which Notices are herein-after directed to be served.

Audit.

(83.) Once at the least in every Year the Accounts of the Company shall be examined, and the Correctness of the Balance Sheet ascertained, by One or more Auditor or Auditors.

(84.) The First Auditors shall be appointed by the Directors: Subsequent Auditors shall be appointed by the Company in General Meeting.

(85.) If One Auditor only is appointed, all the Provisions herein contained relating to Auditors shall apply to him.

(86.) The Auditors may be Members of the Company; but no Person is eligible as an Auditor who is interested otherwise than as a Member in any Transaction of the Company; and no Director or other Officer of the Company is eligible during his Continuance in Office.

(87.) The Election of Auditors shall be made by the Company at their Ordinary Meeting in each Year.

(88.) The Remuneration of the First Auditors shall be fixed by the Directors; that of subsequent Auditors shall be fixed by the Company in General Meeting.

(89.) Any Auditor shall be re-eligible on his quitting Office.

(90.) If any casual Vacancy occurs in the Office of any Auditor appointed by the Company, the Directors shall forthwith call an Extraordinary General Meeting for the Purpose of supplying the same.

(91.) If no Election of Auditors is made in manner aforesaid the Board of Trade may, on the Application of not less than Five Members of the Company, appoint an Auditor for the current Year, and fix the Remuneration to be paid to him by the Company for his Services.

(92.) Every Auditor shall be supplied with a Copy of the Balance Sheet, and it shall be his Duty to examine the same, with the Accounts and Vouchers relating thereto.

(93.) Every Auditor shall have a List delivered to him of all Books kept by the Company, and shall at all reasonable Times have Access to the Books and Accounts of the Company: He may, at the Expense of the Company, employ Accountants or other Persons to assist him in investigating such Accounts, and he may in relation to such Accounts examine the Directors or any other Officer of the Company.

(94.) The Auditors shall make a Report to the Members upon the Balance Sheet and Accounts, and in every such Report they shall state whether, in their Opinion, the Balance Sheet is a full and fair Balance Sheet, containing the Particulars required by these Regulations, and properly drawn up so as to exhibit a true and correct View of the State of the Company's Affairs, and in case they have called for Explanations or Information from the Directors, whether such Explanations or Information have been given by the Directors, and whether they have been satisfactory; and such Report shall be read, together with the Report of the Directors, at the Ordinary Meeting.

Notices.

(95.) A Notice may be served by the Company upon any Member either personally, or by sending it through the Post in a prepaid Letter addressed to such Member at his registered Place of Abode.

(96.) All Notices directed to be given to the Members shall, with respect to any Share to which Persons are jointly entitled, be given to whichever of such Persons is named first in the Register of Members; and Notice so given shall be sufficient Notice to all the Holders of such Share.

(97.) Any Notice, if served by Post, shall be deemed to have been served at the Time when the Letter containing the same would be delivered in the ordinary Course of the Post; and in proving such Service it shall be sufficient to prove that the Letter containing the Notices was properly addressed and put into the Post Office.

Dr. BALANCE SHEET of the Co. made up to 18 . Cr.

CAPITAL AND LIABILITIES.			£ s. d.	£ s. d.	PROPERTY AND ASSETS.			£ s. d.	£ s. d.
I. CAPITAL -		*Showing:*			III. PROPERTY held by the Company.		*Showing:*		
	1.	*The Number of Shares* - -				7.	*Immovable Property, distinguishing—*		
	2.	*The Amount paid per Share* -					*(a.) Freehold Land* - -		
	3.	*If any Arrears of Calls, the Nature of the Arrear, and the Names of the Defaulters.*					*(b.) „ Buildings* - -		
							(c.) Leasehold „ - -		
	4.	*The Particulars of any forfeited Shares*				8.	*Movable Property, distinguishing—*		
		Showing:					*(d.) Stock in Trade* - -		
II. DEBTS AND LIABILITIES of the Company.	5.	*The Amount of Loans on Mortgages or Debenture Bonds.*					*(e.) Plant* - - -		
	6.	*The Amount of Debts owing by the Company, distinguishing—*					*The Cost to be stated with Deductions for Deterioration in Value as charged to the Reserve Fund or Profit and Loss.*		
		(a.) Debts for which Acceptances have been given.							
		(b.) Debts to Tradesmen for Supplies of Stock in Trade or other Articles.			IV. DEBTS owing to the Company.		*Showing:*		
		(c.) Debts for Law Expenses.				9.	*Debts considered good for which the Company hold Bills or other Securities.*		
		(d.) Debts for Interest on Debentures or other Loans.				10.	*Debts considered good for which the Company hold no Security.*		
		(e.) Unclaimed Dividends.				11.	*Debts considered doubtful and bad - Any Debt due from a Director or other Officer of the Company to be separately stated.*		
		(f.) Debts not enumerated above.							
VI. RESERVE FUND.		*Showing:* *The Amount set aside from Profits to meet Contingencies.*			V. CASH AND INVESTMENTS.		*Showing:*		
						12.	*The Nature of Investment and Rate of Interest.*		
VII. PROFIT AND LOSS.		*Showing:* *The disposable Balance for Payment of Dividend, &c.*				13.	*The Amount of Cash, where lodged, and if bearing Interest.*		
CONTINGENT LIABILITIES		*Claims against the Company not acknowledged as Debts.*							
		Monies for which the Company is contingently liable.							

TABLE

TABLE B.

TABLE OF FEES to be paid to the REGISTRAR of JOINT STOCK COMPANIES by a Company having a Capital divided into Shares.

	£	s.	d.
For Registration of a Company whose nominal Capital does not exceed 2,000*l.*, a Fee of	2	0	0
For Registration of a Company whose nominal Capital exceeds 2,000*l.*, the above Fee of 2*l.*, with the following additional Fees, regulated according to the Amount of nominal Capital; (that is to say,)			
For every 1,000*l.* of nominal Capital, or Part of 1,000*l.*, after the first 2,000*l.*, up to 5,000*l.*	1	0	0
For every 1,000*l.* of nominal Capital, or Part of 1,000*l.*, after the first 5,000*l.*, up to 100,000*l.*	0	5	0
For every 1,000*l.* of nominal Capital, or Part of 1,000*l.*, after the first 100,000*l.*	0	1	0
For Registration of any Increase of Capital made after the First Registration of the Company, the same Fees per 1,000*l.*, or Part of a 1,000*l.*, as would have been payable if such increased Capital had formed Part of the original Capital at the Time of Registration.			
Provided that no Company shall be liable to pay in respect of nominal Capital on Registration, or afterwards, any greater Amount of Fees than 50*l.*, taking into account in the Case of Fees payable on an Increase of Capital after Registration the Fees paid on Registration.			
For Registration of any existing Company, except such Companies as are by this Act exempted from Payment of Fees in respect of Registration under this Act, the same Fee as is charged for registering a new Company.			
For registering any Document hereby required or authorized to be registered, other than the Memorandum of Association	0	5	0
For making a Record of any Fact hereby authorized or required to be recorded by the Registrar of Companies, a Fee of	0	5	0

TABLE C.

TABLE OF FEES to be paid to the REGISTRAR of JOINT STOCK COMPANIES by a Company not having a Capital divided into Shares.

	£	s.	d.
For Registration of a Company whose Number of Members as stated in the Articles of Association does not exceed 20	2	0	0
For Registration of a Company whose Number of Members, as stated in the Articles of Association, exceeds 20, but does not exceed 100	5	0	0
For Registration of a Company whose Number of Members, as stated in the Articles of Association, exceeds 100, but is not stated to be unlimited, the above Fee of 5*l.*, with an additional 5*s.* for every 50 Members or less Number than 50 Members after the first 100.			
For Registration of a Company in which the Number of Members is stated in the Articles of Association to be unlimited, a Fee of	20	0	0
For Registration of any Increase on the Number of Members made after the Registration of the Company in respect of every 50 Members, or less than 50 Members, of such Increase	0	5	0
Provided that no One Company shall be liable to pay on the whole a greater Fee than 20*l.* in respect of its Number of Members, taking into account the Fee paid on the First Registration of the Company.			
For Registration of any existing Company, except such Companies as are by this Act exempted from Payment of Fees in respect of Registration under this Act, the same Fee as is charged for registering a new Company.			
For registering any Document hereby required or authorized to be registered, other than the Memorandum of Association	0	5	0
For making a Record of any Fact hereby authorized or required to be recorded by the Registrar of Companies, a Fee of	0	5	0

FORM D.

FORM OF STATEMENT referred to in Part III. of the Act.

* The Capital of the Company is , divided into Shares of each.
The Number of Shares issued is .
Calls to the Amount of Pounds per Share have been made, under which the Sum of Pounds has been received.

* If the Company has no Capital divided into Shares the Portion of the Statement relating to Capital and Shares must be omitted.

The Liabilities of the Company on the First Day of January (*or* July) were,—
Debts owing to sundry Persons by the Company:
On Judgment, £
On Specialty, £
On Notes or Bills, £
On Simple Contracts, £
On estimated Liabilities, £
The Assets of the Company on that Day were,—
Government Securities [*stating them*], £
Bills of Exchange and Promissory Notes, £
Cash at the Bankers, £
Other Securities, £

SECOND SCHEDULE.

FORM A.

MEMORANDUM of ASSOCIATION of a Company limited by Shares.

1st. The Name of the Company is "The Eastern Steam Packet Company, Limited."

2d. The registered Office of the Company will be situate in England.

3d. The Objects for which the Company is established are, "the Conveyance of Passengers and "Goods in Ships or Boats between such Places as the Company may from Time to Time determine, "and the doing all such other Things as are incidental or conducive to the Attainment of the above "Object."

4th. The Liability of the Members is limited.

5th. The Capital of the Company is Two hundred thousand Pounds, divided into One thousand Shares of Two hundred Pounds each.

WE, the several Persons whose Names and Addresses are subscribed, are desirous of being formed into a Company, in pursuance of this Memorandum of Association, and we respectively agree to take the Number of Shares in the Capital of the Company set opposite our respective Names.

Names, Addresses, and Descriptions of Subscribers.			Number of Shares taken by each Subscriber.
"1. John Jones of	in the County of	Merchant -	200
"2. John Smith of	in the County of	- -	25
"3. Thomas Green of	in the County of	- -	30
"4. John Thompson of	in the County of	- -	40
"5. Caleb White of	in the County of	- -	15
"6. Andrew Brown of	in the County of	- -	5
"7. Cæsar White of	in the County of	- -	10
	Total Shares taken - - -		325

Dated the 22d Day of November 1861.

Witness to the above Signatures,
A.B., No. 13, Hute Street, Clerkenwell, Middlesex.

FORM B.

MEMORANDUM and ARTICLES of ASSOCIATION of a Company limited by Guarantee, and not having a Capital divided into Shares.

Memorandum of Association.

1st. The Name of the Company is "The Mutual London Marine Association, Limited."

2d. The registered Office of the Company will be situate in England.

3d. The Objects for which the Company is established are "the mutual Insurance of Ships belonging "to Members of the Company, and the doing all such other Things as are incidental or conducive to "the Attainment of the above Objects."

4th. Every Member of the Company undertakes to contribute to the Assets of the Company in the event of the same being wound up during the Time that he is a Member, or within One Year afterwards, for Payment of the Debts and Liabilities of the Company contracted before the Time at which he ceases to be a Member, and the Costs, Charges, and Expenses of winding up the same, and for the Adjustment

Adjustment of the Rights of the Contributories amongst themselves, such Amount as may be required not exceeding Ten Pounds.

We, the several Persons whose Names and Addresses are subscribed, are desirous of being formed into a Company, in pursuance of this Memorandum of Association.

Names, Addresses, and Descriptions of Subscribers.

" 1. John Jones of	in the County of	Merchant.
" 2. John Smith of	in the County of	
" 3. Thomas Green of	in the County of	
" 4. John Thompson of	in the County of	
" 5. Caleb White of	in the County of	
" 6. Andrew Brown of	in the County of	
" 7. Cæsar White of	in the County of	

Dated the 22d Day of November 1861.

Witness to the above Signatures,
A.B., No. 13, Hute Street, Clerkenwell, Middlesex.

ARTICLES of ASSOCIATION to accompany preceding MEMORANDUM of ASSOCIATION.

(1.) The Company, for the Purpose of Registration, is declared to consist of Five hundred Members.

(2.) The Directors herein-after mentioned may, whenever the Business of the Association requires it, register an Increase of Members.

Definition of Members.

(3.) Every Person shall be deemed to have agreed to become a Member of the Company who insures any Ship or Share in a Ship in pursuance of the Regulations herein-after contained.

General Meetings.

(4.) The First General Meeting shall be held at such Time, not being more than Three Months after the Incorporation of the Company, and at such Place, as the Directors may determine.

(5.) Subsequent General Meetings shall be held at such Time and Place as may be prescribed by the Company in General Meeting; and if no other Time or Place is prescribed, a General Meeting shall be held on the First Monday in February in every Year, at such Place as may be determined by the Directors.

(6.) The above-mentioned General Meetings shall be called Ordinary Meetings; all other General Meetings shall be called Extraordinary.

(7.) The Directors may, whenever they think fit, and they shall, upon a Requisition made in Writing by any Five or more Members, convene an Extraordinary General Meeting.

(8.) Any Requisition made by the Members shall express the Object of the Meeting proposed to be called, and shall be left at the registered Office of the Company.

(9.) Upon the Receipt of such Requisition the Directors shall forthwith proceed to convene a General Meeting: If they do not proceed to convene the same within Twenty-one Days from the Date of the Requisition, the Requisitionists, or any other Five Members, may themselves convene a Meeting.

Proceedings at General Meetings.

(10.) Seven Days Notice at the least, specifying the Place, the Day, and the Hour of Meeting, and in case of special Business the general Nature of such Business, shall be given to the Members in manner herein-after mentioned, or in such other Manner, if any, as may be prescribed by the Company in General Meeting; but the Non-receipt of such Notice by any Member shall not invalidate the Proceedings at any General Meeting.

(11.) All Business shall be deemed special that is transacted at an Extraordinary Meeting, and all that is transacted at an Ordinary Meeting, with the Exception of the Consideration of the Accounts, Balance Sheets, and the ordinary Report of the Directors.

(12.) No Business shall be transacted at any Meeting except the Declaration of a Dividend, unless a Quorum of Members is present at the Commencement of such Business; and such Quorum shall be ascertained as follows; that is to say, if the Members of the Company at the Time of the Meeting do not exceed Ten in Number, the Quorum shall be Five; if they exceed Ten there shall be added to the above Quorum One for every Five additional Members up to Fifty, and One for every Ten additional Members after Fifty, with this Limitation, that no Quorum shall in any Case exceed Thirty.

(13.) If within One Hour from the Time appointed for the Meeting a Quorum of Members is not present, the Meeting, if convened upon the Requisition of the Members, shall be dissolved: In any other Case it shall stand adjourned to the same Day in the following Week at the same Time and Place; and if at such adjourned Meeting a Quorum of Members is not present, it shall be adjourned sine die.

(14.) The Chairman (if any) of the Directors shall preside as Chairman at every General Meeting of the Company.

(15.) If there is no such Chairman, or if at any Meeting he is not present at the Time of holding the same, the Members present shall choose some One of their Number to be Chairman of such Meeting.

(16.) The Chairman may, with the Consent of the Meeting, adjourn any Meeting from Time to Time and from Place to Place, but no Business shall be transacted at any adjourned Meeting other than the Business left unfinished at the Meeting from which the Adjournment took place.

(17.) At any General Meeting, unless a Poll is demanded by at least Five Members, a Declaration by the Chairman that a Resolution has been carried, and an Entry to that Effect in the Book of Proceedings of the Company, shall be sufficient Evidence of the Fact, without Proof of the Number or Proportion of the Votes recorded in favour of or against such Resolution.

(18.) If a Poll is demanded in manner aforesaid, the same shall be taken in such Manner as the Chairman directs, and the Result of such Poll shall be deemed to be the Resolution of the Company in General Meeting.

Votes of Members.

(19.) Every Member shall have One Vote and no more.

(20.) If any Member is a Lunatic or Idiot he may vote by his Committee, Curator bonis, or other legal Curator.

(21.) No Member shall be entitled to vote at any Meeting unless all Monies due from him to the Company have been paid.

(22.) Votes may be given either personally or by Proxies: A Proxy shall be appointed in Writing under the Hand of the Appointor, or if such Appointor is a Corporation, under its Common Seal.

(23.) No Person shall be appointed a Proxy who is not a Member, and the Instrument appointing him shall be deposited at the registered Office of the Company not less than Forty-eight Hours before the Time of holding the Meeting at which he proposes to vote.

(24.) Any Instrument appointing a Proxy shall be in the following Form:—

Company Limited.

I of in the County of being a Member of the Company Limited, hereby appoint of as my Proxy, to vote for me and on my Behalf at the [Ordinary *or* Extraordinary, *as the Case may be*] General Meeting of the Company to be held on the Day of , and at any Adjournment thereof to be held on the Day of next [*or*, at any Meeting of the Company that may be held in the Year].

As witness my Hand, this Day of

Signed by the said in the Presence of

Directors.

(25.) The Number of the Directors, and the Names of the First Directors, shall be determined by the Subscribers of the Memorandum of Association.

(26.) Until Directors are appointed, the Subscribers of the Memorandum of Association shall for all the Purposes of this Act be deemed to be Directors.

Powers of Directors.

(27.) The Business of the Company shall be managed by the Directors, who may exercise all such Powers of the Company as are not hereby required to be exercised by the Company in General Meeting; but no Regulation made by the Company in General Meeting shall invalidate any prior Act of the Directors which would have been valid if such Regulation had not been made.

Election of Directors.

(28.) The Directors shall be elected annually by the Company in General Meeting.

Business of Company.

[*Here insert Rules as to Mode in which Business of Insurance is to be conducted.*]

Accounts.

(29.) The Accounts of the Company shall be audited by a Committee of Five Members, to be called the Audit Committee.

(30.) The first Audit Committee shall be nominated by the Directors out of the Body of Members.

(31.) Subsequent Audit Committees shall be nominated by the Members at the Ordinary General Meeting in each Year.

(32.) The Audit Committee shall be supplied with a Copy of the Balance Sheet, and it shall be their Duty to examine the same with the Accounts and Vouchers relating thereto.

(33.) The Audit Committee shall have a List delivered to them of all Books kept by the Company, and they shall at all reasonable Times have Access to the Books and Accounts of the Company: They may, at the Expense of the Company, employ Accountants or other Persons to assist them in investigating such Accounts, and they may in relation to such Accounts examine the Directors or any other Officer of the Company.

(34.) The

(34.) The Audit Committee shall make a Report to the Members upon the Balance Sheet and Accounts, and in every such Report they shall state whether in their Opinion the Balance Sheet is a full and fair Balance Sheet, containing the Particulars required by these Regulations of the Company, and properly drawn up, so as to exhibit a true and correct View of the State of the Company's Affairs, and in case they have called for Explanation or Information from the Directors, whether such Explanations or Information have been given by the Directors, and whether they have been satisfactory, and such Report shall be read together with the Report of the Directors at the Ordinary Meeting.

Notices.

(35.) A Notice may be served by the Company upon any Member either personally, or by sending it through the Post in a prepaid Letter addressed to such Member at his registered Place of Abode.

(36.) Any Notice, if served by Post, shall be deemed to have been served at the Time when the Letter containing the same would be delivered in the ordinary Course of the Post; and in proving such Service it shall be sufficient to prove that the Letter containing the Notice was properly addressed, and put into the Post Office.

Winding-up.

(37.) The Company shall be wound up voluntarily whenever an Extraordinary Resolution, as defined by the Companies Act, 1862, is passed, requiring the Company to be wound up voluntarily.

Names, Addresses, and Descriptions of Subscribers.

" 1. John Jones of	in the County of	Merchant.
" 2. John Smith of	in the County of	
" 3. Thomas Green of	in the County of	
" 4. John Thompson of	in the County of	
" 5. Caleb White of	in the County of	
" 6. Andrew Brown of	in the County of	
" 7. Cæsar White of	in the County of	

Dated the 22d Day of November 1861.

Witness to the above Signatures,

A.B., No. 13, Hute Street, Clerkenwell, Middlesex.

FORM C.

MEMORANDUM and ARTICLES of ASSOCIATION of a Company limited by Guarantee, and having a Capital divided into Shares.

Memorandum of Association.

1st. The Name of the Company is "The Highland Hotel Company, Limited."

2d. The registered Office of the Company will be situate in Scotland.

3d. The Objects for which the Company is established are "the facilitating travelling in the High-" lands of Scotland, by providing Hotels and Conveyances by Sea and by Land for the Accommodation " of Travellers, and the doing all such other Things as are incidental or conducive to the Attainment " of the above Object."

4th. Every Member of the Company undertakes to contribute to the Assets of the Company in the event of the same being wound up during the Time that he is a Member, or within One Year afterwards, for Payment of the Debts and Liabilities of the Company contracted before the Time at which he ceases to be a Member, and the Costs, Charges, and Expenses of winding up the same, and for the Adjustment of the Rights of the Contributories amongst themselves, such Amount as may be required not exceeding Twenty Pounds.

WE, the several Persons whose Names and Addresses are subscribed, are desirous of being formed into a Company, in pursuance of this Memorandum of Association.

Names, Addresses, and Descriptions of Subscribers.

" 1. John Jones of	in the County of	Merchant.
" 2. John Smith of	in the County of	
" 3. Thomas Green of	in the County of	
" 4. John Thompson of	in the County of	
" 5. Caleb White of	in the County of	
" 6. Andrew Brown of	in the County of	
" 7. Cæsar White of	in the County of	

Dated the 22d Day of November 1861.

Witness to the above Signatures,

A.B., No. 13, Hute Street, Clerkenwell, Middlesex.

Articles of Association to accompany preceding Memorandum of Association.

1. The Capital of the Company shall consist of Five hundred thousand Pounds, divided into Five thousand Shares of One hundred Pounds each.
2. The Directors may, with the Sanction of the Company in General Meeting, reduce the Amount of Shares.
3. The Directors may, with the Sanction of the Company in General Meeting, cancel any Shares belonging to the Company.
4. All the Articles of Table A. shall be deemed to be incorporated with these Articles, and to apply to the Company.

WE, the several Persons whose Names and Addresses are subscribed, agree to take the Number of Shares in the Capital of the Company set opposite our respective Names.

Names, Addresses, and Descriptions of Subscribers.		Number of Shares taken by each Subscriber.
" 1. John Jones of	in the County of - -	200
" 2. John Smith of	in the County of - -	25
" 3. Thomas Green of	in the County of - -	30
" 4. John Thompson of	in the County of - -	40
" 5. Caleb White of	in the County of - -	15
" 6. Andrew Brown of	in the County of - -	5
" 7. Cæsar White of	in the County of - -	10
Total Shares taken - - - - -		325

Dated the 22d Day of November 1861.
Witness to the above Signatures,
A.B., No. 13, Hute Street, Clerkenwell, Middlesex.

FORM D.

MEMORANDUM and ARTICLES of ASSOCIATION of an unlimited Company, having a Capital divided into Shares.

Memorandum of Association.

1st. The Name of the Company is " The Patent Stereotype Company."
2d. The registered Office of the Company will be situate in England.
3d. The Objects for which the Company is established are " the working of a Patent Method " of founding and casting Stereotype Plates, of which Method John Smith, of London, is the sole " Patentee."

WE, the several Persons whose Names are subscribed, are desirous of being formed into a Company, in pursuance of this Memorandum of Association.

Names, Addresses, and Descriptions of Subscribers.		
" 1. John Jones of	in the County of	Merchant.
" 2. John Smith of	in the County of	
" 3. Thomas Green of	in the County of	
" 4. John Thompson of	in the County of	
" 5. Caleb White of	in the County of	
" 6. Andrew Brown of	in the County of	
" 7. Abel Brown of	in the County of	

Dated 22d Day of November 1861.
Witness to the above Signatures,
A.B., No. 20, Bond Street, Middlesex.

Articles of Association to accompany the preceding Memorandum of Association.

Capital of the Company.

The Capital of the Company is Two thousand Pounds, divided into Twenty Shares of One hundred Pounds each.

Application of Table A.

All the Articles of Table A. shall be deemed to be incorporated with these Articles, and to apply to the Company.

WE,

Companies, &c. (*Second Schedule.*)

WE, the several Persons whose Names and Addresses are subscribed, agree to take the Number of Shares in the Capital of the Company set opposite our respective Names.

Names, Addresses, and Descriptions of Subscribers.			Number of Shares taken by Subscribers.
" 1. John Jones of	in the County of	Merchant	1
" 2. John Smith of	in the County of	-	5
" 3. Thomas Green of	in the County of	-	2
" 4. John Thompson of	in the County of	-	2
" 5. Caleb White of	in the County of	-	3
" 6. Andrew Brown of	in the County of	-	4
" 7. Abel Brown of	in the County of	-	1
Total Shares taken - - - -			18

Dated the 22d Day of November 1861.

Witness to the above Signatures,
A.B., No. 20, Bond Street, Middlesex.

FORM E. as required by the Second Part of the Act.

SUMMARY of CAPITAL and SHARES of the COMPANY, made up to the Day of

Nominal Capital £ divided into Shares of £ each.
Number of Shares taken up to the Day of
There has been called up on each Share £
Total Amount of Calls received £
Total Amount of Calls unpaid £

LIST of Persons holding Shares in the Company on the Day of , and of Persons who have held Shares thereon at any Time during the Year immediately preceding the said Day of , showing their Names and Addresses, and an Account of the Shares so held.

Folio in Register Ledger containing Particulars.	Names, Addresses, and Occupations.				Account of Shares.					Remarks.
	Surname.	Christian Name.	Address.	Occupation.	Shares held by existing Members on the Day of	Additional Shares held by existing Members during preceding Year.		Shares held by Persons no longer Members.		
						Number.	Date of Transfer.	Number.	Date of Transfer.	

FORM F.

LICENCE to hold LANDS.

The Lords of the Committee of Privy Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations hereby license the Association, Limited, to hold the Lands hereunder described [*insert Description of Lands*]. The Conditions of this Licence are [*insert Conditions, if any*].

THIRD SCHEDULE.

FIRST PART.

Date and Chapter of Act.	Title of Act.
21 & 22 Geo. 3. c. 46. (Parliament of Ireland.)	An Act to promote Trade and Manufactures by regulating and encouraging Partnerships.
7 & 8 Vict. c. 110.	An Act for the Registration, Incorporation, and Regulation of Joint Stock Companies.
7 & 8 Vict. c. 111.	An Act for facilitating the winding up the Affairs of Joint Stock Companies unable to meet their pecuniary Engagements.
7 & 8 Vict. c. 113.	An Act to regulate Joint Stock Banks in England.
8 & 9 Vict. c. 98.	An Act for facilitating the winding up the Affairs of Joint Stock Companies in Ireland unable to meet their pecuniary Engagements.
9 & 10 Vict. c. 28.	An Act to facilitate the Dissolution of certain Railway Companies.
9 & 10 Vict. c. 75.	An Act to regulate Joint Stock Banks in Scotland and Ireland.
10 & 11 Vict. c. 78.	An Act to amend an Act for the Registration, Incorporation, and Regulation of Joint Stock Companies.
11 & 12 Vict. c. 45.	An Act to amend the Acts for facilitating the winding up the Affairs of Joint Stock Companies unable to meet their pecuniary Engagements, and also to facilitate the Dissolution and winding up of Joint Stock Companies and other Partnerships.
12 & 13 Vict. c. 108.	An Act to amend the Joint Stock Companies Winding-up Act, 1848.
19 & 20 Vict. c. 47.	An Act for the Incorporation and Regulation of Joint Stock Companies and other Associations.
20 & 21 Vict. c. 14.	An Act to amend the Joint Stock Companies Act, 1856.
20 & 21 Vict. c. 49.	An Act to amend the Law relating to Banking Companies.
20 & 21 Vict. c. 78.	An Act to amend the Act Seven and Eight Victoria, Chapter One hundred and eleven, for facilitating the winding up the Affairs of Joint Stock Companies unable to meet their pecuniary Engagements, and also the Joint Stock Companies Winding-up Acts, 1848 and 1849.
20 & 21 Vict. c. 80.	An Act to amend the Joint Stock Companies Act, 1856.
21 & 22 Vict. c. 60.	An Act to amend the Joint Stock Companies Acts, 1856 and 1857, and the Joint Stock Banking Companies Act, 1857.
21 & 22 Vict. c. 91.	An Act to enable Joint Stock Banking Companies to be formed on the Principle of Limited Liability.

SECOND PART.

7 & 8 Vict. c. 113. s. 47.

Existing Companies to have the Powers of suing and being sued.

Every Company of more than Six Persons established on the Sixth Day of May One thousand eight hundred and forty-four, for the Purpose of carrying on the Trade or Business of Bankers within the Distance of Sixty-five Miles from London, and not within the Provisions of the Act passed in the Session holden in the Seventh and Eighth Years of the Reign of Her present Majesty, Chapter One hundred and thirteen, shall have the same Powers and Privileges of suing and being sued in the Name of any One of the Public Officers of such Copartnership as the nominal Plaintiff, Petitioner, or Defendant on behalf of such Copartnership; and all Judgments, Decrees, and Orders made and obtained in any such Suit may be enforced in like Manner as is provided with respect to such Companies carrying on the said Trade or Business at any Place in England exceeding the Distance of Sixty-five Miles from London, under the Provisions of an Act passed in the Seventh Year of the Reign of King George the Fourth, Chapter Forty-six, intituled "An Act for the better regulating Copartnerships of certain Bankers in England, and for amending so much of an Act of the Thirty-ninth and Fortieth Years of the Reign of His late Majesty King George the Third, intituled 'An Act for establishing an Agreement with the Governor and Company of the Bank of England for advancing the Sum of Three Millions towards the Supply for the Service of the Year One thousand eight hundred,' as relates to the same," provided that such first-mentioned Company shall make out and deliver from Time to Time to the Commissioners of Stamps and Taxes the several Accounts or Returns required by the last-mentioned Act, and all the Provisions of the last-recited Act as to such Accounts or Returns shall be taken to apply to the Accounts or Returns so made out and delivered by such first-mentioned Companies as if they had been originally included in the Provisions of the last-recited Act.

20 & 21 Vict. c. 49., Part of Section XII.

Notwithstanding anything contained in any Act passed in the Session holden in the Seventh and Eighth Years of the Reign of Her present Majesty, Chapter One hundred and thirteen, and intituled "An Act to regulate Joint Stock Banks in England," or in any other Act, it shall be lawful for any Number of Persons, not exceeding Ten, to carry on in Partnership the Business of Banking, in the same Manner and upon the same Conditions in all respects as any Company of not more than Six Persons could before the passing of this Act have carried on such Business. Power to form Banking Partnerships of Ten Persons.

CAP. XC.

An Act for rectifying a clerical Error in the Act of the present Session, Chapter Forty, with respect to the *African* Slave Trade Treaty. [7th *August* 1862.]

'WHEREAS in the Act of the present Session of Parliament, Chapter Forty, intituled *An Act to carry into effect the Treaty between Her Majesty and the United States of* America *for the Suppression of the* African *Slave Trade*, it is accurately recited that it was on the Seventh Day of *April* in the Year of our Lord One thousand eight hundred and sixty-two that the Treaty to which the Act relates was signed at *Washington*, but in the Form (given in the Eighth Section of the Act) of the Oath to be taken by Judges and Arbitrators to be appointed by Her Majesty for the Purposes of the Treaty, Reference is made to the Treaty as having been signed at *Washington* on the Seventh Day of *June* One thousand eight hundred and sixty-two, the Word "*June*" being given (by clerical Error) for the Word "*April*," and it is expedient that the Error be rectified:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 25 & 26 Vict. c. 40.

1. The Oath which, in accordance with the Eighth Section of the recited Act, is to be taken by every Judge and Arbitrator referred to in that Section, shall not be in the Form which is given in that Section, but shall be in the Form following; that is to say, Form of Oath to be taken by Judges, &c. instead of that in recited Act.

'I *A.B.* do solemnly swear that I will, according to the best of my Skill and Knowledge, act in the Execution of my Office of faithfully, impartially, fairly, and without Prejudice or Disfavour, either for or against Claimants or Captors, or any other Persons; and that I will, to the best of my Judgment and Power, act in pursuance of and according to the Stipulations, Regulations, and Instructions contained in the Treaty between Her Majesty and the United States of America, signed at Washington on the Seventh Day of April One thousand eight hundred and sixty-two.' [*See Act of this Session*, Cap. 40, Sect. 8., Page 637.]

2. The recited Act, as from the Time of the passing thereof into a Law, shall be read and have Effect as if the Oath which, in accordance with the Eighth Section of that Act is to be taken by Judges and Arbitrators were an Oath not in the Form which is given in that Behalf in that Section, but in the Form which is given in that Behalf in this Act, and the recited Act and this Act shall accordingly be read and have Effect as if they were One Act. Recited Act to be read accordingly.

3. The recited Act and this Act may for all Purposes be cited as follows; (that is to say,) the recited Act as the "*African* Slave Trade Treaty Act (No. 1.), 1862," this Act as the "*African* Slave Trade Treaty Act (No. 2.), 1862," and the recited Act and this Act together as the "*African* Slave Trade Treaty Acts (Nos. 1. and 2.), 1862." Short Titles.

CAP. XCI.

An Act to incorporate the General Council of Medical Education and Registration of the United Kingdom, and for other Purposes. [7th *August* 1862.]

'WHEREAS by the Medical Act passed in the Session holden in the Twenty-first and Twenty-second Years of the Reign of Her present Majesty, Chapter Ninety, a Council is established, under the Style of "The General Council of Medical Education and Registration of the United Kingdom," and certain Duties and Obligations are imposed on such Council, and in particular it is provided, that the General Council shall cause to be published under their Direction a Book, containing a List of Medicines and Compounds, and the Manner of preparing them, together with the true Weights and Measures by which they are to be prepared and mixed, and containing such other Matter and Things relating thereto as the General Council shall think fit, to be called "*British* Pharmacopœia," and Power is given to the said Council to alter, amend, and republish such Pharmacopœia as often as they shall deem it necessary: And whereas different Pharmacopœias have hitherto been in use in *England*, *Scotland*, and *Ireland*, published in *England* under the Direction of the Royal College of Physicians of *London*, and sanctioned by an Order of Her Majesty in Council, published in *Scotland* under the Direction of the Royal College of Physicians of *Edinburgh*, but without any legal Sanction, and published in *Ireland* under the Direction of the King and Queen's College of Physicians in *Ireland*, and sanctioned by Act of Parliament: And whereas the Pharmacopœia to be published by the said Council is intended to supersede the above-mentioned Pharmacopœias: And whereas it is expedient to 21 & 22 Vict. c. 90.

'incorporate

'incorporate the said Council, and to make such Provisions as are herein-after contained with respect 'to the said *British* Pharmacopœia;' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Incorporation of Council.

1. "The General Council of Medical Education and Registration of the United Kingdom" shall be deemed to be and to have been, from the Date of its first Establishment, a Body Corporate by the Name aforesaid, having a perpetual Succession and a Common Seal, with a Capacity to hold Lands for the Purposes of the said Medical Act.

Right of printing Pharmacopœia vested in Council.

2. The exclusive Right of publishing, printing, and selling the said Pharmacopœia shall vest in the said General Council, subject to this Proviso, that it shall be lawful for the Commissioners of the Treasury from Time to Time to fix the Price at which Copies of the said Work are to be sold to the Public.

Notice to be given in Gazettes when British Pharmacopœia is published.

3. The *British* Pharmacopœia, when published, shall for all Purposes be deemed to be substituted throughout *Great Britain* and *Ireland* for the several above-mentioned Pharmacopœias, and any Act of Parliament, Order in Council, or Custom relating to any of such last-mentioned Pharmacopœias shall be deemed, after the Publication of the *British* Pharmacopœia, to refer to such Pharmacopœia.

Notice in the *London, Edinburgh*, and *Dublin* Gazettes to the Effect that the *British* Pharmacopœia has been published shall be deemed sufficient Evidence of its Publication for the Purposes of this Act, and a Copy of the said Pharmacopœia printed by such Person as may be named in the said Notice, or in any other Notice published in the said Gazettes, as authorized by the General Council to print the said Pharmacopœia, shall be admitted in Evidence as being the Pharmacopœia directed to be published by the above-mentioned Act.

CAP. XCII.

An Act to limit the Time for proceeding to Elections in Counties and Boroughs in *Ireland*.

[7th *August* 1862.]

1 G. 4. c. 11. s. 5.

'WHEREAS by the Fifth Section of the Act of the First *George* the Fourth, Chapter Eleven, it is 'provided that immediately after the Receipt of the Writ for making an Election for any County 'in *Ireland* the Sheriff of such County shall endorse thereon the Date of receiving the same, and that 'such Sheriff shall, within Two Days after the Receipt of such Writ, cause Proclamation of the Time 'and Place of holding such Election to be made at the Place where the ensuing Election ought by Law 'to be holden, between the Hours of Ten of the Clock of the Forenoon and Two of the Clock in the 'Afternoon, and that the said Sheriff on the same Day shall cause to be affixed on the Doors of the 'County Court House Public Notice, signed by himself, of a Special County Court to be there holden 'for the Purpose of such Election only, and which shall be holden on some Day (*Sunday, Christmas 'Day*, and *Good Friday* excepted) not later from the Day of making such Proclamation and affixing 'such Notice than the Sixteenth Day, nor sooner than the Tenth Day: And whereas it is expedient to 'limit the Time for proceeding to such Elections:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Period for Elections in Counties.

1. From and after the passing of this Act any such Special County Court for the Purpose of the Election of a Member or Members to serve in Parliament for any County in *Ireland* shall be holden on any Day (*Sunday, Good Friday*, and *Christmas Day* excepted) not later from the Day of making such Proclamation than the Twelfth Day, nor sooner than the Sixth Day; provided that this Section shall not apply to the Election for any County of a City or of a Town.

9 & 10 Vict. c. 30. repealed. Period for Elections in Cities, &c.

2. From and after the passing of this Act the Act of the Ninth and Tenth *Victoria*, Chapter Thirty, defining the Notice of Elections of Members to serve in Parliament for Cities, Towns, or Boroughs in *Ireland*, shall be and the same is hereby repealed; and in every City or Town in *Ireland*, being a County of itself, and in every Borough in *Ireland*, returning or contributing to return a Member or Members to serve in Parliament, the Sheriff or other Officer to whom the Duty of giving such Notice belongs shall proceed to Election within Six Days after the Receipt of the Writ or Precept, giving Three clear Days Notice at least of the Day appointed for the Election, exclusive of the Day of Proclamation and the Day of Election.

Sheriff to be Returning Officer in Boroughs where the Office of Returning Officer shall be vacant.

3. Every Writ for making any Election of a Member or Members to serve in Parliament for any City, Town, or Borough in *Ireland* shall be directed to the Returning Officer of the said City, Town, or Borough, or his Deputy, and in their Absence to the Sheriff of the County in which the said City, Town, or Borough is situate; and in all Cases whatever whenever there shall be, either from temporary Vacancy or from some other Cause, no Person duly qualified in any such City, Town, or Borough to perform the Duties of a Returning Officer for the same, the Sheriff of the County in which such City, Town, or Borough is situate shall be charged with the Execution of the said Writ, and shall execute the same, and in all respects perform the Duties of and incidental to the Office of Returning Officer: Provided always, that it shall not be lawful for the said Sheriff to receive or execute the Writ except when there shall be no Person within the said City, Town, or Borough legally qualified and competent as Returning Officer to execute the same.

4. All

4. All Writs for the Election of any Member or Members to serve in Parliament for any County, City, Town, or Borough in *Ireland* issued after the Commencement of this Act, and all Mandates, Precepts, Instruments, Proceedings, and Notices consequent upon such Writs, shall be and the same are hereby authorized to be framed and expressed in such Manner and Form as may be necessary for carrying the Provisions of this Act into effect. Writs, &c. to be conformable to this Act.

CAP. XCIII.

An Act for embanking the North Side of the River *Thames* from *Westminster Bridge* to *Blackfriars Bridge*, and for making new Streets in and near thereto. [7th *August* 1862.]

'WHEREAS by "The *London* Coal and Wine Duties Continuance Act, 1861," after reciting that by an Act passed in the Session holden in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, Chapter Ten, intituled *An Act for the Relief of the Orphans and other Creditors of the City of* London, it was enacted (amongst other things) that, towards raising a Fund as therein mentioned, a Duty of Four Shillings *per* Tun should be imposed upon all Sorts of Wines whatsoever which from and after the Fourth Day of *June* One thousand six hundred and ninety-four should be imported into the Port of the City of *London*, or the Members thereof, by way of Merchandise, over and above the then present Duties charged or chargeable thereupon, and so proportionably for a greater or lesser Quantity, which said Duty should from Time to Time for ever be paid by the Importer thereof unto the Mayor, Commonalty, and Citizens of the City of *London* (herein-after called "the Corporation of *London*"); and reciting, that by the Acts therein-after mentioned, and therein-after referred to as the Coal Duties Acts, or some or One of such Acts, Two several Duties of One Penny and Twelvepence *per* Ton were authorized to be levied by the Corporation of *London* upon all Coals, Culm, and Cinders brought to any Place within the Port of *London* or within the Cities of *London* and *Westminster* and the Borough of *Southwark*, or to any Place within the Distance of Twenty Miles from the General Post Office in the City of *London*, by any Railway already constructed or thereafter to be constructed, or by Inland Navigation, or by any other Means of Conveyance, it was enacted (amongst other Things), that the above-mentioned Duty of Four Shillings a Tun on Wines should continue and be levied in all respects in the same Manner as the same was then leviable until the Fifth Day of *July* One thousand eight hundred and seventy-two; and that all Duties authorized by the said Coal Duties Acts or any of them to be levied upon Coal, Culm, and Cinders should continue and be levied in the same Manner in which the same were then leviable until the Fifth Day of *July* One thousand eight hundred and seventy-two, subject to the following Qualification, that, notwithstanding anything contained in the said Acts, no Duties should be payable in respect of any Coal, Culm, or Cinders unless the same was contained in some Ship or Vessel arriving at her Moorings within some Part of the Port of *London* to the Westward of *Gravesend*, within the Limits of the Metropolitan Police District as defined by Act of Parliament, or be brought by Railway or by Inland Navigation or by some other Mode of Conveyance within the said Limits of the Metropolitan Police District, including the Cities of *London* and *Westminster*; and it was further enacted, that the Duty of One Penny *per* Ton on Coals, Culm, and Cinders should, from and after the passing of the Act now in recital, and the said Duty of Four Shillings *per* Tun on Wines, and the Duty of Eightpence, Part of the said Duty of Twelvepence on Coals, Culm, and Cinders, should, from and after such Time as all Charges on the *London Bridge* Approaches Fund might be satisfied, be paid to an Account to be opened in the Name of the Lords Commissioners of Her Majesty's Treasury at the Bank of *England*, to be intituled "The *Thames* Embankment and Metropolis Improvement Fund," and such Fund should be applied to the Improvement of the Metropolis in such Manner as might thereafter be determined by Parliament; and it was further enacted, that the Monies from Time to Time paid to the Account created by the Act now in recital should, when received, be laid out and invested in the Purchase of Stock in some of the Public Stocks or Funds or upon Government or Real Securities at Interest in the Name of the said Commissioners, and that the said Commissioners should from Time to Time lay out or invest the yearly Dividends or Interest of the Stocks, Funds, and Securities so to be purchased in their Names on the Account aforesaid in like Manner for the Purpose of Accumulation in the meantime until the said Fund was appropriated by Parliament to the Execution of Improvements in the Metropolis; and it was further enacted, that all Monies, Stocks, Funds, and Securities standing to the Account of the Metropolis Improvement Fund Account created by the Act of the Session of the Eighth and Ninth Years of the Reign of Her Majesty, Chapter One hundred and one, should, from and after the passing of the Act now in recital, and all Monies, Stocks, Funds, and Securities standing to the Account of the *London Bridge* Approaches Fund should, from and after such Time as all Charges on the said Funds might be satisfied, be carried to and form Part of the *Thames* Embankment and Metropolis Improvement Fund created by the Act now in recital, and the said *London Bridge* Approaches Fund should thereupon cease and determine: And whereas all Monies, Stocks, Funds, and Securities standing to the Account of the *London Bridge* Approaches Fund have, with the Consent of the Corporation of the City of *London*, been carried over to the said *Thames* Embankment and Metropolis Improvement Fund upon' 24 & 25 Vict. c. 42.

'upon the Understanding that the Charges on the said *London Bridge* Approaches should be duly 'discharged out of the said *Thames* Embankment and Metropolis Improvement Fund: And whereas it 'is expedient to set apart for meeting the aforesaid Charges such Sum as the Commissioners of Her 'Majesty's Treasury may think sufficient: And whereas on the Twenty-third Day of *February* in the 'Year One thousand eight hundred and sixty-one Her Majesty issued a Commission, addressed to 'the Right Honourable the Lord Mayor of the City of *London*, Major General Sir *Joshua Jebb* K.C.B., '*John Thwaites* Esquire, Chairman of the Metropolitan Board of Works, Captain *Douglas Galton* of 'the Royal Engineers, *Edward Burstall* Esquire, Commander in Her Majesty's Navy, *Henry Arthur* '*Hunt* Esquire, Surveyor of Her Majesty's Works and Public Buildings, and *John Robinson M'Clean* 'Esquire (to which Commission *Henry Kingscote* was Secretary), to examine into Plans for embanking 'the River *Thames* within the Metropolis, so as to provide with the greatest Efficiency and Economy 'for the Relief of the most crowded Streets by the Establishment of a new and spacious Thoroughfare 'for the Improvement of the Navigation of the River, and which would afford an Opportunity of 'making the Low-level Sewer without disturbing the *Strand* or *Fleet Street*, and also to report upon 'the Cost and Means of carrying the same into execution: And whereas the Commissioners acting 'under the recited Commission, by their Report to Her Majesty dated the Twenty-second Day of *July* 'One thousand eight hundred and sixty-one (and which has been presented to both Houses of Parlia- 'ment by command of Her Majesty), have recommended that the several Improvements and Works 'herein-after specified should be executed and effected: And whereas by an Act of the Session holden 'in the Twentieth and Twenty-first Years of Her Majesty, Chapter One hundred and forty-seven, all 'the Estate, Right, Title, and Interest of the Corporation of *London* in the Bed and Soil and Shores of 'the River *Thames* from *Staines* to *Yantlete*, and all the Estate, Right, Title, and Interest to which 'Her Majesty was on the Twenty-third Day of *February* One thousand eight hundred and fifty-seven 'entitled in right of Her Crown of, in, and to the Bed and Soil and Shores of the said River, within 'the Flux and Reflux of the Tides, bounded Eastward as in the Act now in recital is mentioned, and 'of, in, and to all Encroachments, Embankments, and Inclosures therefrom or thereupon, except such 'Parts thereof as in the same Act are specified, were vested in the Conservators of the River *Thames*, 'a Corporation by the same Act constituted: And whereas by an Act of the Session holden in the 'Twenty-first and Twenty-second Years of Her Majesty, Chapter One hundred and four, it was 'enacted, that the Metropolitan Board of Works should cause to be commenced, as soon as might be 'after the passing thereof, the necessary Sewers and Works for the Improvement of the Main Drainage 'of the Metropolis, and for preventing the Sewage of the Metropolis from passing into the River '*Thames* within the Metropolis, and that for the Purposes of the Act now in recital the said Board 'might construct any Work through, along, over, or under the Bed and Soil and Banks and Shores of 'the River *Thames*, making Compensation as therein mentioned: And whereas it is expedient that the 'Metropolitan Board of Works should be empowered to form the Embankment and new Streets, and to 'execute, effect, and maintain the other Improvements and Works herein-after specified; and for the 'Purpose of providing a Fund to enable such Board to effect the Objects aforesaid it is expedient that 'the Commissioners of Her Majesty's Treasury should be authorized, out of or by Charge upon the '*Thames* Embankment and Metropolis Improvement Fund aforesaid, to raise and provide such Sum or 'Sums as may from Time to Time be necessary for those Purposes; and that every such Sum, when so 'raised or provided, should be paid over to the said Board for the Purposes of this Act: And whereas 'the Objects of this Act cannot be attained without the Authority of Parliament:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

8 & 9 Vict. c. 18. (except ss. 34 and 92.) and 23 & 24 Vict. c. 106. incorporated.

1. "The Lands Clauses Consolidation Act, 1845," (except the Sections Thirty-four and Ninety-two,) and "The Lands Clauses Consolidation Acts Amendment Act, 1860," shall, so far as the Provisions of such Acts respectively are not expressly varied by or excepted from this Act, be incorporated with and form Part of this Act; and the Metropolitan Board of Works shall be taken to be the Persons in such first-mentioned Act intended by the Words "Promoters of the Undertaking."

Short Title.

2. This Act may for all Purposes be cited as "The *Thames* Embankment Act, 1862."

Interpretation of Terms.

3. The following Words and Expressions in this Act have for the Purposes of this Act the following Meanings, unless excluded by the Subject or Context; (to wit,)

"The Board" means the Metropolitan Board of Works constituted by and acting under the Statute, Eighteenth and Nineteenth *Victoria*, Chapter One hundred and twenty, for the better Local Management of the Metropolis:

"The Treasury" means the Commissioners of Her Majesty's Treasury:

"The Admiralty" means the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral:

"The Conservators" means the Conservators of the River *Thames*:

"The herein-before recited Act" means "The *London* Coal and Wine Duties Continuance Act 1861:"

"The *Thames* Embankment and Metropolis Improvement Fund" shall mean and include the Stocks, Funds, and Securities from Time to Time constituting the Fund so intituled in the herein-before recited Act, and thereby so made applicable to Improvements in the Metropolis as aforesaid, and the Duties, Income, and Monies in and by the same Act made applicable to the Formation of such Fund:

The Word "Justice" shall in relation to any Lands or to the Purchase or taking by the Board of any Lands situated within the City of *London* or the Liberties thereof, mean the Lord Mayor or any Alderman or the Recorder of the City of *London*, and shall, in relation to any Lands or to the Purchase or taking by the Board of any Lands situated not within the City of *London* or the Liberties thereof, but within the County of *Middlesex*, mean a Justice of the Peace acting in or for the County of *Middlesex*:

The Word "Sheriff" in "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," shall, with respect to this Act, so far as the same affects the Works and Improvements authorized by this Act which shall be within the City and Liberty of *Westminster*, mean the High Bailiff of *Westminster* in all Cases where the High Bailiff discharges the Duties and Offices usually discharged by the Sheriff:

The Word "Street" shall include any Square, Street, Highway, Road, Lane, Footway, Thoroughfare, or public Place, Court, Alley, or Passage, whether a Thoroughfare or not, and a Part of any such Square, Street, Highway, Road, Lane, Footway, Thoroughfare, or public Place, Court, Alley, or Passage.

Same Meaning to Words in incorporated Act as in this Act.

4. The several Words and Expressions to which by the said "Lands Clauses Consolidation Act, 1845," Meanings are assigned, have in this Act the same respective Meanings, unless excluded by the Subject or Context: Provided always, that for the Purposes of this Act the Expression "the "Superior Courts" therein includes all Courts of competent Jurisdiction, and the Word "Lands" therein also includes Easements, Interests, Rights, and Privileges in, over, or affecting Lands.

Plans deposited at the Offices of the Clerks of the Peace to remain there and be open to Inspection.

5. 'Whereas Plans and Sections of the Works and Improvements by this Act authorized describing the 'proposed Situation of the same and the Lines and Levels thereof and the Lands intended to be taken 'for the Purposes thereof respectively, and also Books of Reference to the said Plans containing the 'Names of the Owners and Lessees or reputed Owners and Lessees and Occupiers of the Lands which 'may be required for the Purposes of this Act, have been deposited at the Offices of the Clerk of the 'Peace for the City of *London*, the Clerk of the Peace for the County of *Middlesex*, and the Clerk 'of the Peace for the City and Liberty of *Westminster* respectively:' Such Plans and Sections and Books of Reference shall remain in the said Offices, to the end that all Persons may at all reasonable Times have Liberty to inspect and peruse the same at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection.

Power to make Works according to deposited Plans.

6. Subject to the Provisions and for the Purposes of this Act, it shall be lawful for the Board to make the Improvements and Works by this Act authorized in the Situations and Lines and according to the Levels, and within the Limits of Deviation (qualified as herein-after mentioned), and upon the Lands delineated on the said Plans and Sections and described or mentioned in the said Books of Reference, and otherwise to carry this Act into operation: Provided always, that nothing herein contained shall authorize or empower the Construction of any Part of that Portion of the Embankment or Viaduct delineated on the said Plans which lies between *Blackfriars Bridge* and that Point of the Embankment or Viaduct where it turns off towards *Chatham Place*.

Board to appoint Committee to carry the Act into execution.

7. It shall be lawful for the Board from Time to Time to appoint a Committee to manage and transact all or any of the Matters or Purposes which the Board are hereby empowered to do, execute, or perform, which Committee shall have so much or so many of the Powers, Authorities, and Discretions by this Act given to and reposed in the Board as the Board shall think fit or proper to delegate to such Committee.

Works authorized.

8. The Improvements and Works by this Act authorized comprise the following; (to wit,)

1. The making and maintaining an Embankment and Viaduct on the Left Bank of the River *Thames*, with all necessary and convenient Walls, Piers, Arches, Culverts, Drains, Quays, Wharves, Barge Beds, Basins, Landing Places, Stairs, Waterways, Approaches, and other Conveniences and Works, such Embankment to commence at the Northern Side of the *Middlesex* End of *Westminster Bridge*, and to terminate at or near the Eastern Boundary of the *Inner Temple*, and such Viaduct to commence at the Eastern Boundary of the *Inner Temple* and to terminate near to the Western Side of the Northern End of *Blackfriars Bridge*; the said Embankment and Viaduct respectively to be constructed in whole or in the greater Part upon the Bed or Foreshore of the River *Thames*, and the Site of which Embankment and Viaduct will be within the Parishes, Liberties, Extra-parochial and other Places following, or some of them; (that is to say,) *Saint Margaret Westminster*, *Saint Martin in the Fields*, *Saint Clement Dane*, *Saint Mary le Strand*, *Saint John the Baptist*, and the *Savoy* or Precinct of the *Savoy*, all in the County of *Middlesex*, and the *Middle Temple* and the *Inner Temple*, the Precinct of *Whitefriars*, *Saint Bridget* otherwise *Saint Bride*, the Precinct of *Bridewell*, and the Parish or Precinct of *Saint Ann Blackfriars*, all in the City of *London* or County of *Middlesex*:

2. The making upon the said Embankment and Viaduct a public Roadway One hundred Feet wide up to the Eastern Boundary of the *Inner Temple*, and not less than Seventy Feet wide thence to *Chatham Place*, with all necessary Approaches to the said Roadway:

3. The making of an Approach Road of an uniform Width of not less than Forty Feet, and on a Gradient not steeper in any Part thereof than One in Thirty, leading from and out of such Embankment Roadway, and communicating by means of Approaches with each of the Streets following; namely, *Surrey Street*, *Norfolk Street*, and *Arundel Street*; and which last-mentioned Approach Road and Approaches will be in the Parish of *Saint Clement Dane* in the City of *Westminster*, each of which Approaches shall be formed on a Gradient not steeper in any Part thereof than One in Thirty, and of a Width not less than the Width of the Street with which the same shall so communicate as aforesaid:

4. The making a new Street which shall commence from and out of the said Embankment and Roadway at or near the East Side of the *Middlesex* End of *Hungerford Bridge* in the Parish of *Saint Martin in the Fields*, and shall pass on, over, and through divers Streets, Wharves, Lands, and Places in the Parishes of *Saint Martin in the Fields*, *Saint Clement Dane*, and the Precinct of the *Savoy*, and shall terminate in *Wellington Street*, *Waterloo Bridge*, in the Precinct of the *Savoy*, opposite to the Northern Wing of the Western Front of *Somerset House*, with all necessary Approaches to such new Street; and also several short Streets or Communications, each to commence from and out of such last-mentioned new Street, and respectively to communicate with and terminate in *Villiers Street* and *Buckingham Street* in the Parish of *Saint Martin in the Fields*, and *Cecil Street* in the Parishes of *Saint Martin in the Fields* and *Saint Clement Dane*, or One of them:

5. The making a new Street which shall commence by a Junction with the intended new Street fourthly herein described at or near to *George Street* in the *Adelphi*, and shall terminate in and by a Junction with *Whitehall Place* at the East End thereof, all in the Parish of *Saint Martin in the Fields*:

6. The making a new Street which shall commence from and out of the said Embankment and Roadway at or near a Place called *Whitehall Stairs*, and shall pass thence through *Whitehall Yard*, and shall terminate in the Street known as *Whitehall*, opposite to the *Horse Guards*, all in the Parishes of *Saint Margaret Westminster* and *Saint Martin in the Fields*:

7. The reclaiming and enclosing all or so much of the Bed or Foreshore of the River *Thames* as shall lie between the present Left Bank of such River and the said intended Embankment.

Certain Land not to be taken without Consent.

9. Nothing herein contained shall authorize the Board to enter upon, take, or use the Lands numbered on the deposited Plans 45, 45[a], 45[b], and 45[c], or any Part thereof respectively, in the Parish of *St. Margaret's Westminster*, without the Consent of the Owners, Lessees, and Occupiers for the Time being of the same respectively.

Provision for further Works.

10. The Provisions of this Act, and the Powers and Appropriation herein contained with reference to the *Thames* Embankment and Metropolis Improvement Fund, shall apply to all such further Works for extending the Embankment of the *Thames* and relieving the Thoroughfares of the Metropolis in connexion with the present and any future Embankment as may hereafter be authorized by Parliament, as if such Works were specifically authorized by the present Act.

Power to set out Footways, &c.

11. Save as herein otherwise expressly provided, it shall be lawful for the Board to cause such Part of the said Roadway and of the said Ground so to be inclosed as aforesaid, and of the said Streets respectively, to be laid out for Carriageways, and such Part thereof for Foot Passengers, as they shall think proper.

Power to deviate.

12. In carrying the said Works and Improvements into execution it shall be lawful for the Board, save as herein otherwise expressly provided, to deviate to any Extent not exceeding Five Feet from the Levels defined in the said Sections, and the Board shall not deviate beyond the Limits of Deviation delineated in the said Plans without Consent of the Person through whose Lands such Deviation shall be made, nor carry the Line of the Embankment Wall, as shown on the said Plans, further into the Stream of the said River than Three Feet, without the Consent of the Conservators, signified in Writing under the Hand of their Secretary.

Powers for compulsory Purchases limited.

13. The Powers of the Board for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Five Years from the passing of this Act.

Power to inclose and fill up Bed and Shore of River, to remove Stairs, &c.

14. In and for the Purpose of effecting the Embankment, Viaduct, or other Works, and the reclaiming of Land hereby respectively authorized, it shall be lawful for the Board to inclose and fill up the Bed and Shore of the River *Thames* as shown in the said deposited Plans, and also such further Parts thereof as shall be required by the Board for constructing any Barge Beds, Recesses, Stairs, Piers, Landing Places, Hards, or other Works in pursuance of the Powers in that Behalf herein contained; and also to remove, destroy, alter, divert, stop up, or inclose such Streets, Streams, Drains, Sewers, Watercourses, void Ground, Wharves, Jetties, Quays, Barge Beds, Stairs, Piers, Landing Places, Hards, Mooring Posts or Rings, Posts, Piles, and other Materials and Things, or such Part or Parts thereof respectively as shall in the Judgment of the Board be necessary to be removed, destroyed, altered, diverted, stopped up, or inclosed for the Purposes of this Act, making Compensation to all Persons having any Interest in

any

any Wharves, Jetties, or other Property taken for or injuriously affected by such Works or other the Exercise of the Powers of this Act.

Power to purchase Lands and extinguish Rights and Claims to Shore, &c.

15. Save as herein otherwise expressly provided, it shall be lawful for the Board to purchase any Lands, and to purchase and extinguish or procure the Extinguishment of any Rights, Interests, Easements, or Privileges which any Person may have, possess, or claim in, to, over, or in respect of the Bank or Shore or Bed of the River *Thames* lying within the Limits of Deviation defined on the said deposited Plans.

Soil may be raised from the River to form the Embankment by the Conservators.

16. For the Purpose of effecting or forming the said Embankment or any other the Works by this Act authorized, it shall be lawful for the Conservators, and they are hereby required, when and as often as and within a reasonable Time after they shall have been required by the Board so to do, to dig, raise, and take up from the Bed of the said River, in any Places they may think fit, whether above or below *London Bridge*, Gravel, Sand, Soil, or other Materials, and to lay and deposit the Gravel, Sand, and Soil and other Materials so raised in such Places as the Board shall from Time to Time designate and point out by Notice in Writing to be addressed to the Conservators, they the Board paying to the Conservators (and which the Board are hereby authorized to do) such Sums of Money as the Conservators shall have actually incurred and expended in and about such digging, raising, and taking up, and such laying and depositing as aforesaid: Provided always, that in case the Conservators shall refuse or neglect within Ten Days after they shall have been required by the Board so to do to proceed to dig, raise, and take up from the Bed of the said River such Gravel, Sand, Soil, or other Materials for the Purposes aforesaid, it shall be lawful for the Board to do the several Acts hereby required to be done by the Conservators for the Purposes aforesaid without being in anywise required to obtain the Consent of the Conservators: Provided always, that the dredging be done at such Places within the Limits of the Metropolis, as defined by the Metropolis Local Management Act, and to such Depths as the Conservators shall within Ten Days after Requisition define, and in default of such Definition then at any Places and at such Depths as the Board may think fit, and that all Gravel, Sand, Soil, or other Materials which shall be raised as aforesaid shall be wholly removed and taken away from the said River without screening or returning any Part thereof into the said River after the same shall have been so raised; provided also, and the Conservators are hereby required, at the Expense of the Board as aforesaid, to level all Holes and Pits that shall be dug or caused by any such Excavation or digging as aforesaid, and in all Places where they shall deepen the Bed of the said River to deepen the same uniformly: Provided always, that, notwithstanding anything contained in the Sixth and Seventh *Victoria*, Chapter Fifty-seven, the Conservators shall be entitled to be paid as aforesaid for the Cost of Materials so raised as well below as above *London Bridge*.

Board empowered to take Places for depositing Materials.

17. It shall be lawful for the Board to take on Lease or to agree for the Use and Occupation of proper Places on any Part of the North Bank of the said River between *Westminster Bridge* and *Blackfriars Bridge*, or within Five hundred Yards of the Site of the said intended Embankment, for the Purpose of depositing and working Stone, Iron, Timber, and other Materials for constructing and completing the said Embankment and Roadway.

Works, &c. to be approved of by the Admiralty.

18. No Works, other than those necessary for the Completion of the Works expressly authorized by this Act, upon the Bed or Shore of the River *Thames* below High-water Mark which may interfere with the Navigation of that River shall at any Time be commenced or executed under the Provisions of this Act without the same having been previously approved of by the Admiralty, such Approval to be from Time to Time specified in Writing under the Hand of the Secretary to the Admiralty.

Certain Works to be first approved by the Conservators.

19. The Stairs, Hards, Quays, Wharves, Barge Beds, Recesses, Approaches, Piers, Landing Places, and temporary Works by this Act authorized shall be made according to Plans and Elevations to be first approved by and deposited at the Office of the Conservators.

Lights to be exhibited at Night during Construction of Embankment.

20. During the Construction of the said Embankment and the Works connected therewith the Board shall cause to be hung out or exhibited every Night from Sunset to Sunrise good and sufficient Lights, to be kept burning by and at the Expense of the Board, for the Navigation and safe Guidance of Vessels, and which Lights shall be from Time to Time altered by the Board in such Manner, and be of such Description and Number, and be so used and placed, as the Conservators shall by Writing under the Hand of their Secretary approve of.

Piers and Stairs to be provided in lieu of those taken away.

21. Whenever the Board shall shut up, remove, or take away, or in any Manner obstruct the free Use and Enjoyment of any existing Piers, Public Stairs, or Landing Place now marked by the Watermen's Company, they shall cause some Pier, Public Stairs, or Landing Place to be erected or provided, to the Satisfaction of the Conservators, in the Stead of the Pier, Stairs, or Landing Place so shut up, removed, or taken away, or the free Use and Enjoyment of which may be obstructed; and every such substituted Pier shall, so soon as the same shall be completed, be and hereby is vested in the Conservators, and subject in their Hands to all the Powers and Provisions applicable thereto of "The *Thames* Conservancy Act, 1857."

Embankment to be kept in repair.

22. From and after the Completion of the Embankment and Viaduct by this Act authorized the Board shall, out of the Rates raised for defraying the Expenses of the Board under the Act Eighteen and Nineteen *Victoria*, Chapter One hundred and twenty, keep and maintain the same respectively and every Part thereof in proper Repair; and if the Embankment or Viaduct or any Portion thereof or any

of the Works connected therewith be out of repair or insecure, so as to be dangerous to any Person passing along the River *Thames*, or to any Vessel either moored alongside of or passing by the same respectively, or be in any Manner injurious or likely to be injurious to the River *Thames* or to the free Navigation thereof, the Conservators may, by Notice in Writing to the Board, require them to repair the Embankment or Viaduct, or the Portion thereof or the Works connected therewith so out of repair or insecure as aforesaid, to the reasonable Satisfaction in all respects of the Surveyor from Time to Time of the Conservators, within a Time to be limited in such Notice; and in case the Board refuse or fail to repair the Embankment or Viaduct, or such Portion thereof, to the reasonable Satisfaction in all respects of such Surveyor, within the Time to be limited as aforesaid, then and in every such Case the Conservators may repair the same respectively, and may recover the Expenses incurred thereby from the Board; provided that all the Parts of the Metropolis shall be deemed to be equally benefited by all Sums expended by the Board for such Maintenance and Repair as aforesaid.

Mode of ascertaining Value of Property to be taken under Act.

23. If the Owner, Lessee, or Occupier of any Lands authorized to be taken by virtue of this Act shall not be inclined to sell or part with the whole thereof, or of his Interest in the whole thereof, and it shall not be found necessary to take the whole for the Purposes of this Act, and the said Parties cannot agree as to the Sum of Money to be paid for the Part which the Board or any Person authorized by them shall not think it necessary to purchase, then and in such Case the Jury which shall be summoned to value the Premises shall assess and every Arbitrator shall ascertain the Value of the whole Premises, according to the Condition in which they were at the Time the Notice requiring to take the same was served, and also the Value of that Part of the Premises which will remain after the Board or the Persons authorized by them have taken away so much as they shall think necessary for the Purposes of this Act; and the Jury or Arbitrator having made these Two Valuations, the Difference between them shall be the Price to be paid by the Board for that Part for which they shall have Occasion.

Premises may be taken notwithstanding Errors in Book of Reference.

24. It shall be lawful for the Board to purchase, take, and use for the Purposes of this Act any of the Lands described in the said Plans deposited at the Office of the Clerk of the Peace for the City of *London*, and of the Clerk of the Peace for the County of *Middlesex*, and of the Clerk of the Peace for the City and Liberty of *Westminster*, as intended to be taken for the Purposes of this Act, although the same Lands, or the Names of the Owners or Occupiers thereof may happen to be erroneously stated in or omitted from the said Book of Reference, in case it shall appear to any Two Aldermen of the City of *London*, or, as the Case may require, to any Two Justices acting in or for the County of *Middlesex*, and be certified under their Hands, that such Error or Omission proceeded from Mistake or erroneous Information: Provided always, that previously to submitting the Case to Two Aldermen or to Two Justices as aforesaid, Ten clear Days Notice shall be given to the Owners whose Lands shall be affected by such erroneous Statement or Omission in the said Book of Reference; provided also, that nothing in this Act contained shall authorize the Board to purchase, take, or use any Parish Church without the Consent of the Bishop of the Diocese.

Ground laid into the Streets &c. to be used by the Public.

25. When the said Roadway and new Streets, and the Approaches to the same respectively, shall be made and paved in pursuance of this Act, all the Ground and Lands which shall be laid open into the said Roadway, or any of such new Streets, or the Approaches of the same respectively, shall form Part of such Roadway or new Street, as the Case may be, and shall, except as hereby otherwise expressly provided, be used by the Public accordingly; and the same Roadway, new Streets, and Approaches, and the sole Power, Authority, and Duty of paving, repairing, cleansing, lighting, and watching thereof respectively, and of rating the Lands and Hereditaments situate and being within the same, shall be under the Care, Management, Control, and Jurisdiction of the same Vestries, Board, District Boards, Commissioners, or Persons as the other Streets in the Wards, Districts, Parishes, or Places in which the same respectively shall be situate.

Reclaimed Land to be dedicated to the Use of the Public.

26. All the Land to be reclaimed from the River *Thames* on the South of the Streets fourthly and fifthly herein-before described, and not required for Streets or Roads, nor otherwise specifically appropriated by the Provisions of this Act, and lying between an imaginary Line drawn from the Eastern Boundary of the Houses on the East Side of *Cecil Street* to the Embankment Roadway on the East and the Crown Lands on the West, and the Embankment Roadway on the South, together with the Lands to be reclaimed between the Southern Side of the Approach Road, shown on the Plan marked C. hereinafter referred to, leading towards *Norfolk Street*, *Surrey Street*, and *Arundel Street*, shall for ever hereafter be vested in and maintained by the Board for the Use of the Public as Places of Recreation or Ornamental Ground, and the Expenses incident to such Maintenance shall be deemed to be Expenses of the Board in the Execution of the Act Eighteenth and Nineteenth *Victoria*, Chapter One hundred and twenty, and all the Parts of the Metropolis shall be deemed to be equally benefited by all Sums so expended by the Board.

Power to appropriate Land or Easements in respect of Loss of River Frontage.

27. Subject to the Provisions herein contained, it shall be lawful for the Board, by Agreement, to appropriate by way of Grant or Demise, either in perpetuity or for any Term of Years or other Period, and for or subject to a nominal or any other Consideration or Rent, any reclaimed Land, or any absolute or partial or qualified Licence or Right of User or Enjoyment, Right of Way, Right of Frontage, or other Right or Easement of, out of, over, upon, in connexion with, or in relation to any reclaimed Land,

or

or any Wharf, Basin, Barge Bed, Recess, Slip, Hard, Stairs, Waterway, and Landing Place to be constructed or provided by the Board under the Powers of this Act, and the Approaches, Conveniences, and Works connected therewith, to any Owner of Lands now situated on the present Left Bank and River Frontage of the River *Thames*, in front whereof the said intended Embankment and Roadway shall pass as aforesaid, in consideration of, and in lieu in whole or in part of the Compensation which such Owner or Person may be entitled to claim for the Damage, if any, to be sustained by him by Loss of River Frontage or otherwise by reason of such Embankment and Roadway, or other the Exercise of any of the Powers of this Act.

No House to be erected in front of the Gardens of the Inner and Middle Temple.

28. No House or Building shall be erected upon any Part of the Lands to be acquired or reclaimed as aforesaid situated between the River *Thames* and the Gardens of the Societies of the *Inner* and *Middle Temple* respectively, other than any such Porters or Gardeners Lodges, Alcoves, or other Buildings of a like Nature, of only One Floor each, as are from Time to Time, whether before or after the passing of this Act, approved by the First Commissioner of Her Majesty's Works and Public Buildings, by Writing under his Hand.

As to the Roadway, &c. connected with the Inner and Middle Temples.

29. Notwithstanding anything in this Act contained, the public Roadway herein-before mentioned shall, so far as the same passes Southward of the Gardens of the Societies of the *Inner* and *Middle Temples* respectively, be constructed on an Embankment, and all the Land reclaimed and enclosed from the River *Thames* lying in front of the present Southern Boundary of the *Inner* and the *Middle Temples*, except so much as is occupied by the Embankment and Road thereon, shall for ever hereafter be the exclusive Property, as to such Land Southward of the *Inner Temple*, of and be vested in the Trustees for the Society of the *Inner Temple*, and as to the Lands Southward of the *Middle Temple*, of and be vested in the Trustees for the Society of the *Middle Temple*, for an Estate in Fee Simple absolute in possession, to and upon the like Uses and Trusts as the Uses and Trusts to and upon which the Lands adjoining thereto of the Societies respectively are from Time to Time held; and such Lands, but not the Embankment or Road thereon, shall for all Parochial Purposes be within and Part of the Places called the *Inner Temple* and the *Middle Temple* respectively; and in order that so far as can be the Two Societies respectively and their respective Property and Rights shall be protected against being prejudicially affected by the Execution of this Act, the Board from Time to Time may and shall take all such Precautions, and make, execute, and do all such Matters and Things, in, upon, in connexion with, and near to the *Temple* Land, and fulfil all such Stipulations, as are before the passing of this Act specified, under the Hand of the First Commissioner of Her Majesty's Works and Public Buildings; and the said Societies of the *Inner Temple* and *Middle Temple* shall not claim any Damage or Compensation in respect of the Execution of the Powers of this Act.

Board to erect Landing Stairs for the Use of the Temples.

30. The Board may and shall make for the Two Societies a Landing Place, with proper and sufficient Works and Conveniences connected therewith, in substitution for their present Landing Place at the End of *Middle Temple Lane*, and the same shall be used by the *Inner Temple* and the *Middle Temple*, and shall be held, enjoyed, and regulated by the Two Societies as their private Landing Place accordingly.

Saving Rights of the Temples.

31. Except only as is by this Act expressly enacted, this Act or anything therein contained shall not take away, lessen, prejudice, alter, or affect any of the Estates, Rights, Interests, Jurisdictions, Franchises, Powers, Authorities, Immunities, or Privileges of the *Inner Temple* and the *Middle Temple*, or either of them.

Board may grant Building Leases of Ground not wanted for Purposes of this Act.

32. As regards all Lands which shall be purchased or otherwise acquired by the Board under the Provisions of this Act, and which shall not be wanted for the Purposes of the same (other than and except such Lands as are by virtue of this Act reserved and excepted from the Operation of this Power of leasing, or are otherwise dealt with), it shall be lawful for the Board, subject to the Provisions of this Act, when and as they shall think fit, by an Indenture or Indentures under their Common Seal, to demise and lease such Ground and Hereditaments, or such Part thereof as they shall think it expedient to let on Building Leases, either together or in Parcels, to any Person or Persons who shall erect and build or covenant and agree to erect and build thereon, or on any Part or Parts thereof, Houses, Erections, and Buildings of such Rate or Class or respective Rates or Classes of Buildings, upon such Plan and Elevation or respective Plans and Elevations, of such Height or respective Heights, and with such Stories, as the Board shall think proper, for such Number of Years and under such Conditions as they may think fit, and either at a Rent or without any Rent, but so that in every such Demise or Lease there be contained a Covenant for the Payment of the Rent, if any shall be thereby reserved, and also such other Covenants on the Part of the Tenant or Lessee therein to be named as the Board shall reasonably require, and also a Clause in the Nature of a Condition of Re-entry on Nonpayment of the Rent (if any) thereby to be reserved, or on Nonperformance of the Covenants therein to be contained on the Part of the Tenant or Lessee to be observed and performed, and that the Lessee or Lessees named in every such Lease shall execute a Counterpart thereof, and on the Negotiation for any such Lease the Board may, if they think fit, accept and take any Fine for the granting thereof, and may enter into any Agreement for the granting any Lease or Leases on such Terms and Conditions as they may think fit; and on the granting the Leases in pursuance of such Agreements may alter the Amount of the Rents agreed to be reserved on such Leases, and may apportion the same and grant separate Leases of any Part

Board may make Agreements for Leases and accept Surren-

ders of Leases, &c.

Part of the Hereditaments by any such Agreement agreed to be leased, as they may think fit; and may also, as they think fit, alter or rescind any Agreement as aforesaid, and may accept any Surrender of any Lease granted, for the Purpose of granting separate Leases of the same Premises at apportioned Rents or under different Covenants, or otherwise in all respects as the Board shall think fit; and further, any Part of the said Lands may be appropriated for Squares, Gardens, or open Places, or for Basins, Docks, Barge Beds, or other Works or Conveniences as aforesaid, and any Part thereof may be let for Yards or Courts to be attached to any Houses, to be leased as the Board shall think fit.

Power to Board to sell the Ground Rents and Reversions comprised in such Lease.

33. As soon as conveniently may be, and either before or after the Houses, Erections, and Buildings to be erected and built as lastly herein-before is mentioned, or any of them, shall be finished and completed, and either before or after such Leases as last aforesaid shall have been granted, the Board shall and they are hereby authorized and required to sell and dispose of the Ground Rents to be reserved by the Leases or Demises in pursuance or in consideration of which the same Houses or Buildings respectively shall have been erected and built, or shall be agreed to be erected and built, and also the Reversion and Inheritance in Fee Simple in Possession (subject to any such Lease or Demise or Agreement) of the Pieces or Parcels of Ground thereby demised or agreed to be demised, and such Houses and other Buildings thereon, either altogether or in Parcels, by Public Auction or Private Contract, for such Prices or Sums of Money as the Board shall think reasonable, and subject to such Stipulations and Provisions as to the Enjoyment thereof, and as to the Nature of the Buildings which are to be at all Times erected and built thereon, and also subject to such Stipulations as to the Title to be produced to the Hereditaments to be sold, as the Board shall think fit; and as regards any Stipulations or Provisions which may be contained in any such Conveyance, the same may at all Times thereafter be enforced in a Court of Equity by the Board for the Benefit of the Parties entitled to the other Property adjoining or held under the same Title, in such Manner in all respects as the Board may think fit; and the Board shall at the Costs and Charges of the Purchaser of the same Premises respectively, upon Payment of the Sum or Sums of Money agreed to be given for the same respectively to the Board, by any Writing under their Common Seal convey and assure the Piece or Parcel of Ground so purchased by such Purchaser, together with the Houses, Erections, and Buildings then erected and built or to be erected and built thereon respectively, and the Fee Simple and Inheritance thereof, with the Appurtenances, to such Purchaser, his Heirs and Assigns, or as he or they shall in that Behalf direct, free from all Incumbrances (except the Building Lease or Building Leases, or Agreement or Agreements to be granted thereof by virtue of this Act); and all Conveyances and Leases which shall be made as aforesaid pursuant to the Authority hereby in the Board reposed shall be adjudged sufficient to vest such Estate in the Purchaser or Lessee as shall have been agreed for, or shall be expressed or intended to be conveyed and granted by any such Conveyance or Lease.

Power to Board to sell any Ground which may not be wanted for the Purposes of this Act.

34. It shall be lawful for the Board to sell in manner and subject as aforesaid, and absolutely to grant and convey, any of the Lands which shall be purchased or otherwise acquired by the Board as aforesaid, and which shall not be wanted for the Purposes of this Act, and which they shall not think it expedient to let on Building Leases as aforesaid (other than and always except such Lands as by virtue of this Act are reserved and excepted from the Operation of this Power of Sale, or are otherwise dealt with), subject nevertheless to such Stipulations and Conditions as they may think fit, and thereupon the same shall be conveyed and assured by the Board as they shall think fit.

Superfluous Lands before Sale to be offered to Owners of Lands from which they were originally severed.

35. Before the Board dispose of any superfluous Lands they shall first offer to sell the same to the Person then entitled to the Lands (if any) from which the same were originally severed, and if any such Person be desirous of purchasing such Lands then within Six Weeks after such Offer of Sale he shall signify his Desire in that Behalf to the Board, or if he decline such Offer, or if for Six Weeks he neglect to signify his Desire to purchase such Lands, the Right of Pre-emption of every such Person so declining or neglecting in respect of the Lands included in such Offer shall cease, and a Declaration in Writing made before a Justice by some Person not interested in the Matter in Question stating that such Offer was made and was refused, or not accepted within Six Weeks from the Time of making the same, shall in all Courts be sufficient Evidence of the Facts therein stated.

Differences as to Price to be settled by Arbitration.

36. If any Person entitled to such Pre-emption be desirous of purchasing any such Lands, and such Person and the Board do not agree as to the Price thereof, then such Price shall be ascertained by Arbitration, and the Costs of such Arbitration shall be in the Discretion of the Arbitrators.

Application of Monies arising from Sale of Lands or from Rents.

37. The Board shall apply all the Monies arising by any such Sale or Disposition respectively as aforesaid, after paying all Expenses incident to such Sales or Dispositions, and satisfying all lawful Demands to which the Lands, Rents, and Premises so respectively sold or disposed of shall be liable, and also apply all the Rents and Profits of the Lands and Premises to be acquired by the Board under the Provisions of this Act, for and towards the carrying the Purposes of this Act into execution.

Surplus to be applied in Reduction of Monies borrowed, and subject thereto to the Embankment Fund.

38. After the Expiration of Five Years from the Commencement of this Act, if it shall at any Time appear at any annual Audit of the Accounts of the Board that the Monies received by them from any Source within the previous Year by virtue of this Act, and which shall be applicable to the Purposes of this Act, shall have been more than sufficient to pay the Expenses of the Board incurred under the Authority of this Act within such Year, then such Surplus shall be applied in paying off any Monies which may have been borrowed by the Board under the Authority of this Act; and when all the

the Monies which may have been borrowed by the Board under the Authority of this Act, and which for the Time being may be owing, shall have been repaid with all Interest which may have accrued due in respect thereof, the ultimate Surplus in the Hands of the Board shall be paid over by them to the *Thames* Embankment and Metropolis Improvement Fund, and such surplus Monies, when so paid over, shall be subject to the Provisions of "The *London* Coal and Wines Duties Continuance Act, 1861," in relation to that Fund.

Provisions of 18 & 19 Vict. c. 120., 19 & 20 Vict. c. 112., 21 & 22 Vict. c. 104. incorporated.

39. The Provisions of the Acts relating to the Local Management of the Metropolis, namely, the Acts Eighteen and Nineteen *Victoria*, Chapter One hundred and twenty, Nineteen and Twenty *Victoria*, Chapter One hundred and twelve, Twenty-one and Twenty-two *Victoria*, Chapter One hundred and four, shall, so far as the same are not inconsistent with the Provisions of this Act, extend and apply to the Objects and Purposes of this Act; and the Board shall, for carrying out those Objects and Purposes, have and may exercise all such Powers, Privileges, and Authorities as are conferred upon them by such Acts; provided that the Board shall not apply any Monies which they are authorized to raise under the said Acts to the Construction or Completion of the Works specially authorized by this Act.

Costs of Arbitrations under this Act.

40. All the Costs of any Arbitration under this Act and incident thereto, to be settled, in case of Difference, by One of the Masters of the Court of Queen's Bench, shall be borne by the Board, unless the Arbitrators shall award the same or a less Sum than shall have been offered by the Board, in which Case each Party shall bear his own Costs incident to the Arbitration; and the Costs of the Arbitrators shall be borne by the Parties in equal Proportions.

Locomotives prohibited.

41. It shall not be lawful for any Person to use a Locomotive Engine propelled by Steam along the Streets or Roadways constructed under the Provisions of this Act.

Power of Board to borrow on Mortgage, &c.

42. For the Purposes of this Act, the Board may, with the Consent of the Treasury from Time to Time borrow by way of Mortgage or Bond on the Security of the Lands and Funds acquired under and appropriated to the Purposes of this Act, and at such Rate of Interest and upon such Terms as to the Time of Repayment and otherwise as the Treasury may approve, any Sums of Money the Board may require for the Purposes of this Act, not exceeding in the whole One million Pounds.

Securities transferable by Deed duly stamped.

43. All the Bonds and Securities upon the Funds so appropriated as aforesaid, and issued under the Authority of this Act, shall be transferable by Deed or Instrument in Writing duly stamped, and the Right to sue in respect of the Principal or Interest Monies secured by any such Bonds or Securities shall be vested in the Holders thereof for the Time being, without any Preference by reason of some of such Bonds or Securities being prior in Date to others.

For Repayment of Principal.

44. The Board may at any Time, with such Consent as aforesaid, raise by the Issue of new Mortgages, Bonds, or other Securities as aforesaid any Money that may be required to pay any Principal Money for the Time being due on any Mortgages, Bonds, or other Securities issued in pursuance of this Act.

Appropriation of Thames Embankment and Metropolis Improvement Fund.

45. The said *Thames* Embankment and Metropolis Improvement Fund shall be appropriated as follows; that is to say,

(1.) There shall be set apart thereout, and carried to such separate Account at the Bank of *England* as the Treasury may direct, such Sum as the Treasury may think necessary for paying off the Charges created as aforesaid on the said *London Bridge* Approaches Fund, and for Payment of all Costs, Charges, and Expenses of and incidental to the obtaining this Act, and of the Costs, Charges, and Expenses incurred by the Board in relation thereto, and the Treasury shall apply the same to such Purposes accordingly:

(2.) So much of the said *Thames* Embankment and Metropolis Improvement Fund as remains at the Time of the passing of this Act, after deducting the Sum so set apart as aforesaid, shall be paid over to the Board at such Times and in such Manner as the Treasury may direct, to be applied by the Board for the Purposes of this Act:

(3.) All Monies becoming Part of the said last-mentioned Fund after the passing of this Act shall be paid by the Treasury to the Board, in such Proportions as the Board may from Time to Time, by Writing under their Seal, require, and shall be applied by them, firstly, in paying the Interest for the Time being due on the Securities authorized to be issued under this Act; secondly, in paying the Principal Monies from Time to Time becoming due on such Securities; thirdly, in paying the Expenses incurred in respect of the several Works by this Act authorized, or in carrying this Act into execution; and lastly, in the Improvement of the Metropolis, in such Manner as may hereafter be determined by Parliament.

Monies received by the Board to be paid into the Bank of England to their Account.

46. All Sums of Money, Bills, and Drafts which shall be received by the Board under the Provisions of this Act shall from Time to Time within Two Days after the same shall have been received, or within Two Days after any Bill shall have been accepted, completed, and perfected, if the same shall not be accepted, completed, and perfected at the Time it shall be received, be paid by the Board into the Hands of the Governor and Company of the Bank of *England*, for which the Receipt of the Cashier or One of the Cashiers of the Bank of *England* shall be a sufficient Discharge, and all such Monies, Bills, and Drafts so to be paid as aforesaid shall from Time to Time be placed to the Account of "The Board" so to be opened as aforesaid, and shall be applied and disposed of by the Board for and towards the carrying of the several Purposes of this Act into execution.

47. The

Annual Accounts to be audited and laid before Parliament.

47. The Board shall cause a separate Account to be kept of the Money borrowed by the Board under this Act, and of all other Monies received and expended by them under this Act; and the Auditor appointed by the Secretary of State, under the Provisions of the Act of the Eighteen and Nineteen *Victoria*, Chapter One hundred and twenty, shall, upon his Audit of the Accounts of the Board in every Year, cause a separate Account and Statement to be prepared of the Receipt and Expenditure of the Board under this Act, and the same shall be sent by the Board to One of Her Majesty's Principal Secretaries of State, and shall be laid by him before Parliament at the same Time and Manner as is provided in Section Two hundred and one of the said Act.

Owners of Vessels liable for Damage done to the Embankment, &c.

48. In case any Damage or Mischief shall be done to the said Embankment or Roadway, or to any such Quays, Piers, Stairs, Hards, Slips, or Landing Places as aforesaid, or any of the Works, Matters, or Things to be constructed or provided under the Provisions of this Act, or any Part thereof respectively, by any Ship, Lighter, Barge, Boat, Float, Raft, or Vessel, through the wilful Negligence of any Person having the Command of any such Ship, Lighter, Barge, Boat, Float, Raft, or Vessel, or any of the Mariners or Persons employed therein, then and in every such Case the Owner of such Ship, Lighter, Barge, Boat, Float, Raft, or Vessel is hereby made answerable to the Board for the Amount or Value of any such Damage or Mischief, and the same, provided it shall not exceed the Sum of Twenty Pounds, if not forthwith paid and satisfied, may be recovered in such Manner as the Penalties and Forfeitures hereby imposed are by virtue of the Metropolis Local Management Act Eighteen and Nineteen *Victoria*, Chapter One hundred and twenty, directed to be recovered.

Masters compelled to pay Penalties for Neglect of Servants, may recover the same from Servants.

49. In case the Owner of any such Ship, Lighter, Barge, Boat, Float, Raft, or Vessel shall be compelled to pay any Penalty, or to make Satisfaction for any Damages, by reason of any Neglect or Default done or committed by his Servants or Mariners, or any of them, such Servants, and each and every of them, shall be liable to pay such Penalty or Damages (with the Costs thereof) to such Owner; and in case of Nonpayment, upon Demand thereof, and Oath made by such Owner of the Payment made by him of such Penalty, Satisfaction, or Damages, and that the same and the Costs thereof have not been repaid to him by such Servants or Mariners, or any of them, although demanded (such Oath to be made before any One or more Justice or Justices of the Peace for the County or Place where such Penalty or Satisfaction shall have been recovered), the Amount thereof, provided the same shall not exceed the Sum of Twenty Pounds, shall be recovered in the same Manner as any Penalty is by virtue of the Metropolis Local Management Act, Eighteen and Nineteen *Victoria*, Chapter One hundred and twenty, directed to be recovered.

Application of Penalties not appropriated.

50. When any Fine or Penalty shall be recovered under the Authority of this Act, the Application whereof is not otherwise provided for, the same shall be paid to the Board, and be applied by them for the Purposes of this Act.

Plaintiff not to recover without Notice, or after Tender of Amends.

51. No Plaintiff shall recover in any Action to be commenced against any Person for anything done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or left at his last or usual Place of Abode Twenty-one Days before such Action shall be commenced of such intended Action, signed by the Attorney for the Plaintiff, specifying the Cause of such Action; nor shall the Plaintiff recover if Tender of good and sufficient Amends shall have been made to him or his Attorney by or on behalf of the Defendant before such Action brought, nor if such Tender of Amends shall be made at any Time after such Action brought and before the Trial thereof, with Costs of Suit, to the Time of such last-mentioned Tender, but on Proof of such Tender on any Trial to be had in such Action the Plaintiff shall be nonsuited, and shall pay full Costs, to be recovered in the same Manner as any Defendant may recover Costs in any other Case by Law; or in case no Tender shall have been made, it shall be lawful for the Defendant in any such Action, by Leave of the Court wherein any such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit; whereupon such Proceedings, Order, and Judgment shall be had, made, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

52. Provided always, That no Action or Suit shall be brought or prosecuted against any Person or Body for anything done in pursuance of this Act after Three Months next after the Fact committed, or in case there shall be a Continuation of Damages, then after Three Months next after the doing or committing such Damage shall have ceased, and not afterwards; and every such Action or Suit shall be laid and brought in the Liberty or County where the Matter in dispute shall arise, and not elsewhere; and the Defendant in any such Action or Suit shall and may at his Election plead specially, or plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or if any such Action or Suit shall have been brought before Twenty-one Days Notice shall have been given, or after sufficient Satisfaction made or tendered as aforesaid, or shall be brought in any other County or Place than as aforesaid, then and in every such Case the Jury or Juries shall find for the Defendant.

Land of the Duke of Northumberland, except that re-

53. Except with the previous Consent in Writing of the Most Noble *Algernon* Duke of *Northumberland*, his Heirs, Sequels in Estate, or Assigns, the Board shall not take any more Land belonging to the said Duke, under the Provisions of this Act, than is requisite for the Formation of the following Streets,

not

not exceeding Sixty Feet in Width; that is to say, a Street in continuation of *Whitehall Place* and a Street in continuation of *Northumberland Street*, such Streets to be made respectively in the Direction shown on the Plan A. herein-after referred to, or within the Limits of Deviation shown on such Plan; and, except with the previous Consent in Writing of the said Duke, his Heirs, Sequels in Estate, or Assigns, and of the said Board, no Building shall be erected upon the Lands taken from the said Duke, his Heirs, Sequels in Estate, or Assigns, for such Streets, or upon the Lands coloured Green upon the Plan marked (A.) signed in Duplicate by the Right Honourable *William Cowper*, One Part whereof is deposited in the Private Bill Office of the Honourable the House of Commons, except any Buildings for making necessary Fences on the Sides of such Streets, or for accommodating the Public with Fountains or covered Resting Places, or for Public Monuments, such Buildings or Monuments not exceeding Nineteen Feet in Height above Trinity High-water Mark.

quired for the Formation of certain Streets, not to be taken without Consent.

54. The Board shall appropriate and set apart so much of the Land to be acquired by them under the Powers of this Act lying Southward of the *Craven* Estate, belonging to *William George Craven* Esquire, as shall be necessary for the Formation of a public Street of not less than Sixty Feet in Width, in continuation of *Craven Street*, up to and to communicate with the new Street fourthly herein described, and such Land shall not be used for any other Purpose.

As to Appropriation of certain Land Southward of the Craven Estate.

55. The Street shown upon the said deposited Plans between *Whitehall Place* and *Wellington Street* shall pass on the South Side of the North Abutment of the *Charing Cross* Railway Company's Bridge now constructing across the River *Thames*, and under the Northernmost Opening of such Bridge.

As to Street between Whitehall Place and Wellington Street.

56. The Board shall not, without the Consent in Writing of the *Charing Cross* Railway Company under their Common Seal, enter upon or take any of the Lands or Property of that Company coloured Red upon the Plan marked B. signed in Duplicate by the Right Honourable *William Cowper*, One Part whereof shall be deposited in the Private Bill Office of the House of Commons, and in constructing the said Street and Embankment and the Works connected therewith shall not in any Manner injure the said Railway or Works, but shall submit the Plans of the Works passing under and affecting the said Railway to *John Hawkshaw* or other the Engineer of the said *Charing Cross* Railway Company, and construct the same to his reasonable Satisfaction.

Certain Land of Charing Cross Railway Company not to be taken without Consent.

57. Notwithstanding anything in this Act contained, it shall be lawful for the said Company, after Notice to the Board, and subject to their reasonable Regulations, at all Times hereafter to enter upon and use, for the Purposes of repairing, amending, or restoring their Railway and Works, and their Steamboat Pier and Landing Place at *Hungerford*, and the Works connected therewith, so much of the said Street or Embankment as adjoins to or passes under the said Railway and Works.

As to Repair of Charing Cross Railway and Works.

58. No Public Landing Place, Pier, Stairs, or Quay for landing Passengers (other than such as shall be substituted for the present *Adelphi* Pier at the Site now occupied by that Pier) shall be constructed under the Powers of this Act on the South Side of the said Embankment within One hundred and fifty Yards on either Side of the Steamboat Pier belonging to the *Charing Cross* Railway Company at *Hungerford*.

As to Construction of Landing Places.

59. Except as is by this Act otherwise expressly provided, nothing in this Act contained shall take away, lessen, prejudice, or derogate from any of the Estates, Rights, Interests, Liberties, or Privileges of the *Charing Cross* Railway Company.

Saving Rights of Charing Cross Railway Company.

60. Opposite the *Strand* Estate of the Duke of *Norfolk*, the North Side of the Approach Road, and the Approaches therefrom to *Surrey Street*, *Norfolk Street*, and *Arundel Street* respectively, shall be constructed on the Line and in the Position shown on the Plan marked C, signed by the Right Honourable *William Cowper*.

Provision as to the Land belonging to the Duke of Norfolk.

The Board shall not exercise any Powers of compulsory Purchase in respect of any Estate, Right, or Interest of the Duke of *Norfolk* in the *Strand* Estate, except so far as may be necessary for the Construction of the said Approach Road and Approaches.

No Buildings shall be placed on the reclaimed Land between *Somerset House* and the *Middle Temple* Southward of the said Approach Road on the said Plan, except the Walls or Arches of the Embankment or of any Roads or Approaches to be made on the said Land, and except any Public Stairs or Landing Places, Fountains and covered Resting Places for Public Use or Public Monuments.

All the Land between the present Southern Boundary of the *Strand* Estate and the North Boundary of the said Approach Road, and the Freehold and Inheritance thereof, shall, upon Payment or Allowance to the Board of the Value thereof, vest in the Duke of *Norfolk* by force of this Act, and be held by him as Part and Parcel of the *Strand* Estate.

The Duke of *Norfolk* shall have Power to build up to the Line of the Footways on the North Side of such Approach Road, and on both Sides of the Approaches to *Surrey Street*, *Norfolk Street*, and *Arundel Street* respectively, and have free Access to the said Approach Road and Approaches.

The Compensation to be paid to the Duke of *Norfolk* by the Board for the Value of or Injury to his Property, and the Sum to be paid by the Duke of *Norfolk* to the Board for the Value of the Land so hereby vested in him, shall, in case of Dispute, be settled in the Manner prescribed by this Act.

Throughout this Act the Expression the Duke of *Norfolk* means *Henry* now Duke of *Norfolk*, and every future Owner in possession of "the *Arundel* Estates," and every Guardian or Guardians of the said *Henry* Duke of *Norfolk* and every such future Owner during his Minority; and the Expression

"the *Arundel* Estates" means the Estates for the Time being settled or conveyed to the Uses of an Act of Parliament passed in the Third Year of the Reign of King *Charles* the First (whereby certain Estates were settled upon the Heirs Male of *Thomas* Earl of *Arundel and Surrey*), and in the Possession of the Duke of *Norfolk* for the Time being; and the Expression "the *Strand* Estate" means such Parts of the *Arundel* Estates as are situate in the Parish of *Saint Clement Dane* in the County of *Middlesex*.

Provision as to the Adelphi Estate.

61. The Board shall not take by Compulsion under the Powers of this Act any other Part of the *Adelphi* Estate in the Parish of *Saint Martin in the Fields*, belonging to or claimed by *George James Drummond*, than such as shall be required for the making of the Roadway and Footpath of the Street in this Act described, between *Whitehall Place* and *Wellington Street;* and the Land reclaimed under this Act from the River *Thames*, and lying between the *Adelphi* Estate and the Northern Side of the Line of that Street, shall be subject to the like Restrictions and Provisions in respect to Buildings and other Matters which might occasion Injury or Annoyance to the adjoining Property, or the Owners or Occupiers thereof, as are under the Act of the Eleventh Year of the Reign of King *George* the Third, intituled *An Act to enable certain Persons to enclose and embank Part of the River* Thames *adjoining to* Durham Yard, Salisbury Street, Cecil Street, *and* Beaufort Buildings *in the County of* Middlesex, enacted, and as are now in force in respect of that Part of the *Adelphi* Estate which immediately adjoins thereto, and was enclosed and embanked under that Act; and the same Land so lying between the *Adelphi* Estate and the Northern Side of such Line of Street, and the Fee Simple and Inheritance thereof in possession, shall upon the Completion of the same Street, or of that Portion thereof which shall pass in front of the said *Adelphi* Estate, or on the Completion of the Embankment by this Act authorized, which Event shall first happen, and on Payment of the Balance, if any, which, under the Arbitration herein-after referred to, will have to be paid by the said Owner to the Board, vest in the Owner of the said *Adelphi* Estate; and the Amount of Compensation to be paid by the Board in respect of any Land purchased, and for any Damage done to the said *Adelphi* Estate by the Execution of the Powers of this Act, to which the said Owner may be entitled, under the Provisions of this Act, and also the Value of the said Land so to be vested in the Owner of the *Adelphi* Estate, shall be settled by Arbitration, pursuant to the Provisions of this Act; and the Sum or Sums awarded in respect of the Value of the Land to be so vested and in respect of such Compensation may be set off one against the other, and the Difference shall be paid by the Owner to the Board, or by the Board to the Owner, as the Case may be: Provided always, that no Building shall be erected between the Land so vested in the Owner of the said *Adelphi* Estate and the River *Thames* other than the Walls or Arches of the Embankment or of any Roads or Approaches to be made on the said Land, and except any Public Stairs or Landing Places, Fountains, and covered Resting Places for Public Use or Public Monuments.

Buildings not to be erected between the Property of the Marquis of Salisbury and the River.

62. No House or Building shall be constructed without the Consent of the Marquis of *Salisbury*, his Heirs, Sequels in Right, or Assigns, upon any Land now lying between, or which shall or may after the Reclamation and Enclosure of the Bed and Foreshore of the River, lie between, *Cecil Street* and *Salisbury Street*, and the Houses on the Southern Ends thereof on the North and the River *Thames* on the South, other than the Walls or Arches of the Embankment, or any Roads or Approaches to be made on the said Land, and except any Public Stairs or Landing Places, Fountains, and covered Resting Places for Public Use or Public Monuments; but the said Marquis, his Heirs and Assigns, and his and their Lessees and Tenants of Houses and Premises in *Cecil Street* and *Salisbury Street* respectively, shall have full and free Rights of Communication, and Access and Egress, at all Times, to and from the Land so to be reclaimed and enclosed as aforesaid, and the Board shall provide and construct such convenient Means of Communication therewith as may be necessary for giving to the Marquis, his Heirs and Assigns, and his and their Lessees and Tenants, such Access accordingly.

Junction with Salisbury Street not to be constructed without Consent.

63. No Roadway to *Salisbury Street* shall be constructed without the Consent of the said Marquis, his Heirs or Assigns, and if so constructed shall not be open to the Public except for Foot Passengers, unless the said Marquis, his Heirs or Assigns, shall by some Writing under his or their Hand or Hands signify his or their Intention to dedicate it to the Public for other Purposes, to be specified in such Writing or Writings.

Nothing to prejudice Rights of the Corporation of London.

64. Except as herein expressly provided, nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Estates, Rights, Interests, Privileges, Franchises, or Authority of the Mayor and Commonalty and Citizens of the City of *London*, or of the Lord Mayor of the said City for the Time being.

Saving Rights of Thames Conservators.

65. Except as herein expressly provided, nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Rights of the Conservators of the River *Thames*, or to prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of the passing of this Act the said Conservators did or might lawfully claim, use, or exercise.

Saving Powers of Metropolitan Police.

66. Nothing in this Act shall interfere with the Powers given by Law to the Commissioners of the Police of the Metropolis.

As to Interference with Sewers.

67. If the Board in the course of the Construction of the Works hereby authorized shall interrupt the Course of any Main or other Sewer or Drain, or the Flow of Sewage therefrom, the Board shall,

until

until the Low Level Sewer is available, provide a proper and sufficient Substitute before the Flow of Sewage in any such Sewer or Drain is so interrupted.

Saving Rights of Commissioners of Sewers.

68. Nothing in this Act contained shall in any Manner prejudice or affect any of the Powers of the Commissioners of Sewers of the City of *London* further than may be absolutely necessary for effecting the Works by this Act authorized; and any Expense which such Commissioners may incur in making any additional Sewers or Drains, or altering any existing Sewers or Drains (not being Main Drains), in consequence of the Removal, Destruction, Alteration, or Diversion or stopping up any existing Sewers or Drains, shall be repaid to them by the Board.

Saving Rights of District Boards and Vestries.

69. Except only as by this Act expressly provided, nothing in this Act contained shall take away, lessen, prejudice, or alter any of the Powers, Rights, Privileges, and Authorities of any District Board or Vestry.

Saving Rights of Companies herein named.

70. Except as herein is specially provided, nothing in this Act shall prejudice, diminish, alter, or affect any of the Rights, Privileges, Powers, or Authorities by Law vested in the *Charing Cross Bridge* Company, the *Waterloo Bridge* Company, the Corporation of *London* in respect of *Blackfriars Bridge*, the Commissioners of Her Majesty's Works and Public Buildings in respect of *Westminster Bridge*, and the *London, Chatham, and Dover* Railway Company respectively.

No Deviation in Works opposite Crown Land without Consent.

71. 'Whereas Two Copies of the aforesaid Plans and Sections (which Copies are herein-after called 'the Crown Plans) have been prepared, on which certain Parts of the Bed or Foreshore of the River '*Thames* up to High-water Mark, belonging to or claimed by Her Majesty as Part of the Hereditary 'Land Revenues of the Crown, are coloured Blue, and other Parts of the same Bed or Foreshore in front 'of *Somerset House* and of the Buildings in *Cannon Row*, commonly called the Board of Control, 'respectively are coloured Green, and other Parts of the same Bed or Foreshore in front of certain 'Land belonging to the Commissioners of Her Majesty's Works and Public Buildings, incorporated for 'the Purposes of "The *Westminster Bridge* Act of 1853," are coloured Red, and on which Crown Plans 'the Line of the Roadway and Street authorized by this Act on the said Parts of the said Bed or Foreshore coloured Blue, Green, and Red respectively is confined between Red and Black Lines, and the 'Line of the *Whitehall Yard* Street authorized by this Act on the said Bed or Foreshore coloured Blue 'is confined between Red Lines: And whereas the said Crown Plans have been or are intended to be 'forthwith signed by the First Commissioner of Her Majesty's Works and Public Buildings and by One 'of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues:' Be it enacted, That one Part of the said Crown Plans so signed as aforesaid shall be deposited among the Records of Her Majesty's Court of Exchequer, and the other Part thereof in the Office of Land Revenue Records and Inrolments, as soon as conveniently may be after the passing of this Act (if not so deposited previously to the passing thereof); and it shall not be lawful for the Board, in the Construction of the said intended Roadway and Street respectively, to make any Deviation from the Levels defined in the Sections shown on the Crown Plans, nor from the Limits of Deviation defined by the said Red and Black Lines and Red Lines respectively on the said Crown Plans, without the Consent in Writing of the First Commissioner of Her Majesty's Works and Public Buildings as regards the Bed or Foreshore coloured Green and Red on such Plans, or of One of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues for the Time being as regards the Bed or Foreshore coloured Blue on such Plans.

Works to be done before Roadway on Crown Lands opened to Public.

72. The Board shall, at their Expense, before opening to the Public the Parts of the intended Roadway which will be constructed on the Bed or Foreshore coloured Blue and Green respectively on the Crown Plans, fill up, level, and wall or fence all those Parts of the said Bed or Foreshore coloured Blue and Green respectively lying between the intended Roadway and the present River Frontage (above High-water Mark), to the Satisfaction in all respects of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them, as to the Bed or Foreshore coloured Blue, and of the First Commissioner of Her Majesty's Works and Public Buildings as to the Bed or Foreshore coloured Green, and such filling up and levelling (unless such last-mentioned Commissioners respectively shall otherwise direct in Writing under their respective Hands as to the whole or any Part thereof) shall be done to the Level of the adjoining River Frontage above High-water Mark, and of the said intended Roadway and Street respectively on the Side or Sides abutting thereon respectively.

Disposal of reclaimed Land in which Crown interested.

73. The Bed or Foreshore so filled up, levelled, and walled or fenced as aforesaid shall, as to the Part coloured Blue, continue vested in Her Majesty, Her Heirs and Successors, and shall as to the Part coloured Green be annexed to and be deemed to form Part of *Somerset House* and the House heretofore known as the Board of Control respectively for all Purposes whatsoever, and it shall not be lawful for the Board to use any Part of the Bed or Foreshore coloured Blue or Green so to be filled up as aforesaid for the Purpose of depositing Materials, except during the Construction of the Works, nor to appropriate or grant any Part of such Bed or Foreshore, or any Right or Easement to, over, or in connexion therewith, by way of Compensation to any Person for Loss of River Frontage or other Damage, it being the Intention of this Act that the same respectively shall be and remain vested and annexed as aforesaid in possession, without becoming subject to any Rights or Estates of or in any Lessees of the River Frontage or other Persons, except only so far as any Lessees may exercise the Option by this Act given to them of taking Leases of the reclaimed Land; and after such filling up, levelling,

levelling, and walling or fencing aforesaid of the said Bed or Foreshore coloured Blue and Green respectively, and the Embankment in front thereof, shall have been completed, it shall not be lawful for the Board to enter on the Parts so filled up, levelled, and walled or fenced for any Purpose whatsoever.

No Building to be erected on Embankment opposite Crown Land without Consent.

74. It shall not be lawful for the Board to erect any Building or Structure whatever (other than a Parapet Wall or Railing not exceeding Four Feet in Height) on any Part of the Embankment coloured Blue, Green, or Red on the said Crown Plans, without the Consent in Writing of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them, as regards the Part coloured Blue, or of the First Commissioner of Her Majesty's Works and Public Buildings as regards the Parts coloured Green and Red.

Mode of ascertaining Value of Interest of Crown and Thames Conservators in certain Lands.

75. An Estimate shall be made of the Amount of any Diminution in Value which may be caused by the Works by this Act authorized (except of so much thereof as will be situate on the Lands coloured Blue, Green, or Red on the Crown Plans, for which excepted Parts no Money Compensation is to be paid,) of the Rights and Interests of Her Majesty in right of Her Crown, and of the Conservators of the River *Thames* under "The *Thames* Conservancy Act, 1857;" and the Amount of such Estimate shall be paid by the Board to the Conservators, to be applied by them according to the Provisions of the same Act, by way of Compensation for the Rights and Interests aforesaid; and the said Estimate shall be made by Two Arbitrators or their Umpire in manner following; *viz.*, one such Arbitrator shall be appointed by the Board, and the other by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them, within One Month after the passing of this Act; and such Arbitrators shall before they commence their Duty appoint an Umpire in Writing; and if within Twenty-one Days after both Arbitrators have been appointed they shall omit or refuse to appoint an Umpire as aforesaid, it shall be lawful for the Commissioners of Her Majesty's Treasury to appoint an Umpire, which Appointment shall be valid, whether the Arbitrators have then commenced their Duty or not; and if either Party shall neglect or refuse to appoint an Arbitrator as aforesaid, the Arbitrator appointed by the other Party shall act alone; and the Decision of such Arbitrators, or Arbitrator or Umpire (as the Case may be), shall be final; and all the Costs and Expenses of the Valuation to be incurred by either Party shall be borne and paid by the Board.

No Compensation to Crown in respect of Land above High-water Mark.

76. The Board shall not be liable to pay to Her Majesty, Her Heirs or Successors, any Compensation for any Damage or Injury which may be caused to any of the Lands belonging to Her Majesty, Her Heirs and Successors, in right of the Crown above High-water Mark by reason of the Severance from the River *Thames* and of the Construction of the Roadway on the Embankment by this Act authorized.

New Landing Places to be provided where existing ones removed.

77. Whenever the Board shall shut up, remove, or in any Manner obstruct the Use and Enjoyment of any existing Stairs, Hards, or Landing Places on or in front of any Part of the Bed or Foreshore coloured Blue, Green, or Red in the said Crown Plans, they shall, at their own Expense, construct and maintain other Stairs or Landing Places in lieu thereof, to the Satisfaction of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, as regards the Part coloured Blue, and of the First Commissioner of Her Majesty's Works and Public Buildings as regards the Parts coloured Green and Red respectively, such substituted Stairs or Landing Places to be for the sole Use and Enjoyment of Her Majesty, Her Heirs and Successors, or such other Person or Persons as are or would have been entitled to the Use and Enjoyment of the Stairs or Landing Places in lieu whereof the same respectively shall have been constructed; and it shall not be necessary to obtain the Approval of the Conservators of the River *Thames* before constructing such Stairs or Landing Places, nor shall the same vest in the said Conservators, any general Provisions in this Act notwithstanding; and the Board shall, at their own Expense, construct and maintain such Roads, Ways, and other Communications into the said intended Roadway from the Lands or Buildings adjoining the Parts coloured Green and Red respectively on the said Crown Plans, and also such Stairs and other Conveniences for Access to the River from the same Lands, as the Commissioners of Her Majesty's Treasury shall from Time to Time during the Construction of the Works authorized by this Act in Writing require, and shall on the like Requisition afterwards stop up and discontinue the same or any of them; and it shall be lawful for Her Majesty, Her Heirs and Successors, or the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, at any Time or Times hereafter to require the Board, at the Expense of the said Commissioners, to construct any Vaults or Cellars extending not more than Twelve Feet under any Roadway or Street to be constructed upon any Part of the said Bed or Foreshore coloured Blue, and also to have Access at all Points to such Roadway or Streets from any Part of the Hereditary Possessions of the Crown, and to open any Streets into the same; and it shall also be lawful for the Commissioners for the Time being of Her Majesty's Works and Public Buildings, with the Consent or by the Direction of the Lords Commissioners of Her Majesty's Treasury, at any Time or Times hereafter, to require the Board, in like Manner, and at the Expense of the said Commissioners, to construct any such Vaults or Cellars as aforesaid under the Roadway or Streets to be constructed upon any Part of the said Bed or Foreshore coloured Green or Red, and also to have Access at all Points to such Roadway or Streets from any Part of the Buildings or Land adjoining the said Parts coloured Green and Red respectively, and to open any Streets into the same:

same: Provided always, that no Work to be done under the foregoing Provision shall be such as to prejudice or injuriously affect any Subway or other Works of the Board, or the convenient Use thereof by the Public.

Crown Lessees to have Option of taking Lease of reclaimed Land adjacent to their Properties for Terms of their Leases.

78. It shall be lawful for the Lessees of Her Majesty of the River Frontage, adjacent to so much of the Land and Foreshore coloured Blue on the Crown Plans as lies between *Whitehall Stairs* and the Southern Extremity of the Land and Foreshore so coloured Blue, to have the Option (to be signified by Notice in Writing under the Hands of such Lessees respectively, and to be left at the Office of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues,) within Five Years after the passing of this Act, of taking Leases from the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty, of the Land and Foreshore adjacent to their respective Leasehold Properties which will intervene between the same and the intended Roadway for Terms co-extensive with their several existing Leases, and at Rents to be fixed as hereinafter provided; and in case any Question shall arise as to the Lessees or Lessee entitled to such Option, or as to the Extent of Land and Foreshore to be included in any Lease, every such Question shall be settled by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them, whose Decision shall be final; and the Rents to be reserved by such Leases shall in every Case be fixed by the Arbitration of Two Surveyors, one to be nominated by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them, and the other by the Lessees respectively, or by an Umpire to be appointed by such Arbitrator, or to be agreed to in the first instance by the said Commissioners or Commissioner and Lessees respectively; and such Rent shall be estimated on the Basis of a fair Rental on the Land as Garden Ground which cannot be built upon; and in any Claim for Compensation by the said Lessees on the Ground of their Lands or Interests being injuriously affected by reason of the Works by this Act authorized, regard shall be had to the Option by this Section given to such Lessees of taking Leases of the Land and Foreshore adjoining to their respective Properties at such Rent as aforesaid.

Saving Rights of Crown under Conservancy Act.

79. Except as specially provided by this Act, all the Rights and Interests of Her Majesty, Her Heirs and Successors, under the *Thames* Conservancy Act, 1857, shall continue unaffected and in full Force.

Saving Rights of the Crown generally.

80. Nothing contained in this Act shall authorize the Board to take, use, or in any Manner interfere with any Land, Tenements, or Hereditaments, or any Rights, of whatsoever Nature, claimed by or belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty in right of Her Crown, other than the Lands, Tenements, Hereditaments, or Rights below High-water Mark, for the Acquisition whereof express Provision is made by this Act, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty, first had and obtained for that Purpose (which Consent such Commissioners are hereby respectively authorized to give); neither shall anything in this Act contained divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Provision as to Land belonging to the Duchy of Lancaster.

81. A Valuation of any Lands, Tenements, or Hereditaments, or of any Rights and Interests whatsoever, vested in, belonging to, or enjoyed or exerciseable by Her Majesty, Her Heirs and Successors, in right of Her Duchy of *Lancaster*, which shall be required to be taken, used, or interfered with by the said Board for the Purposes of this Act, shall be made, and the Amount of such Valuation shall be paid by the said Board to the Receiver General of the Revenues of the said Duchy, or his sufficient Deputy or Deputies, before the said Board shall commence any Works within the Manor or Precinct of the *Savoy*, or within any Lands vested in or belonging to Her Majesty in right of Her said Duchy; and the said Valuation shall be made by Two Arbitrators in manner following; that is to say, one such Arbitrator shall be appointed by the Board, and the other by the Chancellor for the Time being of the said Duchy, within One Month after the passing of this Act; and such Arbitrators shall, before they commence their Duty, appoint an Umpire in Writing; and if within Twenty-one Days after both Arbitrators have been appointed they shall omit or refuse to appoint an Umpire as aforesaid, it shall be lawful for the Lords Commissioners of Her Majesty's Treasury to appoint an Umpire, which Appointment shall be valid, whether the Arbitrators have then commenced their Duty or not; and if either Party shall neglect or refuse to appoint an Arbitrator as aforesaid, the Arbitrator appointed by the other Party shall act alone; and the Decision of such Arbitrators or Arbitrator or Umpire (as the Case may be) shall be final; and all the Costs and Expenses of the Valuation shall be borne and paid by the said Board; and the Amount of Valuation paid to the Receiver General shall be dealt with as Purchase Monies for Lands sold under the "Duchy of *Lancaster* Sales Act, 1855," and upon Payment thereof the Chancellor and Council may execute a Grant or Assurance to the Board of the Lands, Tenements, or Hereditaments, Rights or Interests, in respect of which such Payment shall have been made, as provided in the Case of a Sale under that Act.

Street Viaduct within Savoy Precinct to be constructed to Satisfaction of

82. The Street Viaduct within the Precinct of the *Savoy* shall be constructed to the Satisfaction of the Surveyor in that Behalf of the Duchy of *Lancaster*, and so as not to interfere with the Chapel of *Saint John the Baptist* in the said Precinct, and as little as possible with the Yard of the said Chapel; and in constructing the said Viaduct the Board shall not, without the Consent in Writing of the Chancellor

Duchy of Lancaster Surveyor, and saving Rights of Duchy of Lancaster.

Chancellor and Council for the Time being of the said Duchy on behalf of Her Majesty in right of Her said Duchy first had and obtained for that Purpose, which Consent the said Chancellor and Council are hereby authorized to give, enter upon, use, or take any more Ground than shall be actually requisite for the Construction thereof, and the Ground between the Pillars under the said Viaduct shall remain and be vested in Her Majesty, Her Heirs and Successors, in right of Her said Duchy; and nothing in this Act shall authorize the Board to take, use, or in any Manner interfere with any Land, Tenements, or Hereditaments, or any Rights, of whatsoever Nature, belonging to or enjoyed or exerciseable by Her Majesty in right of Her Duchy of *Lancaster*, other than the Lands, Tenements, and Hereditaments or Rights for the Acquisition whereof Provision is made by the next immediately preceding Section of this Act, without the Consent in Writing of the Chancellor and Council for the Time being of the said Duchy, on behalf of Her Majesty, in right of Her said Duchy, first had and obtained for that Purpose (which Consent the said Chancellor and Council are hereby authorized to give); neither shall anything in this Act contained divest, take away, prejudice, diminish, or alter any Estate, Right, Title, Privilege, Power, or Authority vested in or enjoyed or exerciseable by Her Majesty, Her Heirs or Successors, in right of Her said Duchy.

Viaduct in front of City Gasworks.

83. The Viaduct in front of the Works and Premises of the City of *London* Gaslight and Coke Company shall be carried upon Two Arches, having each a Span of Seventy Feet at the least, and a Headway beneath the same of not less than Eight Feet above Trinity High-water Mark.

Viaduct in front of Whitefriars Dock.

84. There shall be One Arch under the said Viaduct in front of the *Whitefriars* Dock, having a Span of Seventy Feet at the least, and having a Headway beneath the same of not less than Eight Feet above Trinity High-water Mark.

Supplemental Plans marked A, B, and C to be deposited with Clerk of Peace of Middlesex.

85. Within Two Months after the passing of this Act the several supplemental Plans herein referred to as signed by the Right Honourable *William Cowper*, and marked respectively A, B, and C, shall be deposited with the Clerk of the Peace for the County of *Middlesex*, who shall receive and retain them, and permit all Persons interested to inspect them, and make Copies and Extracts of and from them, in like Manner, upon the like Terms, and under the like Penalty for Default, as by the Act of the First Year of the Reign of Her present Majesty, Chapter Eighty-three, is provided with respect to the Documents therein specified.

SCHEDULE.

Form of Mortgage.

In pursuance and by virtue of "The Thames Embankment Act, 1862," we, the Metropolitan Board of Works, do hereby, in consideration of the Sum of £ paid to us by of [*&c.*] for the Purposes of this Act, assign to the said Executors, Administrators, and Assigns, such Part or Proportion of the Thames Embankment and Metropolis Improvement Fund under "The London Coal and Wine Duties Continuance Act, 1861," and of the Monies from Time to Time payable to us out of the Fund by virtue of the first herein-before mentioned Act, as the said Sum of £ bears to the whole Amount from Time to Time borrowed by us on the Security of that Fund and of the Monies last aforesaid, to hold to the said Executors, Administrators, and Assigns, until the Sum of £ with Interest thereon at the Rate of £ per Centum per Annum from the Day of the Date hereof, and to be paid half-yearly, shall be fully paid. As witness our Corporate Seal, this Day of in the Year of our Lord 18 .

CAP. XCIV.

An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners. [7th *August* 1862.]

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The Acts for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders 'for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and the requisite 'Consents thereto have been given since the Date of their Seventeenth Annual General Report: And 'whereas the said Commissioners have by a Special Report certified their Opinion that such proposed 'Inclosures would be expedient; but the same cannot be proceeded with without the previous Authority 'of Parliament:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Inclosures in Schedule may be proceeded with.

1. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Short Title.

2. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use either the Expression "The Second Annual Inclosure Act, 1862," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

SCHE-

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Ceulan-y-maesmawr and Llancynfelin	Cardigan	12th December 1861.
Llanfihangel Geneurglyn	Cardigan	12th December 1861.
Scyborycoed	Cardigan	12th December 1861.
Lamburne Common	Cornwall	5th March 1862.
Boscombe	Wilts	5th March 1862.
Blythburgh Fen	Suffolk	13th March 1862.
Swydd Neithon	Radnor	15th May 1862.
Iscoed	Radnor	15th May 1862.
Norton	Stafford	15th May 1862.
Great Burstead	Essex	9th May 1861.
Stapleford Abbots, Lambourne, and Dagenham	Essex	5th June 1862.
West Bergholt	Essex	5th June 1862.
Datchworth and Knebworth	Hertford	5th June 1862.
Berkhamsted Saint Mary, otherwise Northchurch	Hertford	5th June 1862.
Warlingham	Surrey	15th May 1862.

CAP. XCV.

An Act to amend the Law relating to Polling Places in the Boroughs of *New Shoreham*, *Cricklade*, *Aylesbury*, and *East Retford*. [7th *August* 1862.]

'WHEREAS by an Act of the Session of the Second and Third Years of the Reign of King 'William the Fourth, Chapter Sixty-four, intituled *An Act to settle and describe the Divisions* 2 & 3 W. 4. 'of Counties and the Limits of Cities and Boroughs in* England *and* Wales, *in so far as respects the* c. 64. 'Election of Members to serve in Parliament*, it is enacted that the Poll for the Election of Members 'to serve in Parliament for the several Boroughs of *New Shoreham*, *Cricklade*, *Aylesbury*, and *East 'Retford* should be taken at the Place or Places mentioned in the Schedule to the said Act annexed, 'in conjunction with the Names of such several Boroughs respectively; and that the Justices of 'the Peace for the respective Counties in which the Boroughs of *New Shoreham*, *Cricklade*, and 'East Retford* are situated should, at the Quarter Sessions to be holden in the Month of *October* in 'the Year One thousand eight hundred and thirty-two, divide the said Boroughs of *New Shoreham*, 'Cricklade*, and *East Retford* into convenient Districts for polling, and should assign One of such 'Districts to every Polling Place for the said Boroughs of *New Shoreham*, *Cricklade*, and *East Retford* 'mentioned in the said Schedule to the said Act annexed: And whereas by Two Acts, the one of the 'Session of the Sixth and Seventh Years of the Reign of King *William* the Fourth, Chapter One hun- 'dred and two, intituled *An Act for rendering more easy the taking the Poll at County Elections*, and 6 & 7 W. 4. 'the other of the Session of the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, c. 102. 'Chapter Sixty-eight, intituled *An Act to limit the Time for proceeding to Election in Counties and* 16 & 17 Vict. 'Boroughs in* England *and* Wales, *and for Polling at Elections for the Universities of* Oxford *and* c. 68. 'Cambridge, *and for other Purposes*, Power is given to Her Majesty, on Petition of the Justices in 'Quarter Sessions assembled, and upon such Notices being given as therein mentioned, to provide 'additional Polling Places for Counties or to substitute other Polling Places for Counties: And whereas 'it is expedient that Power should be given to the Justices of the respective Counties in which the said 'Boroughs of *New Shoreham*, *Cricklade*, *Aylesbury*, and *East Retford* are situate to provide additional 'Polling Places for such Boroughs, and to substitute other Polling Places for the existing Polling Places 'in such Boroughs:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. That for the Purposes of any Alteration in or Addition to the Polling Places or Polling Districts of the several Boroughs of *New Shoreham*, *Cricklade*, *Aylesbury*, and *East Retford*, each of such Boroughs shall be deemed to be a County separately returning a Member or Members of Parliament, and the Justices of the Quarter Sessions of the Counties or Divisions of Counties in which the said Boroughs are situate shall respectively, as regards each such Borough, be deemed to be the Justices of the County within the Meaning of the said Acts of the Sixth and Seventh Years of the Reign of King *William* the Fourth, Chapter One hundred and two, and of the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, Chapter Sixty-eight; and all the Provisions of the said Acts with respect to Alterations in or Additions to Polling Places in Counties shall extend to the said Boroughs accordingly. 6 & 7 W. 4. c. 102. and 16 & 17 Vict. c. 68. to apply to Boroughs of New Shoreham, Cricklade, Aylesbury, and East Retford.

CAP.

CAP. XCVI.

An Act to render tenable during good Behaviour the Office of the Officer of the Court of Common Pleas by whom the Certificates of Acknowledgment of Deeds of married Women are filed of Record. [7th *August* 1862.]

3 & 4 W. 4. c. 74.

'WHEREAS under the Provisions of an Act passed in the Third and Fourth Years of King 'William the Fourth, intituled *An Act for the Abolition of Fines and Recoveries, and for the* 'Substitution of more simple Modes of Assurance, the Officer of the Court of Common Pleas at 'Westminster, by whom the Certificates of Acknowledgments of Deeds by married Women are to 'be filed of Record according to the Directions contained in the said Act, may now be removed by the 'Lord Chief Justice for the Time being of the said Court of Common Pleas at his Pleasure, and it is 'expedient that such Officer should hold his Office and Appointment during good Behaviour:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Officer to hold Office during good Behaviour;

1. That such Officer and his Successors shall respectively from and after the passing of this Act hold such Office and Appointment during good Behaviour.

and subject to any Regulations which may be hereafter made by Parliament.

2. Provided always, That the said Officer and his Successors shall hold the said Office subject to any Regulations which may be hereafter made by Parliament concerning the same or the Duties thereof; and in the event of such Office being abolished, or of the Duties thereof being transferred or altered by any Act to be hereafter passed, or of any Alteration being made by competent Authority in the Fees, Emoluments, or Remuneration to be allowed to such Officer, the said Officer and his Successors shall not be entitled to make any Claim to Compensation which he or they would not have been entitled to make if this Act had not passed.

CAP. XCVII.

An Act to regulate and amend the Law respecting the Salmon Fisheries of *Scotland*. [7th *August* 1862.]

'WHEREAS it is expedient that the Acts relating to the Salmon Fisheries in *Scotland* should be 'amended, and that further Provision should be made for the Regulation of Fisheries, the 'Removal of Obstructions, and the Prevention of illegal fishing:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The Salmon Fisheries (*Scotland*) Act, 1862."

Interpretation of Terms.

2. The following Words and Expressions in this Act shall have the Meanings hereby assigned to them, unless such Meanings be repugnant to or inconsistent with the Context:

"Commissioners" shall mean the Commissioners appointed and acting under the Authority of this Act for the Time being:

"Clerk" shall mean the Clerk to be appointed by any District Board:

"Sheriff" shall mean the Sheriff of the County in *Scotland* of which he is Sheriff, and shall include Sheriffs Substitute:

"Justice" or "Justices" shall mean any Justice or Justices of the Peace acting for the County, City, or Burgh where the Matter requiring the Cognizance of such Justice or Justices shall arise:

"Secretary of State" shall mean One of Her Majesty's Principal Secretaries of State:

"Proprietor" or "Proprietors" shall mean and include any Person, Company, or Corporation who is the Proprietor of a Salmon Fishery, or who receives or is entitled to receive the Rents of such Fishery on his or their own Account, or as Trustee, Guardian, or Factor for any Person, Company, or Corporation, and shall also include Her Majesty in right of Her Crown:

"Byelaw" and "Byelaws" shall include all Rules, Orders, and Regulations made by the Commissioners under the Authority of this Act:

"Salmon" shall mean and include Salmon, Grilse, Sea Trout, Bull Trout, Smolts, Parr, and other migratory Fish of the Salmon Kind:

"Fisheries" and "Fishery" shall mean Salmon Fisheries and a Salmon Fishery in any River or Estuary or in the Sea:

"River" shall include Tributaries and any Lake from or through which any River flows:

"Valuation Roll" shall mean the Valuation Roll in force for the Time for any County, and each of the Royal Burghs therein, made up under the Authority of the Public General Act Seventeenth and Eighteenth *Victoria*, Chapter Ninety-one, or any other Act relating to the Valuation of Lands and Heritages in *Scotland* which may be in force for the Time.

Commencement of Act.

3. The Enactments and Provisions of this Act with respect to the Appointment, Powers, and Duties of the Commissioners, and the Election, Powers, and Duties of District Boards, shall come into operation and take effect from and after the passing of this Act, and all the other Enactments and Provisions of this Act shall come into operation, and take effect from and after the First Day of *January* One thousand eight hundred and sixty-three.

4. Each

Each River and Estuary, and the Seacoasts adjoining, to be a *District*.

4. Each River in *Scotland* flowing into the Sea, and every tributary Stream or Lake flowing into or connected with such River, and the Mouth or Estuary of such River, and the Seacoasts adjoining thereto, divided into such Portions as may be fixed and defined by the Commissioners under the Authority of this Act, shall form a District for the Purposes of this Act.

Commissioners to be appointed by Secretary of State.

5. It shall be lawful for the Secretary of State to appoint Three Commissioners for the Purposes of this Act, who shall be paid at such Rate, not exceeding Three Pounds *per* Day each, as the Commissioners of the Treasury may direct, the whole Amount to be received by each Commissioner not exceeding Three hundred and fifty Pounds *per Annum*, over and above such Travelling Expenses as the Commissioners of the Treasury may sanction: Provided that the Duration of the Office of such Commissioners shall in no Case extend beyond Three Years.

Duties of Commissioners.

6. The Commissioners shall have the Powers and perform the Duties herein-after specified; that is to say,

(1.) To fix and define, for the Purposes of this Act and the other Acts relating to Salmon and Salmon Fisheries in *Scotland*, the natural Limits which divide each River in *Scotland* (including the Estuary thereof) from the Sea, in so far as the same may not be already fixed by Statute or by judicial Decision:

(2.) To fix, for the Purposes of this Act, the Limits of the *Solway Firth*, having regard to an Act passed in the Forty-fourth Year of the Reign of His Majesty King *George* the Third, Chapter Forty-five:

(3.) To fix, for the Purposes of this Act, the Limits of every District, and the Portions of the Seacoast adjoining to the Mouth or Estuary of any River to be included in such District:

(4.) To fix, for the Purposes of this Act, a Point on each River (including the Estuary thereof) below which the Proprietors of Fisheries shall be Lower Proprietors, and above which the Proprietors of Fisheries shall be Upper Proprietors:

(5.) To determine, subject to the Provisions of this Act, at what Dates the Annual Close Time for every District shall commence and terminate, and at what Periods subsequent to the Commencement and prior to the Termination of the Annual Close Time it shall be lawful to fish for and take Salmon with the Rod and Line: Provided that the Number of Days during which such Annual Close Time shall continue shall be the same as regards every District:

(6.) To make general Regulations with respect to the following Matters; *viz.*,

The due Observance of the Weekly Close Time:

The Construction and Use of Cruives:

The Construction and Alteration of Mill Dams, or Lades, or Water Wheels, so as to afford a reasonable Means for the Passage of Salmon:

The Meshes of Nets (so that they shall not intercept Smolts or Salmon Fry):

Obstructions in Rivers or Estuaries to the Passage of Salmon:

Provided that such Regulations shall not interfere with any Rights held at the Time of the passing of this Act under Royal Grant or Charter, or possessed for Time immemorial.

Annual and Weekly Close Time.

7. The Annual Close Time for every District shall continue for One hundred and sixty-eight Days; and the Weekly Close Time, except for Rod and Line, shall continue from the Hour of Six of the Clock on *Saturday* Night to the Hour of Six of the Clock on *Monday* Morning; but the Commissioners shall have Power, on the Application of the District Board, or of any Two Proprietors of Fisheries in any District, to vary the Period at which the Weekly Close Time shall commence in any District or any Part thereof, in so far as they may think reasonable or expedient: Provided that such Weekly Close Time shall in no Case be less than Thirty-six Hours.

Application of Annual Close Time.

8. The Annual Close Time shall be applicable to every Mode of fishing for or taking Salmon in any River, Lake, or Estuary, or in the Sea, except by means of the Rod and Line for the Periods in each District to be fixed by the Commissioners subsequent to the Commencement and prior to the Termination of the Annual Close Time during which it shall be lawful to fish for and take Salmon by means of the Rod and Line.

Present Annual Close Times to subsist until altered under this Act.

9. In regard to any River and Estuary which are regulated by any Local Act relating thereto the Annual Close Time fixed by such Act, and in regard to all other Rivers, Estuaries, and Seacoasts in *Scotland* the Annual Close Time fixed by the Public General Act Ninth *George* the Fourth, Chapter Thirty-nine, shall respectively be applicable until the Annual Close Time with respect to any such River, Estuary, or Seacoast shall be otherwise determined by any Byelaw made by the Commissioners under the Authority of this Act.

Fishing illegal where prohibited by existing Acts.

10. It shall not be lawful to fish for or take Salmon at any Place or by any Mode prohibited by any Statute relating to Salmon or Salmon Fisheries in *Scotland* subsisting and in force at the Date of the passing of this Act; and nothing contained in this Act or in any Byelaw made by the Commissioners shall render legal any Mode of fishing which was or would have been illegal at the Date of the passing of this Act.

Penalties for Offences.

11. Every Person who commits any of the following Offences shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and to a further Penalty not exceeding Two Pounds for every Salmon taken or killed contrary to the Provisions of this Act, or of any Byelaw made by the Commissioners

sioners under the Authority of this Act; and shall, in addition to such Penalties, at the Discretion of the Magistrate, forfeit every Boat, Net, Rod, Line, or other Article which has been or may be used in fishing for or taking Salmon, and which is found in the Possession of such Person at the Time of the committing such Offence; that is to say,

Every Person who fishes for or takes Salmon during the Annual Close Time by any Means other than the Rod and Line:

Every Person who fishes for or takes Salmon, except during *Saturday* or *Monday*, by Rod and Line, during the Weekly Close Time, or acts in breach or contravention of any Byelaw made by the Commissioners in regard thereto:

Every Person who fishes for or takes Salmon during the Annual Close Time by means of the Rod and Line at a Period not sanctioned by the Commissioners:

Every Person who fishes for Salmon with a Net having a Mesh contrary to any Byelaw of the Commissioners:

Every Person who obstructs or impedes the Passage of Salmon contrary to any Byelaw of the Commissioners:

Every Person who sells or exposes for Sale fresh Salmon taken within the Limits of this Act during the Period between the Commencement of the latest and the Termination of the earliest Annual Close Time which may have been fixed for any District; but the Burden of proving that Salmon so sold or exposed by any Person for Sale have been caught beyond the Limits of this Act shall lie on the Person selling or exposing the same for Sale:

Every Person who takes or has in his Possession any foul or unseasonable Salmon:

Every Person who uses or has in his Possession any Light for the Purpose and with the Intention of taking Salmon:

Every Person who sets a Net or any other Engine for Capture of Salmon when the Fish show themselves when leaping at or trying to ascend any Fall or other Impediment:

Every Person who wilfully takes or destroys or injures or obstructs the Passage of the Young of Salmon, or disturbs any Spawning Bed, or any Bank or Shallow on which the Spawn of Salmon may be deposited; but this Provision shall not apply to Acts done for the Purpose of the artificial Propagation of Salmon or for other scientific Purposes, or in the course of the Exercise of Rights of Property in the Bed of any Stream: Provided also, that the District Board may, with the Consent of all the Proprietors of Salmon Fisheries in any River or Estuary, adopt such Means as they think fit for preventing the Ingress of Salmon into narrow Streams or Tributaries in which they or the Spawning Beds are, from the Nature of the Channel, liable to be destroyed, but always so that no Water Rights used or enjoyed for the Purposes of Manufactures or Agricultural Purposes or Drainage shall be interfered with thereby.

Penalty for using or possessing Salmon Roe.

12. Every Person who uses Salmon Roe for the Purpose of fishing, or has in his Possession any Salmon Roe for Sale or for the Purpose of fishing, shall for every such Offence be liable to a Penalty not exceeding Two Pounds, and shall forfeit any Salmon Roe found in his Possession.

Penalty for causing or allowing poisonous Substances to flow into Rivers.

13. Every Person who causes or knowingly permits to flow, or puts or knowingly permits to be put, into any River containing Salmon, any liquid or solid Matter poisonous or deleterious to Salmon, or who shall discharge into any River Sawdust to an Extent injurious to any Salmon Fishery, shall be liable to the following Penalties; (that is to say,)

For the First Offence a Penalty not exceeding Five Pounds:

For the Second Offence a Penalty not exceeding Ten Pounds, and a further Penalty not exceeding Two Pounds for every Day during which such Offence is continued:

For the Third or any subsequent Offence a Penalty not exceeding Twenty Pounds, and a further Penalty not exceeding Five Pounds for every Day during which such Offence is continued:

But no Person shall be subject to the foregoing Penalties for any Act done in the Exercise of any Right to which he is by Law entitled, if he prove to the Satisfaction of the Court before whom he is tried that he has used the best practicable Means, within a reasonable Cost, to dispose of or render harmless the liquid or solid Matter so permitted to flow or to be put into Waters; but nothing herein contained shall prevent any Person from acquiring a legal Right in Cases where he would have acquired it if this Act had not passed, or exempt any Person from any Punishment to which he would otherwise be subject, or legalize any Act or Default that would but for this Act be contrary to Law.

Commissioners to visit and report on Rivers and Estuaries.

14. The Commissioners shall visit and report on the several Rivers and Estuaries and Salmon Fisheries in *Scotland*, after Notice duly given by special Advertisement in some Newspaper of general Circulation in the District, not less than Ten Days before any such Visitation, to the Proprietors of Salmon Fishings on each of such Rivers or Estuaries, of their Intention so to visit and report.

Commissioners to make Byelaws on Matters specified in Third and Fourth Subdivisions of

15. The Commissioners shall, on or before the First Day of *January* One thousand eight hundred and sixty-three, fix and determine by Byelaws the Matters specified in the Third and Fourth Subdivisions of the Sixth Section of this Act; and a Copy of such Byelaws applicable to each District shall be, prior to the said Date, transmitted by Post to the Sheriff Clerk of each County, in so far as the same may relate to a District or Part of a District situate therein; and the Sheriff Clerk shall, on Receipt of such Copy, give Notice of such Byelaws by Advertisement inserted once for each of Two successive Weeks

Weeks in some Newspaper published in such County, or, if no Newspaper be published therein, in some Newspaper published in a County adjoining thereto; and every Person whose Interests may be affected by any such Byelaws may state to the Secretary of State any Objections to any such Byelaw; and the Secretary of State shall, after One Month after the Date of such Byelaws, approve or alter or disapprove of the same; and every such Byelaw, when approved of or altered by the Secretary of State, shall be published in the *Edinburgh Gazette*, and in such further Mode as the Secretary of State may direct, and on being so published shall be legal and binding on all concerned: Provided that in the Case of such Districts in which by reason of their inconsiderable Size it may seem to the Commissioners unnecessary to determine such Matters, they may defer doing so until required by more than Six Proprietors of Fisheries within the same, after the Limits of such District have been defined, as herein-after provided, and shall proceed, in other respects, as above provided. Sixth Section of this Act.

16. The Commissioners shall, on or before the First Day of *January* One thousand eight hundred and sixty-four, determine the other Matters specified in the Sixth Section of this Act, by Byelaws under their Hands, or the Hand of any Two of them, and shall report the same to the Secretary of State; provided that previously to making such Byelaws they shall communicate the same to the District Board, and afford the Board reasonable Opportunity of making any Representation to the Commissioners respecting the same; and a Copy of such Byelaws shall be transmitted to the Sheriff Clerk of each County, in so far as the same may relate to any District situated therein; and the Sheriff Clerk shall, on the Receipt of such Copy, give Notice of such Byelaws by Advertisement inserted once for each of Two successive Weeks in some Newspaper published in such County, or, if no Newspaper be published therein, in some Newspaper published in a County adjoining thereto; and every Person whose Interests may be affected by any such Byelaws may state to the Secretary of State any Objections to any such Byelaw; and the Secretary of State shall, after Two Months and within Four Months after the Date of such Byelaws, approve or alter or disapprove of the same; and every such Byelaw, when approved of or altered by the Secretary of State, shall be published in the *Edinburgh Gazette*, and in such further Mode as the Secretary of State may direct, and on being so published shall be legal and binding on all concerned. Commissioners to make Byelaws on the other Matters specified in Sixth Section.

17. The Commissioners, in execution of this Act, shall take such Evidence as they may find to be necessary, and in the event of Witnesses refusing to attend and give Evidence, or to allow Access to Documents, they may apply to the Sheriff of the County for a Warrant to cite Witnesses and Havers, and the Sheriff is hereby authorized to grant the same. As to Evidence to be taken by Commissioners.

18. Within Three Months after any Byelaw constituting the District shall have been published the Sheriff shall direct the Sheriff Clerk to make up a Roll of the Upper Proprietors and also a Roll of the Lower Proprietors in each District; and the Qualification of an Upper Proprietor shall be the Property of a Fishery entered in the Valuation Roll as of the yearly Rent or yearly Value of Twenty Pounds or upwards, or, if such Fishery be not valued on the Valuation Roll, of Half a Mile of Frontage to the River, with a Right of Salmon Fishing, and the Qualification of a Lower Proprietor shall be the Property of a Fishery entered in the Valuation Roll as of the yearly Rent or yearly Value of Twenty Pounds or upwards; and the Sheriff shall have Power to decide summarily any Question arising on any Claim to such Qualification; and the Sheriff shall thereafter direct the Sheriff Clerk to call a Meeting of the Upper Proprietors, and also a Meeting of the Lower Proprietors, at such Times and Places as he shall direct; and Notice of such Meeting shall be given as herein-before provided with respect to the Publication of Byelaws made by the Commissioners; and the Upper Proprietors and Lower Proprietors present at such separate Meetings respectively shall elect not more than Three of their Number to be Members of the District Board, every Proprietor of a Fishery valued at more than Five hundred Pounds on the Valuation Roll having Two Votes at such Election, and an additional Vote for every Five hundred Pounds of Rental, but not more than Four Votes in all; and the Members so elected with the Proprietor having the largest Amount entered in the Valuation Roll as the yearly Rent or yearly Value of Fisheries in such District shall constitute the District Board; and the last-mentioned Proprietor shall be the Chairman of the Board, and have a deliberative as well as a casting Vote; and the Election of such Board shall be notified by the Chairman of such respective Meetings to the Sheriff Clerk within Seven Days from the Date of the same, and the Sheriff shall thereafter summon the First Meeting of such Board for such Day and such Place as he may fix: Provided always, that if any River be situate in Two or more Counties, the Notices above provided shall be given and such Meetings shall be called in such Manner as the Sheriffs of such Counties jointly shall direct. As to the Election of District Boards.

19. If in any District the Upper Proprietors or the Lower Proprietors shall be fewer in Number than Three, the Board shall consist of an equal Number, elected as aforesaid, along with the Proprietor having the largest Valuation, who shall also be Chairman of the Board, as above provided; and if such last-mentioned Proprietor be the sole Upper or the sole Lower Proprietor, he shall have Two Votes on the Board; and if there shall be only One Proprietor in any District such Proprietor shall have and may exercise all the Powers by this Act conferred on the District Board. Constitution of the Board where Proprietors are less in Number than Three. Their Votes.

20. It shall be lawful for the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, in Cases where Her Majesty in right of Her Crown is Proprietor of any Fishery, and Mandatories may be appointed.

and for any Corporation or Company, being the Proprietors of any Fishery, or for any Proprietor of a Fishery, respectively, from Time to Time to nominate and appoint, by any Writing under his or their Hand or Seal, any Person as the Mandatory of such Commissioners, Corporation, Company, or Proprietor to attend, act, and vote at any Meeting of Proprietors under this Act; and every such Nomination and Appointment shall subsist until recalled by the said Commissioners or either of them, or by the Corporation or Company or Proprietor making the same.

Payment to Sheriff Clerk in connexion with Elections.

21. All Expenses incurred by the Sheriff Clerk in making up the Roll of Proprietors, and in calling and attending the Meetings for the Election of the District Board, with such reasonable Remuneration for his Time and Trouble as shall be fixed by the Sheriff, shall be paid to the Sheriff Clerk by the District Board out of the Assessments to be levied under the Authority of this Act.

Powers and Duties of District Boards.

22. The District Board may sue or be sued in the Name of their Clerk, and if there be more than Six Members Three Members shall form a Quorum, and if there be fewer than Six Members Two shall form a Quorum, and they shall keep regular Books and Accounts, and shall hold their First Meeting within Ten Days after the First Election under this Act at a Time and Place to be fixed at the Meetings of Proprietors at which such Election took place, or in Cases where such Election is not necessary the First Meeting shall take place at a Time to be fixed by a Majority of the Proprietors, and Notice of such Meeting shall be given as herein-before provided with respect to the Publication of Byelaws to be made by the Commissioners; and the District Board shall have Power, subject to the Provisions of this Act and the Byelaws made by the Commissioners, to make and alter from Time to Time Regulations for the Preservation of the Fisheries in the District, and from Time to Time to appoint a Clerk and such Number of Constables, Water Bailiffs, Watchers, and other Officers as they think fit, to fix and prescribe the Duties of all Persons appointed by them, and to remove such Persons, and appoint other Persons in their Stead; and they may combine with any other District Board for the Purpose of this Act, and to maintain a common Staff of Officers for the Protection and Preservation of the Fisheries of more than One District, and may agree with the Police Committee of any County for the Purpose of paying additional Constables for the better Protection of the Fisheries in their District: Provided that all such Regulations shall, before taking effect, be reported to and approved by the Secretary of State, and shall not interfere with any vested Right of Property, and shall not authorize any Encroachment or Trespass on private Property.

Assessments may be imposed by District Boards.

23. The District Board shall have Power to impose an Assessment for the Purposes of this Act, to be called the Fishery Assessment, on the several Fisheries in each District, according to the yearly Rent or yearly Value of such Fisheries as entered in the Valuation Roll; and every Proprietor of a Fishery which is not valued on the Valuation Roll, and who shall claim Right to vote in the Election of Members of the District Board, shall be held to be a Proprietor of a Fishery of the Value of Twenty Pounds, and shall be assessed accordingly; and such Fishery Assessments may be imposed, collected, and recovered by the District Board in the same Manner as Police Assessments may be imposed, collected, and recovered by the Commissioners of Supply under the Authority of the Public General Act, Twentieth and Twenty-first *Victoria*, Chapter Seventy-two; and for the Purpose of imposing, collecting, and recovering such Fishery Assessments the District Boards shall have and may exercise all the Powers conferred by the said Act on Commissioners of Supply for imposing, collecting, and recovering the Assessments leviable under the same.

As to future Elections of District Boards.

24. Each District Board shall continue in Office for Three Years, and Members thereof shall be eligible for Re-election, and Vacancies occurring during such Period shall be filled up by the Board until the next Meeting of Proprietors, who shall then fill up the same; and Meetings of the Upper and Lower Proprietors respectively for the Purpose of each triennial Election of not more than Three Upper Proprietors and Three Lower Proprietors respectively shall be called by the Clerk, who shall give Notice of such Meetings by Advertisement as herein-before provided with respect to the Publication of Byelaws made by the Commissioners; and such Meetings shall at the same Time take such Steps as they shall think proper for auditing and attesting the Accounts of the District Board for the preceding Three Years.

Penalties for Breach of Byelaws and Regulations.

25. It shall be lawful for the District Board, by any Byelaw or Regulation to be made by them and approved of by the Secretary of State as herein-before provided, to enact that any Person committing any Breach or Contravention of such Byelaw or Regulation shall be liable for every such Offence to a Penalty not exceeding Two Pounds; and such Penalty may be sued for and recovered in the same Manner as Penalties incurred and imposed under the Provisions of this Act.

Forfeited Articles may be seized.

26. Any Net, Rod, Line, or other Article directed to be forfeited under this Act may be seized by any Constable, Water Bailiff, Watcher, or other Officer appointed by the District Board, and the Sheriff or Justice may either order the same to be destroyed or to be sold, and the Proceeds of such Sale to be paid to the Clerk on behalf of the District Board.

Three or more Persons illegally fishing at Night to be

27. If Three or more Persons acting in concert, or being together or in company, shall at any Time between the Expiration of the First Hour after Sunset on any Day and the Beginning of the last Hour before Sunrise on the following Morning enter or be found upon any Ground adjacent or near to any River

River or Estuary or the Sea, or in or upon any River or Estuary or the Sea, with Intent illegally to take or kill Salmon, or having in his or their Possession any Net, Rod, Spear, Light, or other Instrument used for taking Salmon with such Intent as aforesaid, or shall illegally take or kill, or attempt to take or kill, or aid or assist in killing or taking Salmon, every such Person shall be guilty in *Scotland* of a Criminal Offence, and in *England* within the Limits of the "*Tweed* Fisheries Amendment Act" of a Misdemeanor, and shall for every such Offence be liable to a Fine not exceeding Five Pounds, or to Imprisonment for any Period not exceeding Three Months, as the Sheriff or Justices before whom such Persons or any of them are tried and convicted may determine; and if such Fine be not paid immediately on Conviction, the Offender so failing to pay shall be sentenced to Imprisonment for such Period, not exceeding Three Months, as the Sheriff or Justices may adjudge, unless such Fine shall be sooner paid. guilty of a Criminal Offence.

28. All Offences under this Act may be prosecuted and all Penalties incurred under this Act may be recovered before any Sheriff or any Two Justices acting together and having Jurisdiction in the Place where the Offence was committed, at the Instance of the Clerk of any District Board or of any other Person; and it shall be lawful for the Sheriff or Justices to whom any Petition or Complaint is presented to proceed in a summary Form, and to grant Warrant for bringing the Persons complained against before him or them, and on Proof on Oath by One or more credible Witness or Witnesses or Confession of the Person accused, or other legal Evidence, forthwith to determine and give Judgment in such Complaint, without any written Pleadings or Record of Evidence, other than a Record of the Charge and of the Judgment pronounced thereon, and to grant Warrant for the Recovery of all Penalties and Expenses decerned for, by Poinding, and Imprisonment for any Period not exceeding Six Months; and any Person who shall think himself aggrieved by any Judgment of the Sheriff or Justices pronounced in any Complaint or Prosecution under this Act may appeal to the Court of Justiciary at their next Circuit Court, or where there is no Circuit Court to the High Court of Justiciary at *Edinburgh*, in the Manner and under the Rules, Limitations, Conditions, and Restrictions contained in the Act passed in the Twentieth Year of the Reign of His Majesty King *George* the Second, Chapter Forty-three, for taking away and abolishing Heritable Jurisdictions in *Scotland*, with this Variation, that such Person shall, in place of finding Caution in the Terms prescribed by the said Act, be bound to find Caution to pay the Penalty and Expenses awarded against him by the Judgment appealed from, in the event of such Appeal being dismissed, together with any additional Expenses that shall be awarded by the Circuit Court or Court of Justiciary on dismissing such Appeal; and it shall not be competent to appeal from or bring the Judgments of any Sheriff or Justices acting under this Act under Review by Advocation or in any other Way than as herein provided. Prosecution for Offences under this Act, and Recovery of Penalties.

29. In the event of any Person refusing or neglecting to obey any Byelaw made by the Commissioners, or any Regulation made by the District Board, the Clerk may apply to the Sheriff by summary Petition in ordinary Form, praying to have such Person ordained to obey the same, and the Sheriff shall take such Proceedings and make such Orders thereupon as he shall think just. Enforcement of Regulations and Byelaws.

30. In giving Judgment on any Application or Complaint under this Act the Sheriff or Justices may find the Person complained against liable in Expenses, and may decern for Payment of the same. Expenses may be decerned for.

31. All Penalties and Expenses incurred under this Act, or under any Byelaw or Regulation made under the Authority thereof, may be recovered by ordinary Action or in the Small Debt Court of the Sheriff. Recovery of Penalties and Expenses.

32. The Penalties incurred under this Act shall in all Prosecutions at the Instance of the Clerk of any District Board be payable to and recoverable by such Clerk, and shall in all other Cases be paid and applied in such Manner as the Sheriff or Justices may direct; and all Penalties and Expenses received by the Clerk, and the Proceeds of the Sale of any Articles seized and directed to be sold as before provided, shall be applied by the District Board towards defraying the Expenses incurred by them in carrying into execution the Provisions of this Act. Payment and Application of Penalties.

33. From and after the First Day of *January* One thousand eight hundred and sixty-five the Provisions of the said Act, intituled *An Act to amend the Laws relating to Fisheries of Salmon in* England, shall extend and apply to Salmon Fisheries in the Waters and on the Shores of the *Solway Firth* situate in *Scotland*, as the same may be fixed by Authority of this Act, and to the Rivers flowing into the same, in so far as such Provisions relate to the Use of fixed Engines for the taking of Salmon: Provided that all Offences against such Provisions shall be prosecuted and punished as directed by this Act. Certain Provisions of Act 24 & 25 Vict. c. 109. applied to Solway Firth.

34. No Part of this Act, with the Exception of the Tenth, Twelfth, and Twenty-seventh Clauses, shall apply to the River *Tweed*, or to any Fisheries in the said River or the Mouth or Entrance thereof, as defined by "The *Tweed* Fisheries Amendment Act, 1859;" and any Penalties incurred under the said Tenth, Twelfth, and Twenty-seventh Clauses of this Act shall, so far as concerns the River *Tweed*, be recoverable in manner prescribed by the *Tweed* Fisheries Amendment Act, 1857, which Act, and the *Tweed* Fisheries Amendment Act, 1859, shall remain in full Force and Effect, anything herein contained to the contrary notwithstanding. This Act not to apply to the River Tweed.

CAP. XCVIII.

An Act for the Amendment of an Act of the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and thirty-nine, intituled *An Act to amend the Law concerning the making, keeping, and Carriage of Gunpowder and Compositions of an explosive Nature, and concerning the Manufacture, Sale, and Use of Fireworks*, and of an Act amending the last-mentioned Act. [7th *August* 1862.]

23 & 24 Vict. c. 139.

'WHEREAS by an Act of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and thirty-nine, intituled *An Act to amend the Law concerning the making, keeping, and Carriage of Gunpowder and Compositions of an explosive Nature, and concerning the Manufacture, Sale, and Use of Fireworks*, and herein-after referred to as the Principal Act, divers Regulations are made with respect to the Manufacture and keeping of Gunpowder, and with respect to the Manufacture of loaded Percussion Caps, and the Manufacture and keeping of Ammunition, Fireworks, Fulminating Mercury, or any other Preparation or Composition of an explosive Nature: And whereas by the Twenty-fifth Section of the Principal Act Provisions are made with respect to the Issue of Warrants to search and with respect to searching for Gunpowder, and by the Twenty-seventh Section of the same Act special Powers are given to the Conservators of the River *Thames* of appointing Searchers for Gunpowder within their Jurisdiction: And whereas it is expedient to extend the said Sections to loaded Percussion Caps, Ammunition, Fireworks, Fulminating Mercury, or any other Preparation or Composition of an explosive Nature:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same as follows:

Extension of Sects. 25 & 27 of Principal Act, &c.

1. The Twenty-fifth and Twenty-seventh Sections of the Principal Act shall be construed and applied as if the Word Gunpowder therein mentioned included loaded Percussion Caps, Ammunition, Fireworks, Fulminating Mercury, or any other Preparation or Composition of an explosive Nature.

Divisional Magistrates of Police to exercise licensing Powers within the Dublin Police District.

2. 'Whereas by an Act for amending the Principal Act passed in the Session holden in the Twenty-fourth and Twenty-fifth Years of the Reign of Her present Majesty, Chapter One hundred and thirty, it is provided that all Powers of granting Licences by the Principal Act given to Justices of the Peace at their General Quarter Sessions shall be transferred to and vested in the Justices in Petty Sessions assembled: And whereas within the Police District of *Dublin* Metropolis the Powers usually exercised by Justices of the Peace in Petty Sessions are exercised by any Two or more Divisional Magistrates of Police; and it is expedient to amend the said Act of the Twenty-fourth and Twenty-fifth of *Victoria*, Chapter One hundred and thirty, in manner herein-after mentioned:' Be it enacted, That the Powers of licensing vested in Manner aforesaid in the Justices in Petty Sessions assembled, may, within the Police District of *Dublin* Metropolis, be exercised by any Two or more Divisional Magistrates of Police; and that it shall be lawful for the said Divisional Magistrates of Police, or any Two or more of them, with the Sanction of the Lord Lieutenant of *Ireland*, to regulate the Mode in which Applications for Licences under the said Act are to be made, and to make a Scale of Fees to be charged in respect of such Licences.

Short Title of Principal Act and this Act.

3. The Principal Act may be cited for all Purposes as "The Gunpowder Act, 1860," and this Act shall be construed as One with the Principal Act, and may be cited for all Purposes as "The Gunpowder Act Amendment Act, 1862."

CAP. XCIX.

An Act to amend the Bankruptcy Act (1861). [7th *August* 1862.]

5 & 6 W. 4. c. 42.

'WHEREAS by the First Section of an Act of the Session of the Fifth and Sixth Years of the Reign of King *William* the Fourth, Chapter Forty-two, intituled *An Act to authorize the granting of Superannuation Allowances to the Commissioners and Officers of the Courts for the Relief of Insolvent Debtors*, Power is given to the Commissioners of Her Majesty's Treasury to grant to any of the Officers of the Court for the Relief of Insolvent Debtors in *England* who shall be, from Age or Infirmity of Mind or Body, incapable of discharging the Duties of his Office, or whose Office shall cease or be abolished by Law, a Superannuation Allowance, in the same Manner and upon the same Conditions as it would be granted under the Provisions of the Act of the Session of the Fourth and Fifth Years of the Reign of King *William* the Fourth, Chapter Twenty-four: And whereas by "The Superannuation Act, 1859," it is provided that the said First Section of the said Act of the Fifth and Sixth Years of the Reign of King *William* the Fourth shall be construed as if the said Superannuation Act of 1859 were referred to in the said Section instead of the said Act of the Fourth and Fifth Years of the Reign of King *William* the Fourth: And whereas at and previously to the Date of the passing of "The Bankruptcy Act, 1861," the Persons named in the Schedule hereto were holding Offices in the said Court for the Relief of Insolvent Debtors in *England*, and such Persons, together with other Officers of the said Court, were by the said Act transferred to the *London* Court of Bankruptcy: And whereas it is expedient that the said Bankruptcy Act, 1861, should be amended

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'so far as relates to the Transfer of the Officers named in the said Schedule, and that their Offices 'should be forthwith abolished, and the Holders of such Offices become entitled to Superannuation 'Allowance accordingly:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Abolition of Offices of Persons named in Schedules.

1. The Offices of the several Persons named in the First and Second Schedules hereto shall be abolished from and after the respective Times herein specified; that is to say, those in the First Schedule from and after the passing of this Act, and those in the Second Schedule from and after such Time or Times as may be fixed by any General Order or Orders of the Lord Chancellor in that Behalf made; and the Holders of such Offices respectively shall thereupon become entitled to Superannuation or Compensation Allowance accordingly; provided that no new Officers or Persons shall be appointed for the temporary Discharge of the Duties of such several Persons respectively in the First Schedule mentioned, but, in case of Need, such Duties shall continue to be discharged by such several Persons respectively hitherto discharging the same, at the Rate of Remuneration heretofore received by them respectively; and during such Time they shall not receive any Superannuation or other Allowance or Compensation as for abolished Offices.

Grant of additional Allowance to Persons named in First Schedule.

2. Where the Amount of Remuneration in Salary or Fees, or both in Salary and Fees, received by any of the Persons named in the said First Schedule on account of any Offices held by them during the Period intervening between the Date of their being transferred in manner aforesaid to the Bankruptcy Court and the Date of the passing of this Act, is less than the Amount that they would have received in respect of Superannuation or Compensation Allowance if their Offices had been abolished at the Date of such Transfer, the Commissioners of the Treasury shall, out of Monies to be provided by Parliament for that Purpose, make up the Deficiency between the Amount actually received by them and the Amount they would have received if their Offices had been abolished in respect of such Superannuation Allowance as aforesaid.

Calculation of Superannuation Allowance.

3. For the Purpose of calculating the Amount of Superannuation Allowance due to each of the Persons named in the said Schedules, the annual Emolument of such Person shall be deemed to have been the Sums set opposite his Name in the Second and Third Columns of the said Schedules, and such further Sums, if any, as the Commissioners of the Treasury may, if they think fit, add in respect of Lodging or other Allowances enjoyed by such Person at the Public Expense.

Prohibition of Judges of County Courts sitting in Parliament.

4. 'Whereas the said Bankruptcy Act, 1861, repeals the Eighteenth Section of the Act of the 'Session of the Tenth and Eleventh Years of the Reign of Her present Majesty, Chapter One hundred 'and two, by which Section it was provided that no Judge of any County Court who had previously to 'the passing of the last-mentioned Act been or might thereafter be appointed to that Office under the 'Act passed in the Ninth and Tenth Years of the Reign of Her present Majesty, Chapter Ninety-five, 'should during his Continuance in such Office be capable of being elected or of sitting as a Member of 'the House of Commons: And whereas it is expedient that the Prohibition contained in such repealed 'Section should be renewed:' Be it enacted, That no Person who has been or may hereafter be appointed a Judge of any County Court by virtue of the said Act of the Ninth and Tenth Years of Her present Majesty, Chapter Ninety-five, shall during his Continuance in the Office of Judge be capable of being elected or of sitting as a Member of the House of Commons.

FIRST SCHEDULE.

THE NAMES of PERSONS formerly employed in the Insolvent Debtors Court, and for whom no Employment has been found since the Abolition of that Court.

NAME.	Date of Appointment.	Salary.	Average Fees for Seven Years.	TOTAL.
		£	£ s. d.	£ s. d.
Yeo, R. W. (Order Clerk)	1840	100	225 15 0	325 15 0
Clark, G. (Registrar)	1831	150	599 14 1	749 14 1
Wiggins, Samuel (Broker)	1840	Nil	514 2 8	
Arrowsmith, J. (Ditto)	1847	Nil	514 2 8	
Paterson, A. (Ditto)	1841	Nil	514 2 8	
Brown, G. (Service Messenger)	1851	Nil	195 4 7	
Michael, R. (Ditto)	1854	Nil	210 11 6	
Chalkeley, J. B. (Ditto)	1860	Nil	210 8 9	
Bull, R. (Service Messenger)	1856	Nil	199 19 3	
Hat, C. (Usher)	1858	80	Nil	
Walsh, Edward (Messenger)	1854	80	Nil	
Laurie, G. N. W. (Usher)	1859	80	Nil	

Name.	Date of Appointment.	Salary.	Average Fees for Seven Years.	Total.
		£	£ s. d.	
Burden, J. W. (Assistant Book-keeper) -	1859	63	Nil	
Snellgrove, J. (Messenger) - - -	1847	80	Nil	
Lambert, Mrs. (Housekeeper) - -	1816	50	Nil	
Bester, Mrs. (Ditto) - - -	1844	40	Nil	
Snellgrove, Miss (Ditto) - - -	1850	50	Nil	
West, W. A. (Service Messenger) - -	1828	Nil	264 14 4	
Bacon, W. H. (Ditto) - - -	1831	Nil	240 8 10	
Powell, W. H. (Ditto) - - -	1842	Nil	262 12 0	
Coe, J. H. (Ditto) - - -	1843	Nil	236 7 6	

SECOND SCHEDULE.

The Names of Persons formerly employed in the Insolvent Debtors Court, and whom it is proposed to retain for the present in Portugal Street.

		£	£ s. d.	£ s. d.
Lamb, Henry William - - -	1824	300	715 15 3	1,015 15 3
Ingpen, W. - - - - -	1842	100	293 0 0	393 0 0
Notson, W. - - - - -	1847	130	70 0 0	200 0 0

CAP. C.

An Act to authorize Improvement Commissioners acting as Burial Boards to mortgage certain Rates for the Purposes of the Burial Acts. [7th *August* 1862.]

23 & 24 Vict. c. 64.

'WHEREAS by an Act passed in the Session holden in the Twenty-third and Twenty-fourth Years of the Reign of Her Majesty (Chapter Sixty-four), to make further Provision for the Expenses of Local Boards of Health and Improvement Commissioners acting as Burial Boards, it was enacted, that any Money required by any Commissioners elected by the Ratepayers, and acting under or by virtue of the Powers of any Local Act of Parliament for the Improvement of any Town, Parish, or Borough, who should have been constituted a Burial Board for defraying the Expense of carrying into execution the Powers and Provisions of the Burial Acts in the District for which they may have been so constituted a Burial Board, or for paying any Monies borrowed or Annuities granted under the Authority of the said Acts, or any Interest on Monies borrowed, or for providing a Sinking Fund for the Repayment of such Monies, might, if the Commissioners thought fit, be paid out of the Improvement Rate leviable within such District; and the Commissioners, as such Burial Board, might levy as Part of the Improvement Rate, or by a separate Rate under the Name and Designation of a Burial Rate, to be assessed and recovered in like Manner as an Improvement Rate, such Sums of Money as should be from Time to Time necessary for the Purposes aforesaid or any of them: And whereas Doubts have arisen whether under such Provisions the Improvement Rate or Burial Rate can be legally mortgaged or assigned as a Security for the Payment of the Sums referred to in the said Act, and it is expedient that the Commissioners acting as such Burial Board should have the Power of mortgaging the said Rates:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commissioners, with Consent of Treasury, may mortgage Improvement Rate and Burial Rate, or either.

1. Any Commissioners elected by the Ratepayers, and acting under or by virtue of the Powers of any Local Act of Parliament for the Improvement of any Town, Parish, or Borough, who shall have been constituted a Burial Board for any District, may, with the Approval of the Commissioners of Her Majesty's Treasury, from Time to Time borrow at Interest on Mortgage of the Improvement Rate and Burial Rate, or either of them, leviable within the District, such Sums of Money as may be required by the Burial Board for the Purposes of the Burial Act within the District.

Certain Provisions of 10 & 11 Vict. c. 16. to apply to this Act.

2. The Clauses and Provisions of "The Commissioners Clauses Act, 1847," with respect to the Mortgages to be executed by the Commissioners, shall be incorporated with this Act, and shall be applicable to all Mortgages created under the Provisions thereof.

CAP. CI.

An Act to make more effectual Provision for regulating the Police of Towns and populous Places in *Scotland*, and for lighting, cleansing, paving, draining, supplying Water to and improving the same, and also for promoting the Public Health thereof. [7th *August* 1862.]

'WHEREAS an Act was passed in the Thirteenth and Fourteenth Year of the Reign of Her present Majesty, intituled *An Act to make more effectual Provision for regulating the Police of Towns and populous Places in* Scotland, *and for paving, draining, cleansing, lighting, and improving the same:* And whereas an Act was passed in the Nineteenth and Twentieth Year of the Reign of Her present Majesty, intituled *An Act to make better Provision for the Removal of Nuisances, Regulation of Lodging Houses, and the Health of Towns in* Scotland: And whereas an Act was passed in the Twenty-third and Twenty-fourth Year of the Reign of Her present Majesty, intituled *An Act to amend the Police of Towns Improvement Act, so as to enable Towns and populous Places in* Scotland *to avail themselves of its Provisions for sanitary and other Improvements without at the same Time adopting its Provisions as regards the Establishment and Maintenance of a Police Force:* And whereas it is expedient to make more effectual Provision for regulating the Police of Towns and populous Places in *Scotland*, and also for lighting, cleansing, paving, draining, supplying Water to and otherwise improving the same:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

13 & 14 Vict. c. 33. 19 & 20 Vict. c. 103. 23 & 24 Vict. c. 96.

Repeal of Acts.

1. The first and third recited Acts, and Sections Sixty to Seventy, both inclusive, of the second-recited Act, shall be and the same are hereby repealed, except only as regards any Burgh in which the Provisions of the said Acts or any Part thereof have, on or before the First Day of *August* One thousand eight hundred and sixty-two, been adopted, either in the Manner provided by the first-recited Act, or by the Incorporation of such Provisions or any Part thereof with any Local or Special Act relating to any such Burgh.

Short Title.

2. This Act may be cited for all Purposes as "The General Police and Improvement (*Scotland*) Act, 1862."

Interpretation of Terms.

3. The following Words and Expressions in this Act shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say,

The Expression "Royal Burgh" shall mean a Burgh having Magistrates and Councillors elected under the Powers of the Public General Act, Third and Fourth *William* the Fourth, Chapter Seventy-six, and also those Burghs enumerated in Schedule (F.) of the said Act:

The Expression "Parliamentary Burgh" shall mean a Burgh having Magistrates and Councillors elected under the Powers of the Public General Act, Third and Fourth *William* the Fourth, Chapter Seventy-seven:

The Word "Burgh," when used alone, shall include not only Royal Burgh, Parliamentary Burgh, Burgh incorporated by Act of Parliament, and Burgh of Regality and Barony, and contiguous Burghs of Regality and Barony, but also any populous Place the Boundaries whereof have been fixed and ascertained under the Provisions of the first-recited Act or of this Act:

The Expression "Parliamentary Boundaries" shall mean the Boundaries of Burghs as fixed by the Public General Act, Second and Third *William* the Fourth, Chapter Sixty-five:

The Expression "populous Place" shall mean any Town, Village, Place, or Locality, not being a Burgh to which Magistrates and Councillors were provided by either of the said Acts, Third and Fourth *William* the Fourth, Chapters Seventy-six and Seventy-seven, containing a Population of Seven hundred Inhabitants or upwards; and for the Purposes of this Act Two or more contiguous Towns, Villages, Places, or Localities not being Burghs to which Magistrates and Councillors were provided as aforesaid, may be held to be a populous Place:

The Word "Person," and Words applying to any Person or Individual, shall apply to and include Companies and Corporations:

The Word "Householder" shall mean a Male Occupier of Lands or Premises of the yearly Value of Ten Pounds or upwards, in all Burghs, except in populous Places containing less than One thousand Inhabitants, and in populous Places containing less than that Number of Inhabitants, it shall mean a Male Occupier of Lands or Premises of the yearly Value of Six Pounds or upwards:

The Word "Occupier" shall include Tenant, but shall not include a Lodger or a Person in the Occupation as Tenant of a furnished House let for a less Period than One Year, but shall include the Person by whom such furnished House is so let:

The Word "Sheriff" shall mean the Sheriff of and acting in the County of which he is Sheriff, and, except as regards the fixing and extending the Boundaries of Burghs and populous Places, shall include Sheriff Substitute, and also Steward and Steward Substitute:

The Expression "the Commissioners" shall mean the Commissioners or Trustees for the Purposes of this Act acting in and for a Burgh by which this Act has been in whole or in part adopted; and "Trustees of Police" shall include Trustees of any Town exercising the Functions of Police Commissioners under any Local Act:

The Words "Magistrates" or "Magistrates and Council" shall include the Lord Provost or Provost:

The Word "Magistrates" shall mean a Magistrate or Judge having Police Jurisdiction under this Act or under any Local or General Act in force:

The Words "Clerk," "Treasurer," and "Collector" shall mean the Clerk, Treasurer, and Collector respectively appointed by the Commissioners under the Provisions of this Act:

The Word "Lands" and the Word "Premises" shall include all Lands, Springs, Rights of Servitude, Dwelling Houses, Shops, Warehouses, Vaults, Cellars, Stables, Breweries, Manufactories, Mills, and the fixed or attached Machinery therein, Yards, Places, and other Heritages specified or included in the Act of the Seventeenth and Eighteenth *Victoria*, Chapter Ninety-one, intituled *An Act for the Valuation of Lands and Heritages in* Scotland:

The Word "Street" shall mean a public Street, and shall extend to and include any Road, Bridge, Quay, Lane, Square, Court, Alley, Close, Wynd, Vennel, Thoroughfare, and public Passage or other Place within the Burgh used either by Carts or Foot Passengers, not being a "private Street," and not being or forming Part of any Harbour, Railway, or Canal Station, Depôt, Wharf, Towing-path, or Bank:

The Expression "private Street" shall mean any Road, Street, or Place within the Burgh, (not being or forming Part of any Harbour, Railway, or Canal Station, Depôt, Wharf, Towing-path, or Bank,) used by Carts, and either accessible to the Public from a public Street, or forming a common Access to Lands and Premises separately occupied, and which has not been before the Adoption of this Act well and sufficiently paved and flagged by the Owners of Premises fronting or abutting on said Street, and which has not been maintained as a public Street:

The Word "Owner" shall include Joint Owner, Fiar, Liferenter, Feuar, or other Person in the actual Possession or Receipt of the Rents of Tenements, Lands, and Heritages of every Tenure or Description, and the Factor, Agent, or Commissioner of such Persons, or any of them, or any other Person, who shall intromit with or draw the Rents:

The Expression "Private Improvement Assessment" shall mean any Assessment or Charge on any Person for private Improvement Expenses under this Act:

The Expression "District Assessment" shall mean any Assessment or Charge (other than a "Private Improvement Assessment") which is confined only to a Portion or District of any Burgh:

The Word "Cattle" shall include any Horse, Mare, Gelding, Foal, Colt, Filly, Bull, Cow, Heifer, Ox, Calf, Ass, Mule, Ram, Ewe, Wether, Lamb, Goat, Kid, or Swine:

The Expression "Police Purposes" or "Police Provisions" of this Act, except when otherwise limited, shall mean and include the whole Act, excepting those Enactments under the Head with respect to the "Promotion of the Public Health":

The Word "Carriage," shall include any Coach, Omnibus, Chariot, Fly, Car, Cabriolet, Gig, Brougham, Waggon, Timber Carriage, Dray, Truck, Hand-cart, Wheel-barrow, Hand-barrow, Lorry, or other Vehicle, used for the Conveyance of Goods or plying for Hire:

The Word "Broker" or "Brokers" shall extend to and include any Person or Persons dealing in second-hand Goods or Articles, or in Woollen Yarn or Waste, or in other unwrought Woollen Materials, or in old Metals, Bones, or Rags.

PART. I. *Adoption of the Act.* Sect. 1.

PART I.

ADOPTION OF THE ACT.

SECTION I.—*Boundaries of Burghs.*

Boundaries of Royal Burghs, which send or contribute to send Members to Parliament.

4. The Boundaries of such Royal Burghs as send or contribute to send a Member or Members to Parliament shall, for the Purposes of this Act, include the whole Limits of such Burgh, as the same are defined by, or referred to in, the said Act, Third and Fourth *William* the Fourth, Chapter Seventy-six, or otherwise fixed by Law, unless it shall be resolved in adopting this Act that its Operation shall be limited to such Portion of the Burgh as is comprehended within the Parliamentary Boundaries.

Boundaries of Parliamentary Burghs.

5. The Boundaries of such Parliamentary Burghs as send or contribute to send a Member or Members to Parliament shall, for the Purposes of this Act, include the whole Limits of such Burgh, as the same are defined by, or referred to in, the said Act, Third and Fourth *William* the Fourth, Chapter Seventy-seven, or otherwise fixed by Law.

Boundaries of other Burghs, how to be fixed.

6. The Boundaries of all other Royal Burghs, Burghs erected or incorporated by Act of Parliament, Burghs of Regality and of Barony, shall, for the Purposes of this Act, be fixed by the Sheriff as after provided; and on the Application of any Seven or more Householders in any such Burgh, or of the Magistrates and Council of any such Burgh, and after such Publication by Advertisement and otherwise as the Sheriff may direct, and after such Investigation (if any) as the Sheriff may deem necessary or proper, the Sheriff shall and he is hereby required to mark out, define, and specify, in a written Deliverance, on such Application, the Boundaries of such Burgh, for the Purposes of this Act, and such Deliverance unless appealed against as herein-after provided shall be final, and when recorded, along with the Application on which it proceeds, in the Sheriff Court Books of such County, shall fix and determine the Boundaries of such Burgh for the Purposes of this Act; and whenever the

Boundaries

PART. I. *Adoption of the Act.* Sect. 1.

Boundaries of such Burgh as so ascertained for the Purposes of this Act shall include a Portion of a different County than that in which the original Bounds of such Burgh are situated, such Portion shall, for the Purposes of this Act, be held to be within and to form Part of the County in which such original Bounds are situated as aforesaid: Provided always, that it shall be lawful for any Landowner or Householder who considers himself aggrieved by the Deliverance of the Sheriff to appeal within Fourteen Days from the Date thereof from the said Deliverance of the Sheriff to One of Her Majesty's Principal Secretaries of State by a written Appeal setting forth the Grounds on which he disputes the Sheriff's Deliverance, and it shall be lawful for any of Her Majesty's Principal Secretaries of State upon such Appeal to direct Inquiry into the Circumstances of the Case, and to issue such Order thereupon as he may deem requisite to determine the Boundaries of such Burgh, and such Order shall be final, and when recorded along with the Appeal on which it proceeds in the Sheriff Court Books of such County shall fix and determine the Boundaries of such Burgh for the Purposes of this Act.

Boundaries of populous Places how to be fixed.

7. The Boundaries of any populous Place shall, for the Purposes of this Act, be fixed by the Sheriff, on the Application of any Seven or more Householders in such populous Place; and after such Publication by Advertisement and otherwise as the Sheriff may direct, the Sheriff shall appoint and direct a proper Person to make out and furnish, within Fourteen Days thereafter, a Return showing to the best of his Knowledge and Belief the Amount of the Population within such populous Place, and thereafter, and after such further Investigation (if any,) as the Sheriff may deem necessary or proper, it shall be lawful for the Sheriff and he is hereby required to mark out, define, and specify in a written Deliverance on such Application the Boundaries of such populous Place, and to declare that such Place is a populous Place in Terms of this Act; and such Deliverance unless appealed against in manner herein provided shall be final, and when recorded along with the Application on which it proceeds in the Sheriff Court Books of the County shall fix and determine the Boundaries of such populous Place for the Purposes of this Act: Provided always, that it shall be lawful for any Landowner or Householder who considers himself aggrieved by the Deliverance of the Sheriff to appeal from such Deliverance to One of Her Majesty's Principal Secretaries of State, in manner as is above provided in regard to the Boundaries of other Burghs, whose Order shall in that Case be final, and when recorded in manner foresaid shall fix and determine the Boundaries of such populous Place for the Purposes of this Act.

If not adopted within a Year, Boundaries to be held to be unascertained.

8. If at the Expiration of One Year from the Date of such Deliverance, in regard to any such Burgh or populous Place, this Act shall not have been adopted by such Burgh or populous Place, in whole or in part, the Boundaries of such Burgh or populous Place shall, for the Purposes of this Act, be held and taken to be still unascertained.

Power to rectify Errors committed by Sheriffs in defining Boundaries.

9. In the event of any Error having been committed by any Sheriff in defining the Boundaries of any Burgh or populous Place, under the Powers hereby or by the said recited Acts hereby repealed conferred, it shall be lawful for the Commissioners to bring the Matter under the Consideration of the Sheriff, who shall have Power to rectify any such Error, and whose Judgment thereon shall be final, and the Boundaries as so rectified shall, in regard to all future Acts, Payments, and Liabilities, be held to be the Boundaries originally assigned by the Sheriff under the said Acts hereby repealed and this Act: Provided always, that any Acts done or Payments made prior to such Rectification shall be nowise affected thereby, but the same, in so far as done or made *bonâ fide*, shall, notwithstanding such Error, be as valid, final, and free from Challenge as if such Error had not been committed.

Commissioners of Burghs, other than Royal and Parliamentary Burghs, may apply to Sheriff for Revision of Boundaries.

10. Upon the Application of the Commissioners of any Burgh, other than a Royal or Parliamentary Burgh, and after such Publication and Investigation as aforesaid, it shall be lawful for the Sheriff and he is hereby required, from Time to Time as Occasion shall require and he shall deem necessary, to revise and extend the Boundaries of such Burgh; and the Sheriff shall and he is hereby required to mark out, define, and specify, in a written Deliverance on such Application, the revised and extended Boundaries of such Burgh, for the Purposes of this Act, and such Deliverance unless appealed against in manner herein provided shall be final, and when recorded, along with the Application on which it proceeds, in the Sheriff Court Books of the County, shall fix and determine the Boundaries of such Burgh for the Purposes of this Act in all Time thereafter, or until again revised and extended as hereby allowed: Provided always, that it shall be lawful for any Landowner or Householder who considers himself aggrieved by any Deliverance of the Sheriff to appeal from such Deliverance to One of Her Majesty's Principal Secretaries of State in manner herein-above provided, whose Order shall in that Case be final, and when recorded in manner foresaid shall fix and determine the Boundaries of such Burgh for the Purposes of this Act.

Boundaries of Royal Burghs may be extended.

11. Where any Royal Burgh which has adopted this Act, in whole or in part, by a Resolution of the Magistrates and Council thereof, as herein-after provided for, is within or is in any Part within the Parliamentary Boundaries of such Burgh, the Magistrates and Council of such Royal Burgh may, by a Resolution of the Magistrates and Council assembled at a Meeting to be held for that Purpose, authorize and direct a Petition to be presented to the Sheriff of the County in which such Royal Burgh is situated, praying him to extend the Boundaries of such Royal Burgh to the Parliamentary Boundaries of such Burgh or to any Part thereof; but no such Resolution shall be valid unless a Month's previous Notice of the Meeting and the Purpose thereof has been given in the Manner in which Notices of Meetings of

the Magistrates and Council are usually given, nor unless Two Thirds of the Members present at the Meeting concur in the Resolution.

Householders beyond existing Boundaries of such Royal Burghs may oppose Extension.

12. The Sheriff shall, after the Presentation of the said Petition, order Intimation thereof to be given by public Advertisement, in such Manner as he shall think proper; and it shall be competent for any Seven or more Householders who are beyond the Limits of such Royal Burgh, and within such Parliamentary Boundaries, to appear and object to the Prayer of the Petition; and the Sheriff shall have Power, in a summary Way, to dispose of such Objections, after such Inquiry as to him shall seem meet; and the Judgment of the Sheriff granting the Prayer of such Petition, or sustaining the Objections to the same, shall be final and conclusive.

Sheriff's Deliverance to be final.

13. If the Sheriff shall grant the Prayer of the Petition, he shall issue a Deliverance to that Effect on the Petition, and such Deliverance shall be final, and when recorded along with the Petition in the Sheriff Court Books of the County, the Parliamentary Boundaries aforesaid shall thereafter be the Boundaries of the Royal Burgh for all Municipal Purposes, and all Matters connected with Police, including the Right of voting for Town Councillors.

Application for Extension of Boundaries may be renewed.

14. If the Magistrates and Council of such Royal Burgh shall have resolved not to apply to the Sheriff, as above provided for, the Magistrates and Council may, as often as they shall think proper thereafter, but not sooner than One Year from the Date of the preceding Meeting, by such and the like Proceedings, resolve to apply to the Sheriff to extend the Boundaries as aforesaid; but in the event of the Sheriff having sustained the Objections to the Petition, which may have been presented to him in virtue of any Resolution to that Effect in Terms of this Act, it shall not be lawful to resolve to present another Petition for the Purpose of extending such Boundaries until after the Expiration of Two Years from and after the Date of the Rejection of the last Petition.

PART I.

SECTION II.—*Adoption of Act by Magistrates and Councils or Commissioners or Trustees of Police.*

Parties who may adopt this Act.

15. This Act may be adopted either in whole or in part; (that is to say,) in Parts, Sections, or Clauses,—

(1.) In Royal or Parliamentary Burghs, where there is no Board of Commissioners or Trustees of Police, under the Provisions of any General or Local Act of Parliament, other than the Magistrates and Council of such Burghs, by a Resolution of the Magistrates and Council of such Royal or Parliamentary Burghs, at a Meeting held for the Purpose:

(2.) In Royal or Parliamentary Burghs where there is such a Board of Commissioners or Trustees as aforesaid, by a Resolution of the said Commissioners or Trustees at a Meeting held for the Purpose:

(3.) In Burghs, not being Royal or Parliamentary Burghs, which have adopted, in whole or in part, the Provisions of the said Act Thirteenth and Fourteenth *Victoria*, Chapter Thirty-three, or which have Commissioners or Trustees of Police, under the Provisions of any Local Act of Parliament, by a special Order, as herein-after defined, of the Commissioners or Trustees of Police acting in and for such Burghs respectively:

But no such Resolution passed by any Magistrates and Council, or Commissioners or Trustees of Police, shall be valid, unless a Month's previous Notice of the Meeting, and of the Purpose thereof, has been given in the Manner in which Notices of Meetings of such Magistrates and Council or Commissioners or Trustees of Police respectively are usually given, nor unless Two Thirds of the Members present at the Meeting concur in the Resolution for such Adoption: Provided always, that such Adoption in part of this Act shall not affect any Interests which shall have been specially regulated by any such Local Act.

Limits within which the Act shall apply when so adopted.

16. Where this Act is adopted in whole or in part, as above provided for, this Act, so far as adopted, shall apply as follows; viz.

If adopted by the Magistrates and Council of any Royal Burgh, to the whole Limits of such Royal Burgh, and to any additional Territory over which they as Commissioners of Police possess Jurisdiction, unless it shall be resolved in adopting the Act that its Operation shall be limited to such Portion of the Burgh as is comprehended within the Parliamentary Boundaries:

If adopted by the Magistrates and Council of any Parliamentary Burgh, to the whole Limits of such Burgh:

If adopted by the Commissioners or Trustees of Police of or in any Burgh, to the whole Territory over which such Commissioners or Trustees possess Jurisdiction, as the same is established by any General or Local Act, or otherwise fixed by Law, which Commissioners or Trustees shall not levy Assessments nor in any way exercise Jurisdiction beyond the Limits of such Territory, and in such Case the Word "Burgh" in this Act shall apply only to such Territory, anything in this Act to the contrary notwithstanding.

Proceedings with reference to Adoption of Act may be renewed.

17. If the said Magistrates and Council or Commissioners or Trustees of Police shall have resolved not to adopt the Provisions of this Act, or having adopted it, in whole or in part, shall have limited its Operation to the Area within the Parliamentary Boundaries, the Magistrates and Council or the Commissioners or Trustees may, as often as they shall think proper thereafter, but not sooner than One Year

Year from the Date of the preceding Meeting, by such and the like Proceedings again take this Act into consideration, and adopt the same, in whole or in part, or determine not to adopt the same, or determine to extend its Operation to the whole Area within the Parliamentary Boundaries thereof; and if at any Time Part of this Act shall have been adopted, it shall be lawful at any Time, by such and the like Proceedings, to adopt such Part thereof as may not have been formerly adopted.

PART I. *Adoption of the Act.* Sect. 2.

18. If the said Magistrates and Council or Commissioners or Trustees of Police adopt this Act in whole, any General or Local Police Act in operation within such Burgh shall be repealed, excepting in so far as it may relate to Matters not provided for in this Act; and if they resolve to adopt this Act in part, such Resolution shall specify the Parts, Sections, or Clauses so adopted; and no Part of this Act which is not so specified shall be held to be adopted, except as much thereof as is requisite for giving due Effect to, or as in any way modifies, affects, or controls, the Parts, Sections, or Clauses so adopted, to which Extent this Act shall be held to be as effective as if the whole had been adopted according to the true Intent and Meaning of this Act; and any such General or Local Act in operation within such Burgh shall remain in force in so far as not inconsistent with the Parts, Sections, or Clauses so adopted.

Where this Act adopted, other Acts repealed.

19. Where any Burgh, other than those above provided for, has adopted in part the Provisions of this Act, it shall be lawful to the Commissioners appointed and acting under this Act in any such Burgh at any Time to adopt such Part of this Act as may not have been formerly adopted by a Resolution of the said Commissioners assembled at a Meeting to be held for that Purpose; but no such Resolution shall be valid unless a Month's previous Notice of the Meeting and the Purpose thereof has been given in the Manner in which Notices of Meetings of the said Commissioners are usually given, nor unless Two Thirds of the Members present at the Meeting concur in the Resolution.

Where Act partially adopted, the Commissioners may adopt the Portion not previously adopted.

20. All such Resolutions in reference to the Adoption of this Act, in whole or part, as above provided for, shall forthwith be reported to the Sheriff, and he shall, within Forty-eight Hours after the Receipt thereof, pronounce a Deliverance thereon, finding and declaring, as the Case may be, either that this Act has not been adopted, or that the Powers or Provisions thereof (in so far as such Resolution shall show this to have been the Case) have been adopted, and that this Act shall apply to such Burgh as aforesaid in manner therein set forth, and shall forthwith cause such Resolution and Deliverance to be recorded in the Sheriff Court Books of the County and in the Books of the Burgh to which they specially apply; and such Deliverance by the Sheriff shall be final.

Proceedings to be reported to Sheriff.

21. When this Act shall be adopted, in whole or in part, in any Burgh which had previously adopted, in whole or in part, the Powers and Provisions of the said recited Acts hereby repealed, or in any Burgh which had previously possessed a Local Act or Acts, all Bonds, Contracts, Covenants, Agreements, and Securities made and entered into, and Obligations incurred, and all Assessments imposed or to be imposed under and by virtue of such recited Acts or of such Local Act or Acts, in so far as regards anything done under such Acts or any of them previous to the Adoption of this Act, shall remain in full Force and Effect, and shall continue available and binding on all concerned; and nothing herein contained shall be construed to affect the Debts, Rights, or Claims of any Creditor, or any special Interest provided for, under such recited Acts or under such Local Act or Acts; and the Officers appointed under and employed in the Execution of such Acts shall continue to exercise their Offices until they are respectively superseded or legally removed therefrom under the Authority of this Act.

Contracts, &c. under former Acts to be saved.

22. Notwithstanding anything in this Act in the contrary implied or expressed, and whether this Clause be adopted by any Burgh or not, it is hereby enacted, That in all Cases where the Management of the Police Affairs of any Burgh is transferred from any existing Commissioners of Police, or other Persons, to the Magistrates and Council of such Burgh, or to Commissioners elected under this Act, the whole Lands, Heritages, Assessments, Claims, Demands, and Effects of every Kind belonging to or vested in the Commissioners of Police, or other Persons, from whom such Management is so transferred, or in any Person on their Behalf, and all Powers, Rights, and Privileges conferred on or vested in such Commissioners of Police, or other Persons by any Act of Parliament, in so far as not inconsistent with the Provisions of this Act, shall be and are hereby transferred to and vested in the Magistrates and Council or Commissioners to whom such Management is so transferred, who shall be liable for the whole Debts and Obligations of the Commissioners of Police, or other Persons from whom such Management is transferred; and in all Cases where this Act shall be adopted in whole or in part, such Adoption shall not free or relieve the Magistrates and Council or Commissioners of Police of any Burgh from any Obligations incumbent on them at the Date of such Adoption; and all such Obligations, together with the Powers of Assessment and other Faculties therewith connected, shall remain in full Force as if this Act had not been adopted.

Property vested in Commissioners under this Act.

PART I.

SECTION III.—*Adoption of Act by Householders.*

23. It shall be lawful for any Seven or more Householders in any Burgh to apply in Writing to the Chief or Senior Magistrate of such Burgh, if a Royal or Parliamentary Burgh, or if otherwise to the Sheriff of the County in which such Burgh is situated, requiring him to convene a Meeting of Householders

Burghs may convene a Meeting of Householders to consider of

the Adoption of this Act.

Boundaries of Burgh to be ascertained previously.

Householders in such Burgh for the Purpose of considering whether the Provisions of this Act, or any Part of the same, shall be adopted and carried into execution within such Burgh: Provided always, that previously to such Requisition being entertained by such Magistrate or Sheriff the Boundaries of such Burgh, where required to be ascertained for the Purposes of this Act, shall have been ascertained in manner herein provided.

Return of the Population and Lists of Householders to be made out.

24. Such Magistrate or Sheriff shall, upon receiving such Requisition for convening a Meeting, accompanied, if he shall so require, with a satisfactory Undertaking to pay the Expenses after mentioned, appoint and direct a proper Person to make out and furnish, within Fourteen Days thereafter (except where previously made out and furnished as directed by this Act), a Return, showing, to the best of his Knowledge and Belief, the Amount of Population residing within such Burgh, and shall also direct the Assessors under the Acts in force for the Valuation of Lands and Heritages in *Scotland* within such Burgh to furnish him, within the like Period, with a List of the Names of all Householders within such Burgh; which List of Householders, distinguishing the Amount of Rental at which each Person is assessed, the said Assessors are hereby required to make and certify, on Payment of a Fee of not more than One Shilling for each One hundred Names, and which List shall be sufficient Proof of the Qualification of the Householders named therein.

Mode of calling First Meeting.

25. On Receipt of such Requisition, such Magistrate or Sheriff shall convene the Householders in the Town Hall or other convenient Place within such Burgh, as the Case may be, and shall lay this Act before such Meeting, together with such Requisition, Return, and List aforesaid, and shall attend and shall preside at such Meeting, and at each subsequent Meeting authorized by this Act, and shall appoint a Clerk thereat, who shall make regular Minutes of the Proceedings thereof; and such Magistrate or Sheriff shall, in case of Equality of Votes, besides a deliberative Vote, have a casting or decisive Vote.

Meetings to be intimated by posting Handbills, &c.

26. Such Meeting shall be held on a Day not less than Twenty-one Days or more than Thirty Days after such Magistrate or Sheriff shall have received such Requisition to convene a Meeting as aforesaid, and Intimation thereof shall be made by posting Handbills within such Burgh Fourteen Days preceding the Day of the Meeting, in the Form of the Schedule marked (A.) hereunto annexed, and by any Mode of Intimation usually adopted in such Burgh, Two Days in each Week for Two Weeks before such Meeting, or by open Proclamation within such Burgh, and also by an Advertisement in any Newspaper published in such Burgh, and if no Newspaper be published therein, then in a Newspaper circulating in such Burgh, at least Three clear Days before the Day appointed for such Meeting.

Qualification of Voters.

27. At such Meeting, and generally at all Meetings and Elections under this Act, all Householders shall be entitled to vote; and Companies or Copartnerships occupying Lands or Premises of the yearly Value required for the Qualification of a Householder as before defined, or of greater Value, so as to afford more than One such Qualification, shall be entitled to grant Authority in Writing to any One or more of the Partners of such Company or Copartnership to vote, and which Partner or Partners shall be deemed to be a Householder within the Meaning of this Act, and be entitled to vote accordingly: Provided always, that such Company or Copartnership shall not so authorize or have Right to vote by more than One Partner in respect of each such Qualification afforded by such Premises: Provided also, that in case of any Difficulty arising as to the Qualification or Identity of any Householder, the same shall be decided at such Meeting by such Magistrate or Sheriff, whose Determination shall be final.

Power of Meeting to adopt this Act, or to decline to adopt it.

28. Such Meeting shall proceed to consider and determine whether this Act shall, in whole or in part, be adopted and carried into execution within such Burgh, or shall appoint a Committee of their own Number, not exceeding Nine, to inquire and report to some future Meeting to be held on such Day as shall be appointed, and such future Meeting shall, upon the Report of such Committee, proceed in all respects in the Manner herein directed for such First Meeting.

Preses to declare the Determination of the Meeting.

29. Such Magistrate or Sheriff shall ascertain the Determination of such Meetings by a Show of Hands, or in such other Manner as shall appear to him expedient, and shall declare the same, which Declaration shall be final, unless a Poll shall be then demanded in Writing by any Seven Persons present and qualified to vote at such Meeting.

Preses to direct a Poll when demanded.

30. When such Poll shall be demanded as aforesaid, such Magistrate or Sheriff shall direct the same to be proceeded in at such Polling Place or Places and within such Period as he shall determine, not exceeding Two clear Days from the Date of such Demand in Writing, exclusive of *Sundays*, and the polling shall commence at the Places intimated at Nine of the Clock of the Forenoon of the Day that shall be named.

Poll not to be open more than One Day.

31. No Poll by this Act authorized to be taken shall be kept open for more than One Day, and that only between the Hours of Nine in the Morning and Four in the Afternoon.

Poll Books to be provided.

32. Such Magistrate or Sheriff shall, either in Person or by a legal Substitute or Substitutes, who he is hereby authorized to appoint when necessary, preside at the Poll, and shall direct the necessary Number of Poll Clerks to be appointed, and of Poll Books to be prepared in the Form of Schedule (B.) hereunto annexed, in which Books shall be inscribed by such Clerks the Situation of the Premises in respect of which the Voter is qualified, and the Manner in which he votes: Provided always, that such

Substitute

Substitute or Substitutes shall possess the Qualifications required for the Assessor and Substitute under the said Act, Third and Fourth *William* the Fourth, Chapter Seventy-six.

State of Poll to be ascertained and declared.

33. As soon after the Close of the Poll as may be, the Persons who shall have presided thereat shall seal up and transmit the Poll Books to such Magistrate or Sheriff, who shall sum up the same, and openly declare the Result of the total Poll at an adjourned Meeting to be held on the next lawful Day after the Polling Day; and such Declaration shall be final, unless any Householder present at such adjourned Meeting shall then and there demand a Scrutiny, and on such Householder finding Caution or Security to the Satisfaction of such Magistrate or Sheriff for the Reimbursement of the Expenses attending the same, such Scrutiny shall be made by such Magistrate or Sheriff in such Way and Manner as he may deem proper, and shall be reported to another adjourned Meeting to be appointed by such Magistrate or Sheriff, to be held on a Day not later than the Third Day from the Meeting held immediately after the Day of Polling, and the Result of such Scrutiny as declared by such Magistrate or Sheriff shall be final, and the Person demanding such Scrutiny shall be liable in the Expense thereof.

Majority necessary to adopt this Act, &c.

34. Any Resolution to adopt the Provisions of this Act, in whole or in part, shall be effectual if it be carried by a Majority of the Persons qualified and voting as aforesaid.

Provision if Act adopted in whole or in part only.

35. If such Resolution shall be to adopt this Act in whole, any General or Local Police Act in operation within such Burgh shall be repealed, excepting in so far as it may relate to Matters not provided for in this Act; and if such Resolution shall be to adopt this Act only in part, the Parts, Sections, or Clauses so adopted shall be specified in the Minutes of such Meeting; and no Part of this Act which is not so specified shall be held to be adopted, except as much thereof as is requisite for giving due Effect to the Parts, Sections, or Clauses so adopted, according to the true Intent and Meaning of this Act; and any such General or Local Act in operation within such Burgh shall remain in force in so far as not inconsistent with the Parts, Sections, or Clauses so adopted: Provided always, that such Adoption in part of this Act shall not affect any Interests which shall have been specially regulated by any such Local Act.

Further Proceedings on Act being adopted.

36. Where this Act shall be adopted in any Burgh, in whole or in part, the Resolution to adopt it shall not be subject to any further Question; and the Householders thereof present at the Meeting adopting this Act, or at some adjourned Meeting as aforesaid, shall then and there proceed to determine by a Majority of Votes, and shall set forth in their Minutes, the Number of Commissioners to be elected by the Householders to carry this Act into operation, and also whether such Burgh shall be divided into Wards for the Purposes of this Act, and, if so, the Bounds and Limits of such Wards.

Proceedings to be reported to the Sheriff.

37. The Minutes and Resolutions of and whole Documents laid before such Meetings shall be transmitted by the Clerk to the Sheriff within Forty-eight Hours after the Close of the Proceedings, and the Sheriff shall, within Forty-eight Hours after the Receipt thereof, pronounce a Deliverance thereon, finding and declaring, as the Case may be, either that this Act has not been adopted, or that the Powers and Provisions thereof (in so far as such Minutes shall show this to have been the Case) have been adopted, and that this Act shall apply to such Burgh in manner therein set forth, and shall forthwith cause such Deliverance to be recorded in the Sheriff Court Books of the County, and in the Books (if any be) of the Burgh to which they specially apply; and such Deliverance by the Sheriff shall be final.

If Act not adopted, Proposal may be reconsidered after One Year.

38. Where any Burgh shall have resolved not to adopt the Provisions of this Act, or shall have adopted them only in part, the Householders thereof may, as often as they shall think proper, thereafter, but not sooner than One Year from the Date of any preceding Meeting held for the Purpose of considering whether the Act should be adopted, in whole or in part, by such and the like Proceedings, again take this Act into consideration, and adopt the same, in whole or in part, or determine not to adopt the same.

Expenses attending the calling First Meeting, &c. how to be borne.

39. If the Provisions of this Act shall be adopted, in whole or in part, all the Expenses incurred in relation to fixing the Boundaries, calling the First Meeting, making out Population Returns and Lists of Householders, and otherwise in relation to carrying this Act into execution, shall be defrayed out of the Police Assessment herein-after provided; but in case the Provisions of this Act shall not be adopted, in whole or in part, then the whole Expenses incurred in relation to fixing the Boundaries shall be paid and borne by the Persons signing the Application in that Behalf; and the whole Expenses incurred in relation to calling and holding the First Meeting, making out Returns and Lists, taking Polls, and all other Expenses whatsoever thereto relating, except as herein specially provided for, shall be paid and borne by the Persons signing the Requisition for holding such Meeting; and the Party who shall have disbursed such Expenses is hereby authorized to pursue for and recover the same, with Expenses of Suit, and that by summary Process before the Sheriff, whose Determination shall be final.

PART I.

SECTION IV.—*Commissioners for the Purposes of this Act in Royal and Parliamentary Burghs, Burghs erected or incorporated by Act of Parliament, and Burghs of Regality and Barony.*

In certain Royal and Parliamentary Burghs Magistrates and

40. Where the Powers and Provisions of this Act shall be, in whole or in part, adopted in any Royal or Parliamentary Burgh, the Magistrates and Council of such Burgh for the Time being shall, under the Exception after mentioned, be the Commissioners for carrying this Act, or such Part thereof as shall be adopted, into operation, as regards such Burgh, and no special Election of Commissioners of Police or Magistrate

Councils shall be Commissioners for executing this Act.

Magistrates of Police for such Burgh shall take place under this Act, and the Magistrates of such Burgh shall be the Magistrates of Police thereof; and the said Magistrates and Council as Commissioners, and the said Magistrates as Magistrates of Police, shall have all the Powers, Privileges, and Jurisdictions of Commissioners and Magistrates of Police respectively under this Act which are by this Act conferred on Commissioners and Magistrates of Police respectively.

In Burghs of Regality or Barony having Magistrates and Councils, the Householders may vest such Magistrates and Councils with the Office of Commissioners.

41. Where the Powers and Provisions of this Act shall be, in whole or in part, adopted in any Burgh of Regality or Barony having Magistrates and Council (not being a Burgh in which as bounded for the Purposes of this Act there shall be included any Territory situated in a different County from that in which such Burgh as previously bounded was situated), it shall, under the Exception after provided for, be in the Power of the Householders thereof present at the Meeting adopting the same unanimously, or at some adjourned Meeting as aforesaid, to determine by a Majority of Votes, and to set forth on their Minutes, that the Magistrates and Council of the Burgh shall always for the Time being be the Commissioners for carrying this Act, or such Part thereof as shall be adopted, into operation, as regards such Burgh; and in that Case only such Magistrates and Council for the Time being shall always be such Commissioners within such Burgh, and no special Election of Commissioners of Police or Magistrates of Police for such Burgh shall take place under this Act; and the Magistrates of such Burgh shall be the Magistrates of Police thereof, and shall have all the Powers, Privileges, and Jurisdictions of Magistrates of Police under this Act; but in the event of no such Determination being come to by the Householders as aforesaid, Commissioners and Magistrates of Police shall be elected for such Burgh in manner herein provided.

Commissioners in certain Burghs Acts to continue, and the Magistrates of Burghs not to be affected by Adoption of this Act.

42. Where the Powers and Provisions of this Act shall be adopted, in part, in any Burgh having Commissioners or Trustees of Police under the Provisions of any Local Act of Parliament, or of the Act of the Thirteenth and Fourteenth *Victoria*, Chapter Thirty-three, such Commissioners or Trustees shall be the Commissioners for carrying such Part of this Act into operation, and such Acts shall continue in force in regard to such Commissioners as if this Act had not been so adopted, and no special Election of Commissioners of Police for such Burgh shall take place under this Act; and the Magistrates of such Burgh shall continue the Magistrates of Police thereof, the same as if no such Adoption of this Act had taken place, and accordingly no special Election of Magistrates of Police shall take place under this Act; and the said Magistrates as Magistrates of Police, and the said Commissioners or Trustees of Police under such Acts as Commissioners of Police, shall have all the Powers, Privileges, and Jurisdictions of Commissioners and Magistrates of Police respectively under this Act as are by this Act conferred on Commissioners and Magistrates of Police respectively: Provided always, that nothing herein contained shall prejudice the Right of the Magistrates and Council of any Royal or Parliamentary Burgh at any Time to make Application to unite the Municipal and Police Government of such Royal or Parliamentary Burgh in manner herein-after provided.

Power to grant certain Exemptions.

43. It shall be lawful for any Burgh, having adopted this Act, in whole or part, either in the Resolution so adopting this Act, or by any subsequent Resolution of the Magistrates and Council, or Commissioners, as the Case may be, at a Meeting held for the Purpose, to exempt for a Time any Places, Grounds, and Houses in the suburban Part or Parts of the Burgh from all or any of the Provisions of this Act so adopted; which Places, Grounds, and Houses, if so exempted from all such Provisions, shall during the Continuance of such Exemptions be free from Payment of any of the Assessments for such Purposes by this Act authorized to be levied; but in the event of any such Places, Grounds, and Houses being only partially exempted from the said Provisions or any of them, then such Places, Grounds, and Houses so partially exempted shall be liable in Payment of such Part of the said Assessments as shall be fixed and determined by the Magistrates and Council, or Commissioners; and it shall be lawful for the Magistrates and Council, or Commissioners, by a like Resolution, from Time to Time to extend the Period of such Exemptions: Provided always, that such Exemption shall only be made upon the Application or with the Consent of the Owners or Occupiers of the Lands and Premises situated within such Part or Parts of the Burgh so to be exempted, the Rent or Value of which shall amount to Two Thirds of the Rents or Value of the whole Lands and Premises therein, but not otherwise; and it shall be lawful for any Person who thinks himself aggrieved thereby to appeal to the Sheriff in manner after provided.

PART I.

Commissioners.

SECTION V.—*Elected Commissioners in other Burghs.*

Number of Commissioners.

44. In Burghs where Commissioners shall be elected as herein provided for the Purposes of executing this Act, they shall not exceed Twelve in Number; but the Number may be less than Twelve and not less than Six, as may be determined on in manner herein-before provided.

If Burgh divided into Wards.

45. Where the Burgh shall be divided into Wards as aforesaid, the Number of Wards and the Number of Commissioners to be elected shall be so settled and adjusted that there shall be Three Commissioners for each Ward.

Meeting for Election of Commissioners to be convened.

46. As soon as may be after the Deliverance of the Sheriff declaring that this Act shall apply, in whole or in part, to any Burgh adopting the same, and for which Commissioners fall to be elected under this Act, the Chief or Senior Magistrate of such Burgh, if a Royal or Parliamentary Burgh, or if

PART I. *Adoption of the Act.* Sect. 5.

if otherwise, the Sheriff, shall convene a Meeting of the Householders of the Burgh in the Town Hall or other convenient Place within the Burgh, for the Election of Commissioners for the Purpose of executing this Act, and the Commissioners shall be elected by such Meeting, of which Meeting such Magistrate or Sheriff shall be Preses, or, if the Burgh shall be divided into Wards, such Magistrate or Sheriff shall convene a Meeting of the Householders in each Ward, at some convenient Place in the Ward to be specified in the Notice to be given of such Meeting for the Election of Commissioners for the Purpose of executing this Act, and the Commissioners for each Ward shall be elected by the Meeting in such Ward, and the Householders present at such Ward Meeting shall elect the Preses of such Meeting; and all Meetings for electing Commissioners shall be summoned in the same Manner and at the same Distance of Time as is provided for the First Meeting to be held with respect to the Adoption of this Act.

Election of Commissioners.

47. Such Election shall be proceeded with in manner following; (that is to say,) any Householder of the Burgh shall be eligible to be elected a Commissioner for the Purposes of this Act, and may be proposed and seconded by any Householders within the Burgh, or if such Burgh shall have been divided into Wards, then by any Householders within the Ward for which the Election is to take place; and the Preses of the Meeting shall ascertain and declare the Resolution thereof in manner herein-before provided in regard to Meetings held with respect to the Adoption of this Act; and if such Election shall not be unanimous, and if a Poll shall be demanded in Writing by any Seven Householders present at such Meeting, such Magistrate or Sheriff shall open and proceed with such Poll in the Manner herein-before provided in regard to Polls with respect to the Adoption of this Act, and shall provide Poll Books in the Form of Schedule (C.) hereunto annexed, in which the Votes shall be entered, and shall declare the Result of such Poll as appearing on such Books; and such Magistrate or Sheriff shall be reimbursed all such reasonable Charges or Expenses as may be incurred in providing Clerks and Books, and otherwise in the Performance of the Duties hereby required of them, out of the Police Assessment levied under the Authority of this Act.

First Meeting of Commissioners.

48. The Commissioners elected under this Act shall, at Twelve of the Clock Noon on the First *Monday* after the First and each annual Election, hold their First General Meeting in the Town Hall or other convenient Place within the Burgh, with Power to adjourn to any other Day or Place which they may think fit; and every Person who may consider that he ought to have been returned as a Commissioner may lodge a Complaint in Writing, signed by him or by some other Person duly authorized on his Behalf, with the Commissioners assembled at such Meeting, who shall thereupon remit to a Committee of Three or Five of their Number to inquire into the Merits of such disputed Election, and to report thereon to a subsequent Meeting of the Commissioners, and such Report shall be final; and in case there shall be an Equality of Votes at any Election, the Commissioners shall determine by Vote which of the Candidates shall be preferred; and no Election or Appointment under this Act shall thereafter be liable to be challenged, and no such Election or Appointment shall be quashed or set aside on account of any Misnomer, Omission, or other Informality; and every Party returned as a Commissioner shall be entitled to act until upon a Scrutiny his Return shall be quashed or set aside; and the Commissioners returned shall be entitled to act, although from any Cause the full Number of Commissioners may not be filled up.

Commissioners to choose a Senior and Two Junior Magistrates.

49. The Commissioners shall at such First Meeting or adjourned Meeting, by a Plurality of Votes, (the Commissioner who had the greatest Number of Votes at the Election of Commissioners having a casting or double Vote in case of Equality,) elect from among their own Number a Senior and Two Junior Magistrates of Police.

One Third of Commissioners to be elected annually.

50. One Third of the Commissioners, or, where the Burgh is divided into Wards, One Third of the Commissioners for each Ward, shall go annually out of Office on the same Day of the Month as that on which the Commissioners were elected into Office, or on the next lawful Day thereafter in each Year, and on the same Day of the Month, or the next lawful Day annually, the Places of the Commissioners going out of Office shall be supplied by an equal Number of new Commissioners to be chosen from among the Householders of the Burgh in the Manner aforesaid, under all the Rules, Regulations, and Provisions applicable to such First Election, and the like Notice of such annual Election shall be given as is herein-before directed to be given of such First Election of Commissioners.

First and Second annual Elections.

51. The Third of the Commissioners who shall go out of Office at the Expiration of the First Year after the First Election under this Act shall consist of the Commissioners who at said First Election had the smallest Number of Votes, and where the Burgh is divided into Wards, of the Commissioners who at said First Election in each Ward had the smallest Number of Votes; and the Commissioners who shall go out of Office at the Expiration of the Second Year after said First Election shall consist of the Commissioners who had the next smallest Number of Votes at the said First Election, or where the Burgh is divided into Wards, of the Commissioners in each Ward who at said First Election had the next smallest Number of Votes in each Ward; and thereafter the Third of the Commissioners who shall annually go out of Office shall consist of the Commissioners who have been longest in Office: Provided always, that in any Case where there shall have been an Equality of Votes the other Commissioners remaining in Office shall decide, at a Meeting convened for the Purpose, which Commissioner having an Equality of Votes shall go out of Office; provided also, that the Senior Magistrate

PART I. *Adoption of the Act.* Sect. 5.

of Police shall always remain in Office for Three Years, and for that Purpose he shall be held to have had the largest Number of Votes at the said First Election, and to have been the shortest Period in Office at all Elections subsequent to the Third Election under this Act.

Commissioners failing to accept.

52. If any Person elected as a Commissioner shall fail to attend the Meeting hereby appointed to be held on the First *Monday* after the First and each annual Election of Commissioners he shall be held to have declined the Office of Commissioner, unless he transmit to the Meeting a sufficient written Explanation, signed by himself or his Agent, of the Cause of his Absence, and intimating his Acceptance.

Outgoing Commissioners may be re-elected.

53. Any Magistrate of Police or Commissioner may resign his Office at any Time, on giving Three Weeks Notice of such his Intention in Writing to the Clerk, and any out-going Commissioner may be re-elected: Provided always, that no Person shall be eligible as a Commissioner, or entitled to vote at such Election, who shall have been relieved from the Assessment made on him for the Purposes of this Act for the Year immediately preceding on the Ground of Inability to pay the said Assessment, or by whom any Arrear of any Assessment under this Act shall at the Time of the Election be owing, and shall have been demanded, whether such Arrear shall be due by himself or by any Company or Copartnership by which he is authorized to vote; and a Certificate under the Hand of the Collector shall be deemed and taken to be sufficient Evidence of such Arrears or Relief.

Vacancies in the Magistrates of Police, how to be supplied.

54. Where any Magistrate of Police elected under this Act shall be in the Third of the Commissioners going out of Office, the Place of such Magistrate of Police shall be supplied by Election by the Commissioners as soon as the full Number thereof shall have been completed by the annual Election of the Third hereby directed to take place; and such Election shall be made by Plurality of Voices, and the Senior Magistrate of Police, or in his Absence the Preses of the Meeting, to be chosen by the Meeting, shall have a double or casting Vote, in case of Equality: Provided always, that Magistrates of Police shall at all Times be capable of being re-elected.

Interim Vacancies how to be supplied.

55. In case the Place of any of the Commissioners or Magistrates of Police elected as aforesaid shall become vacant by Death, Refusal to accept, Disqualification, or Resignation, then and in such Cases it shall be lawful for the remaining Commissioners to nominate Persons duly qualified to supply such Vacancies; and each Person so nominated shall have and enjoy the same Powers and Privileges as the Person in whose Stead he is nominated, and shall remain in Office until the next Period of Election, when he shall go out of Office, and the Vacancy shall be supplied by the Householders of the Burgh, or, if the Burgh be divided into Wards, the Householders of the Ward in which the Vacancy shall have occurred; and in the event of a Resignation being intimated, so as to take effect at the Period of the annual Election of Commissioners, the Vacancy so caused shall be supplied by the Householders, or if the Burgh is divided into Wards, by the Householders of the Ward in which the Vacancy shall have occurred, by Election at the said Period of Election.

If Electors refuse to elect, Commissioners previously in Office may.

56. If the Householders shall at any Time refuse or neglect to elect the whole or any Part of the Number of Commissioners, it shall be lawful for the Commissioners who held Office at the Time when such Election should have taken place to supply the Deficiency, by such and the like Proceedings as are provided for in the Case of interim Vacancies.

Commissioners not to hold Places of Profit under this Act.

57. No Commissioner shall directly or indirectly derive any Emolument or Profit from any Business or Work of any Description performed or to be performed by him under this Act; nor shall any Commissioner be capable (while he holds Office as such Commissioner) of enjoying any Office of Profit to be created or established by virtue of this Act, or while he has any Share or Interest in any Contract relating to the Execution thereof, nor be capable of standing as a Candidate for any such Office, or be a Competitor for any such Contract, save and except Contracts entered into with any Chartered or Joint Stock Company of which such Commissioner may be a Partner.

PART I.

SECTION VI.—*Meetings of Commissioners.*

Commissioners to be summoned to attend Meetings.

58. All the Commissioners shall be cited to attend all Meetings, both special and statutory, (save only the first Meetings under this Act,) such Citation being given personally, or at their Dwelling Houses or Places of Business, by written or printed Summonses issued by their Clerk at least Twenty-four Hours before the Time of Meeting; and the Chief or Senior Magistrate present, or in Absence of any Magistrate such One of the Commissioners as shall be chosen by the Meeting, shall preside; and the Preses of all Meetings of the Commissioners shall have both a deliberative and in case of Equality a casting Vote in all Matters which shall come before them: Provided always, that One Third of the Commissioners must be present at all Meetings to constitute a Quorum.

Quorum.

Statutory Meetings of Commissioners.

59. Meetings of the Commissioners shall be held in such Places as they shall appoint within the Burgh upon the Second *Monday* of the Months of *January, April, July,* and *October* in each Year, at Twelve of the Clock Noon, or at such other Hour as the Commissioners may fix.

Special Meetings may be called, on Requisition;

60. The Clerk to the Commissioners, on Requisition being made to him, stating in Writing the Object of the intended Meeting, and signed by Two of the Commissioners, shall cause Special Meetings to be called within Forty-eight Hours, and to be held within Four Days after such Requisition, and shall cause

the whole Commissioners to be summoned to attend such Meetings, by printed or written Summonses containing a Copy of such Requisition or stating the Purpose thereof.

but not to annul Rules made at Statutory Meetings.

61. No Rules or Regulations shall be adopted or carried into execution by any Special Meeting which shall tend to alter or annul any Rules or Regulations which may have been made and framed at any of the Four Meetings hereby appointed to be held annually.

Meetings may be adjourned.

62. The Commissioners may adjourn to any other Day, Hour, and Place within the Burgh.

Power to appoint Committees.

63. The Commissioners shall have Power to form Committees of their Number, either with Directions to report to the Commissioners, or for carrying the various Purposes of this Act into execution, and to delegate to such Committees the Powers competent to the Commissioners under this Act, in whole or in part, with regard to the Subject which may be remitted, to name the Convener, and to fix the Numbers of such Committees who shall form a Quorum; and the Convener who shall preside at such Committees shall be entitled to a deliberative, and in case of Equality a casting Vote, and to convene the Members by Notices in the Way he shall think most convenient.

PART I.

SECTION VII.—*Powers and Duties of Commissioners.*

Powers and Duties of Commissioners.

64. The Commissioners shall, in such Manner as to them shall seem best for the Police Purposes of this Act, estimate, assess, levy, and apply the Sums of Money hereby authorized to be raised for the Police Purposes of this Act, and shall have Power to appoint, at such Salaries as they shall judge meet, Clerks, Treasurers, Collectors, Surveyors, Inspectors, and all other Persons whose Appointment is not herein otherwise provided for, to be employed in the Execution of this Act, and to remove and suspend such Clerks, Treasurers, Collectors, Surveyors, and other Persons, at pleasure, and to fix the Number and Description of Officers to be employed in the Execution of this Act, and the Wages to be paid to them respectively, whether appointed by themselves or not, and to increase or diminish their Numbers from Time to Time as they shall see Cause, and to make Orders and Regulations for their Government; and the Commissioners shall have Power also to purchase such Lands and Premises as shall be required for the Purposes of this Act, and shall also have full Power and Authority to make all necessary Rules, Orders, Regulations, and Byelaws, except as otherwise herein provided, relative to the watching, lighting with Gas or otherwise, paving, cleansing the Streets, whether public or private, cleansing and lighting of common Stairs or Passages or private Courts, or to the Supply and Distribution of Water and Gas to the same, in so far as the Powers of this Act may apply to these Objects in the Burgh, and for carrying fully into effect all the Objects and Purposes and Provisions of this Act, and shall enact Penalties for enforcing the same, which Penalties shall not exceed in any Case the Sum of Forty Shillings, except as otherwise herein provided, and to execute the whole other Matters specified in this Act and committed to their Charge: Provided always, that the Rules and Regulations so to be made shall not be contrary to the Law of *Scotland*, or to anything in this Act contained.

Commissioners may contract for Execution of Works.

65. The Commissioners, or any Committee of their Body thereunto specially empowered, may contract with any Person for carrying into execution any of the Operations hereby authorized; and such Contract shall be signed by the Preses and Clerk in name of the Meeting at which such Agreement or Contract shall be made.

Property vested in Commissioners.

66. The Monies arising from the Assessments hereby authorized to be levied, and all other Property acquired by the Commissioners in pursuance of the Powers hereby granted, shall be and the same are hereby vested in the Commissioners and their Successors, for the Uses and Purposes mentioned in this Act, and for no other Purpose whatever.

Clerk to be appointed.

67. The Commissioners shall appoint a Clerk for keeping the Records of the Proceedings of the Commissioners and their Committees, which Records shall contain accurate Minutes of the Proceedings and Orders of the Commissioners and their Committees, and, being signed by the Preses of each respective Meeting, or any Copy or Extract therefrom, authenticated by the Signature of the Clerk, shall be received as Evidence in all Courts whatsoever, in any Case or Matters concerning this Act.

Clerk not to be concerned as Agent, &c. in any Prosecution under this Act.

68. No Person who may be appointed the Clerk in the Execution of this Act, or the Partner of any such Clerk, or any Person in the Employ of such Clerk or of his Partner, shall act as Agent or Solicitor in the Trial of any Offence under this Act committed within the Limits of the Burgh, as fixed for the Purposes of this Act; and in the event of a Contravention of such Provisions such Clerk shall be thenceforth disqualified from holding any Office whatever under this Act, and also from acting as a Commissioner under this Act.

Treasurer and Collector to be appointed.

69. The Commissioners shall in like Manner elect and appoint a Treasurer and Collector to act during their Pleasure; and such Collector and Treasurer, before they shall be permitted to take upon them the Execution of their Office, shall respectively grant Bond, with sufficient Sureties, to the Commissioners, for their Intromissions, and for the just and faithful Execution of their Office, to such an Amount as the Commissioners shall think reasonable; and any Collector or Treasurer who may be convicted of wilfully secreting or not accounting to the Commissioners for any Sum of Money received by him as Collector or Treasurer shall forfeit triple the Amount thereof to the Commissioners.

70. The

Allowance to Clerk, Treasurer, and Collector.

70. The Commissioners may allow reasonable Salaries to the Clerk and Treasurer; and the Collector shall be allowed for his Trouble in collecting Assessments authorized to be levied under this Act a Sum not exceeding the Rate of Five Pounds *per Centum* upon all such Sums of Money as he shall collect and receive.

Collector to lodge all Monies received by him in Bank.

71. Such Collector shall be obliged to lodge all Money received by him in a chartered or other Bank, or in One of the Branches of such Bank in the Burgh, to be fixed by the Commissioners, upon an Account to be opened in the Name of the Commissioners, and to be operated upon by the Treasurer for the Time; and such Treasurer shall make no Drafts on the said Account for any private Purpose on any Pretence whatever, nor for any other Purpose than the Payments which shall from Time to Time be authorized by the Commissioners or their Committees for the Purposes of this Act, as the same shall be certified to the Treasurer by the Clerk to the Commissioners, who shall countersign all such Drafts.

On Insolvency of Treasurers or Collectors, Deficiency may be assessed.

72. In case any Treasurer or Collector shall become insolvent, and the Sums chargeable against him shall not have been paid by his Cautioners or Sureties, then and in every such Case the Sum deficient shall be chargeable against, and form a Burden upon the next annual Assessment.

Treasurer and Collector may be the same Person, but Clerk and Treasurer not to be the same Person.

73. It shall be lawful for the Commissioners to appoint the same Person to be both Treasurer and Collector for the Purposes of this Act; but it shall not be lawful for the Commissioners to appoint any Person who may be appointed their Clerk in the Execution of this Act, or the Partner of such Clerk, or any Clerk or other Person in the Service or Employ of such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer or the Partner of such Treasurer, or any Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, to be the Clerk to the Commissioners for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Treasurer or the Partner of such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any Treasurer shall hold any Place of Profit or Trust under the Commissioners other than that of Collector, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Expenses, in the same Manner as any of the Penalties of this Act imposed may be sued for and recovered.

Actions by or against Commissioners, how to be brought, and not to abate.

74. Except as herein-after specially provided, all Actions, Suits, or Proceedings in respect of any Matter or Thing relating to the Execution of this Act, to be brought by or against the Commissioners, shall be in the Name of their Clerk for the Time being as the Party, Pursuer or Defender, representing the Commissioners; and no Action, Suit, or Proceeding wherein the Commissioners shall be concerned as Pursuers or Defenders in the Name of their Clerk shall cease or abate by the Death, Resignation, or Removal of any such Clerk, or by any Change in the Persons holding Office as Commissioners, but the Clerk to the Commissioners for the Time being shall be deemed to be the Pursuer or Defender, as the Case may be, in every such Action, Suit, or Proceeding.

Books of Accounts to be kept by Commissioners.

75. Accounts of all Property, Heritable and Moveable, vested in the Commissioners, showing the Nature of such Property, and of all Money received and disbursed, shall be kept in Books by the Treasurer or Collector, as the Commissioners may appoint; and all such Books of Accounts may at all seasonable Times be inspected and perused, without Fee or Reward, by any Person assessed, and also by any Person entitled to any Money due and owing on the Credit of such Assessment; and such Persons may take Copies of or Extracts from any such Books and Accounts, without Fee or Reward; and any Person in whose Custody or Power any such Books and Accounts are, who shall refuse Inspection thereof, or to permit Copies or Extracts to be taken as aforesaid, shall be liable in a Penalty not exceeding Ten Pounds; and in case any Person who shall be assessed shall be dissatisfied with any Accounts which shall have been made up as aforesaid, or with any of the Items or Articles contained in such Accounts, such Person may complain against the same by Petition to the Sheriff, in which Complaint shall be specified the Grounds of Objection to such Accounts, Items, or Articles; and the Sheriff shall proceed to hear and determine the Matter of such Complaint, and his Decision shall be final.

Account of Receipt and Application of Monies to be made out by Commissioners, and printed.

76. The Commissioners shall yearly, and previous to their statutory Meeting in the Month of *July* in each Year, cause to be made out a just and accurate Account of all the Monies received and expended in the Execution of this Act for the Year ending on the Fifteenth Day of *May* immediately preceding such statutory Meeting, showing from what Sources such Monies have been received, and to what Purposes the same have been laid out and applied; and which Account, so soon as the same shall have been audited, as herein-after provided, shall be laid before such statutory Meeting, and shall be signed by the Preses of said Meeting and the Clerk, and shall be deposited with the Clerk, who shall forthwith cause an Abstract thereof to be printed, and shall permit any Person assessed under this Act to inspect and examine such Accounts at all seasonable Times, without Payment of any Fee or Reward for such Inspection.

Auditor to be appointed by

77. The Commissioners shall annually appoint a professional Auditor for the Purpose of auditing the Accounts of the Commissioners; and in case the Office of such Auditor shall, before such Accounts are audited

audited by him, become vacant by Death or from any other Cause, the Commissioners shall from Time to Time appoint an Auditor to supply such Vacancy. the Commissioners.

78. The Commissioners shall deliver to such Auditor, within One Month after the said Fifteenth Day of *May* annually, all the Accounts, together with their Books and Vouchers; and it shall be the Duty of such Auditor to audit such Accounts, and either make a special Report thereon, or simply confirm the same; and such Report or Confirmation shall be read with the Account at such Meeting; and if any Dispute arise as to the Amount of Remuneration to be paid to such Auditor, it shall be settled by the Sheriff, whose Decision shall be final. Auditor's Report.

PART I.

SECTION VIII.—*Orders in Council.*

79. Whenever it appears desirable to the Magistrates and Council or Commissioners of Police of any Royal or Parliamentary Burgh, or to the Commissioners for executing this Act in any Burgh or populous Place, that Provision should be made in order the better to apply and execute therein the Provisions of this Act, in whole or part, or for the future Application and Execution of any Acts in force therein having Relation to the Purposes of this Act, or to the Roads or Streets within such Burgh or populous Place, or to any other Matter or Thing connected with the Management and Administration of the Municipal or Police Affairs of such Burgh or populous Place, or that any such Acts, or any Exemptions from rating therefrom derived, or that any Provisional Order or Order in Council applying this Act, hereby authorized to be made, should be wholly or partially repealed or altered: Power to apply to Privy Council in certain Cases,

Or whenever it appears desirable to the Magistrates and Council of any Royal or Parliamentary Burgh where there is a Board of Commissioners of Police separate from such Magistrates and Council to unite the Municipal and Police Government and Jurisdiction of any such Royal or Parliamentary Burgh in the Magistrates and Council thereof, to transfer to them all the Powers and Jurisdictions of Police, Paving, Lighting, Watching, and others, granted to the Commissioners of Police by any Local Acts, and to extend such Jurisdictions over the whole Limits of such Burgh:

Or whenever it appears desirable to the Magistrates and Councils, or the Commissioners of Police of contiguous Burghs, that Provision should be made for executing any great Conduits or Main Sewers, or any other Drainage Works necessary for the more effectually draining of such contiguous Burghs:

(1.) The Magistrates and Council, or the Commissioners of any Burgh, or the Magistrates and Councils, or Commissioners, of contiguous Burghs, as the Case may be, may present a Petition to One of Her Majesty's Principal Secretaries of State, praying for such Provision, Repeal, and Alteration as aforesaid, or for any of such Things, and such Petition shall be supported by such Evidence as the said Secretary requires:

(2.) Upon the Receipt of any such Petition, Inquiry may be directed by such Secretary of State in the District in respect to the several Matters mentioned in the Petition, after giving Fourteen Days Notice of the Time, Place, and Subject of the Inquiry; and, if requisite, the Sheriff shall proceed to the District to make the Inquiry:

(3.) The Sheriff shall, for the Purposes of the Inquiry, have Power to call for such Information from the Magistrates and Councils or Commissioners of Police as he may consider necessary, and to do all such Matters and Things as may be expedient for the Purposes of the Inquiry:

(4.) It shall be lawful for any of Her Majesty's Principal Secretaries of State to issue a Provisional Order, under his Hand and Seal of Office, in relation to the several Things mentioned in the said Petition, either in accordance with the Prayer thereof, or with such Modifications or Alterations as may appear to him to be requisite.

80. Where it shall appear, from the Returns made up by the Registrar General of Births, Deaths, and Marriages, from the Deaths registered in a Period of not less than Five Years, that the Number of Deaths annually in any Burgh or populous Place, as defined in this Act, has on an Average exceeded the Proportion of Twenty to a Thousand in a Population of One thousand, Twenty-three to a Thousand in a Population of Five thousand, Twenty-five to a Thousand in a Population of Twenty thousand, or Twenty-nine to a Thousand in a Population of Three hundred thousand and upwards, of the Population of such Burgh or populous Place, the Lords of Her Majesty's Most Honourable Privy Council, or any Three or more of them, (the Lord President of the Council, or One of Her Majesty's Principal Secretaries of State, being One,) may, if and when they shall think fit, direct the Sheriff to visit such Burgh or populous Place, and to make public Inquiry, and to examine Witnesses as to the Sewage, Drainage, and Supply of Water, the State of the Burial Grounds, the Number and sanitary Condition of the Inhabitants, and as to any Acts of Parliament in force within such Burgh or populous Place for paving, lighting, cleansing, watching, regulating, supplying with Water, or improving the same, also as to the natural Drainage Areas, and the existing Municipal, Parochial, or other Local Boundaries, and the Boundaries which may be most advantageously adopted for the Purposes of this Act, and as to any other Matters in respect whereof the said Lords of Her Majesty's Privy Council may desire to be informed, for the Purpose of enabling them to judge of the Propriety of reporting to Her Majesty or making an Order in Council as herein-after mentioned. Provision where Mortality exceeds certain Proportions.

81. Before

Procedure thereanent.

81. Before proceeding upon such Inquiry, the said Sheriff shall give Fourteen Days Notice of his Intention to make the same, and of a Time and Place at which he will be prepared to hear all Persons desirous of being heard before him, upon the Subject of such Inquiry, by Advertisement in some One or more of the Newspapers usually circulated in the Parts to which the Inquiry shall relate, and in such other Manner as may appear to the said Sheriff to be necessary; and if upon such Report it appear to the said Lords of Her Majesty's Privy Council to be expedient that this Act or any Part thereof should be applied to the Burgh or populous Place, they shall report to Her Majesty accordingly; and at any Time after Presentation of such Report it shall be lawful for Her Majesty, by and with the Advice of Her Privy Council, to make an Order in Council, under their Hands and Seal of Office, that this Act or any Part thereof shall be applied to and put in full Force and Operation within such Burgh or populous Place; and if such Order relates to any populous Place, they shall in the said Order mark out, define, and specify the Boundaries of such populous Place, for the Purposes of this Act, and declare that such Place is a populous Place, in Terms of this Act, and otherwise make such Provisions, Regulations, Conditions, and Restrictions with respect to the Application and Execution of this Act or any Part thereof, and with respect to any Local Acts within Burghs possessing such, and the Repeal, Alteration, or future Execution of the same, as they may think necessary, under all the Circumstances of the Case, and such Order shall be recorded in the Sheriff Court Books of the County, and also published in such Manner as the said Lords of Her Majesty's Privy Council may direct.

Orders in Council to be confirmed by Parliament.

82. No such Order in Council or Provisional Order hereby authorized to be made shall be of any Validity unless the same has been confirmed by Act of Parliament; and it shall be lawful for the said Lords of Her Majesty's Privy Council, or for any One of Her Majesty's Principal Secretaries of State, as soon as conveniently may be, to obtain such Confirmation, and the Acts confirming such Order in Council or Provisional Order shall be deemed to be Public Acts of Parliament.

Costs how to be borne.

83. All Costs, Charges, and Expenses incurred by the said Lords of Her Majesty's Privy Council or Secretary of State in relation to such Orders in Council or Provisional Orders shall, to such Extent as the Commissioners of Her Majesty's Treasury think proper to direct, become a Charge upon the Police Assessment, and be repaid to the said Commissioners of Her Majesty's Treasury, together with Interest after the yearly Rate of Five Pounds in the One hundred Pounds, to be computed from the Date of the Order, upon so much of the Principal Sum due in respect of the said Costs, Charges, and Expenses as may from Time to Time remain unpaid.

PART II.

ASSESSMENTS.

PART II. *Assessments.* Sect. 1.

SECTION I.—*Assessments for Police Purposes.*

Commissioners to make Police Assessment.

84. Once in each Year the Commissioners (being summoned in manner herein-before directed by written or printed Summonses, which shall state that the Meeting is for the Purpose of laying on an Assessment,) shall assess all Occupiers of Lands or Premises within the Burgh, according to the Valuation Roll made up and completed in Terms of the Acts in force for the Valuation of Lands and Heritages in *Scotland*, subject to the Exceptions herein-after provided, in the Sums necessary to be levied for the Police Purposes of this Act, in so far as the same may have been adopted, and for the Purposes to which the Police Assessment authorized by any Act in force in such Burgh at the Time of such Adoption might have been applied, and shall fix a Day on which the same shall be payable, and the Rate of Assessment and Day so fixed by the Commissioners shall be published by Handbills posted in the Burgh, and by Advertisement in any Newspaper circulating therein (if any be), or otherwise in some Newspaper circulating in the County in which the Burgh is situated: Provided always, that such Assessment shall be imposed as from the Fifteenth Day of *May* in any One Year to the Fifteenth Day of *May* in the following Year, and shall not in any Year exceed a Rate equal to Two Shillings and Sixpence in the Pound of the gross yearly Value of such Lands or Premises where the Enactments of this Act with respect to Water have been adopted, or a Rate equal to One Shilling and Sixpence in the Pound of the gross yearly Value of such Lands or Premises where such Enactments with respect to Water have not been adopted; and such Assessment shall for the Purposes of this Act be called the Police Assessment: Provided further, when in any Burgh, under the Provisions of any Police Act, a higher Rate of Assessment is now and has been in use to be levied upon Lands and Tenements above a certain fixed Rent than upon lower rented Lands and Tenements, it shall be in the Power of the Commissioners, in laying on the Assessment under this Act, to continue the same relative Rates of Assessment, if they think proper.

Payment of Damages occasioned by Mobs.

85. Out of the Police Assessment authorized by this or by any General or Local Act in force within the Burgh it shall be lawful to the Commissioners to defray to such Extent as they think proper, such Claims for Damages sustained in consequence of any Riot or Tumult within the Burgh as may be established to their Satisfaction, or, if the Commissioners think proper, they may at any Time impose and levy a special Assessment on all Occupiers of Lands or Premises within the Burgh, according to the said Valuation Roll, for the Sums estimated by them to be necessary for the Purpose of paying such Damages; and such special Assessment being so imposed and levied, the Commissioners shall out of the Proceeds thereof discharge such Claims, the same being established to their Satisfaction.

86. Where

Provision for Assessment for Period less than One Year.

86. Where in any Burgh an Assessment for Police Purposes has been imposed previous to the Adoption of this Act, and is leviable for a Period ending on a Day prior to the Fifteenth Day of *May* immediately following such Adoption, it shall be lawful to the Commissioners under this Act to impose and levy a Proportion of the Police Assessment hereby authorized, corresponding to the Time intervening between the Date when such Period ended, and the said Fifteenth Day of *May*.

Commissioners to levy Assessments from Owners of Premises under 4*l*.

87. The Commissioners shall assess the Owners in place of the Occupiers of all Lands or Premises let at a Rent under Four Pounds, and levy such Assessment from such Owners; but the Commissioners shall allow to such Owners a Deduction from such Assessment equal to One Fourth of the Amount thereof; and such Assessments shall be recoverable from such Owners, along with any Penalty which may have become exigible thereon, in the same way as is herein provided with respect to the Recovery thereof from Occupiers.

Commissioners may grant Relief from Police Assessment in case of Poverty.

88. The Commissioners may, on the Ground of the Poverty or Inability to pay of any Person liable in the Police Assessment under this Act, remit, in whole or in part, Payment of the said Assessment by such Person, in such Manner as the Commissioners shall in their Discretion think just and reasonable, but upon no other Account whatsoever.

Occupiers to pay Police Assessment.

89. The Assessments herein-before authorized to be imposed shall be levied from the Occupiers of Lands or Premises, but Deduction shall be allowed by the Commissioners of the Assessment for any Period during which any Lands or Premises shall not be let or occupied for Three Months consecutively in any One Year, and Owners who shall let for Rent or Hire Lands or Premises for less than a Year shall themselves, as well as the Occupiers, be responsible for the said Assessment applicable to any Period less than a Year, and the same may be recovered from such Owners or from such Occupiers as the Commissioners shall judge expedient.

Arable Land, &c. how to be valued.

90. The annual Value of the following Lands or Premises shall for the Assessments under this Act, whether the Enactments with respect to Water have been adopted or not, be held to be the nearest aggregate Sum of Pounds Sterling to One Fourth of the annual Value thereof entered in the said Valuation Roll; *viz.*

1. All Lands and Premises used exclusively as a Canal or Basin of a Canal, or Towing-path for the same, or as a Railway constructed under the Powers of any Act of Parliament for public Conveyance, excepting the Stations, Depôts, and Buildings, which shall be assessable to the same Extent as other Lands and Premises within the Burgh:
2. All the underground Gas and Water Pipes, or underground Works of any Gas or Water Company:
3. All Woodland, Arable, Meadow, or Pasture Ground, or other Ground used for Agricultural Purposes:

And where the Enactments with regard to Water have been adopted, the annual Value of all Mines, Minerals, Quarries, and Manufactories within the Burgh shall as regards the Police Assessment, as far as it is applicable to Water, be held to be the nearest aggregate Sum of Pounds Sterling to One Fourth of the annual Value thereof entered in the Valuation Roll; without Prejudice, however, to the Commissioners entering into Agreements for the Supply of Water to such Lands and Premises in manner herein-after provided; and in the event of any Dispute arising as to the Lands and Premises falling under the above Exceptions, it shall be lawful to the Owner or Occupier of such Lands and Premises to present a Petition to the Sheriff, praying to have the same declared, for the Time being, liable to Assessment upon the said Proportion of their Value only; and the Sheriff shall thereupon order the Petition to be served on the Commissioners, upon a short Induciæ, and after hearing Parties, and taking such Evidence as he shall think necessary, shall pronounce such Judgment as to him shall seem just and right.

Police Assessment Roll to be made up.

91. The Commissioners shall annually cause to be made up a Roll or Book of Assessment from the Valuation Roll aforesaid, showing the yearly Rent or Value of the Lands or Premises in the Burgh liable to be assessed under this Act for the Assessments herein authorized to be levied, and according to which such Assessments under this Act are intended to be levied; and in such Roll or Book of Assessment there shall in no Case be entered any fractional Part of a Pound of the assessable yearly Rent or Value aforesaid; and when such fractional Part shall not amount to Ten Shillings, the Sum shall not be entered at all in such yearly Rent or Value; and when such fractional Part shall amount to or exceed Ten Shillings, the Sum shall be entered as One Pound of such yearly Rent or Value, in addition to the actual Number of Pounds of such Rent or Value, and shall be assessed accordingly; and such Roll or Book of Assessment shall be open to Inspection by all Ratepayers, in the Hands of the Collector or other Officer appointed by the Commissioners for that Purpose, during the whole Period which shall intervene between the Date of laying on the annual Assessment and the Day appointed for Payment thereof; and the Commissioners shall have Power to rectify any Error which may be found in such Roll or Book.

Recovery of Rates.

92. If any Person assessed under this Act shall refuse or neglect to pay any Assessment herein-before authorized to be levied, or any Portion thereof, on or before the Expiry of Three Months after such Assessment is declared payable, the Collector may make an Attestation in Writing setting forth that the said Person has failed to pay such Assessment, or any Portion thereof, notwithstanding the same

PART II. *Assessments.* Sect. 1.

has been demanded from him by the said Collector by a printed Notice delivered to or left for him on the Premises in respect of which such Assessment is made, and such Attestation being made it shall be lawful for the Collector to make Application to the Sheriff, or to any One of the Magistrates of Police, or other Magistrates of the Burgh, who, upon such Application, and Production therewith of such Attestation, shall grant summary Warrant for Recovery of the said Assessment, or the Portion thereof remaining unpaid, and One Penny upon each Pound of the Rental of the Lands or Premises in respect of which such Person is assessed in addition, in Name of Penalty, which Attestation, Application, and Warrant shall be in the Form, as near as may be, contained in Schedule (D.) hereunto annexed: Provided always, that nothing herein contained shall prejudice the Right of the Collector, at any Time after the said Assessment shall be payable, to prosecute, as he is hereby empowered to prosecute for, and recover all or any Part of such Assessment in arrear, before the Sheriff's Small Debt Court, or by any other legal Form of Proceeding; and the Collector shall be bound to preserve the Warrants of all Seizures or Sales made under and in virtue hereof, and shall enter in a Book to be kept for that Purpose the Names of the Parties proceeded against, the Assessment due, the Expense of the Proceedings, and the true Proceeds of each Sale, which Book shall be open to the Inspection (without any Fee) of all Parties interested, for Three Months after the Date of each Sale respectively; and at any Time within that Period it shall be competent to any Party considering himself aggrieved to complain to such Sheriff or Magistrate of anything done unjustly or oppressively in regard to such Seizure or Sale, such Complaints being made in the Form of Petitions subscribed by the Complainer, and the Decision of such Sheriff or Magistrate shall be final.

Misnomers, &c. not to affect Proceedings for Recovery of Assessments.

93. No Misnomer, Mistake, or Informality committed in any Proceedings for Recovery of such Assessments, or any other Assessment, Rate, Charge, or Expenses under this Act, shall prejudice the Recovery thereof, nor shall such Proceedings fall, lapse, cease, or abate by the Death, Resignation, or Removal of the Collector instituting the same, or by any Change in the Persons holding Office as Commissioners, but it shall be lawful for the Collector for the Time to prosecute and follow forth Procedure commenced and carried on in the Name of any previous Collector in all respects as if such Procedure had been taken by himself: Provided always, that it shall not be competent for any Person to sue, nor for any Court of Law to entertain, any Action or Proceeding against the Commissioners, or the Collector or Officers or other Persons employed in executing any Warrant in reference to any Assessment, Rate, Charge, or Expense under this Act, by reason of any Misnomer, Mistake, or Informality, if the Goods or other Effects seized or sold under such Warrant were *bonâ fide* the Property or in the lawful Possession of the Person actually liable in Payment thereof under the Provisions of this Act.

Assessments to be recoverable beyond Burgh.

94. In case any Person liable in Payment of the Assessments herein-before authorized to be levied, shall remove to any Place beyond the Burgh, it shall nevertheless be lawful for the Commissioners, and their Collectors and Treasurers or other Officers, to put the Decrees and Warrants which may be granted for the Recovery of such Assessments in manner before mentioned into execution within or beyond the Burgh, in the same Manner as if such Person had continued to reside within the Burgh, such Decrees or Warrants being first endorsed by a Magistrate or Sheriff or Justice of the Peace for the Burgh or County within which they are to be put into execution.

Common Good may contribute towards the Purposes of this Act.

95. When the Provisions of this Act, or any Part thereof, shall have been adopted in any Burgh possessed of any free Income arising from the Common Good of such Burgh, after Deduction of the Interest of any Debt which such Burgh may owe, and also the necessary annual Outgoings of such Burgh, there may be annually contributed therefrom such a reasonable Proportion towards the Police Purposes of this Act as the Town Council of such Burgh, having due Regard to the Extinction of the Capital of such Debt, shall think just: Provided that nothing herein contained shall prejudice the Rights of the Creditors of any Burgh secured by Local Acts of Parliament or otherwise; and further, that the Adoption of this Act, in whole or in part, shall not relieve the Common Good of any Burgh from Payment of any Sum which such Burgh is bound by any Local Act to contribute towards the Police Expenses of the Burgh.

PART II.

SECTION II.—*Assessments for Sewers, Foot Pavements, and General and Private Improvements.*

(1.) *Sewers.*

Where new Sewers are made, Commissioners may impose a Special Sewer Rate.

96. Whenever the Commissioners shall resolve to make any new Sewer, they may charge the Owners of all the Lands or Premises liable to contribute to the Rates for making the same with Special Sewer Rates, over and above any other Assessment or Rates to which such Persons may be liable under this Act, and such Rate shall, for the Purposes of this Act, be called the "Special Sewer Rate."

Commissioners may impose a General Sewer Rate distinct from other Rates.

97. The Commissioners shall, if necessary, impose a Sewer Rate, to be called for the Purposes of this Act the "General Sewer Rate," distinct from any other Rate which they are authorized to make under this Act, to be applied in maintaining and clearing the Sewers, and all other Expenses connected with such Sewers not herein otherwise provided for, or which may not be fully defrayed by the Special Sewer Rate, and for securing and paying off any Monies which may be borrowed on the Security of the Special Sewer Rate under the Provisions of this Act, and the Interest of such Monies which the Special Sewer Rates shall be insufficient to defray.

98. The

Commissioners may assess.

98. The Commissioners may from Time to Time make Assessments in respect of the said Special Sewer Rate and General Sewer Rate hereby authorized to be levied on the Owners of all Lands or Premises within the Burgh, or within separate and distinct Districts, and that in reference to the Valuation of such Lands or Premises as fixed by the Valuation Roll; and in every Case in which the Commissioners shall see fit to make the said Assessments or either of them on separate and distinct Districts, they shall cause every such District to be described and defined as herein-after provided.

Rates to be levied on separate and distinct Districts.

99. The Commissioners may, in making the said Assessments for separate and distinct Districts, appoint, if they see fit, Surveyors, Collectors, and other Officers for every such District, and they shall cause separate and distinct Accounts to be kept of all Monies collected and received under any Rate in each distinct District, and of all Payments and Disbursements in respect thereof, and they shall apply the Monies to be collected and received from each distinct District under any such Rate as aforesaid for the several Purposes to which the same may be lawfully applied under the Authority of this Act, but so nevertheless that each District shall, as near as may be, bear its own Expenses; and in case any such Expenses shall apply to or be incurred in respect of Two or more Districts, the same shall be apportioned and divided between such Districts in such Manner as the Commissioners shall consider fair and equitable.

Where Premises were sufficiently drained before making new Sewer, Owner to have a Reduction made in his Rates.

100. Where in the Judgment of the Commissioners any Premises were sufficiently drained before the making of such new Sewer, the Owners thereof shall be entitled to have such Deduction made from the Special Sewer Rates to which they would otherwise be liable in respect of the making of such new Sewer, having regard to the Cost of making such new Sewer, and to the Value and Efficiency of such old Sewer; and whenever any old Sewer is enlarged, or open Sewer closed, the Expense of such Enlargement, or of closing such open Sewer, shall be defrayed in like Manner as if it had been incurred in making a new Sewer.

(2.) *Foot Pavements.*

Assessment for Maintenance and Repair of Foot Pavements.

101. Whenever the Commissioners shall resolve, in manner after provided for, to undertake the Maintenance and Repair of the Foot Pavements in any Burgh, by means of a General Assessment, it shall be lawful for them to charge all Owners of Lands or Premises within such Burgh, with reference to the said Valuation Roll, with a Special Paving Assessment equal to but not exceeding Twopence in the Pound of the gross yearly Value of such Lands or Premises, over and above any other Assessment or Rates to which such Persons may be liable under this Act, and which Special Assessment shall, for the Purposes of this Act, be called "The Foot Pavement Rate," and shall be leviable either from the Owner or Occupier of such Lands or Premises, but the latter shall be entitled on Payment thereof to deduct the same from his Rent; and such Assessment, so far as the Occupier is concerned, shall be recoverable in such and the like Manner as the Police Assessment is authorized to be recovered.

(3.) *General Improvements.*

General Improvement Assessment.

102. Whenever the Commissioners in any Burgh shall resolve, in manner after provided for, to make Provision for the General Improvement of the Burgh, it shall be lawful for them to charge, in equal Proportions, all Owners and Occupiers of Lands or Premises within such Burgh, with reference to the said Valuation Roll, with a Special Assessment equal to but not exceeding One Penny in the Pound of the gross yearly Value of such Lands or Premises, over and above any other Assessment or Rate to which such Persons may be liable under this Act, and which Special Assessment shall, for the Purposes of this Act, be called the "General Improvement Rate," and shall be leviable either from the Owner or Occupier of such Lands or Premises in equal Proportions, or in whole from the Occupiers thereof, but in the latter Case the Occupier shall be entitled on Payment thereof to deduct from his Rent the Proportion payable by the Owner; and such Assessment, so far as the Occupier is concerned, shall be recoverable in such and the like Manner as the Police Assessment is authorized to be recovered.

(4.) *Private Improvements.*

Assessment for private Improvements.

103. Where by the Provisions of this Act the Owner or Occupier, as the Case may be, of any Premises is directed or fails to do any Work, Matter, or Thing in relation to the same, and the Work, through the Failure or Delay of the Owner or Occupier to execute it, shall be done by the Commissioners, or where Expenses are incurred by the Commissioners for or in respect of any Premises, in order to carry out the Provisions of this Act, the Commissioners shall charge the Owner or Occupier of the Premises with the said Expenses or Special Rates therefor, over and above any other Assessments or Rates to which such Owner or Occupier may be liable under this Act, and such Expenses or Special Rates shall, for the Purposes of this Act, be called the "Private Improvement Assessment."

Rates and Assessment to be Burdens on the Premises.

104. Such Special Sewer Rate, General Sewer Rate, and Private Improvement Assessment shall, with the legal Interest thereof from the Time when the same shall be declared payable, together with all Expenses incurred in the Recovery thereof, continue Burdens on the Lands or Premises liable for the same, or in respect of which the same shall be payable, but that only for Three Years from the Date when the same shall be respectively payable, as against *bonâ fide* Singular Successors or Heritable Creditors:

PART II. *Assessments.* Sect. 2.

Creditors: Provided always, that nothing herein contained shall affect the Rights and Remedies of Superiors for the Recovery of their Feu Duties and Casualties.

Collector of Rates to grant Certificate.

105. The Collector in any Burgh shall, when required by any Person, be bound to furnish to such Person a Certificate under his Hand in the Form of Schedule (E.) hereunto annexed, showing, with reference to any Premises, what Arrears of such Rates or Assessments, if any, are past due, and the Name of the Owner and Occupier of such Premises as appearing in his Books, and also whether any and what Instalments of such Rates or Assessments are still chargeable in respect of such Premises: Provided always, that for each Certificate in respect of Premises separately entered or charged in the Assessment Books he shall be entitled to a Fee of Two Shillings and Sixpence from the Person requiring the same; for which Fee, or for such Portion thereof as the Commissioners may direct, the Collector shall be bound to account to the Commissioners, if required by them.

Rates and Assessment how to be imposed, and how Appeals to be entered and disposed of.

106. The said Rates or Assessments may be imposed and levied yearly, half-yearly, or at such other Periods as the Commissioners may think fit, and shall be payable at such Times as they appoint; and at the Meeting imposing the same the Commissioners shall appoint a Day on which such Rates or Assessments shall be payable, and another Day on which Appeals by any Parties complaining that they have been improperly rated or assessed may be lodged with the Clerk or Collector, and another Day or Days on which Appeals in reference to such Rates or Assessments shall be heard by the Commissioners; and Notice to each Party intended to be so rated or assessed, stating the Particulars of the intended Rate or Assessment as regards such Party, and specifying the several Days fixed by the Commissioners as aforesaid, shall be sent by the Clerk or Collector through the Post Office at least Two Weeks preceding the Day which may be fixed for hearing the Appeal of such Party, and the Decision of the Commissioners upon all such Appeals shall be final; but the Commissioners may rectify such Rate or Assessment so appealed against.

Recovery of the said Rates and Assessment.

107. As soon as may be after disposing of the Appeals against any such Rate or Assessment, the Commissioners shall cause to be made up a Roll or Book of Assessment or separate Rolls or Books of Assessments applicable thereto, and the same, or a Copy thereof, docqueted and signed by the Clerk and any Two of the Commissioners, shall forthwith be delivered over to the Collector as the Rule for levying and collecting the said Rates or Assessments; and if the said Rates or Assessments shall not be paid when the same fall due, the Collector shall take legal Proceedings for Recovery of the same, together with the legal Interest thereof from the Day fixed for Payment thereof as aforesaid, in the same Way and Manner as is herein-before provided for Recovery of the Police Assessment under this Act, or the said Rates or Assessments, or any Part thereof, and Interest, with the Expenses attending the Recovery of the same, may be recovered in the same Way and Manner as Debts are recoverable by the Law of *Scotland.*

Application of Surplus Assessment.

108. If any Surplus of any Rate or Assessment under this Act shall remain at the End of any Year after the whole Expenses for which such Rate or Assessment was imposed and levied shall have been paid or provided for, every such Surplus respectively shall, except as herein-after provided for, be applied towards the same Purpose in the Year following; and if any such Rate or Assessment for any Year shall not be sufficient for the Purpose for which it was imposed and levied, the Commissioners shall and they are hereby authorized and required to make Provision for the Payment of such Deficiency by Assessment or Rate for the Purpose in the following Year or Years, until the same shall be fully paid.

PART III.

APPOINTMENT OF OFFICERS.

PART III. *Appointment of Officers.* Sect. 1.

SECTION I.—*Appointment of Surveyor, Inspector, and Officer of Health.*

Commissioners may appoint a Surveyor.

109. The Commissioners may from Time to Time, and as often as they shall think proper, appoint a Person duly qualified to act as a local Surveyor of the Paving and Drainage and other Works authorized under the Provisions of this Act, and may fix the Salary to be paid to such Surveyor, and pay such Salary out of the several Assessments or Rates levied under this Act, and that in such Proportions therefrom as the Commissioners shall see proper.

Commissioners may appoint an Inspector of Cleansing.

110. The Commissioners may appoint some Person, by the Title of "Inspector of Cleansing," to superintend and enforce the due Execution of all Duties to be performed by the Scavengers appointed under this Act, and to report to the Commissioners any Breach of the Provisions of this Act, or of the Byelaws, Rules, and Regulations of the Commissioners, and the Commissioners shall duly publish the Name of any Inspector of Cleansing appointed by them, and shall require him to provide and keep a Book in which shall be entered all reasonable Complaints made by any Inhabitant of the Burgh of any Breach of the Provisions of this Act, or of the Byelaws, Rules, and Regulations made by the Commissioners; and the Inspector of Cleansing shall forthwith inquire into the Truth of such Complaints, and report upon the same to the Commissioners at their next Meeting; and such Report, and the Order of the Commissioners thereon, shall be entered in the said Book, which shall be kept at the Office of the Commissioners, and shall be open at all reasonable Times to the Inspection of any Householder of the Burgh or other Person interested.

111. The

Commissioners may appoint Officer of Health.

111. The Commissioners may, if they think fit, appoint a Person of competent Skill and Experience, who shall be styled the "Officer of Health," and whose Duty it shall be to ascertain the Existence of Disease within the Limits appointed to him, especially of epidemic, endemic, and contagious Diseases, and to point out any local Causes likely to occasion or continue such Diseases or otherwise injure the Health of the Inhabitants, and to point out the best Means of checking or preventing the Spread of such Diseases, and from Time to Time, as required by the Commissioners, to report to them upon the Matters aforesaid, and to perform any other Duties of a like Nature which may be required of him; and the Commissioners shall fix the Salary to be paid to such Officer, and shall pay such Salary out of the Police Assessment hereby authorized to be levied; and the Commissioners may, with the Approval of One of Her Majesty's Principal Secretaries of State, remove any such Officer of Health, or, with the like Approval, discontinue any such Officer.

Same Person may be Surveyor and Inspector.

112. The Commissioners may, if they think fit, appoint the same Person to be both Surveyor of Paving and Drainage and Inspector of Cleansing.

Commissioners may provide Offices.

113. The Commissioners may provide Offices for the Use of the Surveyor, Inspector, and Officer of Health in some convenient Place within the Burgh, either in connexion with their own Office or otherwise, as may be most convenient, and shall cause due Notice thereof to be given Twice at least in some Newspaper circulating within the Burgh.

PART III.

SECTION II.—*Appointment, Powers, Duties, and Privileges of Constables.*

Appointment of Superintendent of Police and of Constables.

114. The Commissioners of Burghs authorized by this Act to maintain Constables shall from Time to Time appoint, at a fixed annual Salary, a Superintendent of Police, who shall not be removable or subject to have his Salary diminished by the Commissioners, unless with the Approbation of the Chief Magistrate of the Burgh, or of the Senior Magistrate of Police, and the Sheriff, or, in case of their differing in Opinion, of Her Majesty's Advocate for the Time being; and as often as such Commissioners shall fix the Number of Constables which they shall judge necessary for the Burgh the said Superintendent of Police is hereby authorized and empowered to appoint proper Persons for the Duty, and to direct their Distribution within the Burgh, and to remove them at pleasure; and the Superintendent of Police may also be appointed Surveyor of Paving and Draining and Inspector of Cleansing: Provided always, that no Burgh to be established in virtue of this Act shall be entitled to maintain Constables in Terms of this Act unless the Population of such Burgh shall, according to the last Census for the Time being, amount to Seven thousand or upwards, it being hereby declared that the true Intent and Meaning of this Act in that respect is that all such Burghs shall, in regard to Constables, be subject to or regulated by the County Police Act, Twentieth and Twenty-first of *Victoria*, Chapter Seventy-two, anything in this Act to the contrary notwithstanding.

Constables may execute Warrants, &c.

115. All Warrants and Deliverances which may be issued in any Criminal Proceeding arising within the Burgh by the Sheriff of the County may, with the Consent of the Commissioners, be served and executed, and all Services, Citations, and Executions in any such Criminal Proceeding before such Sheriff may be made and given by the Superintendent of Police or any Constable of the Burgh appointed under this Act.

Constables to account for Fees.

116. It shall not be lawful for any Constable acting under this Act to receive to his own Use any Fee for the Performance of any Act done by him in the Execution of his Duty as such Constable, but this Enactment shall not extend to prevent the Receipt by any such Constable of any Fee or other Payment which he may be liable to account for or pay over to the Commissioners or otherways for the Use of the Burgh.

Duties of Superintendent of Police and Constables.

117. It shall be the Duty of the Superintendent of Police, and of the Constables to be appointed by him, to guard, patrol, and watch within the Burgh, according to the Regulations to be prescribed by the Superintendent of Police, under the Control of the Commissioners; and it shall be lawful for the said Superintendent or any Constable of Police, without any other Warrant than this Act, to apprehend and to bring before the Magistrates of Police all Persons who may be found within the Burgh actually committing any criminal, riotous, or disorderly Conduct or Act, or accused or suspected of having committed Crimes, Delinquencies, or Offences, of whatsoever Description, and at what Place and Period soever the same may have been or are suspected to have been committed, whether the same be of such a Kind as can be competently tried before the Magistrates of Police, or be of a Nature requiring to be remitted for Trial before another Tribunal, or which, from having been committed beyond the Bounds of the Burgh, fall to be tried in another Jurisdiction; and it shall be the Duty of the said Superintendent and Constables to carry into full Effect the whole Provisions and Regulations herein contained, and any Rules, Regulations, or Byelaws which may be made under this Act for the proper guarding, patrolling, and watching within the Burgh; and the Superintendent of Police and Constables shall at all Times afford their Aid and Assistance to the Magistrates of Police, and all other Judges and Magistrates having Jurisdiction within the Burgh, in all Matters relating to the Preservation of Peace and good Order, the Suppression of Nuisances, and the Removal of Obstructions within the Burgh, and they shall give Attendance at the Police Courts of the Burgh, and, when required, at all Meetings of the Commissioners

or their Committees, and furnish them with all Explanations relating to Matters falling within their several Departments of Duty.

Power to detach Constables to other Places.

118. On the Requisition of the Sheriff of any County or Chief Magistrate of any Burgh in *Scotland* the Superintendent of Police shall, if so directed by the Magistrates, or in case of Urgency by the acting Chief Magistrate, detach Constables to act in other Counties or Burghs, Guarantee being obtained for Outlay and Expense, and also for Provision in case of Officers being injured or killed.

Powers and Privileges of Superintendent of Police and Constables.

119. The Superintendent of Police and Constables shall have all the Powers and Privileges appertaining for the Time being to any Constable by the Law of *Scotland*, as well as all the Powers and Privileges specially conferred on Constables by this Act; and the Superintendent of Police shall be a Constable within the Meaning of this Act.

Constables not to resign without Leave or Notice.

120. No Constable appointed under this Act shall resign his Office, or withdraw himself from the Duties thereof, unless expressly allowed so to do in Writing by the Commissioners or by the Superintendent of Police, or until after he has given to the Superintendent of Police One Month's Notice; and every Constable who so resigns or withdraws himself without such Leave or Notice shall be liable to forfeit all Arrears of Pay then due to him, and to a Penalty of not more than Five Pounds, or to Imprisonment for a Period not exceeding Fourteen Days.

Commissioners to fix Salaries of Constables.

121. It shall be lawful for the Commissioners to fix and appoint suitable Wages to the Constables and other Persons employed by them, to pay the necessary Expenses incurred by them in the Execution of the Duty of their respective Offices, and to reward them for meritorious Services, and also to make Provision for any Superintendent, Constable, or other Servant of the Establishment employed for any of the Purposes of this Act who may at any Time be disabled in or after long Service be unfitted for the Execution of his Duty.

Constables dismissed to deliver up Accoutrements.

122. Every Constable appointed under this Act who is dismissed from or ceases to hold or exercise his Office shall forthwith deliver over to the Superintendent of Police, or to such Person and at such Time and Place as the Commissioners direct, all the Clothing, Accoutrements, Appointments, and other Necessaries which have been supplied to him for the Execution of his Duty, under pain of Imprisonment, with or without Hard Labour, for any Time not exceeding One Month; and the Magistrate may grant Warrant to search for and seize, for the Use of the Commissioners, all the Clothing, Accoutrements, Appointments, and other Necessaries not so delivered over, wherever the same are found.

Penalty for unlawful Possession of Accoutrements, or for assuming the Dress of Constables.

123. Every Person who, not being at the Time a Constable appointed under this Act, has in his Possession any Article being Part of the Clothing, Accoutrements, or Appointments supplied to any such Constable, and who is not able satisfactorily to account for his Possession thereof, or who puts on the Dress, or takes the Name, Designation, or Character of any Person appointed as such Constable, for the Purpose of thereby obtaining Admission into any House or other Place, or of doing or procuring to be done any Act which such Person would not be entitled to do or procure to be done of his own Authority, or for any other unlawful Purpose, shall, in addition to any other Punishment to which he is liable for such Offence, be liable to a Penalty not exceeding Ten Pounds.

Penalty for Neglect of Duty.

124. Every Constable who is guilty of any Neglect or Violation of his Duty as a Constable, and is convicted thereof before a Magistrate, shall be liable to a Penalty not exceeding Ten Pounds, the Amount of which Penalty may be deducted from the Salary or Wages due to him or to become due to him, or, in the Discretion of the Magistrate before whom he is convicted, he may be imprisoned for any Time not exceeding One Month, with or without Hard Labour.

Power to provide Offices, Watch-houses, &c.

125. The Commissioners may from Time to Time purchase or rent any Buildings or Land, and convert such Buildings into, or build on such Land, Offices, Watch-houses, Lock-up Houses, and other Places necessary for the Purposes of this Act, with all proper Conveniences thereto, and may repair the same from Time to Time, and furnish and fit up the same, and employ proper Persons to take care thereof.

PART IV. *Police Purposes.* Sect. 1.

PART IV.

ORDINARY POLICE PURPOSES.

SECTION I.—*Lighting of Burghs.*

Streets to be lighted.

126. It shall be lawful for the Commissioners to make Provision for lighting in a suitable Manner the whole Streets, Lanes, Squares, public Passages, Thoroughfares, and Places within the Burgh, and to provide, erect, and maintain such a Number of Lamps, Lamp Posts, and Lamp Irons, and other Appurtenances, as may be necessary for that Purpose, and to light, or to enter into Contracts for lighting, and cause to be lighted, such Lamps by means of Oil or Gas, or such other Light of an improved Kind as they may find expedient; and the Commissioners are hereby authorized to order the Lamp Irons and Lamps to be fixed either upon the Sides of the Causeways, Streets, and Roads, or upon the Curbstones of the Pavements or Footways, or at or upon the Rails or in or upon the Walls of Buildings on the Sides of the Streets, as they shall think proper, without being liable to any Claim for Compensation thereanent.

Penalty for wilfully breaking Lamps.

127. If any Person shall take away, or wilfully break, throw down, or damage any Lamp or Lamp Post, or wilfully extinguish the Light or damage the Iron or Appurtenances of any Lamp, it shall be lawful

lawful for any Person who shall see any such Offence committed to seize and apprehend, and for any Person to assist in seizing the Offender, and by the Authority of this Act, without any other Warrant, to convey such Offender to the Police Office, or to deliver him into the Custody of a Police Officer, Watchman, or Constable or other Officer, in order to be secured and taken before a Magistrate; and if the Person accused of such Offence, whether apprehended as aforesaid or afterwards cited for the same, shall be convicted thereof, either by his own Confession or on the Evidence of One credible Witness or other legal Evidence, such Person so convicted shall forfeit a Sum not exceeding Ten Pounds for every such Offence, and moreover shall make Satisfaction for the Damages so done by him; and in case such Offender shall not immediately on Conviction pay such Penalty and make such Satisfaction as aforesaid, such Magistrate is hereby empowered, in the summary Manner authorized by this Act, to commit such Offender to Prison for a Space not exceeding Sixty Days.

Persons accidentally breaking Lamps to repair the Damage.

128. If any Person shall, through Negligence or Accident, break any Lamp set up in any Street, public or private, or in any common Stair or Passage, or private Court, and shall not, upon Demand, make Satisfaction for such Damage, it shall be lawful for any of the Magistrates, upon Complaint thereof being established in the Police Court, under the summary Procedure authorized by this Act, to award such Sum of Money as the Damage proved shall amount to; and if the Sum so awarded shall not be forthwith paid upon Conviction, it shall be lawful to enforce Payment thereof in the same Manner as Penalties are directed to be recovered under this Act.

Price to be paid for Gas to be ascertained in case of Dispute.

129. If the Commissioners and the Owners of any Gasworks authorized by Act of Parliament to supply Gas within the Burgh, and with whom the Commissioners shall be desirous of contracting, shall not agree as to the Terms and Conditions of the Supply, and as to the Price to be paid for such Supply, then such Terms and Conditions and Price shall be settled by Arbitration, and for that Purpose the Clauses of "The Lands Clauses Consolidation (*Scotland*) Act, 1845," with respect to the Settlement of Disputes by Arbitration, shall be and are hereby incorporated with this Act, and the Expression "the Undertakers" in the said Act shall, in reference to this Act, mean the Commissioners: Provided always, that this Enactment shall not apply to any Burgh where the Supply of Gas for public Lamps is regulated by a Local Act.

Owners to provide Lamps for common Stairs, &c.

130. The Owner or Owners of common Stairs or Passages or private Courts, or of Lands or Premises having a Right of Access by any common Stair or Passage or private Court, shall, when required by the Commissioners, within Seven Days next after Service of an Order for that Purpose, make Provisions for lighting such common Stair or Passage or Court in a suitable Manner, and for that Purpose provide and erect all necessary Lamps, and alter, repair, and renew such Lamps to the Satisfaction of the Commissioners; and in default of Compliance with any such Order such Owner or Owners shall be liable to a Penalty not exceeding Forty Shillings for every Day that he or they shall so make default.

Penalty for not keeping common Stairs, &c. lighted.

131. If the Lamp or Lamps which may be erected in any such common Stair or Passage or private Court is or are not regularly cleaned and lighted during such Hours as are from Time to Time fixed by the Commissioners, by the Occupier of any Building or Part of a Building to which Access is obtained by such common Stair or Passage or private Court, every such Occupier failing to do so, whether under Obligation by Contract, or in virtue of this Provision, shall be liable to a Penalty not exceeding Ten Shillings for each Offence.

PART IV.

SECTION II.—*Cleansing Streets.*

Dust, &c. collected to be vested in the Commissioners.

132. The Dust, Dung, Ashes, Rubbish, and Filth (excepting always Stable and Byre Dung) within the Burgh shall be and the same are hereby vested in the Commissioners, who shall have Power to sell and dispose of the same as they think proper, and the Money arising therefrom shall be applied to the Police Purposes of this Act; and the Commissioners shall cause all the Streets, public or private, together with the Foot Pavements, from Time to Time to be properly swept and cleansed, and all the Dust, Dung, Ashes, Rubbish, and Filth to be collected from such Streets, Privies, Sewers, Cesspools, Houses, or Premises, and to be removed at such convenient Hours and Times as they shall consider proper.

Commissioners may provide Lands, &c. for Deposit of Soil and Materials.

133. The Commissioners may from Time to Time provide Places convenient for the Deposit of the Night Soil, Dung, Ashes, and other Filth and Rubbish to be collected under the Authority of this Act, and for stabling and keeping all Horses, Carts, Implements, and other Things required for the Purposes of this Act; and for any of such Purposes the Commissioners may purchase or hire any Lands or Premises by them considered necessary, or they may cause any new Buildings to be made upon any Lands which shall be purchased or hired by them under the Provisions of this Act: Provided always, that it shall be lawful for any Landowner or Householder whose Property may be affected or who thinks himself thereby aggrieved to appeal to the Sheriff in manner after provided.

Dust Boxes to be erected by Commissioners.

134. The Commissioners, if they think fit so to do, may cause any Number of moveable or fixed Dust Boxes or other Conveniences, wherein Dust and Ashes may be deposited until removed and carried away, to be provided and placed in such of the public and private Streets as they shall judge necessary, and may require the Occupiers of Premises within such Streets to cause all their Dust and

PART IV. *Police Purposes.* Sect. 2.

and Ashes to be deposited daily in the said Dust Boxes or other Conveniences; and every Person who, being so required, shall fail to deposit or cause to be deposited any Ashes or Dust in some of such Dust Boxes or other Conveniences shall for every Offence be liable to a Penalty not exceeding Ten Shillings.

Commissioners may cause public Conveniences to be erected.

135. The Commissioners may erect such public Waterclosets, Privies, and Urinals within the Burgh, and in such Situations as they think fit, and may defray the Expense thereof and of keeping the same in good Order, and may make Compensation for any Injury occasioned to any Person by the Erection thereof, out of the Police Assessment, but so that such Erection shall not become a Nuisance, and any Householder who thinks himself aggrieved thereby may appeal to the Sheriff in manner after provided.

Commissioners to cause Streets to be watered, and Wells, Pumps, &c. to be provided.

136. The Commissioners shall, as often as Occasion requires, cause the public and private Streets to be watered, and they may contract with any Water Company or Person for a Supply of Water for that Purpose, and for cleansing the Sewers and Drains; and, if necessary, they may place Pipes, Conduits, and Pumps in any such Streets, or provide any other Works and Engines proper for that Purpose, and remove and alter the same when and as they think proper.

Commissioners to appoint Scavengers.

137. The Commissioners shall appoint and employ a sufficient Number of Scavengers, or contract with any Person to employ Scavengers, for sweeping, cleansing, and watering such Streets, and for removing all Dust, Ashes, Rubbish, and Filth therefrom, and for emptying Privies and Cesspools in the Manner by this Act directed; and such Scavengers shall, on such Days and at such Hours and in such Manner as the Commissioners shall from Time to Time appoint, sufficiently execute all such Works and Duties as they have respectively contracted or been employed to perform; and every such Contractor who fails to sweep and properly cleanse or water any such Streets which he has contracted to sweep, cleanse, or water, or who fails to clean out and empty any Privy, Cesspool, Reservoir, or Sewer which he has contracted to clean out and empty, at the Time and in the Manner appointed by the Commissioners, or to collect or remove any Dirt, Ashes, or Rubbish which he has contracted to remove, at the Time and in the Manner prescribed by the Commissioners for that Purpose, or who lays any of such Soil, Dust, Ashes, or Rubbish or Filth in any other Places than such as are appointed by the Commissioners for that Purpose, shall for every such Offence be liable to a Penalty not exceeding Five Pounds: Provided always, that nothing contained in this Act shall extend to or affect the Obligations of Turnpike Road or other Trustees in regard to the Roads under their Management within the Burgh.

Penalty for obstructing Scavengers.

138. Every Person who refuses to permit the said Scavengers to remove such Dirt, Ashes, or Rubbish as by this Act they are authorized to do, or who obstructs the said Scavengers in the Performance of their Duty, shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Penalty on Persons other than Scavengers removing Dirt.

139. Every Person, other than the Person employed by the Commissioners, or by some Person contracting with the Commissioners for that Purpose, who collects or carries away any Dung, Night Soil, Dust, Ashes, Rubbish, or Filth by this Act directed to be collected or removed by the Commissioners, or by Persons employed by them, shall be liable to a Penalty not exceeding Forty Shillings for every such Offence.

Horse and Cow Dung to be kept off the Streets.

140. It shall not be lawful to deposit, except for the Purpose of Removal, any Horse or Cow Dung upon such Streets (Mews or Stable Lanes excepted); and no Horse or Cow Dung, wherever lawfully kept, shall be mixed with any Dung, Soil, Dirt, Ashes, or Filth declared by this Act to be the Property of the Commissioners; and where any Horse or Cow Dung shall be found in any such Streets (excepting as aforesaid), or shall be so mixed, the same shall be taken possession of by the Inspector of Cleansing, and sold, and the Proceeds of such Sale accounted for and applied to the Police Purposes of this Act.

Stables and Byres to be kept clean.

141. All Stables and Byres, and Areas therewith connected, shall be constantly kept in a clean Condition to the Satisfaction of the Inspector of Cleansing, under a Penalty not exceeding Twenty Shillings for each Offence; and it shall be the Duty of the Inspector from Time to Time to examine the State of all such Places, with a view to the Enforcement of this Enactment.

Areas, &c. to be cleansed by Occupiers.

Penalty for Neglect.

142. All private Courts, Yards, Areas, and other Places which are not cleansed by Scavengers appointed under this Act, shall be kept clean, and shall at least Three Times in every Week, or when required by the Superintendent of Police or Inspector of Cleansing, be cleaned out, by or at the Expense of the Occupiers of such Courts, Yards, Areas, or other Places respectively; and if such Courts, Yards, Areas, or other Places shall not be so kept and cleansed the Occupiers thereof shall be liable to a Penalty not exceeding Ten Shillings for every such Offence.

Dungsteads, &c. to be cleaned out.

143. It shall be lawful for the Commissioners or any of them, after Inspection and Report by the Superintendent of Police or Inspector of Cleansing, to regulate and limit the Time within which all common Necessaries and Dungsteads shall be emptied and cleaned out; and if any other Person under Obligation by Contract or otherwise to empty or clean out such Places shall fail so to do within the Time so limited, such other Person shall be liable in a Penalty not exceeding Twenty Shillings, besides Forfeiture of any Stable or Byre Dung in such Place, which Dung the Inspector of Cleansing, or any other Officer authorized by the Commissioners, may remove or dispose of, or cause to be removed and disposed of, and the Proceeds, under Deduction of the Expenses of Removal, shall be applied to the Police Purposes under this Act,

144. Every

As to Removal of Dung.

144. Every Person who shall lay or cause to be laid on any such Streets any Dung or Manure, for the Purpose of removing the same, shall remove and take the same away before Eight of the Clock of the Day on which it shall be so laid in such Streets, from the First Day of *October* to the First Day of *April*, and before Seven of the Clock of the Day from the First Day of *April* to the First Day of *October*; and if Dung or Manure shall be allowed to remain on any Part of such Streets after the said Hours, the Person offending shall be liable to a Penalty not exceeding Five Shillings for each Offence, and that over and above the Forfeiture of the Dung or Manure, which shall be removed by the Officers of Police, who shall have Power to dispose of the same for the Police Purposes of this Act.

Penalty for conveying offensive Matter at improper Times.

145. The Commissioners may from Time to Time fix the Hours within which only it shall be lawful to remove offensive Matter from any Premises; and when the Commissioners have fixed such Hours, and given public Notice thereof in such Manner as they may deem proper, every Person who removes along any such Street any offensive Matter at any Time, except within the Hours so fixed, and every Person who at any Time, whether such Hours have been fixed by the Commissioners or not, uses for any such Purpose any Cart or Carriage not having a Covering proper for preventing the Escape of the Contents of such Cart, or of the Stench thereof, or who wilfully spills any such offensive Matter in the Removal thereof, or who does not carefully sweep and cleanse every Place in which any such offensive Matter has been placed or unavoidably spilled, shall for every such Offence be liable to a Penalty not exceeding Forty Shillings; and in default of the Apprehension of the actual Offender the Driver or Person having Charge of the Cart or Carriage employed for any such Purpose shall be deemed to be the Offender.

PART IV.

SECTION III.—*Paving and maintaining Streets.*

Power to the Commissioners to improve and form public Streets.

146. The Commissioners may from Time to Time cause all or any of the Streets within the Burgh not under the Management of any Turnpike Road or other Trustees, or any Part of such Streets respectively, to be raised, lowered, altered, and formed in such Manner and with such Materials as they think fit, and they shall also repair such Streets from Time to Time: Provided always, that nothing in this Act contained shall interfere with any Right to have applied to such Streets any Commutation for Statute Labour, or other Fund, by Law applicable to the Maintenance or Repair of such Streets; and any Person considering himself aggrieved may appeal to the Sheriff in manner after provided.

Commissioners may place Fences to Footways.

147. The Commissioners shall from Time to Time place such Fences and Posts on the Side of the Footways of Streets as may be needed for the Protection of Passengers on such Footways, and they may place Posts in the Carriageways of such Streets, so as to make the crossing thereof less dangerous for Foot Passengers, and they shall from Time to Time repair any such Fences or Posts, or may remove the same, or any Obstructions to any such Carriageway or Footway, as they think fit.

Penalty on Persons altering Pavements without the Consent of the Commissioners.

148. Every Person who wilfully displaces, takes up, or makes any Alteration in the Pavement, Flags, or other Materials of any Street, without the Consent of the Commissioners in Writing, or without other lawful Authority, shall be liable to a Penalty not exceeding Five Pounds, and also a further Sum, not exceeding Five Shillings, for every Square Foot or Part of a Square Foot of the paved Flags or other Materials of the Street exceeding One Square Foot so displaced, taken up, or altered; and any Persons having Authority to take up the Pavement, Flags, or other Materials of any Street shall be bound to restore the same, in a substantial Manner and to the Satisfaction of the Commissioners; failing which, the Commissioners shall have Power to restore the Pavement, Flags, or other Materials at the Expense of such Persons, and to enforce Payment thereof.

Foot Pavements.

149. The Owners of all Lands or Premises fronting or abutting on any Street shall, at their own Expense, when required by the Commissioners, cause Footways before their Property respectively on the Sides of such Street to be made, and to be well and sufficiently paved with flat hewn or other Stones, or to be constructed in such other Manner and Form and of such Breadth as the Commissioners shall direct, and shall thereafter, from Time to Time, as Occasion may require, repair and uphold such Footways: Provided always, that where the Lands or Premises of any Owner front or abut on any Street for a continuous Length exceeding One hundred Yards, and such Lands or Premises are unfeued or unbuilt on, it shall not be lawful to the Commissioners to require such Owner to construct such Footway, but the Commissioners may themselves cause such Footway to be constructed in so far as they think proper, and shall be entitled forthwith to recover from such Owner One Third of the Expense thereof, and the remaining Two Thirds thereof whenever the Lands fronting or abutting on the Footway so constructed by them are actually feued or built upon, or laid out or used as a Garden or Pleasure Ground or Pertinent of a House.

Private Streets not properly formed.

150. 'Whereas it would conduce to the Convenience of the Inhabitants, and be for the public Ad-
'vantage, if Provision were made for the levelling, paving or causewaying and flagging of Streets which
'have been laid out and formed by Persons who have neglected to have the same properly levelled, paved
'or causewayed and flagged, and for preventing such Inconveniences in future:' Be it therefore enacted, That where any private Street or Part of a Street is at the Adoption of this Act formed or laid out, or shall at any Time thereafter be formed or laid out, and is not, together with the Footways thereof, sufficiently levelled, paved or causewayed and flagged to the Satisfaction of the Commissioners, it shall be

PART IV. *Police Purposes.* Sect. 3.

be lawful for the Commissioners to cause any such Street or Part of a Street, and the Footways thereof, to be freed from Obstructions, and to be properly levelled, paved or causewayed and flagged, and channelled, in such Way and with such Materials as to them shall seem most expedient; and no such Street shall be considered to have been sufficiently paved or causewayed and flagged unless the same shall be completed with Kerbstones and Gutters to the Satisfaction of the Commissioners.

Expense to be paid by Owners.

151. The whole of the Costs, Charges, and Expenses incurred by the Commissioners in respect of private Streets shall be paid and reimbursed to them by the Owners of the Lands or Premises fronting or abutting on each Street, in proportion to the Extent of their respective Premises fronting or abutting on such Street, as the same shall be ascertained and fixed by the Commissioners or their Surveyor.

In certain Cases Proportion of Expenses to be fixed by Commissioners.

152. Where One or more private Streets or Parts thereof serve for or lead to various Premises adjoining the same, or where, from the peculiar Nature of the Locality, in the Judgment of the Commissioners, the Proportions of each Owner cannot be regulated according to the Frontage as above provided for, the Commissioners shall fix and determine the Premises the Owners of which shall be liable for such Costs, Charges, and Expenses, and the Proportions leviable from each Owner, as they shall consider, under all the Circumstances of the Case, to be just.

Owners to be liable only for Proportions of Expenses.

153. Each Owner shall be liable only for his own Proportion of the said Costs, Charges, and Expenses, and any Owner who shall have well and substantially, and to the Satisfaction of the Commissioners, levelled, made, paved, or causewayed and flagged, and channelled, any Part of such private Street or of the Footways thereof, or done any of such Works, shall be entitled to such Relief as shall appear to the Commissioners to be just.

Private Streets may be declared Streets, as defined in this Act.

154. If any private Street shall at any Time be made, paved, or causewayed and flagged, and put in good Order and Condition, to the Satisfaction of the Commissioners, then, and on Application of any One or more of the Owners of Premises fronting or abutting upon such Street, it shall be lawful for the Commissioners to declare the same to be a Street, as defined in this Act, and for ever afterwards vested in the Commissioners, and shall, with the Exception of the Footway, be repaired and repairable by the Commissioners, under the Authority and Powers of this Act.

Commissioners may relieve Owners within Burgh from Repair of Footways.

155. It shall be lawful to the Commissioners acting under this or any General or Local Act, instead of enforcing the Maintenance and Repair of Footways within Burgh by Owners, to resolve, at a Meeting held for the Purpose, to undertake such Maintenance and Repair, and thereafter such Footways shall be maintained and repaired by the Commissioners: Provided always, that nothing herein contained shall apply to the Footways of private Streets, nor shall affect the Right of the Commissioners to require such Footways to be previously made.

Right of Relief, &c. not to be affected.

156. Nothing in this Act contained shall affect any Right of Relief in regard to the making, paving or causewaying, maintaining, or cleansing of Streets which the Owner or any other Person may have by Feu Contract or otherwise; nor shall any Liability attaching in Law to the Trustees of any Turnpike or other Road, or other Persons liable to make, pave or causeway, maintain, or cleanse Streets or the Footways thereof, be affected, altered, or abridged hereby.

Right of Appeal.

157. Provided always, That as regards the paving or causewaying and maintaining Streets, public or private, including the Footways thereof, it shall be lawful for any Person whose Property may be affected, and who thinks himself thereby aggrieved, to appeal to the Sheriff in manner after provided.

PART IV.

SECTION IV.—*Naming the Streets, and numbering the Houses.*

Houses to be numbered and Streets named.

158. The Commissioners shall from Time to Time cause the Houses and Buildings in all or any of the Streets, public or private, to be marked with Numbers, as they think fit, and shall put up or paint on a conspicuous Part of some House, Building, or Place, in legible Characters, at or near each End, Corner, or Entrance of every such Street, the Name of such Street; and no Name shall be given to any Street without the Consent of the Commissioners; and every Person who destroys, pulls down, or defaces any such Number or Name, or puts up any Number or Name different from the Number or Name put up or caused to be put up by the Commissioners, shall be liable to a Penalty not exceeding Forty Shillings for every such Offence.

Numbers of Houses to be renewed by Owner.

159. The Owners of Houses and other Buildings in the said Streets shall mark their Houses with such Numbers as the Commissioners direct, and shall renew such Numbers as often as they become obliterated or defaced; and every such Owner who fails, within One Week after Notice for that Purpose from the Commissioners, to mark his House with a Number directed by the Commissioners, or to renew such Number when obliterated, shall be liable to a Penalty not exceeding Forty Shillings; and the Commissioners shall cause such Numbers to be marked or to be renewed, as the Case may require.

PART IV.

SECTION V.—*Improving Streets and removing Obstructions.*

Houses may be set forward for improving Line of Street.

160. The Commissioners may allow, upon such Terms as they think fit, any Building within the Burgh to be set forward for improving the Line of the Street in which such Building or any Building adjacent thereto is situated.

161. The

Power to purchase Houses, &c. for additional Improvements.

161. The Commissioners may, at a Meeting to be held for the Purpose, resolve to acquire Lands or Premises within the Burgh for the Purpose of widening, enlarging, or otherwise improving any of the Streets, and they may re-sell any Parts of such Lands or Premises which shall not be required for such Purposes; and they may also drain, repair, or otherwise improve Courts and Places where there may be Doubt as to the Liability of Owners to execute such Works, and in Localities within the Burgh, when Houses or other Buildings are, in the Opinion of the Commissioners, built too close to each other, or have become waste and ruinous, or are liable to other Objections on sanitary Grounds, it shall also be lawful to the Commissioners to resolve to acquire Lands or Premises, for the Purpose of reserving them as vacant Spaces, or of improving the Buildings, or of otherwise disposing of them so as to improve the sanitary Condition of such Localities; and the Expense of such Acquisitions and Improvements shall be a charge against the General Improvement Rate herein-before authorized to be levied: Provided always, that the Commissioners may resolve that the same shall be charged, as they are hereby empowered to do, against the Police Assessment.

Commissioners may acquire Premises for sanitary Purposes.

Houses projecting beyond Line of Street, when taken down, to be set back.

162. When any House or Building, any Part of which projects beyond the regular Line of the Street, or beyond the Front of the House or Building on either Side thereof, has been taken down in order to be altered, or is to be rebuilt, the Commissioners may require the same to be set backwards to or toward the Line of the Street, or the Line of the adjoining Houses or Buildings, in such Manner as the Commissioners may direct, for the Improvement of such Street: Provided always, that the Commissioners shall make full Compensation to the Owner of any such House or Building for any Damage he thereby sustains, which Compensation may be settled in the same Manner as Compensation for Land to be taken under the Provisions of the "Lands Clauses Consolidation (*Scotland*) Act, 1845," is directed to be settled, and shall form a Charge against the General Improvement Rate: Provided always, that the Commissioners may resolve that the same shall be charged, as they are hereby empowered to do, against the Police Assessment.

Future Projections of Houses, &c. to be removed, on Notice.

163. The Commissioners may give Notice to the Owner of any House or Building to remove or alter any Porch, Shed, projecting Window, Step, Cellar, Cellar Door or Window, Sign, Sign Post, Sign Iron, Showboard, Window Shutter, Wall, Gate, or Fence, or any other Obstruction or Projection erected or placed, after the Adoption of this Act, against or in front of any House or Building within the Burgh, and which is an Obstruction to the safe and convenient Passage along any Street; and such Owner shall, within Fourteen Days after the Service of such Notice upon him, remove such Obstruction, or alter the same in such Manner as shall have been directed by the Commissioners, and in default thereof shall be liable to a Penalty not exceeding Forty Shillings; and the Commissioners in such Case may remove such Obstruction or Projection, and the Expense of such Removal shall form a Charge against and be paid by the Owner so making default; and no Person shall erect any Projection whatever in any Street without the written Consent of the Commissioners, under a Penalty of Forty Shillings for each Offence.

Commissioners may cause existing Projections to be removed, and Compensation to be made.

164. If any such Obstructions or Projections were erected or placed against or in front of any House or Building in any such Street before the Adoption of this Act, the Commissioners may cause the same to be removed or altered as they think fit, provided that they give Notice of such intended Removal or Alteration to the Owner of the House or Building against or in front of which such Obstruction or Projection shall be, Thirty Days before such Alteration or Removal is begun; and if such Obstructions or Projections shall have been lawfully made, they shall make reasonable Compensation to every Person who suffers Damage by such Removal or Alteration.

Doors in future to be made to open inwards.

165. All Doors, Gates, and Bars put up after the Adoption of this Act within the Burgh, and which open upon any Street, shall be hung or placed so as not to open outwards, except when, in the Case of public Buildings, the Commissioners allow such Doors, Gates, or Bars to be otherwise hung or placed; and if, except as aforesaid, any such Door, Gate, or Bar be hung or placed so as to open outwards on any Street, the Owner of the Premises to which such Door, Gate, or Bar is attached shall, within Eight Days after Notice from the Commissioners to that Effect, cause the same to be altered so as not to open outwards; and in case he neglect so to do the Commissioners may make such Alteration, and the Expenses of such Alteration shall be paid to the Commissioners by such Owner, and shall be recoverable from him, and he shall in addition be liable to a Penalty not exceeding Forty Shillings.

Doors opening outwards may be altered.

166. If any such Door, Gate, or Bar was, before the Adoption of this Act, hung so as to open outwards upon any Street, the Commissioners may alter the same, so that no Part thereof when open shall project over any public Way.

Coverings for Cellar Doors to be made by Occupier.

167. When any Opening is made in any Pavement or Footpath within the Burgh as an Entrance into any Vault or Cellar, a Door or Covering shall be made by the Owner of such Vault or Cellar, of Iron or such other Materials and in such Manner as the Commissioners direct, and such Door or Covering shall from Time to Time be kept in good Repair by the Owner of such Vault or Cellar; provided always, that before such Opening is made the Consent of the Commissioners thereto shall be obtained in Writing; and if such Owner do not within a reasonable Time make such Door or Covering, or if he make any such Door or Covering contrary to the Directions of the Commissioners, or if he do not keep the same when properly made in good Repair, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Penalty for Neglect.

Rain water to be conveyed from Roofs of Houses in Pipes.

168. The Owner of every House or Building, in, adjoining, or near to any Street, public or private, shall put up and keep in good Condition a Shoot or Trough of the whole Length of such House or Building, and shall connect the same with a Pipe or Trunk to be fixed to the Front or Side of such Building from the Roof to the Ground, to carry the Water from the Roof thereof, in such Manner that the Water from such House, or any Portico or Projection therefrom, shall not fall upon the Persons passing along such Street, or flow over the Footpath; and for the latter Purpose it shall be lawful for any such Owner to take up so much of the Pavement, Causeway, or Flagging of any Street as may be requisite, and to lay down such Drains or Tunnels, or fix Iron Drain Gutters, under the Direction of the Commissioners; and all Damage which may thereby be occasioned to the Pavement, Causeway, or Flagging of the Footpath or Carriageway shall be made good at the Expense of such Owner; and in default of Compliance with this Enactment such Owner shall be liable to a Penalty not exceeding Forty Shillings for every Day that he shall so make default, after being required by the Commissioners to comply therewith.

Parties aggrieved may appeal to the Sheriff.

169. Provided always, That, as regards the improving the Line or Level of any Street, and removing Obstructions, or any other Work to be executed by the Commissioners, under the Provisions of this Act, for the Improvement of any Streets, it shall be lawful for any Person whose Property may be taken or affected, and who thinks himself thereby aggrieved, to appeal to the Sheriff in manner after provided.

PART IV.

SECTION VI.—*Laying out new Streets.*

Notice of Intention to lay out new Streets to be given to Commissioners.

170. Every Person who intends to make or lay out any new Street shall give Notice thereof to the Commissioners, in order that the Level of such Street may be fixed by the Commissioners: Provided always, that where any such Street is, at the Time of the Adoption of this Act in whole or in part, the Subject of any Contract for the Formation thereof then existing, the same shall not be held or taken to be a new Street within the Meaning of this Act.

Levels to be fixed by the Commissioners.

171. The Level of every such new Street shall be fixed by the Commissioners within Six Weeks after the Delivery of such Notice, but subject to Appeal to the Sheriff, if such Appeal shall be entered within Three Weeks from the Date of Intimation of such Deliverance by the Commissioners; and the Decision of the Sheriff, if such Appeal be taken, or such Deliverance by the Commissioners if not appealed to the Sheriff, shall be final, and the Level so fixed shall be kept thereafter by every Person erecting any House or other Building in such Street.

If the Commissioners fail to fix the Level, the Party may proceed without.

172. If the Commissioners do not fix such Level within Six Weeks from the Time of the Delivery of such Notice as aforesaid, the Person giving such Notice may proceed to lay out such Street at any Level which will allow of Compliance with the other Provisions of this Act, as if such Level had been fixed by the Commissioners; and in such Case every Change of the Level which the Commissioners afterwards deem requisite, and the Works consequent thereon, shall be made by the Commissioners, and the Expense thereof, and any Damage which any Person sustains in consequence of such Alteration, shall be defrayed by them out of the Police Assessment.

Persons laying out Streets without Notice to be liable to the Expenses of subsequent Alterations of Levels.

173. Every Person who makes or lays out any such new Street as aforesaid, without causing such Notice to be given to the Commissioners as aforesaid, shall be liable to defray all the Expenses consequent upon any Change of the Level of such Street deemed requisite by the Commissioners; and every Person who in building any House or other Building in such Street does not keep the Level fixed by the Commissioners shall be liable to defray all the Expenses consequent upon any Alteration on any such House or Buildings, or any Change of the Level of that Part of such Street on which such House or Building abuts, which the Commissioners deem requisite.

Situation of Gas and Water Pipes to be altered at the Expense of the Commissioners.

174. If the Commissioners deem it necessary to raise, sink, or otherwise alter the Situation of any Water Pipe or Gas Pipe, or other Waterworks or Gasworks, laid in any such Streets, they may from Time to Time, by Notice in Writing, require the Person to whom any such Pipes or Works belong to cause forthwith any such Pipes or Works to be raised, sunk, or otherwise altered in Position in such Manner as the Commissioners may direct; provided that such Alteration be not such as permanently to injure such Works, or to prevent the Water or Gas from flowing as freely and conveniently as before; and the Expenses attending such raising, sinking, or altering, and Compensation for every Damage done thereby, shall be paid by the Commissioners out of the Police Assessment, or other Rates or Assessments, as the Case may be, as well to the Persons to whom such Pipes or Works belong as to all other Persons.

If Gas or Water Company neglect, Commissioners may make the Alteration.

175. If the Person to whom any such Pipes or Works belong do not proceed forthwith, after the Receipt of such Notice, to cause the same to be raised, sunk, or altered, in such Manner as the Commissioners require, the Commissioners may themselves cause such Pipes or Works to be raised, sunk, or altered, as they think fit; provided that such Works be not permanently injured thereby, or the Water or Gas prevented from flowing as freely and conveniently as before.

Commissioners may agree as to making of new Streets.

176. It shall be lawful for the Commissioners to agree with any Person for the making of new Streets for the Public Use through the Lands and at the Expense of such Person, and to agree that such Streets shall become and the same shall accordingly become, on Completion, public Streets to be maintained and repaired

repaired at the Public Expense; and it shall be lawful for the Commissioners, with the Consent of Two Thirds of their Number, to agree with such Person to pay any Portion of the Expense of making such Streets out of the Police Assessment, and accordingly to pay the same.

Width of new Courts.

177. It shall not be lawful to form, lay out, or build any Court unless the same shall be of a clear Width of Fifteen Feet, measuring from the Buildings or intended Buildings therein: Provided always, that to any such Court in which there shall be more than Eight Houses there shall be an additional Width of One Foot for every such additional House; provided also, that there shall be an Entrance to every such Court of the full Width thereof, and open from the Ground upwards.

Height of Houses in Courts.

178. It shall not be lawful to build any Houses in any Court which shall be of greater Height than Thirty Feet, nor shall any Houses in any Court contain more than Two Flats above the Ground Flat, which Height shall be taken from the Level of the Ground Floor to the Eave of the Roof.

Penalty for forming Courts contrary to Act.

179. Every Person who shall, from and after the Adoption of this Act, form or lay out, or permit or suffer to be formed or laid out, any new Court, or any Part thereof respectively, within the Burgh, or who shall build, raise, or add to any House or Premises therein, or permit or suffer the same to be done, contrary to the Provisions of this Act, unless the same shall have been formally sanctioned by the Commissioners on a Consideration of the Special Circumstances of the Case, which Sanction they are hereby empowered to give, shall forfeit and pay a Sum not exceeding Twenty Pounds, and a further Sum not exceeding Five Pounds *per* Day for every Day after the first, during which he shall permit or suffer such new Court, or Part thereof, or such Houses or Premises, to remain so formed, laid out, built, or added to as last aforesaid: Provided always, that the Provisions of this Act relating to the Width and Construction of Courts, shall not extend or apply to any existing Court which shall be proved to the Satisfaction of the Commissioners to be agreed to have been formed previous to the Adoption of this Act.

Removal of Toll Bars within Burgh.

180. It shall be lawful for the Commissioners, and for the Trustees of any Turnpike Road, the whole or any Portion of which is within the Burgh, to contract for the Removal of any Toll Bar thereon from within or nearer to the Limits of the Burgh, and also, if thought expedient, for the Relinquishment by such Trustees, and the Assumption by the Commissioners as a public Street, of the whole of the said Turnpike Road so far as situated in the Burgh, or of Part thereof, all on such Terms and Conditions, and in consideration of such single or annual Payment out of the Funds belonging to or under their Control respectively, as may be mutually agreed on: Provided always, that no such Contract shall be valid and effectual unless agreed to at a General Meeting of such Trustees specially called for the Purpose, and confirmed at another such Meeting called in like Manner, and held not less than Three Weeks nor more than Six Weeks thereafter; and that no Person qualified as a Trustee by holding the Office of Lord Provost, Provost, Baillie, Dean of Guild, Deacon Convener, Treasurer, Master of Works, or other Municipal Office in the Burgh shall be entitled to vote at any such Meeting in relation to any such Contract: Provided also, that where the whole Money borrowed on the Credit of the Tolls of any such Turnpike Road shall not have been discharged, no such Contract shall be valid without the Consent thereto in Writing of the Persons entitled to Three Fourths of the Money remaining due upon such Tolls, and of such Trustees as shall have become personally liable for the same: Provided further, that it shall be lawful for the Trustees of any Turnpike Road from which a Toll Bar shall be removed in pursuance of the Provisions herein-before contained to levy at such Bar, where re-erected, and also at the other Bars on the said Road, the same Tolls as they might have levied if such Bar had not been removed.

Exemption of Roads under Trustees.

181. The Provisions of this Act in regard to paving and maintaining Streets, excepting Foot Pavements as above provided, shall not apply to any Roads or Streets which are or may come under the Management of Turnpike or other Road Trustees, and this Act shall in no respect repeal, alter, or affect the Powers or Obligations of such Trustees, or the Provisions of any Act of Parliament under which they act.

PART IV.

SECTION VII.—*Public Sewers.*

Sewers, &c. vested in Commissioners.

182. All Sewers and Drains within the Burgh, whether existing at the Time when this Act is adopted or made at any Time thereafter, (except Sewers and Drains within the private Property of any Person made and used as of private Right by any Person or Persons for his or their own Benefit, or for the Benefit of Proprietors or Shareholders, and except Sewers and Drains made and used for the Purpose of draining, preserving, or improving Land, under any Local or Private Act of Parliament,) shall vest in and belong to and be entirely under the Management and Control of the Commissioners.

Power to purchase, &c. certain Sewers.

183. The Commissioners may, if they shall think fit, purchase the Rights, Privileges, Powers, and Authorities vested in any Person for making Sewers not hereby vested in the Commissioners, or contract for the Use of any such Sewers within the Burgh, or purchase any such Sewers, with or without the Buildings, Works, Materials, and Things belonging or appertaining thereto; and any Person to whom any such Rights, Privileges, Powers, Authorities, Sewers, Buildings, Works, Materials, or Things belong may sell and dispose of the same to or otherwise contract with the Commissioners; and in case of any such Sale the Purchase Money shall be settled and applied to the same Uses and Purposes to

PART IV. *Police Purposes.* Sect. 7.

which the Property purchased may have been subject at the Time of such Sale, and the Property purchased shall vest in and belong to the Commissioners purchasing the same, any Law to the contrary notwithstanding: Provided always, that, notwithstanding any such Purchase, any Person who previously thereto may have acquired perpetual Right to use any Sewer so purchased shall be entitled to use the same, or any other Sewer substituted in lieu thereof, in as full and ample a Manner as he would or might have done if such Purchase had not been made.

Private Sewers or Watercourses, &c. not to be used without Consent.

184. Nothing in this Act contained shall be construed to authorize the Commissioners, contrary to or inconsistently with any private Right, to use, injure, or interfere with any Sewers or other Works already made or used for the Purpose of draining, preserving, or improving Land under any Local or Private Act of Parliament, or for the Purpose of irrigating Lands, or to use, injure, or interfere with any Watercourse, Stream, River, Dock, Basin, Wharf, Quay, or Towing-path in which the Owner or Occupier of any Lands, Mills, Mines, or Machinery, or the Proprietors of any Canal or Navigation, shall have Right and Interest, without Consent in Writing first had and obtained from the Person legally entitled to grant the same; and nothing in this Act contained shall prejudice or affect the Rights, Privileges, Powers, or Authorities given or reserved to any Person under any Local or Private Act of Parliament for the Drainage, Preservation, or Improvement of Land, or for or in respect of any Mills, Mines, Machinery, Canal, or Navigation as last aforesaid.

Drainage Districts to be formed subject to the Approval of the Sheriff.

185. The Commissioners may from Time to Time, subject to the Approval of the Sheriff, divide the whole Burgh, if and as Occasion shall require, into separate Drainage Districts, having regard in such Division to the Nature of the Ground, to the Main Lines of Sewers by which such separate Drainage Districts are or shall be drained, and to the equal Benefit, as far as may be, of all the Lands or Premises to be comprised in any such Drainage District, and shall cause their Surveyor to define and describe the several Drainage Districts on a Plan of the Burgh to be made as after provided for.

Power to Commissioners to construct Sewers where none exist, making Compensation to Owners of Property.

186. The Commissioners shall from Time to Time, subject to the Restrictions herein contained as to the Notice to be given and the Plans and Estimates to be prepared, cause to be made, under the Streets, public or private or elsewhere, such Main and other Sewers as shall be necessary for the effectual draining of the Burgh, and shall also, if necessary for such Drainage, deepen, divert, or cover over any Burn or any Ditch made use of as a Common Sewer, or any Ditch into which Sewage flows, and shall also cause to be made all such Reservoirs, Sluices, Engines, and other Works as shall be necessary for cleansing such Sewers, and, if needful, they may carry such Sewers through and across all underground Cellars and Vaults under any such Streets, doing as little Damage as may be, and making full Compensation for any Damage done; and if, for completing any of the aforesaid Works, it be found necessary to carry them into or through any inclosed or other Lands, the Commissioners may carry the same into or through such Lands accordingly, making full Compensation to the Owners and Occupiers thereof, and they may cause the Refuse from such Sewers to be conveyed by a proper Channel to the most convenient Site for its Collection, and Sale for Agricultural or other Purposes, as may be deemed most expedient, but so that the same shall in no Case become a Nuisance: Provided always, that if in making any such Main and other Sewers, or in repairing, reconstructing, or enlarging the same or existing Drains or Sewers, the Contents at present carried into any existing Outlet shall be diverted therefrom to the Prejudice of any actual existing legal Right, the Commissioners shall be bound to make Compensation therefor; which Compensation shall be settled in the same Manner as Compensation for Land to be taken under the Provisions of the "Lands Clauses Consolidation (*Scotland*) Act, 1845," is directed to be settled.

Commissioners may alter Sewers from Time to Time.

187. The Commissioners may from Time to Time, as they see fit, repair, enlarge, alter, arch, or cover over, and otherwise improve all or any of the Sewers vested in them; and if any of such Sewers at any Time appear to them to have become useless, the Commissioners, if they think fit to do so, may demolish and discontinue such Sewer, provided that it be so done as not to create a Nuisance.

Commissioners not to destroy existing Sewers, &c. without providing others.

Penalty for Neglect.

188. If any Person, by means of any Enlargement, Alteration, or Discontinuance of any Sewer, or other Proceeding of the Commissioners, be deprived of the Use of any Sewer or Drain which such Person was theretofore lawfully entitled to use, the Commissioners shall provide some other Sewer or Drain equally effectual for such Purpose; and if the Commissioners refuse, or do not within Seven Days next after Notice in Writing served upon them begin, and thereupon diligently proceed to restore to its former effective State, such Drain or Sewer the Use whereof has been affected by the Acts of the Commissioners, or to provide such other Sewer or Drain as aforesaid, they shall forfeit to the Person aggrieved any Sum not exceeding Forty Shillings for every Day after the Expiration of such Seven Days during which he is deprived of the Use of the Drain or Sewer to which he was so entitled, and is not provided with such other Drain or Sewer as aforesaid.

Commissioners to cause Estimates to be prepared before Execution of Works.

189. Before entering into any Contract for executing any such Work as aforesaid, the Commissioners shall procure from their Surveyor an Estimate of the probable Expense of constructing the same in a substantial Manner, and of the yearly Expense of maintaining the same in repair, and such Surveyor shall accompany such Estimate with a Report as to the most advantageous Mode of constructing such Work, whether under a Contract for constructing the same merely, or a Contract for constructing the same and maintaining it in repair during a given Term of Years.

190. Every

Penalty for making unauthorized Drains.

190. Every Person, not being employed or authorized for that Purpose by the Commissioners, who shall make any Drain from any Lands or Premises into any of the Sewers vested in the Commissioners, shall be liable to a Penalty not exceeding Five Pounds; and the Commissioners may cause such Drain to be re-made as they think fit, and the Expense incurred thereby shall be paid by the Owner of the Lands or Premises, and that over and above a reasonable Sum of Money for the Use of the Sewers, which the Commissioners are hereby authorized and required to exact for all Lands or Premises which were not assessed for the Expense of making such Sewers, or which shall have been built, enlarged, or altered after the Assessment for making the same was imposed or levied, and the Commissioners shall fix and determine the Sum to be paid as they shall consider just.

Vaults and Cellars under Streets not to be made without the Consent of the Commissioners.

191. No Building shall be erected over any Sewer belonging to the Commissioners, and no Vault, Arch, or Cellar shall be made under the Carriageway of any Street, public or private, without the Consent of the Commissioners first obtained in Writing; and all such Vaults, Arches, and Cellars shall be substantially made, and so as not to interfere or communicate with any Sewers belonging to the Commissioners; and if, after the Adoption of this Act by any Burgh, any Building be erected, or any Vault, Arch, or Cellar be made therein, contrary to the Provisions herein contained, the Commissioners may demolish or fill up the same, and the Expenses incurred thereby shall be paid by the Person erecting such Building, or making such Vault, Arch, or Cellar.

All Sewers, &c. to be covered with Traps.

192. All Sewers and Drains within the Burgh, whether public or private, shall be provided by the Commissioners or other Persons to whom they severally belong with proper Traps or other Coverings or Means of Ventilation, so as to prevent Stench.

Distillers to construct Reservoirs to deposit Refuse.

193. The Owners or Occupiers of Distilleries, Manufactories, and other Works shall be compelled, where possible, to dig, make, and construct Pools or Reservoirs within their own Ground, or as near their Works as possible, for receiving and depositing the Refuse of such Works, so far as offensive or dangerous to the Health of those living in the Vicinity thereof, or to use the best practicable Means for rendering the same inoffensive or innoxious before discharging it into any River, Stream, Ditch, or Sewer.

Sewers may be used by Owners and Occupiers of Land or Premises beyond Limits of Burgh.

194. Any Person, being the Owner or Occupier of any Lands or Premises beyond the Burgh, and in respect of which he would not be liable to the Payment of the Rates authorized to be levied under this Act, may, with the Consent of the Commissioners first obtained in Writing, upon Payment to them of a reasonable Sum of Money, to be agreed upon between them, at his own Expense, and under the Superintendence of the Surveyor of the Commissioners, cause to branch into and to communicate with any of the Sewers belonging to the Commissioners any Sewer or Drain in respect of the said Lands or Premises which may be lawfully made therefrom, of such Size and in such Manner and Form of Communication as the Commissioners approve of: Provided always, that nothing in this Act contained shall affect any Right theretofore acquired by such Owner or Occupier to use any of the Sewers or Drains belonging to the Commissioners.

Drains may be made to discharge below High-water Mark.

195. If the Commissioners shall consider it necessary for Public Health that any Drain should discharge itself below High-water Mark, they shall be entitled, with the Consent of the Commissioners of Her Majesty's Woods and Forests, to construct the requisite Works for that Purpose in the Way and under the Regulations provided in regard to Works authorized by this Act.

Power to borrow Money for the Construction of Sewers.

196. It shall be lawful for the Commissioners to borrow for the Purpose of making, enlarging, reconstructing, and maintaining Sewers, and on the Security of the said Special Sewer Rates and General Sewer Rates, such Sums of Money, and at such Times, as the Commissioners shall deem necessary for that Purpose, and to assign the said Special Sewer Rates and General Sewer Rates in security of the Money to be so borrowed; and the Provisions of this Act with respect to the borrowing of Money and the granting of Bonds therefor, and the Transference and recording of such Bonds, shall be applicable to the borrowing of Money for the Purpose of making, enlarging, reconstructing, and maintaining Sewers; and the Bonds to be granted for the Money so to be borrowed shall, *mutatis mutandis*, be in the Form, as near as may be, set forth in this Act, for Bonds to be granted for Money borrowed under the general Powers of this Act, and shall constitute a Lien over the Special Sewer Rates and General Sewer Rates thereby assigned, and shall entitle the Creditors therein to recover the Sums thereby due from the Commissioners and their Officers out of the first and readiest of the said Special and General Sewer Rates.

Application of Money borrowed for constructing Sewers.

197. The Money so borrowed shall be applied wholly in defraying the Expense of making, enlarging, reconstructing, and maintaining Sewers, and to no other Purpose whatsoever; and the Special and General Sewer Rates shall not be liable for nor be assigned in security of the Payment of any Sums borrowed by the Commissioners for any other Purpose than the making, Enlargement, Reconstruction, or Maintenance of Sewers.

Persons aggrieved by making, &c. Sewers may appeal to the Sheriff.

198. Provided always, That it shall not be lawful to the Commissioners to authorize the Construction of any Sewer the Sewage from which will be discharged into any River or Stream from which Water is taken for domestic Purposes so as to injure or affect such Supply; and as regards the making, altering, and maintaining Sewers, and the discharging thereof into any River or Stream, it shall be lawful for any Person whose Property may be taken or affected, or who may think himself thereby aggrieved, to appeal thereon to the Sheriff in manner after provided.

PART IV.

SECTION VIII.—*Drainage of Houses.*

Commissioners empowered to construct Drains from Houses, charging Owners, &c. with the Expense.

199. If any House or Building within the Burgh be at any Time not drained by a sufficient Drain or Pipe communicating with some Sewer or with the Sea, to the Satisfaction of the Commissioners, and if there shall be such Means of Drainage within One hundred Yards of any Part of such House or Building, the Commissioners shall construct or lay from such House or Building a covered Branch Drain or Pipe of such Materials, of such Size, at such Level, and with such Fall as they think necessary for the Drainage of such House or Building, its Areas, Waterclosets, and Offices; and the Expense thereof shall be recoverable from the Owner of such House or Building, over and above any Sum that may be charged for the Use of the Sewers as above provided for.

No House to be hereafter built without Drains being constructed.

200. No House or Building within the Burgh shall be built upon a lower Level than will allow of the Drainage of the Wash and Refuse of such House or Building into some Sewer belonging to the Commissioners, either then existing or marked out upon the Map herein-after directed to be made by them; and if there be such Means of Drainage existing within One hundred Yards of such intended House or Building, the Commissioners shall cause a Branch Drain leading thereunto from the intended Site of such House to be made, of such Materials, of such Size, at such Level, and with such Fall as they think fit; or if there be no such Means of Drainage within One hundred Yards of any Part of the said intended Site of such House or Building, then such Drain shall be made so as to lead into such covered Cesspool or other Place as the Commissioners direct, not being under any Dwelling House, and constructed and kept in complete Repair to the Satisfaction of the Commissioners, so as effectually to prevent any Leakage or Effluvium therefrom until such Sewer as aforesaid is made by the Commissioners, when they shall make a Drain to communicate with such new-made Sewer, and shall demolish and fill up any such Cesspool.

Where Houses are built, the Level shall be sufficient to allow a Drain to be constructed.

201. Whenever any House is rebuilt within the Burgh, the Level of the Cellar or other lowest Floor of such House shall be raised sufficiently to allow of the Construction of such Drain as is herein-before provided in the Case of Houses to be built after the Adoption of this Act; and whenever any House is taken down to or below the Roof of the Floor commonly called the Ground or Street Floor, for the Purpose of being built up again, such building shall be deemed a rebuilding within the Meaning of this Act.

Notice of Buildings and Rebuildings to be given to the Commissioners.

202. Before beginning to build any new House, or to rebuild any existing House within the Burgh, the Person intending to build or rebuild such House shall give to the Commissioners Notice thereof in Writing, and shall accompany such Notice with a Plan showing the Level at which the Foundation of such House is proposed to be laid by Reference to some Level ascertained under the Direction of the Commissioners.

Commissioners may signify Disapproval within Fourteen Days.

203. Within Fourteen Days after receiving such Notice, the Commissioners may signify their Disapproval of the Level at which it is proposed to lay the Foundation of any such House, and in case of such Disapproval may, within the said Fourteen Days, fix the Level at which the same is to be laid, but subject to Appeal to the Sheriff, if such Appeal shall be entered within Two Weeks from the Date of the Intimation of such Disapproval; and the Decision of the Sheriff, if such Appeal be taken, or the Deliverance of the Commissioners, if not appealed to the Sheriff, shall be final.

Commissioners may cause Houses built without Notice, &c. to be altered.

204. In default of sending such Notice and Plan, or if such Building be begun or made at any Level different from that fixed by the Commissioners, within the said Fourteen Days, or determined on Appeal, as after provided, or in any other respect is contrary to the Provisions of this Act, the Commissioners may, if necessary, cause such Building to be altered or demolished, as the Case requires, and the Expense incurred by the Commissioners in respect thereof shall be repaid to them by the Person failing to comply with the Provision aforesaid.

If Commissioners fail to signify their Approval, &c. Parties may proceed.

205. If the Commissioners fail to signify in Writing their Approval or Disapproval of the Level shown on such Plan as aforesaid within Fourteen Days after receiving such Notice and Plan as aforesaid, the Person giving such Notice may, notwithstanding anything herein contained, proceed to build or rebuild the House therein referred to according to the Level shown on such Plan, provided that such building or rebuilding be otherwise in accordance with the Provisions of this Act.

Drains and Cesspools to be kept in good Order.

If Owners neglect, Commissioners may cause the same to be done, &c.

206. All Branch Drains, as well within as without the Premises to which they belong, and all Cesspools or Reservoirs within the Burgh, shall be under the Survey and Control of the Commissioners, and shall be altered, repaired, and kept in proper Order at the Cost and Charges of the Owners of the Premises to which the same belong, or for the Use of which they are constructed or continued; and if the Owner of any Premises to which any such Drain or Cesspool or Reservoir belongs neglect, during Seven Days after Notice in Writing for that Purpose, to alter, repair, and to put the same into good Order in the Manner required by the Commissioners, the Commissioners may, at the Expense of such Owner, cause such Drain or Cesspool or Reservoir to be altered, repaired, covered, and put in good Order.

As to the Inspection of Drains and Cesspools.

207. The Surveyor of the Commissioners may inspect any Drain or Cesspool or Reservoir within the Burgh, and for that Purpose, at all reasonable Times in the Daytime, after Twenty-four Hours Notice in Writing to the Occupier of the Premises to which such Drain or Cesspool or Reservoir is attached, may

may enter upon any Premises, with such Assistants or Workmen as are necessary, and cause the Ground to be opened where he thinks fit, doing as little Damage as may be; and if such Drain or Cesspool or Reservoir be found to be in proper Order and Condition, he shall cause the Ground to be closed and made good as soon as may be; and the Expense of opening, closing, and making good such Drain or Cesspool or Reservoir shall in that Case be defrayed by the Commissioners.

Penalty on Persons making or altering Drains, &c. contrary to the Orders of the Commissioners.

208. If such Drain or Cesspool or Reservoir be on Inspection found to have been constructed, after the Adoption of this Act, contrary to the Directions and Regulations of the Commissioners, or contrary to the Provisions of this Act, or if any Person, without the Consent of the Commissioners, construct, rebuild, or unstop any Drain or Cesspool or Reservoir which has been ordered by them to be demolished or stopped up or not to be made, every Person so doing shall be liable to a Penalty not exceeding Five Pounds; and the Commissioners may cause such Amendment or Alteration to be made in any such Drain or Cesspool or Reservoir as they think fit.

Parties aggrieved may appeal to the Sheriff.

209. As regards House or Branch Drains, and the building or rebuilding any House, it shall be lawful for any Person whose Property may be thereby taken or affected, and thinking himself thereby aggrieved, to appeal thereon to the Sheriff in manner after provided.

PART IV.

SECTION IX.—*Soil Pipes and Water-closets.*

Water and Water-closets.

210. Within One Month next after Notice given by the Commissioners in Writing for that Purpose, the Owner of every House or Part of a House occupied by a separate Family into which Water has not been already introduced shall introduce Water into every such House or Part of a House within the Burgh, by means of a Pipe not less than Half an Inch Bore, fitted with a Crane opening upon the Sink and Soil Pipe after mentioned, and shall fit up, in some Window, Recess, or other well-lighted and ventilated Place, a Sink, to be connected with a Soil Pipe, duly trapped, leading into the nearest Drain, sufficient to carry off the whole foul Water; and after a like Notice every such Owner shall also provide for such House or Part of a House occupied by a separate Family, wherever practicable, a sufficient Water-closet; and the said Sinks, Soil Pipes, and Water-closets shall be properly applied, trapped, and ventilated, and these, and the Water Pipes, fitted up in a most complete Manner, and so as to prevent any Leakage or Effluvium therefrom, shall be kept in complete Repair, to the Satisfaction of the Commissioners: Provided always, that if, in the Opinion of the Commissioners, it is not advisable to introduce Water-closets into each House or Part of a House, they, after a like Notice, may require the Owners of a Tenement to construct on each Flat, or in some convenient Place or Places adjacent to such Tenement, a sufficient Number of Water-closets for the separate Use of each Sex of the Inmates and Occupiers of the said Tenements: Provided always, that this Enactment shall not be enforced by the Commissioners where, from Water not having been laid under sufficient Pressure, or from Drains being still unmade, or from any other Cause, such Works shall be impracticable.

Certain Water-closets to be constructed in Factories, &c.

211. If at any Time it shall appear to the Commissioners, upon the Report of the Surveyor, that any House is used or intended to be used as a School or Factory, or Building in which Persons of both, or either of the Sexes, and above Ten in Number, are employed or intended to be employed at One Time in any Manufacture, Trade, or Business, the Commissioners may, if they shall think fit, by Notice in Writing to the Owner or Occupier of such House, require them or either of them, within a Time to be specified in such Notice, to construct a sufficient Number of Water-closets or Privies for the separate Use of each Sex; and any Person refusing or neglecting to comply with any such Notice shall be liable for each Default to a Penalty not exceeding Twenty Pounds, and a further Penalty not exceeding Forty Shillings for every Day during which the Default is continued.

Owners of Flats of Houses to have a Supply Pipe from Water Pipe.

212. It shall be lawful for the Owners of any One or more Floors or Stories of any House or other Building within the Burgh to have a Supply Pipe from any Water Pipe in the Street brought up the common Staircase, or along the Back or Side Wall of the Tenement on the Outside, and either passing underground through the sunken Story or lowest Flat, or, where practicable, through any common Entry; provided always, that Authority shall be first obtained from the Magistrates, which may be granted summarily, on hearing the Parties concerned, without written Pleading, to lay and put up such Pipe; and the Expense of laying and putting up, and of keeping the same in repair, and the Damage thereby occasioned to the Street and otherwise, shall be defrayed by the Person using the same; and no Person shall have Power to join the Supply Pipe to any Main Pipe without the Sanction of the Magistrates or any One of them so obtained, and of any Water Company who may supply such Water.

Soil Pipes may be carried through the different Houses.

213. Where there are Two or more Houses in any Tenement, the Owner and Occupier of each House shall permit Soil Pipes, if necessary, to be carried through the same; and the Owner and Occupier of the lowest Story shall permit such Soil Pipes, if necessary, to be carried through and under the same; and all such Owners and Occupiers shall at all reasonable Times afford Access to all such Houses for the Construction of the Works, and for making all Repairs necessary thereon, without any Claim for Compensation: Provided always, that the Works shall be so executed as to occasion the least Inconvenience to any such Owner and Occupier, and that any Injury done to such Houses in the Execution of the Works shall be forthwith repaired, and that the Authority of the Magistrates shall first be obtained, in the Manner herein-before provided with respect to Supply Pipes from Water Pipes.

214. The

Penalty for introducing Ashes into Soil Pipes.

214. The Occupier of any House or other Place into the Cesspool or Soil Pipe of which any Ashes or other Matter calculated to choke the same shall be introduced or allowed to enter shall be liable in a Penalty not exceeding Forty Shillings, besides, where Damage has been caused by such Offence, being liable to repair such Damage.

Owners of Flats of Houses may erect Waste Pipes to communicate with Drains.

215. In all Streets, and other Places within the Burgh, where Common Sewers are or may be constructed, it shall be lawful for any Owner of One or more Floors or Stories of any House or other Building divided into separate Floors or Stories (on obtaining Authority for the Purpose from the Magistrates summarily, after visiting the Premises, or on the Report and Recommendation of the Surveyor, or of such other Person skilled in Building as any of the Magistrates may appoint, and on hearing the Parties interested,) to erect a Waste or Foul-water Pipe or Soil Pipe in or upon the common Staircase, or along the Back or Side Wall of the Tenement on the Outside, to communicate with any Drain underground leading into the Common Sewer, where there is such Drain, and with Power to make such Drain if none such already exist: Provided always, that the Sanction of the Commissioners shall be obtained before connecting such Drain with any Common Sewer in the Street; and the Expense and Damage occasioned by erecting and constructing such Pipe, Drain, and Communication, with the Expense of restoring the Street, so far as interfered with, and the Expense of keeping such Drain and Communication clean and in good Repair, with such reasonable Allowance for the Use of the Common Sewer in the Street as the Commissioners may fix, shall be defrayed by the Owners of the Floors or Flats making use thereof, in proportion to their respective Rents or annual Value, as the same may be ascertained from the Police Assessment Books or otherwise; and in case of Dispute among the Parties or any of them relative to their Proportion of such Expense, the same shall be determined by the Magistrates, or any One of them, in a summary Manner, and such Decision shall be final.

PART IV.

SECTION X.—*Supply of Water.*

Power to Commissioners to construct public Cisterns and Pumps for Supply of Water to Baths and Wash-houses.

216. The Commissioners shall cause all existing public Cisterns, Pumps, Wells, Conduits, Fountains, and other Waterworks used for the gratuitous Supply of Water to the Inhabitants within the Burgh to be continued, maintained, and supplied with Water, or they shall substitute other such Works equally convenient, and shall cause them to be maintained and supplied with Water; and such public Cisterns and other Works shall be vested in the Commissioners, and be under their Management and Control; and the Commissioners may construct and maintain any Number of new Cisterns, Pumps, Conduits, Fountains, and other Waterworks for the gratuitous Use of any Persons who choose to carry the same away, not for Sale, but for their own private Use, and may supply with Water any public Baths or Wash-houses.

Commissioners may contract for Supply of Water.

217. The Commissioners may contract, for any Period not exceeding Three Years at One Time, with the Owners of any Waterworks, or any other Person, for such Supply of Water as the Commissioners shall think necessary for the Purposes of this Act.

For ascertaining Price to be paid for Water in case of Dispute.

218. If the Commissioners, and the Owners of any Waterworks authorized by Act of Parliament to supply Water within the Burgh, with whom the Commissioners may be desirous of contracting, do not agree as to the Terms and Conditions of the Supply and the Price to be paid for such Supply, then such Terms and Conditions and Price (except where by the Act authorizing such Waterworks some other Mode of determining such Terms and Conditions and Price shall be provided) shall be settled by Arbitration, and for that Purpose the Clauses of "The Lands Clauses Consolidation (*Scotland*) Act, 1845," with respect to the Settlement of Disputes by Arbitration, shall be incorporated with this Act.

Fire Cocks may be placed on Pipes of Water Companies.

219. It shall be lawful for the Commissioners, at the Sight of the Engineer of any Water Company established or to be established for supplying Water within the Burgh, or any Company actually supplying Water within the Burgh, to place proper Fire Cocks upon the Pipes belonging to any such Company within the Burgh, at such convenient Distances from each other and at such Places as may be considered proper for the Supply of the Fire Engines when brought into operation, the Positions of such Fire Cocks being first arranged by the Commissioners with the Directors of such Water Company; and in case of Difference of Opinion between them the same shall be determined by the Sheriff of the County, whose Judgment thereon shall be final, and not subject to Review.

Commissioners may provide sufficient Supplies of Water, and may erect Waterworks, &c.

220. The Commissioners may provide the Burgh with such a Supply of Water as may be proper and sufficient for the Purposes of this Act, and for maintaining such a constant Flow of Water, by means of a Reservoir or Reservoirs or otherwise, along any natural River Bed or Watercourse within the Burgh, as may be requisite to carry away the Sewage and Drainage discharged into the same, and for private Use to the Extent required by this Act; and for those Purposes, or any of them, the Commissioners may, from Time to Time, contract with any Person whomsoever, or purchase, take upon Lease, hire, construct, lay down, and maintain such Reservoirs and Waterworks, and do and execute all such Works, Matters, and Things as shall be necessary and proper, including the opening of Streets, public or private, from Time to Time for the Purpose of laying down, altering, or repairing Water Pipes therein; and any Waterworks Company or Owners or Lessees of Reservoirs may contract with the Commissioners

to supply Water for the Purposes of this Act in any Manner whatsoever, or may sell and dispose of or lease their Reservoirs and Waterworks to the Commissioners; and the Commissioners may provide and keep in any Waterworks constructed or laid down by them under the Powers of this Act a Supply of pure and wholesome Water, and the Water so supplied may be constantly laid on at such Pressure as will carry the same to the Top Storey of the highest Dwelling House within the Burgh; and the Commissioners, by means of such Reservoirs and Waterworks, or either of them, may maintain such a constant Flow of Water along any natural River Bed or Watercourse within the Burgh as may be requisite for the Health of the Inhabitants of the Burgh, and to carry away the Sewage and Drainage discharged into the River: Provided always, that before constructing or laying down any Waterworks under the Powers of this Act within any Limits within, for, or in respect of which any Waterworks Company shall have been established for supplying Water, the Commissioners shall give Notice in Writing to every Waterworks Company within whose Limits the Commissioners may be desirous of laying on or supplying Water, stating the Purposes for and (as far as may be practicable) the Extent to which Water is required by the Commissioners; and it shall not be lawful for the Commissioners to construct or lay down any Waterworks within such Limits, if and so long as any such Company shall be able and willing to lay on Water proper and sufficient for all reasonable Purposes for which it is required by the Commissioners; and in case any Difference shall arise as to whether the Water which any such Company is able and willing to supply or lay on is proper and sufficient for the Purposes for which it is required by the Commissioners, or whether the Purposes for which it is required are reasonable, the same shall be settled by the Sheriff, upon summary Application by either of the Parties, and the Decision of the Sheriff shall be final.

In case of Waterworks constructed by Commissioners, the Water may be kept constantly under Pressure.

Commissioners not to construct Waterworks, &c., if any Waterworks Company within the Burgh be able and willing to supply Water upon Terms.

221. Where the Commissioners are able and willing to supply the Houses or Tenements within the Burgh with Water for domestic and ordinary Purposes, the Owners of such Houses and Tenements shall be entitled to obtain such Supply by connecting a Service Pipe with the Main Pipes to be laid down by the Commissioners, the Expense of such Service Pipes and of connecting the same with the Main Pipes being defrayed by such Owners; and where the Houses and Tenements generally in any Street, public or private, within the Burgh shall be supplied with Water by means of such Service Pipes, it shall be competent to the Commissioners to require the Owner of any Tenement in such Streets not so supplied to take a Supply of Water by connecting a Service Pipe with the Main Pipe as aforesaid; and in the event of Refusal or Delay on the Part of such Owner to comply with such Requisition, it shall be lawful for the Commissioners to enter such House or Premises, and proceed to lay down such Service Pipe themselves, and to recover the Expense thereof from such Owner.

Service Pipes to be laid by Owners.

222. No Person within the Burgh shall be entitled, without special Agreement with the Commissioners, to use the Water supplied through the Pipes of the Commissioners, except for domestic and ordinary Purposes; but where there is a Supply of Water more than is required for such domestic and ordinary Purposes within the Burgh, it shall be lawful for the Commissioners to contract with any Person or Persons within the Burgh to supply any public Baths and Wash-houses, Works, Manufactories, or other Premises within the Burgh with Water, at such Rate and upon such Terms and Conditions as may be agreed on, or, in the event of Disagreement, either as to the Ability of the Commissioners to give the Supply, or as to the Rate, Terms, or Conditions on or in respect of which the Supply is to be given, the same shall be fixed by the Sheriff, upon summary Application by either of the Parties, and the Decision of the Sheriff shall be final.

Water to be used only for domestic and ordinary Purposes, unless by Agreement with the Commissioners.

223. Whosoever shall wilfully or carelessly break, injure, or open any Lock, Cock, Waste Pipe, or Waterworks belonging to or under the Management or Control of the Commissioners, or shall unlawfully flush, draw off, divert, or take Water from any Waterworks belonging to or under the Management or Control of the Commissioners, or from any Waters or Streams by which such Waterworks are supplied, or shall wilfully or negligently waste or cause to be wasted any Water with which he is supplied by the Commissioners, shall for every such Offence incur a Penalty not exceeding Five Pounds, and a further Penalty of Twenty Shillings for each Day whilst the Offence is continued after written Notice in that Behalf, which Penalties shall be paid to the Commissioners: Provided always, that nothing herein contained shall prevent the Owner or Occupier of any Premises through or by which any Streams may flow from using the same as they would have been entitled to do if this Act had not been passed.

Penalty for injuring Waterworks, diverting Streams, or wasting Water.

224. Whosoever shall bathe in any Stream, Reservoir, Conduit, Aqueduct, or other Waterworks belonging to or under the Management or Control of the Commissioners, or shall wash, cleanse, throw, or cause to enter therein any Animal, Rubbish, Filth, Stuff, or Thing of any Kind whatsoever, or shall cause or permit or suffer to run or be brought therein the Water of any Sink, Sewer, Drain, Engine, or Boiler, or other filthy, unwholesome, or improper Water, or shall do anything whatsoever whereby any Water belonging to the Commissioners, or under their Management or Control, shall be fouled, shall for every such Offence forfeit a Sum not exceeding Five Pounds, and a further Sum of Twenty Shillings for each Day whilst the Offence is continued, after written Notice in that Behalf; which Penalties shall be paid to the Commissioners; and whosoever, being Proprietor of any Gasworks, or being engaged or employed in the Manufacture or Supply of Gas, causes or suffers to be brought or to flow into any Stream, Reservoir, Conduit, Aqueduct, or Waterworks belonging to or under the Management or Control of

Penalties on Persons for causing Water in Reservoirs to be fouled; and on Proprietors of Gasworks, &c.

PART IV. *Police Purposes.* Sect. 10.

of the Commissioners, or into any Drain or Pipe communicating therewith, any Washing or other Substance produced in the Manufacture or Supply of Gas, or shall wilfully do any Act connected with the Manufacture of Gas whereby the Water in any such Stream, Reservoir, Aqueduct, or Waterworks is fouled, shall forfeit to the Commissioners for every such Offence the Sum of Two hundred Pounds, and, after the Expiration of Twenty-four Hours Notice in Writing from them in this Behalf, a further Sum of Twenty Pounds for every Day during which the Offence is continued, or during the Continuance of the Act whereby the Water is fouled, and every such Penalty shall be recoverable, along with the Expense of recovering the same, by an ordinary Action at their Instance; and if any Water supplied by or belonging to or under the Management or Control of the Commissioners be fouled in any Manner by the Gas of any such Proprietor or Person as last aforesaid, he shall forfeit to the Commissioners for every such Offence a Sum not exceeding Twenty Pounds, and a further Sum not exceeding Ten Pounds for every Day whilst the Offence is continued after the Expiration of Twenty-four Hours Notice in Writing from the Commissioners in this Behalf; and for the Purpose of ascertaining whether such Water is fouled by the Gas of any such Proprietor or Person, the Commissioners may lay open and examine any Pipes, Conduits, and Works from which the Gas is supposed to escape; provided that before beginning so to do Twenty-four Hours Notice in Writing be given to the Person to whom such Pipes, Conduits, or Works belong, or under whose Management or Control they may be, of the Time at which the Examination is intended to be made; and if upon such Examination it appear that the Water has been fouled by the Gas proceeding from or contained in the Pipes, Conduits, or Works examined, the Expenses of the Examination shall be paid and borne by the Person to whom such Pipes, Conduits, or Works belong, or under whose Management or Control they may be, and be recoverable from him in the same Manner as any Debt may be recovered by the Law of *Scotland;* but if it appear that the Water has not been so fouled, then such Expenses, and all Damages occasioned by the Examination, shall be paid by the Commissioners out of the Police Assessment levied under this Act, and be recoverable from them as any Debt may be recovered by the Law of *Scotland.*

Supply of Water for domestic Purposes.

225. A Supply of Water for domestic and ordinary Purposes shall not include a Supply of Water for Cattle or for Horses, or for washing Carriages, where the Horses and Carriages are kept for Hire, or are the Property of a Dealer, or for Steam Engines, or for Railway Purposes, or for warming or ventilating Purposes in Public Buildings, or for working any Machine or Apparatus, or for any Trade, Manufacture, or Business whatsoever, or for watering Gardens by means of any Tap, Tube, Pipe, or other such like Apparatus, or for Fountains, or for flushing Sewers or Drains; or for Public Baths or Wash-houses, or for any ornamental Purpose whatever.

Certain Provisions of "The Waterworks Clauses Act" incorporated with this Act.

226. With respect to the Supply of Water within Burgh, all the Clauses and Provisions of "The Waterworks Clauses Act, 1847," with respect to the following Matters; (that is to say,)

With respect to the Construction of the Act, and any Act incorporated therewith:
With respect to the Construction of the Waterworks:
With respect to the Communication Pipes to be laid by the Inhabitants:
With respect to Waste or Misuse of the Water supplied by the Undertakers:
With respect to the Provisions for guarding against fouling the Water of the Undertakers:
With respect to the Payment and Recovery of the Water Rates:
And with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices or to the Sheriff:

Shall, so far as the same are not varied by the Provisions of this Act, be incorporated with this Act; and the Expression "the Undertakers" in the said Waterworks Clauses Act shall, in reference to this Act, mean the Commissioners under this Act: Provided always, that the Water to be supplied by the Commissioners need not be constantly laid on under Pressure.

Commissioners may make Byelaws in reference to Water.

227. It shall be lawful for the Commissioners to make Byelaws regulating all or any Matters and Things whatsoever connected with the Water to be supplied within the Burgh through their Pipes.

PART IV.

SECTION XI.—*Surveys and Plans.*

Commissioners to procure a Map of the Burgh, which is to be open to Inspection.

228. The Commissioners shall procure as herein-after provided a Survey and Map or Maps of the Burgh on a Scale of not less than Sixty Inches to a Mile, and shall cause to be marked thereon the Course of all the existing Sewers and Drains belonging to them or under their Care or Management, and, as far as can be ascertained, the Lines of Pipes or Conduits for the Collection and Distribution of Water, the Course of the Pipes for the Distribution of Gas, and such other Works, with such other Particulars as may be necessary in order to show the underground Works within the Burgh, and shall cause the said Map to be from Time to Time corrected, and such Additions to be made thereto as may show the Sewers and Drains for the Time being belonging to the Commissioners, and such other Pipes and underground Works as aforesaid; and such Map and Plan, or a Copy thereof, with the Date expressed thereon of the last Time when it was so corrected, shall be kept in the Office of the Commissioners, and shall be open at all seasonable Hours to the Inspection of the Owners or Occupiers of any Lands or Premises within the Burgh.

229. The

Officers of Ordnance to furnish Commissioners with Maps, or cause Surveys to be made.

229. The Principal Officers of Her Majesty's Ordnance shall, on the Application of the Commissioners, and at their Expense, furnish, for the Use of the Commissioners, One or more Copies of any Map of the Burgh or any Part thereof which shall have been made under the Direction of the said Ordnance Officers, or shall cause a Survey to be made of the Burgh on a Scale of not less than Sixty Inches to the Mile, by Surveying Officers appointed by them, for such Remuneration as shall previously be agreed upon between the said Principal Officers and the Commissioners.

Level Lines to be marked on Map, and Bench Marks to be made for denoting the same.

230. The Commissioners shall cause to be marked on the Map so procured by them a Series of Marks and Figures at convenient Distances on the said Map, denoting the Height of the Ground at every such Mark above or below the Level of a particular Spot within the Burgh, which may be easily found and identified, the Position of which Spot shall be described on the Map, and shall also cause to be drawn, wherever practicable, Lines of equal Altitude at every Four Feet of Elevation, or at such other Intervals as may appear upon due Inquiry to be the best adapted for the Guidance of Works of Sewerage and Drainage, for the Collection and Distribution of Water, and for other Purposes within the Burgh for which a Knowledge of the Levels of the Burgh may be necessary, and shall also cause proper Bench Marks for denoting the Levels to be inscribed and marked at convenient Distances and Places, at the Corner of Streets, public or private, on Posts, Houses, or other prominent Objects within the Burgh.

Maps to be engraved, &c., and Expenses paid out of Assessments.

231. The Commissioners may cause every such Plan to be copied, engraved, or printed, and coloured, in such Manner as appears to them most convenient, and may defray the Costs of any Surveys and Maps made as aforesaid, and any Costs incurred by them in regard to any such Map, out of the Police Assessment.

Commissioners to cause Plans to be prepared of new Works or Alterations of existing Works.

232. The Commissioners shall cause their Surveyor to prepare Plans of any new Works, and Additions to or Alterations of existing Works, that may be required for the effectual Drainage of Lands or Premises within the Burgh, including Provision for properly trapped Drains or Channels for the Removal of all waste Water and Refuse from such Lands or Premises and from the Surface of such Streets, and also to draw on such Plans the Lines that appear to him most advantageous for Main Sewers, and the best Outfalls for clearing the whole Burgh of Surface Moisture, and effecting the Drainage of the Subsoil, and to point out the most appropriate Means and Sites for the Collection and Sale of Filth and Refuse for Agricultural or other Purposes, and also to set forth any other Matters which may assist the Commissioners in carrying into execution, in an economical and effective Manner, the several Works required to be carried into execution under the Provisions of this Act, or which appear to be necessary for the Health and Convenience of the Inhabitants of the Burgh.

PART V.

PART V. *General Police Regulations.* Sect. 1.

GENERAL POLICE REGULATIONS.

SECTION I.—*Precautions during Repairs, and old and ruinous Tenements.*

Bars to be erected across *Streets while Repairs or Alterations are making, and Lights placed* at Night.

233. The Commissioners shall, during the Construction or Repair of any Streets, public or private, and during the Construction or Repair of any Buildings, Sewers, or Drains, take proper Precaution for guarding against Accident, by shoring-up and protecting the adjoining Houses, and may stop any such Street, and prevent the same being used as a common Passage or Thoroughfare, while such Works are carried on, as to them shall seem proper; and the Commissioners shall cause any Sewer or Drain or other Works, during the Construction or Repair thereof, to be lighted and guarded during the Night, so as to prevent Accidents; and every Person who uses such Streets while so stopped as a common Passage or Thoroughfare, or extinguishes any Light, without the Authority or Consent of the Commissioners, shall for every such Offence be liable to any Penalty not exceeding Five Pounds.

Hoards to be set up during Repairs.

234. Every Person intending to build or take down any Building within the Burgh, or to cause the same to be so done, or to alter or repair the outward Part of any such Building, or to cause the same to be so done, where any public or private Street or Footway may be obstructed or rendered inconvenient by means of such Work, shall obtain Authority from the Commissioners to put up, and such Authority being obtained shall put up, Hoards or Fences to the Satisfaction of the Surveyor, in order to separate the Building where such Works are being carried on from such Street, with a convenient Platform and Handrail, if there be Room enough, to serve as a Footway for Passengers outside of such Hoard or Fence, and shall continue such Hoard or Fence, with such Platform and Handrail as aforesaid, standing and in good Condition to the Satisfaction of the Commissioners during such Time as the Surveyor shall fix and the Public Safety or Convenience requires, and shall in all Cases in which it is necessary, in order to prevent Accidents, cause the same to be sufficiently lighted during the Night; and every such Person who puts up such Hoards or Fences without previously obtaining the Authority of the Commissioners so to do, or who fails to put up such Fence or Hoard, or Platform with such Handrail as aforesaid, or fails to continue the same respectively standing and in good Condition as aforesaid during the Time aforesaid, or who does not, while the said Hoard or Fence is standing, keep the same sufficiently lighted during the Night, or who does not remove the same, when directed by the Commissioners, within a Time specified for that Purpose, shall for every such Offence be liable to a

Penalty not exceeding Five Pounds, and a further Penalty not exceeding Forty Shillings for every Day while such Default is continued.

Penalty for not lighting Deposits of Building Materials or Excavations.

235. When any Building Materials, Rubbish, or other Things are laid, or any Hole made, in any such Streets, whether the same be done by Order of the Commissioners or not, the Person causing such Materials or other Things to be so laid, or such Hole to be made, shall at his own Expense cause a sufficient Light to be fixed in a proper Place upon or near the same, and continue such Light every Night from Sunsetting to Sunrising while such Materials or Hole remain; and such Person shall, at his own Expense, cause such Materials or other Things and such Hole to be sufficiently fenced and enclosed until such Materials or other Things are removed, or the Hole filled up or otherwise made secure; and every such Person who fails so to light, fence, or enclose such Materials or other Things, or such Hole, shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and a further Penalty not exceeding Forty Shillings for every Day while such Default is continued.

Penalty for continuing Deposits of Building Materials, &c. an unreasonable Time.

236. In no Case shall any such Building Materials or other Things, or such Hole, be allowed to remain longer than may be fixed by the Surveyor, under a Penalty not exceeding Five Pounds, to be paid for every such Offence by the Person who causes such Materials or other Things to be laid, or such Hole to be made, and a further Penalty not exceeding Forty Shillings for every Day during which such Offence is continued after the Conviction for such Offence.

Dangerous Places to be repaired or enclosed.

237. If any Building or Hole or any other Place near any public or private Street be, for Want of sufficient Repair, Protection, or Enclosure, dangerous to the Passengers along such Streets, the Commissioners shall cause the same to be repaired, protected, or enclosed so as to prevent Danger therefrom.

Ruinous or dangerous Buildings to be taken down or secured by Owners, &c.

238. If any Building or Wall, or anything affixed thereon, within the Burgh, be deemed by the Surveyor of the Commissioners to be in a ruinous State, and dangerous to Passengers or to the Occupiers thereof or of the neighbouring Buildings, such Surveyor shall immediately cause such Occupiers endangered thereby to remove from the Occupancy of such Buildings until the same are put into a safe Condition, and shall cause a proper Hoard or Fence, or Props, to be put up for the Protection of Passengers, and shall also cause, if he shall judge necessary, the neighbouring Buildings to be properly shored up, and shall cause Notice in Writing to be given to the Owner of such Building or Wall, if he be known and resident within the Burgh, and shall also cause such Notice to be put on the Door of such Building or on such Wall, or on a conspicuous Part thereof, or otherwise to be given to the Occupier thereof, if any, requiring such Owner forthwith to take down, secure, or repair such Building, Wall, or other Thing, or as the Case shall require; and if such Owner do not begin to repair, take down, or secure such Building, Wall, or other Thing within the Space of Three Days after any such Notice has been so given or put up as aforesaid, and complete such Repairs or taking down or securing as speedily as the Nature of the Case will admit, such Surveyor may make Complaint thereof to the Sheriff, and it shall be lawful for the Sheriff, after Inquiry, to order the Owner of such Building, Wall, or other Thing to take down, rebuild, repair, or otherwise secure, to the Satisfaction of such Surveyor, the same, or such Part thereof as appears to them to be in a dangerous State, within a Time to be fixed by the Sheriff; and in case the same be not taken down, repaired, rebuilt, or otherwise secured within the Time so limited, the Commissioners shall with all convenient Speed cause all or so much of such Building, Wall, or other Thing as shall be in a ruinous Condition and dangerous as aforesaid to be taken down, repaired, rebuilt, or otherwise secured in such Manner as shall be requisite; and all the Expenses of enforcing such Removal and of putting up every such Fence, and of shoring up such Buildings, and of taking down, repairing, rebuilding, or securing such Building, Wall, or other Thing, shall be paid by the Owner thereof.

If Owner, &c. neglect to repair, Commissioners may cause the same to be done, charging Owner, &c. with Expenses.

The Expenses to be levied on the Owner.

239. If the Owner of such Building or Wall, or Thing affixed thereon, can be found within the Burgh, and if, on Demand of the Expenses aforesaid, he neglect or refuse to pay the same, the Sheriff shall, on a Certificate of such Demand and Neglect or Refusal, signed by the Clerk, grant Decree against such Owner for Payment thereof, on which Decree all legal Diligence may proceed, or the Commissioners may proceed against such Owner for the Recovery of the said Expenses in Terms of the general Provisions for Recovery of Expenses under this Act, or otherwise as accords of Law.

If Owner cannot be found, Commissioners may take the House or Ground, making Compensation.

240. If such Owner cannot be found within the Burgh, or if such Expenses are not otherwise fully recovered, the Commissioners, after giving Twenty-eight Days Notice of their Intention to do so, by posting a printed or written Notice in a conspicuous Place on such Building or Wall, or on the Land whereon such Building or Wall stood, may take such Building or Land, provided that such Expenses be not paid or tendered to them within the said Twenty-eight Days, making Compensation to the Owner of such Building or Land in the Manner provided by "The Lands Clauses Consolidation (*Scotland*) Act, 1845," in the Case of Lands taken otherwise than with the Consent of the Owners and Occupiers thereof, and the Commissioners shall be entitled to deduct out of such Compensation the Amount of the Expenses aforesaid, and may thereupon sell or otherwise dispose of the said Building or Land for the Purposes of this Act.

Commissioners may sell the Materials, re-

241. If any such House or Building as aforesaid, or any Part of the same, be pulled down by virtue of the Powers aforesaid, the Commissioners may sell the Materials thereof, or so much of the same

as

as shall be pulled down, and apply the Proceeds of such Sale in Payment of the Expenses incurred in respect of such House or Building; and the Commissioners shall restore any Surplus arising from such Sale to the Owner of such House or Building, on Demand; nevertheless the Commissioners, although they sell such Materials for the Purposes aforesaid, shall have the same Remedies for compelling the Payment of so much of the said Expenses as may remain due after the Application of the Proceeds of such Sale as are herein-before given to them for compelling the Payment of the whole of the said Expenses.

Restoring to the Owner Overplus arising from the Sale.

242. If any Houses, Buildings, and other Tenements or Areas have become waste and ruinous within the Burgh, and have become Receptacles for Filth and other Nuisances, or unsafe and unfit for Use and Occupation, and which, being held by Two or more joint Owners, cannot be rebuilt or disposed of to Advantage without the Consent of all the Parties interested therein, and the same are allowed to continue in a waste and ruinous or unsafe State in consequence of the Parties being unable or unwilling or delaying to agree as to the Sale or rebuilding thereof, it shall be lawful to the Sheriff, upon the Application by Petition of the Procurator Fiscal of Court, or of the Commissioners, or their Surveyor, or of any Owner or Party interested in any such Houses, Buildings, or other Tenements, to call all Parties interested therein before the Sheriff, in the usual Manner and Form followed in his Court, and to order such Tenements or Areas to be valued by not less than Three Men of Skill, upon Oath, who shall distinguish the Portions of Tenement, and the corresponding Proportion of the apprized Value, which belong to the several Parties interested, and thereupon to give each Party the Option to buy and acquire from, or to sell and convey to the others, their respective Portions of or Interests in such Tenements, agreeably to such Valuation, or at such other Price as shall be agreed on amongst themselves, and that within a reasonable Time to be fixed by the Sheriff, not exceeding Six Weeks.

Ruinous Buildings belonging to Two or more Owners may be sold.

243. If any of the said Parties fail to take advantage of the said Option within the Time so fixed, or shall not be able to agree as to which shall be the Buyer and which the Seller, it shall be lawful to the said Sheriff to cause such Tenements to be exposed to Sale by Public Auction at a Price not being less than the apprized Value, and in case of no Offerers to reduce the upset Price from Time to Time, and to sell the same to the highest Bidder, under such Regulations, and upon such Conditions, and after such public Notice by Advertisement in the Newspapers, or otherwise, as the Sheriff shall appoint, and the Purchaser thereof shall be taken bound within Ten Days after the Sale, or within such Time as may be fixed by the Sheriff, to consign or deposit the whole Amount of the Purchase Money in any One of the Banks established by Act of Parliament or Royal Charter, upon a Receipt or Voucher, subject to the Orders of the Sheriff, otherwise the Sale to be void and null, and the Money so deposited shall remain at Interest for the Behoof of all Parties interested therein, under the sole Control and subject to the future Orders of the Sheriff.

How Sale to be carried through.

244. Upon such Deposit being so made, the Sheriff shall pronounce his Decree or Warrant declaring the Purchase duly completed, and authorizing immediate Possession of the Tenements so sold to be given to the Purchaser thereof; and such Warrant or Decree shall, upon being registered in the Register of Sasines in which the prior Titles of such Subjects may have been registered, be a valid and sufficient Title to such Purchaser, who shall thereafter be at full Liberty to exercise every lawful Right of Property therein, without being subject to Challenge by any Party whomsoever.

Completion of Purchaser's Title.

245. In case the Purchaser at any such Sale as aforesaid shall fail to fulfil the Conditions thereof within the Time thereby prescribed, it shall be lawful to the Sheriff to cause the Tenements to be re-exposed and sold anew; and such Sale shall be proceeded in in every respect in like Manner as is herein-before provided in regard to the first Sale; and the Sheriff shall continue, in case of Failure as aforesaid, to cause the said Tenements to be re-exposed for Sale, until the same shall be sold, and the Price thereof consigned or deposited in Bank as aforesaid.

If Purchaser do not fulfil Conditions of Sale, may be resold.

246. Upon the Completion of any such Sale, the Sheriff, on the Application of any of the Parties concerned, shall, upon such legal Evidence, by Writing, Witnesses, Oath of Party, or Report of skilled Persons, upon Oath or otherwise, as he may deem expedient, proceed to ascertain and determine the Extent and Value of the Share of each Party claiming Interest in the Tenements so sold, and to apportion and divide the Price obtained for the same, and deposited as aforesaid, and order Payment thereof to the several Parties accordingly, subject always to such Finding or Order in respect of Costs as the Sheriff may pronounce.

Application of Price.

247. If any Houses, Buildings, or other Tenements or Areas within Burgh have become waste and ruinous, or have become Receptacles for Filth and other Nuisances, or unsafe and unfit for Use and Occupation, the Commissioners may, by a Notice addressed to the Owner if his Address shall be known, or if not known by a Notice affixed to a conspicuous Part of such Houses, Buildings, or other Tenements or Areas, require the same to be rebuilt or otherwise put into a State of Repair to their Satisfaction, within Three Months from the Date of such Notice; and in the event of such Requisition not being complied with the Commissioners may apply to the Sheriff for Warrant to sell such Houses, Buildings, or other Tenements, or Areas, and it shall be lawful to the Sheriff to order the same to be valued, and exposed for Sale by Public Auction, and to sell the same: Provided always, that such Sale shall be made and carried out, or Re-sale effected, the Price deposited and applied, and the Purchaser's Title completed in the Way and Manner herein-before directed with reference to waste and ruinous Buildings or Tenements or Areas within Burgh, held by Two or more joint Owners.

Ruinous Tenements may be sold.

PART

PART V.

SECTION II.—*Nuisances and Obstructions in the Streets.*

PART V. *General Police Regulations.* Sect. 2.

Power to prevent Obstructions in the Streets during public Processions, &c.

248. The Magistrates or Commissioners may from Time to Time make Orders for the Route to be observed by all Carts, Carriages, Horses, and Persons, and for preventing Obstruction of the Streets of the Burgh, public or private, in all Times of public Processions, Rejoicings, or Illuminations, and in any Case when such Streets are thronged or liable to be obstructed, and may also give Directions to the Constables for keeping Order and preventing any Obstruction of such Streets in the Neighbourhood of Theatres and other Places of public Resort; and every wilful Breach of any such Order shall be deemed an Offence against this Act, and every Person committing any such Offence shall be liable to a Penalty not exceeding Forty Shillings.

Power to impound stray Cattle.

249. If any Cattle be at any Time found at large in any such Street of the Burgh, without any Person having the Charge thereof, any Constable or Officer of Police, or any Person residing within the Burgh, may seize and impound such Cattle, and may detain the same until the Owner thereof pay to the Commissioners a Penalty not exceeding Forty Shillings, besides the reasonable Expenses of impounding and keeping such Cattle.

Power to sell stray Cattle for Penalty and Expenses.

250. If the said Penalty and Expenses be not paid within Three Days after such impounding, the Person by whom such Cattle were seized and impounded as aforesaid, or other Person appointed by the Commissioners for that Purpose, may proceed to sell such Cattle or cause the same to be sold; but previous to such Sale Seven Days Notice thereof shall be given to or left at the Dwelling House or Place of Abode of the Owner of such Cattle, if he be known, or if not, then Notice of such intended Sale shall be given by Advertisement, to be inserted Seven Days before such Sale in some Newspaper published or circulated within the Burgh in which the Seizure was made; and the Money arising from such Sale, after deducting the said Sums, and the Expenses aforesaid, and all other Expenses attending the impounding, advertising, keeping, and Sale of any such Cattle so impounded, shall be paid to the Commissioners, and shall be by them paid, on Demand, to the Owner of the Cattle so sold.

Penalty on Persons committing any of the Offences herein named.

251. Every Person who in any "Street" or "Private Street" to the Obstruction, Annoyance, or Danger of the Residents or Passengers commits any of the following Offences shall, on Conviction on the Evidence of One or more credible Witnesses, be liable to a Penalty not exceeding Forty Shillings for each Offence, or, in the Discretion of the Magistrate before whom he is convicted, may, without a Penalty being inflicted, be committed to Prison, there to remain for a Period not exceeding Fourteen Days, or in the Case of Persons below the Age of Fourteen the Magistrate shall deal with such Offences by a Fine not exceeding Five Shillings, and recoverable from the Parents or Guardians of such Offenders, or by Detention in any Place not being a legal Prison or Lock-up for any Period not exceeding Ten Hours; and any Constable or other Officer appointed by virtue of this Act shall take into Custody, without Warrant, and forthwith convey before a Magistrate, any Person who within his View commits any such Offence; (that is to say,)

Every Person who exposes for Show, Hire, or Sale (except in a Market or Market Place or Fair lawfully appointed for that Purpose) any Horse or other Animal; or exhibits in a Caravan or otherwise any Show or public Entertainment; or shoes, bleeds, or farries any Horse or Animal (except in Cases of Accident); or cleans, dresses, exercises, trains, or breaks or turns loose any Horse or Animal; or makes or repairs any Part of any Cart or Carriage (except in Cases of Accident where Repair on the Spot is necessary):

Every Person who allows any Bull or other dangerous Animal to be in any such Street without being secured by means of a Rope attached to a Ring through the Nose of such Animal, or otherwise:

Every Person who suffers to be at large any unmuzzled ferocious Dog, or sets on or urges any Dog or other Animal to attack, worry, or put in fear any Person or Animal:

Every Owner of any Dog who suffers such Dog to go at large, knowing or having reasonable Grounds for believing it to be in a rabid State, or to have been bitten by any Dog or other Animal in a rabid State:

Every Person who, after public Notice given by any Sheriff or Magistrate directing Dogs to be confined on account of Suspicion of Canine Madness, suffers any Dog to be at large during the Time specified in such Notice:

Every Person who slaughters or dresses any Cattle or any Part thereof, except in the Case of any Cattle over-driven which may have met with any Accident, and which for the Public Safety or other reasonable Cause ought to be killed on the Spot:

Every Person having the Care of any Waggon, Cart, or Carriage who rides on the Shafts thereof, or otherwise than on the Forepart of such Waggon, Cart, or Carriage, and in such a Position as readily to see immediately before and on either Side thereof; or who, without having Reins with a Bit attached thereto, and in the Mouth of the Animal drawing the same, and holding such Reins, rides upon such Waggon, Cart, or Carriage, or any Animal drawing the same; or who is at such a Distance from such Waggon, Cart, or Carriage, or in such a Position therein, as not to have due Control over every Animal drawing the same; or who does not, in meeting any other Carriage, keep his Waggon, Cart, or Carriage to the Left or Near Side, or who in passing any other Carriage does not keep his Waggon, Cart, or Carriage on the Right or Off Side of the Road (except

(except in Cases of actual Necessity, or some sufficient Reason for Deviation); or who, by obstructing any such Street, wilfully prevents any Person or Carriage from passing him, or any Waggon, Cart, or Carriage under his Care:

Every Person who at One Time drives more than Two Carts or Waggons; and every Person driving Two Carts or Waggons who has not the Halter of the Horse in the last Cart or Waggon securely fastened to the Back of the First Cart or Waggon, or has such Halter of a greater Length from such Fastening to the Horse's Head than Four Feet:

Every Person who rides or drives furiously any Horse or Carriage, or drives furiously any Cattle:

Every Person who causes any public Carriage, Sledge, Truck, or Barrow, with or without Horses or any Beast of Draught or Burden, to stand longer than is necessary for loading or unloading Goods, or for taking up or setting down Passengers (except Hackney Carriages, and Horses and other Beasts of Draught or Burden, standing for Hire in any Place appointed for that Purpose by the Commissioners or other lawful Authority); and every Person who, by means of any Cart, Carriage, Sledge, Truck, or Barrow, or any Animal or other Means, wilfully interrupts any public Crossing, or wilfully causes any Obstruction in any public Footpath or other public Thoroughfare:

Every Person who causes any Tree or Timber, Iron Beam, Stone, or other Thing to be drawn or hauled otherwise than upon a wheeled Carriage, or who causes any Tree or Timber, Iron Beam, Stone, or other Thing to be drawn in or upon any Carriage without having sufficient Means of safely guiding the same:

Every Person who leads or rides any Horse or other Animal, or draws or drives any Cart or Carriage, Sledge, Truck, or Barrow, upon any Footway of any such Street, or fastens any Horse or other Animal so that it stands across or upon any Footway:

Every Person who places or leaves any Furniture, Goods, Wares, or Merchandise, or any Cask, Tub, Basket, Pail, or Bucket, or places or uses any Standing Place, Stool, Bench, Stall, or Showboard on any Footway, or who places any Blind, Shade, Covering, Awning, or other Projection over or along any such Footway, unless such Blind, Shade, Covering, Awning, or other Projection is Eight Feet in Height at least in every Part thereof from the Ground:

Every Person who carries about on any Carriage or on Horseback any Picture, Placard, Notice, or other Advertisement, whether written, printed, or painted upon or posted or attached to any Part of such Carriage or on any Board or otherwise:

Every Person who places, hangs up, or exposes to Sale any Goods, Wares, Merchandise, Matter, or Thing whatsoever, so that the same project into or over any Footway, or beyond the Line of any House, Shop, or Building at which the same are so exposed, so as to obstruct or incommode the Passage of any Person over or along such Footway:

Every Person who shall hang or place any Linen or Clothes or other such Article on any Rail or Fence of any Premises:

Every Person who writes upon, soils, defaces, or marks any Wall, Fence, Hoarding, or Building with Chalk or Paint or in any other Way, or who without Authority affixes or causes to be affixed to any Church, Chapel, or Schoolhouse, or without the Consent of the Owner and Occupier to any other Building, or to any Wall, Fence, or Hoarding, any Bill or other Notice, or who wilfully breaks, destroys, or damages any Part of such Wall, Fence, Hoarding, or Building, or any Tree, Shrub, Seat, or other Thing:

Every Person who conveys in any open Cart or Waggon or otherwise through such Streets, the Carcasses, or any Parts thereof, of Animals slaughtered for Sale, without the same being properly covered up from public View; or exposes such slaughtered Carcasses, or any Parts thereof, or their Skins or Offals, outside of the Doors or Windows of any Shop in any such Street; or shall use Machines to mince or hash such Animal Food, to the Annoyance of the Residents:

Every Person who rolls or carries any Cask, Tub, Hoop, or Wheel, or any Ladder, Plank, Pole, Timber, Log of Wood, Basket, Board, or Tray, upon any Footway, except for the Purpose of loading or unloading any Cart or Carriage, or of crossing the Footway:

Every Person who places any Line, Cord, or Pole across, upon, or over any Part of any such Street, or hangs or places any Clothes thereon, or on the Outside of any Window fronting any such Street:

Every common Prostitute or Nightwalker loitering or importuning Passengers for the Purpose of Prostitution:

Every Person who wilfully and indecently exposes his Person, or who commits any Nuisance:

Every Person who publicly offers for Sale or Distribution, or exhibits to public View, any profane, indecent, or obscene Book, Paper, Print, Drawing, Painting, or Representation:

Every Person who discharges any Firearm, or throws or discharges any Stone or other Missile, or makes any Bonfire, or throws or sets fire to any Firework:

Every Person who flies any Kite, or who makes or uses any Slide upon Ice or Snow:

Every Person who cleanses, hoops, fires, washes, or scalds any Cask or Tub, or hews, saws, bores, or cuts any Timber or Stone, or slacks, sifts, or screens any Lime:

Every Person who throws or lays down any Stones, Coals, Slate, Shells, Lime, Bricks, Timber, Iron, or other Materials (except Building Materials so enclosed as to prevent Mischief to Passengers):

Every

PART V. *General Police Regulations.* Sect. 2.

Every Person who beats or shakes any Carpet, Rug, or Mat (except Rugs or Mats beaten or shaken before the Hour of Eight in the Morning):

Every Person who fixes or places any Flower Pot or Box or other heavy Article in any upper Window, without sufficiently guarding the same against being blown down:

Every Person who throws from the Roof or any Part of any House or other Building any Slate, Brick, Wood, Rubbish, or other Thing, except Snow thrown so as not to fall on any Passenger:

Every Occupier of any House or other Building, or other Person, who orders or permits any Person in his Service to stand on the Sill of any Window, in order to clean, paint, or perform any other Operation upon the Outside of such Window, or upon any House or other Building, unless such Window be in the sunk or Basement Storey:

Every Person who shall use any threatening, abusive, or insulting Words or Behaviour with Intent or calculated to provoke a Breach of the Peace, or whereby a Breach of the Peace may be occasioned:

Every Person who shall sing any profane or obscene Song, or use any obscene, abusive, or indecent Language to or to the Annoyance of any Person in going or passing along any such Street:

Every Person who shall jostle or annoy any Person passing thereon:

Every Person who shall discharge any Smoke or Steam from any Premises (otherwise than from the Top thereof) into any such Street, or suffer or permit the condensed Water or Moisture from any Steam Pipe, Flue, or Funnel to fall into or upon such Street:

Every Person who leaves open any Vault or Cellar, or the Entrance from any Street to any Cellar or Room underground, without a sufficient Fence or Handrail, or leaves defective the Door, Window, or other Covering of any Vault or Cellar, or who does not sufficiently fence any Area, Pit, or Sewer left open, or who leaves such open Area, Pit, or Sewer without a sufficient Light after Sunset to warn and prevent Persons from falling thereinto:

Every Person who throws or lays any Dirt, Litter, or Ashes or Nightsoil, or any Carrion, Fish, Offal, or Rubbish, Slops, or dirty Water, on any Street, back Area, Court, or Place, or Sea Beach or Strand within the Boundaries of a Burgh, or causes or allows any Matter, solid or liquid, to fall or run on any such Street: Provided always, that it shall not be deemed an Offence to lay Sand or other Materials in any such Street in Time of Frost to prevent Accidents, or Litter or other suitable Materials to prevent the freezing of Water in Pipes, or in case of Sickness to prevent Noise, if the Party laying any such Things causes them to be removed as soon as the Occasion for them ceases:

Every Person who keeps any Pigstye to the Front of any such Street, or who keeps any Swine in or near any such Street:

Provided always, that if any Rubbish, Lead, Iron, Wood, Goods, Commodities, or other Article, Matter, or Thing whatever, shall be placed or allowed to remain in any such Street, to the Obstruction, Annoyance, or Danger of the Residents or Passengers, it shall be lawful for and in the Power of the Superintendent or other Constable of Police to remove or cause the same to be immediately removed and carried to any Place of Safety, there to remain, at the Risk of the Owner and Person offending, and to detain the same until the Expense of Removal and Detention are paid; and if such Expense shall not be paid within Seven Days, to sell or dispose of the same, and apply the Proceeds as the Magistrates or any of them shall direct.

Owners of Carts, &c. to have Names painted thereon.

252. The Owner of every Waggon, Cart, or Carriage used for the Conveyance of Goods, or plying for Hire, shall have his Christian Name, Surname, and Place of Abode painted in a straight Line horizontally upon some conspicuous Part on the Off or Right Side of such Waggon, Cart, or Carriage, in large legible Roman Letters, either of a dark Colour upon a light Ground, or of a light Colour upon a dark Ground, not less than One Inch in Height, with Numbers, beginning with Number One where more of such Carriages respectively than One shall belong to the same Owner, and proceeding in regular Progression, failing which such Owner shall be liable to a Penalty not exceeding Forty Shillings for every Time such Waggon, Cart, or Carriage shall be found in any Street.

Persons under 14 Years of Age not to drive Carts, &c.

253. The Owner of any Waggon, Cart, or Carriage who shall cause or permit such Waggon, Cart, or Carriage to be driven in any Street, public or private, by any Person who is not of the full Age of Fourteen Years, and every Person who in any such Street shall put a Waggon, Cart, or Carriage, and the Animal drawing the same, temporarily under the Charge or Care of a Person who is not of the full Age of Fourteen Years, shall be liable to a Penalty not exceeding Forty Shillings.

Penalty on drunken Persons, &c. guilty of riotous or indecent Behaviour.

254. Every Person guilty of any riotous or indecent Behaviour in any Street, public or private, and also every Person guilty of any violent or indecent Behaviour in any Police Office or any Police Station House within the Burgh, shall be liable to a Penalty not exceeding Forty Shillings for every such Offence, or, in the Discretion of the Magistrate before whom he is convicted, may, without a Penalty being inflicted, be imprisoned for a Period not exceeding Fourteen Days.

Removal of Furniture.

255. It shall be lawful for any Officer appointed by virtue of this Act to stop and detain, until due Inquiry can be made, any Cart or Carriage, and any Person in charge thereof or connected therewith, found within the Burgh employed in removing Furniture between the Hours of Eight in the Evening and Six in the Morning, except at the usual Terms of removing observed within the Burgh.

256. If

Dogs in private Premises.

256. If any Person shall have or keep or suffer to be kept within any Premises any Dog or any Fowl or other Animal which shall be an Annoyance to any of the Inhabitants in the Neighbourhood, and shall not prevent the Continuance of such Annoyance by removing such Dog, Fowl, or other Animal, or otherwise, within such Time as the Magistrate shall determine, which he is hereby authorized to do in a summary Manner, such Person shall, upon Conviction before the Magistrate, for every such Offence be liable to a Penalty not exceeding Forty Shillings; and it shall be lawful to Constables, Officers of Police, or other Officers of the Law and their Assistants, to seize and take possession of and remove any Dog or other Animal being an Annoyance as aforesaid, and not removed when so ordered.

Street Musicians.

257. It shall be lawful for any Householder, personally or by his Servant, or by any Officer of Police, to require any Street Musician or Singer to depart from the Neighbourhood of the House of such Householder on account of the Illness of any Inmate of any such House, or for other reasonable Cause; and every Person who shall continue to sound or play any Musical Instrument or sing after being so required to depart shall be liable to a Penalty not exceeding Twenty Shillings.

Power to regulate Shows, &c.

258. It shall be lawful for the Magistrates of Burghs to restrain, regulate, or prohibit all public Shows, Exhibitions, or Representations, and also to restrain and regulate the Use of Apartments in common Tenements or in any Booth for dancing on any Occasion, at any Time which shall appear necessary for preserving Order and Decorum, and to make and establish Regulations and Prohibitions to that Effect; and if any Person shall open or be concerned in opening any public Show, Exhibition, or Representation without the Sanction or Permission of the Magistrates, or shall contravene any such Regulation or Prohibition, such Person shall for every such Offence forfeit a Penalty not exceeding Five Pounds.

PART V.

SECTION III.—*Prevention of Fraud.*

Weighing Machines to be erected.

259. It shall be lawful for the Commissioners to erect, so far as not already done, and maintain, Steelyards, Scales, or other Weighing Machines, upon or adjacent to the Streets, public or private, or at any other convenient Places within the Burgh, for the Purposes herein-after mentioned, or to grant Powers to others to that Effect, and to appoint proper Persons to attend the same, with suitable Allowances for their Trouble.

Power to Purchaser of Coals to require them to be weighed.

260. It shall be competent to the Purchaser of any Coals, or to the Driver of any Cart loaded with Coals, to require that any such Cart loaded with Coals shall be weighed at the said Steelyard, Scales, or other Weighing Machines, and the Weight of the Coals and of the Cart, and also the Time of such weighing, marked on a Ticket, shall be delivered to the Driver thereof; and the Person having the Charge of such Steelyards, Scales, or other Weighing Machines shall exact and receive from the Driver for each Cart a Sum not exceeding One Penny Halfpenny for weighing the Coals and delivering the Ticket as aforesaid, and the Money so to be paid shall be repaid to such Driver by the Purchaser of the Coals or Person to whom the same are delivered, on the Ticket thereof being produced.

Power to provide portable Machines for weighing Coals.

261. It shall be lawful for the Commissioners to provide, furnish, and maintain such Number of portable or moveable Machines for weighing Coals as they may deem necessary, to be kept at convenient Places within the Burgh, in order that the Inhabitants may have Access to them for the Purpose of reweighing their Coals at their own Expense, if they shall be so inclined, and to employ proper Persons to attend such Machines, and to establish the Rates to be payable for such reweighing, and it shall be lawful for the Superintendent of Police, or any other Officer acting under this Act, to cause Coals offered for Sale or for Delivery to be reweighed, and to require the Driver to produce the Ticket thereof, as a Check on the Conduct of Drivers and others, such reweighing being always done free of Expense.

Retailers of Coals to keep Scales and Weights for weighing at the Time of Delivery.

262. For the Purpose of ascertaining the Weight of Coals sold in Quantities of not less than Half a Ton within any Yard, Depôt, Cellar, Fold, or Place where they may be kept, or from any Cart on which they may be carried by Dealers for Sale, such Dealers shall be obliged to have and keep Scales and Weights of the legal Standard within such Yard, Depôt, Cellar, Fold, or other Place, and also to have such Scales and Weights attached to the Cart used by them for the Sale of such Coals, whereby the Coals so sold by Retail may be weighed at the Time of the Sale or Delivery, and such Dealers shall be obliged to weigh the same, upon being required to do so either by the Person purchasing the same or by any Constable or Officer of Police; and any such Dealer in Coals failing to have and keep such Scales and Weights, or refusing to weigh the Coals as aforesaid, shall be liable to a Penalty not exceeding Forty Shillings, and Five Pounds for any subsequent Offence.

Regulations as to Sale of Coals of Half a Ton Weight.

Penalty.

263. Any Dealer in or Person selling Coals, who shall sell any Quantity of the same equal to or exceeding Half a Ton Weight, shall be bound to deliver to the Carter, or Person in charge of the said Coals, to be given to the Purchaser, an Account or Memorandum specifying the true Tare of the Cart conveying the said Coals, and the true Weight and Price of the Coals, and the exact Time the Cart shall leave the Premises of the said Dealer or other Person selling, under a Penalty of Twenty Shillings for each Offence in any One of such Particulars.

Carter to deliver Memorandum.

264. The Carter or Person in charge of the said Coals shall be bound to exhibit such Account or Memorandum to any Police Constable who may demand the same, and immediately on his Arrival at the Place of Delivery shall deliver the same to the Purchaser or Inmate or other Person in charge of the

the House or Place of Delivery, under a Penalty of Twenty Shillings for each Offence in either of the said Particulars.

Penalty for selling Coals by Retail in Carts, &c. without Scales and Weights.

265. Every Person who sells Coal in Quantities of less than Half a Ton in Weight shall have and keep Scales and Weights of the legal Standard, and shall weigh such Coal before Delivery; and when such Coal is sold or delivered from a Waggon, Cart, or Carriage such Scales and Weights shall be attached thereto, and any such Person who fails to have and keep such Scales and Weights, or who does not weigh such Coal previous to Delivery, shall be liable in respect thereof to a Penalty not exceeding Forty Shillings, or to Imprisonment for a Period not exceeding Fourteen Days, and in respect of any Second or subsequent Offence to a Penalty not exceeding Five Pounds, or to Imprisonment for a Period not exceeding Thirty Days.

Penalty on Driver refusing to weigh.

266. If any Driver or other Person having the Charge of any Cart shall not, upon being so required as aforesaid, take the same to any such Public Weighing Machine, or shall refuse to assist in the weighing of the same in such Manner as the Drivers of Carts are used and accustomed to do, such Driver or other Person shall for each Offence be liable to a Penalty not exceeding Forty Shillings.

Penalty on fraudulent weighing.

267. If the Keeper of any Weighing Machine used within the Burgh for the Purpose of ascertaining the Weight of Coals, or the Seller of any Coals which shall be weighed at such Weighing Machine, or any of their respective Servants, shall wilfully, on Application, refuse duly to weigh or reweigh any Cart, with or without Loading, or shall designedly do or omit to do anything with Intent that the true Weight or Measurement of any Coals weighed thereat shall not be ascertained, or if the Owner or Driver or other Person having the Charge of any Cart shall place or knowingly have any Article, Matter, or Thing in or about such Cart other than the proper Load therein, or shall alter the Tare or Weight, or the Ticket denoting the Weight, of any Cart or the Loading thereof, or shall make, use, or be privy to the making or using, any false or fraudulent Ticket respecting the Weight of any such Cart or Loading, or if by reweighing or otherwise it shall be discovered that any Coals have been abstracted by such Owner, Driver, Person in charge, Keeper, or Servant, from such Cart, after it shall have passed the Steelyard or Weighing Machine where it was originally weighed, or if the Owner or Driver or Person in charge of any Cart, or the Keeper of any Machine as aforesaid, or his Servants, shall make or give or use, or be privy to the making or giving or using, any false or fraudulent Contrivance touching the Weight of any Cart or the Load therein, or shall knowingly assist in or connive at any Fraud in or concerning the Weight of any Cart or of the Load therein, or if any other Person shall knowingly aid or assist in the committing of any Fraud respecting the Weight of any Cart or the Load therein, weighed, or stated or represented to be weighed, at any such Machine as aforesaid, then and in every such Case every Person so offending shall for every Offence be liable to a Penalty not exceeding Five Pounds, or to be imprisoned for any Period not exceeding Thirty Days.

Regulations may be made for preventing Fraud in the Weight of Hay, Straw, &c.

268. In order to prevent Fraud in the Weight of Hay and Straw or other Commodities usually weighed in Carts, it shall be lawful for the Commissioners to make Regulations for ascertaining the Weight or Quantity of Hay or Straw or other Commodities brought within the Burgh, upon Parties voluntarily resorting to the said Weighing Machines for the Purpose, and for the Magistrate to punish Persons disobeying such Regulations, by seizing, forfeiting, and selling such Hay and Straw or other Commodities so brought in contravention of such Regulations, or by imposing on the Offender a Penalty to the Extent and in the Manner before prescribed in respect of Coals which have not been duly weighed, and also to fine all Persons driving Carts from which Hay or Straw or other Commodities shall have been fraudulently taken or embezzled, and all Persons accessory to such fraudulent taking or Embezzlement, in any Penalty not exceeding Five Pounds, or to sentence him to Imprisonment for any Period not exceeding Thirty Days.

Power to try Weight of Butter, &c. made up in Parcels, and to seize and confiscate if found deficient.

269. And for the Purpose of preventing Fraud in the Sale of Butter, Bread, and other Articles made up in Parcels or Quantities representing a Pound or Half Pound, or other larger or smaller specific Weight, it shall be lawful for the Superintendent of Police at any Time, or for any Police Constable having Orders or Instructions to that Effect from the Magistrates or any One of them, to try the Weight of such Parcels or Quantities of Butter, Bread, and other Articles brought within the Burgh for Sale, or sold or exposed or kept for Sale in any Shop or Market Place within the Burgh; and it shall be lawful for the Superintendent at any Time when he shall deem it necessary or proper, or for any Police Constable, on the Warrant of any of the Magistrates, to enter any Shop, Store, or other Premises within the Burgh in which such Parcels and Quantities of Butter, Bread, and other Articles are sold or exposed or kept for Sale, and to try the Weight of such Parcels or Quantities of Butter, Bread, and other Articles as may be found therein; and if upon any such Trial or Examination any Parcel or Quantity shall be found light or deficient in Weight, it shall be lawful to seize the same, and to require the Person possessed thereof to appear before any of the Magistrates, or to attend at the Police Office, and in the event of Refusal, and such Person not being known as a Householder or Store or Shop Keeper within the said Limits, to convey such Person before the Magistrates or any of them, or to the Police Office, for Examination; and it shall be lawful for the Magistrates or any of them, on finding that any Parcel or Quantity of Butter, Bread, or other Article so seized is light or deficient, and was so at the Time of Seizure, to declare the same forfeited, and to send the same to any charitable Institution,

Institution, and to fine the Person in whose Possession it has been found in a Sum not exceeding Forty Shillings for every Parcel or Quantity intended to represent a specific Weight found deficient.

Penalty on committing Frauds in Weight of Bread.

270. All Bakers and Dealers in Bread shall, on all Bread made or exposed by them for Sale (except Fancy Bread or Rolls), impress thereon, in large and distinct Figures, the Imperial Weight of such Bread; and any Person who shall expose or offer for Sale or sell any Bread not so impressed shall be liable in a Penalty not exceeding Forty Shillings for each Offence; and any Person who shall sell, or offer or expose for Sale, any Bread which shall be deficient or under the Weight so impressed, shall be liable in a Penalty not exceeding Forty Shillings for each Offence.

Magistrates to have Powers conferred upon Justices by 22 G. 2. c. 27. and 17 G. 3. c. 56.

271. And for the further Prevention of Fraud the Magistrates shall have and may exercise the Powers and Jurisdictions conferred upon any Justice or Justices of the Peace by the Act of the Twenty-second *George* the Second, Chapter Twenty-seven, intituled *An Act for the more effectual preventing of Frauds and Abuses committed by Persons employed in the Manufacture of Hats, and in the Woollen, Linen, Fustian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, and Silk Manufactures, and for preventing unlawful Combinations of Journeymen Dyers and Journeymen Hotpressers, and of Persons employed in the said several Manufactures, and for the better Payment of their Wages;* and by the Act of the Seventeenth *George* the Third, Chapter Fifty-six, intituled *An Act for amending and rendering more effectual the several Laws now in being for the more effectual preventing of Frauds and Abuses by Persons employed in the Manufacture of Hats, and in the Woollen, Linen, Fustian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, and Silk Manufactures, and also for making Provisions to prevent Frauds by Journeymen Dyers;* and the Provisions of the said Acts shall apply to Proceedings before the Magistrates and to Acts done by them in relation thereto, in the same Manner as to Proceedings before and Acts done by any Justice or Justices of the Peace; and upon an Oath or solemn Affirmation or Declaration being made before the Magistrates or any Justice or Justices of the Peace that there is Cause to suspect that any Material purchased or received by any Broker from any Person or Persons were purloined or embezzled, the Magistrates of Burghs or any Justice or Justices of the Peace may grant Warrant for bringing the Person or Persons from whom the Broker purchased or received such Materials before him or them; and if such Persons or Person shall not give a satisfactory Account of how he, she, or they came by such Materials, such Person or Persons shall be deemed guilty of a Misdemeanor or Offence, and shall be punishable accordingly, in Terms of the said Two last-recited Acts, in the same Manner as if such Materials had been found in the Possession of such Person or Persons; and it shall be competent to the Magistrates or to any Two Justices of the Peace to sentence such Person or Persons to pay any Fine not exceeding the Amounts authorized by the said Acts, or alternatively to commit such Person or Persons to Prison for any Period not exceeding the Periods authorized by the said Acts; and it shall not be necessary before committing such Person or Persons to Prison to levy such Fines by Distress and Sale, or to use any legal Diligence for Recovery thereof.

Penalty for offering unwholesome Meat for Sale.

272. Every Person who sells or exposes for Sale, or keeps for the Purpose of Sale, any of the following Articles, shall be liable to a Penalty not exceeding Ten Pounds:

Any Animal or Part of an Animal which died from Disease:

Any Animal or Part of an Animal, or any Fruit or Vegetable, which is unsound or unwholesome, or unfit for Human Food:

Any blown, stuffed, or pricked Veal, Lamb, or other Meat.

Penalty for offering adulterated Provisions for Sale.

273. Every Person who knowingly sells or exposes for Sale, or keeps for the Purpose of Sale, any adulterated Butter, Meal, Bread, or other Article of Food, shall be liable to a Penalty not exceeding Five Pounds.

Penalty for Want of Cleanliness in Meat and Provision Shops.

274. Every Occupier of any Premises used for the Sale of Butcher Meat, Poultry, Game, Fish, Butter, Meal, Bread, or any other Article of Food, who does not keep the same clean and in good Condition, to the Satisfaction of the Superintendent of Police or other Person appointed by the Commissioners for that Purpose, shall be liable to a Penalty not exceeding Twenty Shillings.

Superintendent may impound unwholesome Meat or adulterated Provisions.

275. It shall be lawful for such Superintendent or other Person appointed by the Commissioners for the Purpose to seize, impound, and convey to the Police Office any Animal, or Part of an Animal, or any Fruit or Vegetable, or any Meat or Beef, or any Article of Food, sold or exposed for Sale, or kept in any Place used for the Sale of such Article, in respect of which there is reasonable Ground for supposing that a Penalty has been incurred under any of the Provisions herein-before contained or Byelaws or Regulations herein-before authorized; and if such Penalty is imposed, it shall be lawful for the Magistrate to declare such Article forfeited.

Warrant may be granted by the Magistrate to search suspected Places for Animals which have died of Disease, &c.

276. It shall be lawful for the Magistrate, on a Complaint by the Superintendent of Police, to grant Warrant to enter any Building or Part of a Building or other Place in which there is reasonable Ground for believing that any Animal or Part of an Animal which died of Disease, or any Animal or Part of an Animal or any Fruit or Vegetable which is unsound or unwholesome or unfit for Human Food, or any adulterated Butter, Meal, Bread, or other Article of Food, is kept or concealed with a view to Sale, although such Building or Part of a Building or other Place may not be ordinarily used for the Purpose of selling the same, and to search for, impound, and convey to the Police Office any such Animal or Part of an Animal, Fruit, Vegetable, or Article of Food.

277. Every

Penalty on Persons found in possession of such Animals, &c.

277. Every Person who is found in possession of any Animal or Part of an Animal which died of Disease, or of any Animal or Part of an Animal or any Fruit or Vegetable which is unsound or unwholsesome or unfit for Human Food, or of any adulterated Article of Food, on the Execution of a Warrant by the Magistrate, shall be presumed to have kept or concealed the same knowingly with a view to Sale until the contrary be shown, and shall be liable in respect thereof to a Penalty not exceeding Ten Pounds; and it shall be lawful for the Magistrate, whether he imposes such Penalty or not, to declare such Animal or Part of an Animal, Fruit, Vegetable, or Article of Food to be forfeited.

PART V.

SECTION IV.—*Hackney Carriages, Sedan Chairs, Carters, and Porters.*

Hackney Carriages to be licensed.

278. The Magistrates may from Time to Time license to ply for Hire within Five Miles from the principal Post Office of the Burgh such Number of Hackney Coaches or Carriages, of any Kind or Description, adapted to the Carriage of Persons, as they shall think fit.

What to be Hackney Carriages.

279. Every wheeled Carriage, whatever may be its Form or Construction, used in standing or plying for Hire in any Street within such prescribed Distance, and every Carriage standing upon any Street, public or private, within such prescribed Distance, having thereon any numbered Plate required by this Act to be fixed upon a Hackney Carriage, or having thereon any Plate resembling or intended to resemble any such Plate as aforesaid, shall be deemed to be a Hackney Carriage within the Meaning of the Act; and in all Proceedings at Law or otherwise the Term "Hackney Carriage" shall be sufficient to describe any such Carriage: Provided always, that no Stage Coach used for the Purpose of standing or plying for Passengers to be carried for Hire at separate Fares, and duly licensed for that Purpose, and having thereon the proper numbered Plates required by Law to be placed on such Stage Coaches, shall be deemed to be a Hackney Carriage within the Meaning of this Act.

Fees to be paid for Licences.

280. For every such Licence there shall be paid to the Clerk or other Person appointed by them to receive the same such Sum as the Magistrates direct, not exceeding Five Shillings.

Persons applying for Licence to sign a Requisition for same.

281. Before any such Licence is granted, a Requisition for the same, in such Form as the Magistrates may from Time to Time provide for that Purpose, shall be made and signed by the Proprietor or One of the Proprietors of the Hackney Carriage in respect of which such Licence is applied for, and in every such Requisition shall be truly stated the Name and Surname and Place of Abode of the Person applying for such Licence, and of every Proprietor or part Proprietor of such Carriage, or Person concerned, either solely or in Partnership with any other Person, in the keeping, employing, or letting to Hire of such Carriage; and any Person who, on applying for such Licence, states in such Requisition the Name of any Person who is not a Proprietor or part Proprietor of such Carriage, or who is not concerned as aforesaid in the keeping, employing, or letting to Hire of such Carriage, and also any Person who wilfully omits to specify truly in such Requisition as aforesaid the Name of any Person who is a Proprietor or part Proprietor of such Carriage, or who is concerned as aforesaid in the keeping, employing, or letting to Hire of such Carriage, shall be liable to a Penalty not exceeding Ten Pounds.

What shall be specified in the Licence.

282. In every such Licence shall be specified the Name and Surname and Place of Abode of every Person who is a Proprietor or part Proprietor of the Hackney Carriage in respect of which such Licence is granted, or who is concerned, either solely or in Partnership with any other Person, in the keeping, employing, or letting to Hire of any such Carriage, and also the Number of such Licence, which shall correspond with the Number to be painted or marked on the Plates to be fixed on such Carriage, together with such other Particulars as the Magistrates think fit.

Licences to be registered.

283. Every Licence shall be made out by the Clerk of the Magistrates, and duly entered in a Book to be provided by him for that Purpose, and in such Book shall be contained Columns or Places for Entries to be made of every Offence committed by any Proprietor or Driver or Person attending such Carriage, and any Person may at any reasonable Time inspect such Book without Fee or Reward.

Licences to be in force for One Year only.

284. Every Licence so to be granted shall be signed by Two or more of the Magistrates, and shall not include more than One Carriage so licensed, and shall be in force for One Year only from the Day of the Date of such Licence, or until the next General Licensing Meeting, in case any General Licensing Day be appointed by the Magistrates.

Notice to be given by Proprietors of Hackney Carriages of any Change of Abode.

285. So often as any Person named in any such Licence as the Proprietor or One of the Proprietors, or as being concerned, either solely or in Partnership with any Person, in the keeping, employing, or letting to Hire of any such Carriage, changes his Place of Abode, he shall, within Seven Days next after such Change, give Notice thereof in Writing, signed by him, to the Magistrates, specifying in such Notice his new Place of Abode, and he shall at the same Time produce such Licence at the Office of the Magistrates, who shall, by their Clerk or some other Officer, endorse thereon and sign a Memorandum specifying the Particulars of such Change; and any Person named in any such Licence as aforesaid as the Proprietor or One of the Proprietors of any Hackney Carriage, or as being concerned as aforesaid, who changes his Place of Abode, and neglects or wilfully omits to give Notice of such Change, or to produce such Licence in order that such Memorandum as aforesaid may be endorsed thereon, within the Time and in the Manner limited and directed by this Act, shall be liable to a Penalty not exceeding Forty Shillings.

Penalty for plying for Hire

286. If the Proprietor or part Proprietor of any Carriage, or any Person so concerned as aforesaid, permits the same to be used as a Hackney Carriage plying for Hire within such prescribed Distance without

without having obtained a Licence as aforesaid for such Carriage, or during the Time that such Licence is suspended, as herein-after provided, or if any Person be found driving, standing, or plying for Hire with any Carriage within such prescribed Distance, for which such Licence as aforesaid has not been previously obtained, or without having the Number of such Carriage corresponding with the Number of the Licence openly displayed on such Carriage, every such Person so offending shall for every such Offence be liable to a Penalty not exceeding Forty Shillings. without a Licence.

287. No Person shall act as Driver of any Hackney Carriage, licensed in pursuance of this Act to ply for Hire within such prescribed Distance, without first obtaining a Licence from the Magistrates, which Licence shall be registered by the Clerk to the Magistrates, and a Fee of One Shilling shall be paid for the same; and every such Licence shall be in force until the same is revoked, except during the Time that the same may be suspended, as after mentioned. Drivers not to act without first obtaining a Licence.

288. If any Person acts as such Driver as aforesaid without having obtained such Licence, or during the Time that his Licence is suspended, or if he lend or part with his Licence, except to the Proprietor of the Hackney Carriage, or if the Proprietor of any Hackney Carriage employ any Person as the Driver thereof who has not obtained such Licence, or during the Time that his Licence is suspended, as herein-after provided, every such Driver and every such Proprietor shall for every such Offence respectively be liable to a Penalty not exceeding Twenty Shillings. Penalty on Drivers acting without Licence.

289. In every Case in which the Proprietor of any Hackney Carriage permits or employs any licensed Person to act as the Driver thereof, such Proprietor shall cause to be delivered to him, and shall retain in his Possession, the Licence of such Driver while such Driver remains in his Employ; and in all Cases of Complaint, where the Proprietor of a Hackney Carriage is summoned to attend before a Magistrate, or to produce the Driver, the Proprietor so summoned shall also produce the Licence of such Driver, if he be then in his Employ; and if any Driver complained of be judged guilty of the Offence alleged against him, such Magistrate shall make an Endorsement upon the Licence of such Driver, stating the Nature of the Offence and the Amount of the Penalty inflicted; and if any such Proprietor neglect to have delivered to him and to retain in his Possession the Licence of any Driver while such Driver remains in his Employ, or if he refuse or neglect to produce such Licence as aforesaid, such Proprietor shall for every such Offence be liable to a Penalty not exceeding Forty Shillings. Proprietor to retain Licence of Drivers when in his Employ, &c. Magistrates may endorse Convictions upon Licence. Penalty for Neglect.

290. When any Driver leaves the Service of the Proprietor by whom he is employed without having been guilty of any Misconduct, such Proprietor shall forthwith return to such Driver the Licence belonging to him; but if such Driver have been guilty of any Misconduct, the Proprietor shall not return his Licence, but shall give him Notice of the Complaint which he intends to prefer against him, and shall forthwith summon such Driver to appear before a Magistrate to answer the said Complaint; and such Magistrate, having the necessary Parties before him, shall inquire into and determine the Matter of Complaint; and if upon Inquiry it appear that the Licence of such Driver has been improperly withheld, such Magistrate shall direct the immediate Re-delivery of such Licence, and award such Sum of Money as he thinks proper to be paid by such Proprietor to such Driver by way of Compensation. Proprietor to return Licence to Drivers quitting Service if they behave well, &c. Compensation if Licence improperly withheld.

291. The Magistrates may, upon the Conviction for the Second Time of the Proprietor or Driver of any Hackney Carriage for any Offence under the Provisions of this Act with respect to Hackney Carriages, or any Byelaw made in pursuance thereof, suspend or revoke, as they deem right, the Licence of any such Proprietor or Driver. Licences to be suspended or revoked for Misconduct.

292. No Hackney Carriage shall be used or employed, or let to Hire, or shall stand or ply for Hire, within such prescribed Distance, unless the Number of Persons to be carried by such Hackney Carriage, in Words at Length, and in the Form following, (that is to say,) "to carry Persons," be painted on a Plate placed on some conspicuous Place on the Outside of such Carriage, and in legible Letters, so as to be clearly distinguishable from the Colour of the Ground whereon the same are painted, One Inch in Length, and of a proportionate Breadth; and the Driver of any Hackney Carriage shall not be entitled to carry in or by such Hackney Carriage a greater Number of Persons than the Number painted thereon. Number of Persons to be carried in a Hackney Carriage to be painted thereon.

293. If the Proprietor of any Hackney Carriage permit the same to be used, employed, or let to Hire, or if any Person stand or ply for Hire with such Carriage, without having the Number of Persons to be carried thereby painted and exhibited in manner aforesaid, or if the Driver of any Hackney Carriage, or of any Stage Coach or Omnibus, shall carry a greater Number of Persons in or by such Hackney Carriage, Stage Coach, or Omnibus than the Number of Persons painted thereon, or shall refuse, when required by the Hirer thereof, to carry in or by such Hackney Carriage the Number of Persons painted thereon, or any less Number, every Proprietor or Driver so offending shall be liable to a Penalty not exceeding Forty Shillings. Penalty for Neglect or for Refusal to carry the prescribed Number.

294. Any Driver of a Hackney Carriage standing at any of the Stands for Hackney Carriages appointed by the Magistrates, or in any Street, public or private, who refuses or neglects, without reasonable Excuse, to drive such Carriage to any Place within such prescribed Distance, or any Distance to be appointed by any Byelaw of the Magistrates, not exceeding such prescribed Distance, to which he is directed to drive by the Person hiring or wishing to hire such Carriage, shall for every such Offence be liable to a Penalty not exceeding Forty Shillings. Penalty on Driver for refusing to drive.

295. If

Penalty for demanding more than the Sum agreed for, though less than legal Fare.

295. If the Proprietor or Driver of any Hackney Carriage, or if any other Person on his Behalf, agree beforehand with any Person hiring such Hackney Carriage to take for any Job a Sum less than the Fare allowed by this Act, or any Byelaw made thereunder, such Proprietor or Driver shall be liable to a Penalty not exceeding Forty Shillings if he exact or demand for such Job more than the Fare so agreed upon.

Agreement to pay more than the legal Fare not to be binding, and Sum paid beyond the proper Fare may be recovered back.

296. No Agreement whatever made with the Driver, or with any Person having or pretending to have the Care of any Hackney Carriage, for the Payment of more than the Fare allowed by any Byelaw made under this Act, shall be binding on the Person making the same, and any such Person may, notwithstanding such Agreement, refuse, on discharging such Hackney Carriage, to pay any Sum beyond the Fare allowed as aforesaid; and if any Person actually pay to the Driver of any Hackney Carriage, whether in pursuance of any such Agreement or otherwise, any Sum exceeding the Fare to which such Driver was entitled, the Person paying the same shall be entitled, on Complaint made against such Driver before a Magistrate, to recover back the Sum paid beyond the proper Fare, and, moreover, such Driver shall be liable to a Penalty for such Exaction not exceeding the Sum of Forty Shillings; and in default of the Repayment by such Driver of such Excess of Fare, or of Payment of the said Penalty, the Magistrate shall forthwith commit such Driver to Prison, there to remain for any Time not exceeding One Month, unless the said Excess of Fare and the said Penalty be sooner paid.

Driver to carry, under an Agreement for a discretionary Distance, the Distance to which Hirer is entitled for the Fare.

297. If the Proprietor or Driver of any Hackney Carriage, or if any other Person on his Behalf, agree with any Person to carry in or by such Hackney Carriage Persons not exceeding in Number the Number so painted on such Carriage as aforesaid for a Distance to be in the Discretion of such Proprietor or Driver, and for a Sum agreed upon, such Proprietor or Driver shall be liable to a Penalty not exceeding Forty Shillings if the Distance which he carries such Persons be under that to which they were entitled to be carried for the Sum so agreed upon, according to the Fare allowed by any Byelaw made under this Act.

Overcharge by Drivers, &c. to be included in Conviction.

298. Every Proprietor or Driver of any Hackney Carriage who is convicted of taking as a Fare a greater Sum than is authorized by any Byelaw made under this Act shall be liable to a Penalty not exceeding Forty Shillings; and on the Conviction of such Proprietor or Driver an Order may be included for Payment of the Sum so overcharged, over and above the Penalty and Costs, and such Overcharge shall be returned to the Party aggrieved, whose Evidence shall be admissible in proof of such Offence.

Penalty for permitting Persons to ride without Consent.

299. Any Proprietor or Driver of any Hackney Carriage which is hired who permits or suffers any Person to be carried in or upon or about such Hackney Carriage during such Hire, without the express Consent of the Person hiring the same, shall be liable to a Penalty not exceeding Twenty Shillings.

No Person to act as Driver of any Carriage without the Consent of the Proprietor.

300. No Person authorized by the Proprietor of any Hackney Carriage to act as Driver of such Carriage shall suffer any other Person to act as Driver of such Carriage without the Consent of the Proprietor thereof, and no Person, whether licensed or not, shall act as Driver of any such Carriage without the Consent of the Proprietor; and any Person so suffering another Person to act as Driver, and any Person so acting as Driver, without such Consent as aforesaid, shall be liable to a Penalty not exceeding Forty Shillings for every such Offence.

Penalty on Drivers misbehaving.

301. If the Driver or any other Person having or pretending to have the Care of any Hackney Carriage be intoxicated while driving, or if any such Driver or other Person, by wanton and furious driving, or by any other wilful Misconduct, injure or endanger any Person in his Life, Limbs, or Property, he shall be liable to a Penalty not exceeding Five Pounds, and in default of Payment thereof the Magistrate before whom he is convicted of such Offence may commit him to Prison, there to remain for any Time not exceeding Two Months.

Penalty for leaving Carriages unattended at Places of public Resort.

302. If the Driver of any Hackney Carriage leave it in any Street or at any Place of public Resort or Entertainment, whether it be hired or not, without some one proper to take care of it, any Constable may drive away such Hackney Carriage, and deposit it, and the Horse or Horses harnessed thereto, at some neighbouring Livery Stable or other Place of safe Custody; and such Driver shall be liable to a Penalty not exceeding Twenty Shillings for such Offence; and in default of Payment of the said Penalty, upon Conviction, and of the Expenses of taking and keeping the said Hackney Carriage and Horse or Horses, the same, together with the Harness belonging thereto, or any of them, shall be sold by Order of the Magistrates before whom such Conviction is made; and after deducting from the Produce of such Sale the Amount of the said Penalty, and of all Costs and Expenses, as well of the Proceedings before such Magistrate as of the taking, keeping, and Sale of such Hackney Carriage, and of such Horse or Horses and Harness, the Surplus (if any) of the said Produce shall be paid to the Proprietor of such Hackney Carriage.

Damage done by Driver may be recovered from the Proprietor.

303. In every Case in which any Hurt or Damage has been caused to any Person or Property as aforesaid by the Driver of any Carriage let to Hire, the Magistrate before whom such Driver has been convicted may direct that the Proprietor of such Carriage shall pay such Sum, not exceeding Five Pounds, as appears to such Magistrate a reasonable Compensation for such Hurt or Damage; and every Proprietor who pays any such Compensation as aforesaid may recover the same from the Driver; and such Compensation shall be recoverable from such Proprietor, and by him from such Driver, as Damages.

304. Any

Improperly standing with Carriage, refusing to give way to or obstructing any other Driver, &c.

304. Any Driver of any Hackney Carriage who suffers the same to stand for Hire across any Street or alongside of any other Hackney Carriage, or who refuses to give way, if he conveniently can, to any other Carriage, or who obstructs or hinders the Driver of any other Carriage in taking up or setting down any Person into or from such other Carriage, or who wrongfully in a forcible Manner prevents or endeavours to prevent the Driver of any other Hackney Carriage from being hired, shall be liable to a Penalty not exceeding Twenty Shillings.

Compensation may be awarded to Drivers for Loss of Time in attending to answer Complaints not substantiated.

305. If the Driver of any Hackney Carriage be summoned or brought before any Magistrate to answer any Complaint made on Information given by any private Person touching or concerning any Offence alleged to have been committed by such Driver against the Provisions of any Byelaw made under this Act, and such Complaint or Information be afterwards dismissed, or if such Driver be acquitted of the Offence charged against him, such Magistrate, if he think fit, may order the Informer to pay to such Driver such Compensation for his Loss of Time in attending such Magistrate touching or concerning such Complaint or Information as to such Magistrate seems reasonable; and in default of Payment of such Compensation such Magistrate may commit such Informer to Prison for any Time not exceeding One Month, unless the same shall be sooner paid.

Penalty for refusing to pay the Fare.

306. If any Person refuse to pay, on Demand, to any Proprietor or Driver of any Hackney Carriage, the Fare allowed by any Byelaw made under this Act, such Fare may, together with Costs, be recovered before any Magistrate as a Penalty.

Penalty for damaging Carriage.

307. Any Person using any Hackney Carriage plying under a Licence granted by virtue of this Act who wilfully injures the same shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and shall also pay to the Proprietor of such Hackney Carriage reasonable Satisfaction for the Damage sustained by the same; and such Satisfaction shall be ascertained by the Magistrate before whom the Conviction takes place, and shall be recovered by the same Means as the Penalty.

Magistrates may make Byelaws for regulating Hackney Carriages.

308. The Magistrates may from Time to Time (subject to the Restrictions of this Act) make Byelaws for all or any of the Purposes following; that is to say,

For regulating the Conduct of the Proprietors and Drivers of Hackney Carriages plying within such prescribed Distance in their several Employments, and determining whether such Drivers shall wear any and what Badges, and for regulating the Days and Hours within which they may exercise their Calling:

For regulating the Manner in which the Number of each Carriage corresponding with the Number of its Licence shall be displayed:

For regulating the Number of Persons to be carried by Hackney Carriages, and in what Manner such Number is to be shown on such Carriage, and what Number of Horses or other Animals is to draw the same, and the placing of Check Strings to the Carriages, and the holding of the same by the Driver, and how Hackney Carriages are to be furnished or provided:

For fixing the Stands of Hackney Carriages, and the Distance to which they may be compelled to take Passengers, not exceeding such prescribed Distance:

For fixing the Rates or Fares, as well for Time as Distance, to be paid for Hackney Carriages within such prescribed Distance, and for securing the due Publication of such Fares:

For securing the safe Custody and Re-delivery of any Property accidentally left in Hackney Carriages, and fixing the Charges to be made in respect thereof.

Regulations as to Omnibuses or Carriages plying within Burgh.

309. The Magistrates shall be empowered and they are hereby authorized to prevent within the Limits of their Jurisdiction the plying or running of Omnibuses or other Carriages for the Conveyance of Passengers which shall be in a State of Dis-repair or Insecurity, or not adapted in all other respects for the Conveyance of Passengers with Safety and Comfort, or drawn by Horses not sufficiently strong or in good Condition, or not sufficiently trained or broken-in, and that by imposing Penalties not exceeding for each Offence Five Pounds on the Owners or Contractors or Drivers of such Omnibuses or other Carriages which shall, on the Complaint of the Superintendent of Police, be found by the Magistrate before whom the same may be brought to be in an unsafe or unfit State for the Conveyance of Passengers, or not drawn as aforesaid; and the Magistrates are further empowered to make Byelaws for regulating the Number of Passengers to be carried by and Times of running of such Omnibuses or other Carriages, the Places at which the same shall stand, the Times at which the same shall start, and all other Matters tending to promote Regularity and public Convenience, and to enforce the same against the Proprietors or Conductors or Drivers of such Omnibuses and other Carriages, upon the Complaint of the Superintendent of Police or other Person appointed by the Commissioners, in like Manner and under a like Penalty.

For licensing Sedan Chairs, Carts, and Porters.

310. It shall be lawful for the Magistrates from Time to Time to make such Rules, Regulations, and Byelaws as they may think fit for licensing Sedan Chairs, Carts, Carters, and Porters plying for Hire within the Burgh, for trying, judging, and punishing the Misbehaviour of such Chairmen, Carters, and Porters, for fixing and altering their Stands, and for ascertaining what Rates and Fares they shall be allowed to take, and to what Distances and under what Penalties they shall come in and through the Burgh, and also to make such Rules, Regulations, and Byelaws as they may think fit for licensing Chimney Sweepers, and for fixing their Charges, and from Time to Time rescind, alter, or amend the Rules,

PART V. *General Police Regulations.* Sect. 4.

Rules, Regulations, and Byelaws so to be made by them, and shall set down what Penalties shall be incurred by Persons breaking or evading the same or any of them, not exceeding the Sum of Forty Shillings for any One Offence.

PART V.

SECTION V.—*Brokers and Pawnbrokers.*

Brokers to be licensed.

311. From and after the Adoption of this Act no Person shall within the Burgh exercise or carry on the Trade or Business of a Broker unless he shall have first obtained a Licence so to do from the Magistrates, which Licence such Magistrates shall have a discretionary Power of granting or refusing as they shall see Cause, and which, when granted, shall continue in force until the Term of *Whitsunday* in each Year and no longer, unless sooner revoked or suspended, which the Magistrates are hereby authorized to do, on legal Conviction of any Violation of any of the Conditions of such Licence or of the Provisions of this Act; and every Person applying for such Licence or a Renewal thereof shall pay to the Clerk a Sum not exceeding Two Shillings and Sixpence as the Expense attending such Application, and of recording the same, and the Deliverance of the Magistrates thereon, and of such Licence or Renewal, if granted, in a Book to be kept by him for that Purpose; and if any Person shall within the Burgh exercise or carry on the Trade or Business of a Broker without having first obtained such Licence as aforesaid, or after the Revocation or during the Suspension thereof, or shall contravene the Terms of such Licence or any of the Provisions of this Act, such Person shall for each such Offence be liable to a Penalty not exceeding Five Pounds: Provided always, that it shall not be lawful for the Magistrates to grant any such Broker's Licence to any licensed Pawnbroker carrying on Business as such; but nothing in this Provision shall be held to apply to the Sale of Goods *bonâ fide* forfeited in accordance with the Pawnbrokers Act.

Brokers to furnish a Description of their Premises and keep Books.

312. Every Person who shall apply to be licensed as a Broker shall, at the Time of his Application, and at *Whitsunday* yearly thereafter, furnish to the Clerk in Writing a Description of his Premises, including all Cellars, Closets, and other Places proposed to be used by him in the Course of his Trade; and all Brokers shall enter in Books to be kept by them the Particulars of each Transaction in their Business, which Particulars should contain a proper and distinctive Description of each Article purchased or received by them, the Name and Place of Abode of the Person from whom they have purchased or received the same, and the Date and Hour of the Day of each such Transaction, and the Price paid or agreed to be paid for such Articles; and if any such Broker shall fail to keep such Book, or to enter therein the Particulars before mentioned, he shall for each Offence be liable to a Penalty not exceeding Five Pounds.

Penalty on failing to make proper Entries.

Brokers to retain Articles for Seven Days after having received them.

Penalty for Neglect.

313. All Articles purchased or received by such Brokers shall be kept by them in their Shops or other Places where their ordinary Business is carried on for the full Period of Seven Days from and after the Date on which it shall appear from their Books that such Articles have been purchased or received; and every Broker who shall sell or otherwise dispose of or remove from his Premises as aforesaid any such Articles before the Expiry of such Period of Seven Days, or shall fail at any Time in the course of that Period to produce such Articles to the Superintendent of Police, or to any Constable acting under him, when required so to do, shall for each Offence, upon Conviction before a Magistrate, be liable to a Penalty not exceeding Five Pounds.

Brokers to produce Articles on Demand.

314. Every Broker shall, at all reasonable Times, exhibit and produce, on Demand, to the Superintendent of Police, or to any Constable acting under him, all Articles in his Possession, or which he may have received or purchased, and shall also produce his Books in which the Description of any such Articles is or should have been entered, when required, in the Police Court, or to the Superintendent of Police, or any Constable acting under him, and having the Authority of a Magistrate, in which Book the Constable requiring and obtaining Production thereof shall on every Occasion subscribe his Name immediately following the last Entry therein; and as often as it shall be found that any Goods or Articles which have been stolen, embezzled, or fraudulently obtained shall be in the Possession of any Broker, he is hereby required, on being informed by the Superintendent of Police or other Constable authorized as aforesaid that such Goods or Articles were stolen, embezzled, or fraudulently obtained, to deposit the same with the Superintendent of Police, in order that they may be produced in such Manner as may be necessary for the Ends of Justice, or upon Proof of Ownership, to the Satisfaction of the Judge, restored to the proper Owner thereof; and every Broker who shall refuse to produce and show the Goods or Articles in his Possession, or the Books in which the same ought or should have been described, on being required so to do, or who shall refuse to allow the Superintendent of Police or Constable requiring the same to subscribe his Name, or who shall not deposit any such Goods or Articles stolen, embezzled, or fraudulently obtained as aforesaid, shall upon Conviction before a Magistrate, for every such Offence be liable to a Penalty not exceeding Five Pounds, without Prejudice to such Broker being also proceeded against as a Receiver or Resetter of stolen Goods according to Law.

Pawnbroker to produce his Book on Demand.

315. Every Pawnbroker shall at all Times during his Hours of Business produce, on Demand, to the Superintendent of Police, or to any Constable acting under him, his Books in which the Articles received by him in Pledge are entered, and shall exhibit to such Superintendent of Police or Constable all Goods regarding which Information shall have been given tending to show or to render probable that the

PART V. *General Police Regulations.* Sect. 5.

the same have been stolen, embezzled, or fraudulently taken, and, if required, shall deposit the same with the Superintendent of Police, for the Ends of Public Justice, on receiving a Receipt for such Goods; and any Pawnbroker who shall refuse to produce his Books, or to exhibit, and, if required, to deposit any Goods as aforesaid, shall for every Offence be liable to a Penalty not exceeding Five Pounds.

Brokers, &c. to report stolen Goods, under a Penalty for Neglect.

316. If any Goods or Articles regarding which written or printed Information shall be given by any Constable to any Pawnbroker or Broker as having been stolen, embezzled, or fraudulently obtained, shall then be or thereafter come into the Possession of such Pawnbroker or Broker, such Pawnbroker or Broker shall, without unnecessary Delay, give Information at the Police Office that certain Goods or Articles answering the Description of the said Goods or Articles were offered to him or are in his Possession, and shall also state the Name and Address given by the Party by whom the same were offered or from whom the same were received, under a Penalty not exceeding Five Pounds for each and every such Neglect or Offence: Provided always, that in the Case of Wearing Apparel or other Articles which it may be difficult for such Pawnbroker or Broker to trace out and identify, no Fine shall be exigible in respect of not reporting such Articles, unless it shall appear to the Magistrate that such Articles had been knowingly concealed by such Pawnbroker or Broker.

If stolen Articles be altered or defaced by Broker, he shall be held to be Receiver of stolen Goods.

317. If any Broker shall, after receiving Information of the Theft, or the embezzling or the fraudulent Disposal of any Metals, Goods, or Articles, of whatsoever Description, melt, alter, deface, or put away the same, or shall cause the same to be melted, altered, defaced, or put away, without having previously received the Permission of the Magistrate, and if it shall be found that such Metals, Goods, or Articles were stolen, embezzled, or fraudulently disposed of by the Person from whom such Broker received the same, or by any other Person, then and in such Case it shall be held that such Broker knew that such Metals, Goods, or Articles were stolen, embezzled, or fraudulently disposed of, and such Broker shall be proceeded against according to Law as a Receiver of stolen Goods, or as being a Party to the Fraud, and punished accordingly; and no other Evidence of his Guilt shall be necessary than Evidence of such melting, altering, defacing, or putting away, after receiving Information as aforesaid.

Brokers not to carry on Business of Publicans, nor to purchase Tickets of Pawnbrokers.

318. It shall not be lawful for any Broker or any Pawnbroker to carry on Business as a Publican or Retailer of excisable Liquors, nor for any Broker to purchase, receive, or take the Note or Ticket of any Pawnbroker for any Goods or Articles which have been pawned, or to contract or negotiate in any Manner with the Holder of any such Note or Ticket, or any Person in his Behalf, for the Purchase of Goods or Articles specified therein; and if any Broker shall offend herein, either by himself or his Servant, or any other Person having the Charge of his Premises, and for whom in such Case he shall be held responsible, such Broker shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Pawnbrokers not to act as Brokers, and Brokers not to take Articles in Pledge.

319. If any Pawnbroker shall act as a Broker, except in the Sale of Articles *bonâ fide* forfeited in accordance with the Provisions of the Pawnbrokers Act, or if any Broker shall receive or take any Goods or Articles in Pledge, such Pawnbroker or Broker shall, upon Conviction thereof by the Oath of One or more credible Witness or Witnesses, for every such Offence be liable to a Penalty not exceeding Five Pounds.

Pawnbroker and Broker not to carry on Business in the same Premises.

320. It shall not be lawful for a Pawnbroker and Broker to carry on their respective Trades within the same Premises, or in separate Premises having a Communication with each other; and every Pawnbroker or Broker who shall offend herein shall for every such Offence be liable to a Penalty not exceeding Five Pounds, which Penalty shall be in addition to any Penalty now payable for the like Offence under any Act or Acts now in force.

Penalty on Brokers transacting Business with Persons under 14 Years of Age.

321. It shall not be lawful for any Broker at any Time to sell to or purchase from any Person who shall apparently be under Fourteen Years of Age; and if any Broker shall offend herein, either by himself or his Servant or any other Person having the Charge of his Premises, and for whom in such Case he shall be held responsible, such Broker shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Penalty on Brokers transacting Business between certain Hours.

322. It shall not be lawful for any Broker to sell to or purchase from or have any Business Transaction whatsoever with any Person between the Hours of Ten o'Clock of each *Saturday* Night and Nine o'Clock in the Morning of the following *Monday*, or between Ten o'Clock in any other Night and Eight o'Clock on the following Morning; and if any Broker shall offend herein, either by himself or his Servant or any other Person having the Charge of his Premises, and for whom in such Case he shall be held responsible, such Broker shall, on being convicted thereof by the Oath of One or more credible Witness or Witnesses, for every such Offence be liable to a Penalty not exceeding Five Pounds.

Penalty on Pawnbrokers, &c. purchasing Tickets issued by Charitable Institutions.

323. Any Pawnbroker or Broker who shall, either by himself or his Servant or by any other Person having the Charge of his Premises or Business, and for whom in such Case he shall be held responsible, and any other Person who shall purchase, receive, or take any Note or Ticket issued by Authority of any Parochial Board or Charitable Institution, or any Article of Clothing issued by Authority of any Parochial Board or Charitable Institution, and legibly marked, or as known by him to be so issued, shall for each such Offence be liable to a Penalty not exceeding Five Pounds, without Prejudice to such Pawnbroker, Broker, or other Person being proceeded against according to Law as a Resetter of stolen Goods.

Pawnbrokers not to keep Smelting Pots.

324. Every Pawnbroker or Broker who shall keep or suffer to be in his Premises any Smelting Pot or Implement for melting, altering, or defacing Gold, Silver, Lead, or other Metals, shall for every such Offence

Offence be liable to a Penalty not exceeding Five Pounds, and such Smelting Pot or Implement shall be forfeited.

Brokers to have their Names painted over Shop Doors.

325. Every Person licensed as a Broker shall have his Name with the Words "Licensed Broker" painted over the Door or principal Entrance of his Premises, in large Characters, either Black upon a White Ground, or White upon a Black Ground, and shall from Time to Time replace the same when removed, obliterated, or defaced, under a Penalty not exceeding Twenty Shillings.

Broker may detain suspected Persons offering Goods for Pledge or Sale.

326. It shall be lawful for any Pawnbroker or other Broker or Dealer, or any other Person to whom any Goods or Articles which shall be reasonably suspected to be stolen or illegally obtained shall be offered to be pawned, sold, or delivered, and he is hereby required to detain the Person offering the same, and for any Officer or Constable thereon to take such Person into Custody for the Purpose of being examined by a Magistrate, who may, on Examination, immediately discharge such Person, or may, if he shall see any Ground for believing that the Goods or Articles have been stolen or illegally obtained, remand such Person to the Police Office, or commit him to Prison for a Period not exceeding Three lawful Days, for further Examination, or till Bail be given for his Appearance within the said Term for further Examination, and if on further Examination the Magistrate shall be satisfied that the Goods or Articles were stolen or otherwise illegally obtained he may commit the Person charged to Prison, to be dealt with according to Law: Provided always, that the Superintendent or other Person on Duty at the Police Office or Watch-house to which such Person so offering such Goods or Articles may be taken shall, without Delay, inquire as to the Circumstances attending the Possession of such Goods or Articles, in order to his determining, in the Absence of the Magistrate or Procurator Fiscal, whether the Party shall be immediately discharged or liberated on Bail in manner herein provided; and further, provided that any Pawnbroker, Broker, or Dealer, or any other Person, who shall detain any Person under this Provision, shall be freed from Responsibility, unless Malice be averred and proved.

PART V.

SECTION VI.—*Articles found or stolen or fraudulently obtained.*

Goods or Money found to be reported at Police Office and Penalty if appropriated by Party finding.

327. All Goods, Parcels, Bank Notes, or Money, or other Articles found within the Burgh, and for which at the Time the same are found no Owner may be known, shall be reported at the Police Office by the Person finding the same, who shall also cause an Advertisement to be inserted in any One or more Newspapers in general Circulation in the Burgh; and if any Person who shall find such Goods, Parcels, Bank Notes, Money, or Articles as aforesaid shall take possession thereof, and shall fail to report the same as aforesaid within Forty-eight Hours after such Possession, he shall be deemed guilty of an Offence, and be liable to a Penalty not exceeding Five Pounds; and if any Person who shall find such Goods, Articles, Parcels, Bank Notes, or Money shall take possession thereof, and shall apply the same to his own Use, he shall be deemed guilty of a higher Offence, and be liable to a Penalty not exceeding Ten Pounds, besides restoring the same to the Owner thereof.

Goods stolen or fraudulently disposed of to be delivered up to Owner.

328. If any Goods or Articles shall be stolen or unlawfully obtained from any Person, or being unlawfully obtained shall be unlawfully pawned, pledged, sold, or exchanged, and Complaint shall be made thereof, and if such Goods shall be found in the Possession of any Broker or other Dealer in Second-hand Property, or of any Person who may have advanced Money upon the Credit of such Goods, it shall be lawful to any Magistrate to issue a Summons or Warrant for the Appearance of such Broker, Dealer, or other Person, and for the Production of the Goods or Articles; and the Ownership of such Goods or Articles being established to the Satisfaction of such Magistrate, he shall order such Goods or Articles to be delivered up to the Owner thereof, either with or without Payment of any Sum, and at such Time as the Magistrate shall think fit; and every Broker, Dealer, or other Person who, being so ordered, shall refuse or neglect to deliver up the Goods or Articles, or who shall dispose of or make away with the same after Notice that such Goods were stolen or unlawfully obtained as aforesaid, or unlawfully pawned, pledged, sold, or exchanged, shall forfeit to the Owner of the Goods the full Value thereof, to be determined by the Magistrate: Provided always, that no Order shall be final, and shall not prevent any Broker or Dealer from recovering Possession of such Goods by Action of Law from the Person into whose Possession they may have come by the Magistrate's Order, so that such Action be commenced within Three Months next after such Order shall be made.

How stolen or unclaimed Goods to be kept.

329. Where any stolen or unclaimed Goods or Effects may be brought to the Police Office, the Superintendent or other Officer of Police shall forthwith enter the same in a Book to be kept in the Police Office for that Purpose, with the Names of the Parties from whom taken or by whom pledged or brought to the Police Office, in which Book the Superintendent or other Officer of Police shall also enter the Date and Manner in which such stolen or unclaimed Goods shall be retained till disposed of.

Unclaimed Goods may be disposed of after Twelve Months.

330. Any Goods, Articles, or Money charged as having been stolen or unlawfully obtained, and of which the Owner may be unknown, shall be taken charge of by an Officer specially appointed in the Police Office; and it shall be lawful for any Magistrate, after the Expiration of Twelve Months during which no Owner shall have claimed the same, to grant Warrant for the Sale or Disposal of such Goods, Articles, or Money; and the Proceeds, after deducting Expenses, shall be applied to the Police Purposes of this Act.

PART V.

SECTION VII.—*Suppression of Vagrants.*

Vagrants, Beggars, &c. to be apprehended, and, upon Conviction, imprisoned.

331. It shall be lawful for any Constable to apprehend and bring before the Magistrate all Persons found begging, or exposing Wounds or Deformities, or exposing Children of tender Age to the Inclemency of the Weather, or placing themselves or otherwise acting so as to induce or for the Purpose of inducing the giving of Alms, and all Persons conducting themselves as Vagrants, having no fixed Place of Residence, and no lawful Means of gaining their Livelihood within the Burgh, and all Persons who, after having been convicted of Vagrancy, or of Housebreaking or Theft, are found in possession of any Picklock, Key, Crow, Jack, Bit, or other Implement usually employed in Housebreaking, or who, although not previously so convicted, are found in possession of any such Implement, or of any lethal Weapon, or in any Building or Part of a Building or other enclosed Space, for any unlawful Purpose, or who, after having been convicted of Housebreaking or Theft, are found in any public or private Street, or other Place, with Intent to commit any Penal or Police Offence, or in possession of any Article without being able to give a satisfactory Account of their Possession thereof; and such Persons, upon Conviction, shall be liable to be imprisoned for any Period not exceeding Thirty Days, and for a Second or any subsequent Offence to Imprisonment for a Period not exceeding Sixty Days; and if any Money or Article be found upon their Persons, such Money or Article may be forfeited, and applied to the Purposes of this Act.

Procedure to Persons sending out Children to beg.

332. It shall be lawful for any Constable to apprehend and bring before the Magistrate all young Persons found begging, or sent or suffered to go out for that Purpose, within the Burgh, and also the Parents of such young Persons, or other Relations to whose Control they are subject, by whom they have been so sent or suffered to go out, and also any other Persons by whom such young Persons have been so sent out; and on the Complaint being established that such young Persons have been sent out or suffered to go out for that Purpose by their Parents or either of them, or by any other Relation to whose Control they are subject, or have been sent out for that Purpose by any other Person, it shall be lawful for the Magistrate to punish such Parent, Relation, or other Person as a Vagrant or disorderly Person by Imprisonment for a Period not exceeding Thirty Days.

Beggars and Vagrants to be handed over to the Parochial Authorities.

333. It shall be lawful for any Constable to apprehend and bring before the Magistrate all such Beggars, Vagrants, and idle poor Persons, Men, Women, or Children, strolling or wandering or seeking Relief, or found lying in any Outhouse, Stair, Close, or Area, or other Place within the Burgh; and it shall be lawful for the Magistrate to direct and cause all such Persons as he may not at the Time convict of Begging and Vagrancy, as herein-before provided, to be handed over to the Inspector of the Poor or other Official of the Parish within which such Persons shall have been found, in order that their Claim as Paupers may be investigated and disposed of according to Law.

Penalty against Chain Droppers, Swindlers, &c.

334. All Chain Droppers, Thimblers, loaded Dice Players, and other Swindlers of that or any similar Description, who shall be found in possession of Implements or Articles for practising Games of Hazard, or who shall exhibit such Implements or Articles in order to induce or entice or who shall induce or entice any Person to play at any Game of Hazard, or who, by any fraudulent Art or Device, shall cozen and cheat or attempt to cozen and cheat any Person, may be convicted before a Magistrate on the Testimony of One or more credible Witness or Witnesses, and on Conviction shall be imprisoned for any Term not exceeding Sixty Days, and shall also at the same Time be sentenced to repay any Money or restore any Property which they may have obtained by means of any such Offence, and failing such Payment or Restoration may, under the same Procedure, be committed to or detained in Prison for any further Term not exceeding Sixty Days.

PART V.

SECTION VIII.—*Public Bathing.*

Bathing Machines and Bathing.

335. Where any Part of the Seashore or Strand of any River used as a public Bathing Place is within the Burgh the Magistrates may make Byelaws for the following Purposes; that is to say,

For fixing the Stands of Bathing Machines on the Seashore or Strand, and the Limits within which Persons of each Sex shall be set down for bathing, and within which Persons shall bathe:

For regulating the Occupation of such Stands of Bathing Machines, and apportioning the same temporarily among the Owners of such Machines for the Time:

For preventing any indecent Exposure of the Persons of the Bathers:

For regulating the Manner in which and the Times at which the Bathing Machines shall be used, and the Charges to be made for the same:

For ensuring that the Bathing Machines shall be kept in a proper State of Repair:

For regulating the Distance at which Boats and Vessels let to Hire for the Purpose of sailing or rowing for Pleasure shall be kept from Persons bathing within such prescribed Limits.

PART V.

SECTION IX.—*Places of public Resort and disorderly Houses.*

Penalty on Victuallers entertaining Con-

336. Every Person keeping any House, Shop, Room, Place of public Resort, or other Premises within the Burgh, who knowingly harbours or entertains or suffers to remain in his House, Shop,

stables while on Duty.

Room, or Premises any Constable during any Part of the Time appointed for his being on Duty, unless for the Purpose of quelling any Disturbance or restoring Order, or otherwise in the Execution of his Duty, shall for every such Offence be liable to a Penalty not exceeding Twenty Shillings.

Penalty for harbouring disorderly Persons.

337. Every Person occupying or keeping any House, Shop, Room, Place of public Resort, or other Premises within the Burgh, who shall permit any Breach of the Peace or riotous or disorderly Conduct within any Shop, Cellar, Room, Place of public Resort, House, Office, or other Premises, occupied or rented by him, or shall knowingly harbour Prostitutes, or permit or suffer Men and Women of notoriously bad Fame, or dissolute Boys and Girls, to meet or assemble therein, or shall knowingly lodge, entertain, or harbour, to the Annoyance of the Inhabitants, any Prostitute or idle Rogue or Vagabond, such Person so offending shall for every such Offence be liable in a Penalty not exceeding Ten Pounds, and so from Time to Time, and the Magistrates may further ordain such Offenders to find Caution for their good Behaviour for Twelve Months under a Penalty not exceeding Twenty Pounds, and in the event of such Security not being found, to adjudge the Person offending to Imprisonment for any Term not exceeding Sixty Days: Provided always, that if any Person shall be found guilty of any such Offence a Second Time, it shall be lawful for the Magistrates or any of them, on the Application of Three Householders or of the Procurator Fiscal, to eject and remove such Person summarily from the Premises possessed, occupied, or kept by him, and to impose such further Penalty on such Offender, not exceeding Twenty Pounds, with Costs, as to the Judge may seem fit.

Officers may enter Public Houses on hearing disorderly Noise therein.

338. The Superintendent of Police or any Constable shall have Power, by virtue of his Office, at any Time to enter any Building or Part of a Building, or other Place of the following Description, on hearing any disorderly Noise therein, or having Reason to believe or suspect that Persons accused or reasonably suspected of having committed any Offence in respect of which Imprisonment may be awarded, or that any Articles known or suspected to have been stolen or fraudulently obtained, are to be found therein; *viz.*,

Any Place used for the Purpose of Stage Plays or Dramatic Entertainments, or for any Public Show or Exhibition:

Any Singing or Dancing Saloon, Oyster Store, Fish Shop, Eating House, Coffee House, or other such Place:

Any Victualling House, Public House, or House in which Wine, Spirits, Beer, Cider, or other fermented or distilled Liquors are sold, whether licensed or not:

Any common Brothel or House for the Reception of Prostitutes, or any House usually frequented by Thieves or loose and disorderly Persons:

Any Building or Part of a Building which is kept or used for a Purpose in respect of which a Licence is required by the Provisions of this Act:

Any Ship or other Vessel not being employed in Her Majesty's Service:

And if the Keeper of any such Building or Part of a Building or other Place, or any Servant or other Person having the Charge thereof, or the Master or other Person having Charge of such Vessel, shall not admit such Superintendent or Constable when required, such Person shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

Penalty for purchasing Wearing Apparel or taking Pawn for spirituous Liquors, or supplying Liquors to Persons under 14 Years of Age.

339. Any Person licensed to sell Wine, Spirits, Beer, Cider, or other fermented or distilled Liquors by Retail who shall purchase or receive in Pawn any Article of Wearing Apparel, or Bed Clothes, or any Goods, as the Price or as Security for the Price of any fermented or distilled Liquors, shall be liable in a Penalty not exceeding Five Pounds, and in the Case of such Pawn the Article so received shall be restored to the Owner; and any Person licensed as aforesaid who shall supply any Sort of fermented or distilled Liquors to and for the Use on the Premises of such Person of any Boy or Girl apparently under Fourteen Years of Age shall be liable for the First Offence to a Penalty not exceeding One Pound, for the Second Offence to a Penalty not exceeding Two Pounds, and for a Third Offence to a Penalty not exceeding Five Pounds.

Penalty on Persons keeping Places for baiting Animals, and on Persons found therein.

340. Every Person who within the Burgh keeps or uses or acts in the Management of any House, Room, Pit, or other Place for the Purpose of fighting, baiting, or worrying any Animals shall be liable to a Penalty of not more than Five Pounds, or, in the Discretion of the Magistrate before whom he is convicted, to Imprisonment, with or without Hard Labour, for a Time not exceeding One Month, without any Penalty being imposed; and the Magistrate may, by Order in Writing, authorize the Superintendent of Police, with such Constables as he thinks necessary, to enter any Premises kept or used for any of the Purposes aforesaid, and take into Custody all Persons found therein without lawful Excuse, and every Person so found shall be liable to a Penalty not exceeding Five Shillings; and a Conviction for this Offence shall not exempt the Owner, Keeper, or Manager of any such House, Room, Pit, or Place from any penal Consequences to which he is liable for the Nuisance thereby occasioned.

Power to Superintendent, &c. to enter Gaming Houses, and seize Imple-

341. It shall be lawful for the Superintendent or any Constable of Police, having good Grounds for believing that any House, Room, or Place is kept or used as a Gaming House, to enter such House, Room, or Place, and, if needful, to use Force for the Purpose of effecting such Entry, and to take into Custody all Persons who shall be found therein, and to seize all Tables for and Instruments of Gaming found in such House, Room, or Place, and all Monies and Securities for Money found therein; and the Owner

Owner or Keeper of such Gaming House, or other Person having the Care or Management thereof, and also any Person who shall act in any Manner in conducting such Gaming, shall be liable in a Penalty not exceeding Fifty Pounds; and upon Conviction of any such Offender all such Tables and Instruments of Gaming shall be destroyed, and all the Monies and Securities for Money which shall have been seized as aforesaid shall be paid over to the Collector of Police, and applied in the same Way and Manner as Penalties by this Act are directed to be applied; and every Person found within such Premises without lawful Excuse shall be liable in a Penalty not exceeding Ten Pounds. ments of Gaming. Penalties.

342. It shall not be necessary in support of any Prosecution under this Act for Gaming in or suffering any Game or Gaming in such Gaming House, or for keeping or using or being concerned in the Management or Conduct of such House, to prove that any Person found playing at any Game was playing for any Money, Wager, or Stake. Proof of Gaming for Money not necessary in support of Prosecution.

PART V.

SECTION X.—*Clocks.*

343. The Commissioners may from Time to Time, as they shall see fit, provide such Clocks as they consider necessary, and cause them to be fixed upon or against any public Building, or, with the Consent of the Owner or Occupier, upon or against any private Building the Situation of which may be convenient for that Purpose, and may cause the Dials thereof to be lighted at Night, and from Time to Time alter and remove any such Clocks to such other like Situation as they shall consider expedient. Power to Commissioners to provide public Clocks.

PART V.

SECTION XI.—*Fires.*

344. Every Person who wilfully sets or causes to be set on fire any Chimney within the Burgh shall be liable to a Penalty not exceeding Five Pounds: Provided always, that nothing herein contained shall exempt the Person so setting or causing to be set on fire any Chimney from Liability to be indicted or prosecuted therefor before any Criminal Court. Penalty for wilfully setting Chimneys on fire.

345. If any Chimney within the Burgh catch or be on fire, the Person occupying or using the Premises in which such Chimney is situated shall be liable to a Penalty not exceeding Ten Shillings: Provided always, that such Forfeiture shall not be incurred if such Person prove to the Satisfaction of the Magistrate before whom the Case is heard that such Fire was in nowise owing to Omission, Neglect, or Carelessness of himself or Servant; and provided also, that such Person shall pay the Expenses incurred in extinguishing the Fire, as the same shall be fixed by the Magistrate. Penalty for accidentally allowing Chimneys to catch fire.

346. The Commissioners may purchase or provide such Engines for extinguishing Fire, and such Water Buckets, Pipes, and other Appurtenances for such Engines, and such Fire Escapes and other Implements for Safety or Use in case of Fire, and may purchase, keep, or hire such Horses for drawing such Engines, as they think fit, and may build, provide, or hire Places for keeping such Engines with their Appurtenances, and may employ a proper Number of Persons to act as Firemen, and may make such Rules for their Regulation as they think proper, and give such Firemen and other Persons such Salaries and such Rewards for their Exertions in Cases of Fire as they think fit, and shall be entitled to recover from the Owners and Occupiers of the Premises where any Fires shall happen such reasonable Sums of Money as they shall consider just, not exceeding in the whole Fifteen Pounds, or whatever less Sum is equal to One Half of the actual Expenses of extinguishing any such Fire. Fire Engines may be provided and certain Expenses to be recovered.

347. The Commissioners may send such Engines, with their Appurtenances, and the said Firemen, beyond the Boundaries of the Burgh for extinguishing Fire in the Neighbourhood of the Burgh; and the Owner and Occupier of the Premises where such Fire shall have happened shall in such Case jointly defray the actual Expense which may be thereby incurred, and shall also pay to the Commissioners a reasonable Charge for the Use of such Engines, with their Appurtenances, and for the Attendance of such Firemen; and in case of any Difference between the Commissioners and the Owner or Occupier of such Premises, the Amount of the said Expenses and Charge, as well as the Propriety of sending the said Engines and Firemen as aforesaid for extinguishing such Fire (if the Propriety thereof be disputed), shall be determined by the Sheriff, whose Decision shall be final; and the Amount of the said Expenses and Charge shall be recovered by the Commissioners as any Debt may be recovered. Fire Police permitted to go beyond the Limits of the Burgh in certain Cases.

348. The Party Walls of all Buildings erected after the Adoption of this Act shall be carried through and above the Roof, to form a Parapet of not less than Twelve Inches in Height, measured at Right Angles with the Slope of the Roof, above the Covering of the Roof of the highest Building to which such Party Wall belongs; and all such Party Walls, and the external Walls of all Buildings erected after the Adoption of this Act in or near any Street, public or private, or within the Curtilage of any House adjoining any such Street, shall be constructed of incombustible Materials, and the Coverings of the Roof thereof shall not, without the previous Consent in Writing of the Commissioners, be constructed of combustible Materials; and it shall not be lawful for the Owner of any Building having, at the Date of the Adoption of this Act, a Roof covered with Thatch or other combustible Material, Party Walls to be carried up through the Roof. Walls of Buildings and Coverings of Roofs to be made of incombustible Materials.

PART V. *General Police Regulations.* Sect. 11.

Material, and contiguous to or adjoining to any other Building, to suffer such Covering to such Roof to remain for a longer Period than Seven Years after such Adoption of this Act, unless with the Consent in Writing of the Commissioners; and every Person who shall erect any Building, or cover any Roof, or suffer the Covering of any Roof to continue, contrary to the Provision herein contained, and who shall not remove or alter the same within One Month after Notice given to him for that Purpose by the Commissioners, shall be liable to a Penalty not exceeding One Pound for every Day that such Building or Covering to such Roof shall so continue.

PART V.

SECTION XII.—*Ventilation and Cleansing.*

Regulating Construction of Buildings intended as Places for Public Meetings. No Person to begin to build until Plan has been approved by Commissioners.

349. Before beginning to build any Building intended to be used as a Church, Chapel, or School, or a Place of Public Amusement or Entertainment, or for holding large Numbers of People for any Purpose whatsoever, within the Burgh, the Person intending to build the same shall give Thirty Days Notice in Writing to the Commissioners, and shall accompany such Notice with a Plan and Description of the Manner proposed for its Construction, with respect to the Means of supplying fresh Air to such Building; and no Person shall begin to build such Building until the Manner proposed for its Construction, with respect to the Means for supplying fresh Air, has been approved of by the Commissioners; and in default of sending such Notice, or if any such Building be erected without such Approval, the Commissioners may cause such Building, or such Part of it as they consider necessary, to be pulled down or altered, at the Expense of the Owner, and any Expense incurred by the Commissioners in so doing may be recovered as herein-before provided with respect to ruinous or dangerous Buildings taken down or repaired by the Commissioners; and with regard to such existing Buildings as are at the Adoption of this Act or may thereafter be used for any of the said Purposes, the Commissioners may cause the same to be inspected, and may direct such Means to be taken for their proper Ventilation as to them shall seem fit.

If Commissioners fail to signify their Approval or Disapproval of Plan within 7 Days, Party may proceed to build.

350. Provided always, if the Commissioners fail to signify in Writing their Approval or Disapproval of the Manner of Construction of any new Building, with respect to the Means of supplying fresh Air shown on such Plan and Description as aforesaid, within Seven Days after receiving such Notice, accompanied by such Plan and Description, the Person giving such Notice may, notwithstanding anything herein contained, proceed to build the Building therein referred to in the Manner shown on such Plan and Description, provided that such Building be otherwise in accordance with the Provisions of this Act.

Persons may appeal against Determination of Commissioners.

351. Provided also, if the Owner or other Person so intending to build or the Owner of any existing Building be dissatisfied with the Determination of the Commissioners as to the said proposed Manner of Construction, he shall have the same Right of Appeal against the Determination of the Commissioners, and such Appeal shall be conducted in the same Manner herein provided in the Case of Appeals against any Order of the Commissioners with respect to Works to be constructed by or subject to the Approval of the Commissioners.

No Cellars under the Height of 7 Feet from the Floor to the Ceiling to be let as Dwellings.

352. It shall not be lawful to let separately, except as a Warehouse or Storehouse, or to suffer to be occupied as a Dwelling Place, any Cellar whatsoever or any Vault or underground Room (not being entirely open on One or other of its Sides), which Vault or Room shall be less in Height from the Floor to the Ceiling than Seven Feet, or which shall be less than One Third of its Height above the Level of the Street or Ground adjoining the same, or otherwise shall not have Three Feet at least of its Height from the Floor to the Ceiling above the said Level, with an open Area of Two Feet Six Inches wide from the Level of the Floor of such Vault or Room up to the Level of the said Street or Ground, or which shall not have appurtenant thereto the Use of a Watercloset, or which shall not also have a glazed Window made to open to the full Extent of the Half thereof, the Area of which is not less than Nine Superficial Feet clear of the Frame, and a Fireplace with a Chimney or Flue, or which Vault or underground Room, being an inner or back Vault or Cellar let or occupied along with a front Vault or Room as Part of the same Letting or Occupation, has not a ventilating Flue (unless such inner or back Vault or Room shall be Part of a House built before the Adoption of this Act), or which shall not be well and effectually drained by means of a Drain, the uppermost Part of which is One Foot at least below the Level of the Floor of such Vault, Cellar, or Room, after the Commissioners have given Notice to the Owners thereof that the letting of such Cellars, Vaults, or underground Rooms as Dwelling Places is prohibited from that Time forth; and it shall be the Duty of the Commissioners to issue such Notices from Time to Time, as soon as is convenient, until such Notice has been given with respect to every Cellar, Vault, or underground Room occupied as a Dwelling House within the Burgh; and it shall not be lawful, after such Notice, to let or continue to let, or to occupy or suffer to be occupied, separately, as a Dwelling House, any such Cellar, Vault, or underground Room; but any Person considering himself aggrieved by any such Prohibition may, within Ten Days after the same is made known to him, appeal against the same to the Sheriff in manner herein-after appointed with regard to Appeals under this Act.

Cellars in Courts not to be occupied as Dwellings after Letting prohibited.

Penalty on letting such Cellars as

353. Every Person who lets separately, or who knowingly suffers to be occupied for Hire as a Dwelling, any Vault, Cellar, or Room within the Burgh, contrary to the Provisions of this Act, shall be liable

liable to a Penalty not exceeding Twenty Shillings for every Day during which such Vault, Cellar, or Room is so occupied after Conviction of the First Offence. Dwelling Places.

354. The Owners of all common Stairs and common Passages shall have the same provided with proper Means of Ventilation to the Satisfaction of the Surveyor or Inspector of Cleansing, and shall whitewash or paint the same as often as required to do so by the Surveyor or Inspector of Cleansing, and the Owners of all Premises occupied as Dwelling Houses let for shorter Periods than Six Months shall whitewash and properly cleanse such Premises, and every Part and Pertinent thereof, to the Satisfaction of the Inspector of Cleansing, at least once in the Year, or oftener if required by the Surveyor or Inspector of Cleansing, and any such Owner failing to do so shall be liable to a Penalty not exceeding Forty Shillings. Common Stairs to be ventilated, and Houses let for short Periods to be cleansed.

355. The Occupiers of Dwelling Houses in common Stairs shall sweep, wash, and cleanse the Landing Places of the Flats or Storeys in which their Houses are situated, and the Steps leading from such Landing Places to the Flats or Storeys immediately below them, and also any intermediate Landing Place between such Flats or Storeys, at least once in every Week; and if there be more than One Occupier in each Storey or Flat, each Occupier shall sweep, wash, and cleanse such Landing Places and Stairs Week about by Turns; and such Occupiers shall at the same Time also sweep, wash, and cleanse the Passage and Stair, if any, leading from the lowest Step of such common Stair within the Premises to the Street; and any such Occupier who shall fail to sweep, wash, and cleanse as aforesaid shall for every such Failure be liable in a Penalty not exceeding Forty Shillings. Common Stairs to be cleansed.

356. It shall and may be lawful, at all reasonable Times, for the Superintendent, Surveyor, or Inspector of Cleansing to enter all Dwelling Houses and other Premises, and their Pertinents, where he has Reason to believe that they are not in a cleanly Condition, or have an Accumulation of Filth therein, and to cleanse and purify the same, and to remove such Filth therefrom, at the Expense of the Owner of such Dwelling Houses and other Premises, reserving to the said Owner his Recourse against the Occupier thereof, if such Accumulation of Filth shall have been caused or suffered to remain by such Occupier: Provided always, that if the Owner or Occupier of any such Dwelling House or other Premises shall object to the Entrance of such Surveyor or Inspector as aforesaid, it shall not be lawful for such Surveyor or Inspector to enter without a Warrant from the Magistrate authorizing him so to do. Inspector may enter and cleanse Dwelling Houses, &c. at Expense of Owners.

357. All Persons dealing in Rags, Bones, and other offensive Substances shall at all Times be bound to keep their Premises in which such Articles are kept in a cleanly State, to the Satisfaction of the Superintendent of Police or Inspector of Cleansing, and to fumigate such Premises with Chloride of Lime or other purifying Matter for removing offensive Smells at least Three Times a Week, at the Sight of such Superintendent or Inspector, or of any Person acting under them, and Access shall at all reasonable Times be given to such Superintendent or Inspector, or such other Person acting under them, for such Purpose; and any Person failing therein shall, on Conviction before any One of the Magistrates, on the Testimony of One credible Witness or other legal Evidence, forfeit a Sum not exceeding Two Pounds for each Offence; and if it shall be established before any One of the Magistrates, on the Testimony of Two Medical Practitioners or other Evidence, that the collecting or keeping of Bones or Rags or other Substances in the Vicinity of any Dwelling House, Shop, or other Place is prejudicial to the Health or Comfort of Persons residing or employed therein, it shall be lawful for any One of the Magistrates to order such Rags, Bones, or other Substances to be removed within such Time as they may see proper, and to prohibit such collecting or keeping in future, under a Penalty not exceeding Five Pounds. Offensive Substances.

PART V.

SECTION XIII.—*Slaughter-houses.*

358. The Commissioners may provide and establish fit Shambles or Slaughter-houses for the Purpose of slaughtering Cattle, and for that Purpose may borrow such Sums of Money as they shall find necessary on the Security of the Police Assessment, and of the Rates to be taken and levied for the Use of such Shambles and Slaughter-houses, and of the Shambles or Slaughter-houses and Ground on which the same are erected, or on any One or more thereof, and they may also license such Slaughter-houses as they from Time to Time think proper for slaughtering Cattle within the Burgh. Commissioners may license Slaughter-houses.

359. No Place shall be used or occupied as a Slaughter-house within the Burgh unless and until a Licence for the Erection thereof, or for the Use and Occupation thereof as a Slaughter-house, have been obtained from the Commissioners; and every Person who, without having first obtained such Licence as aforesaid, uses as a Slaughter-house any Place within the Burgh, shall for each Offence be liable to a Penalty not exceeding Five Pounds, and a like Penalty for every Day after the Conviction for such Offence upon which such Offence is continued. No Slaughter-houses in future to be erected without a Licence.

360. The Commissioners shall from Time to Time, by Byelaws to be made and confirmed in the Manner herein-after provided, make Regulations or Byelaws for the licensing, registering, and Inspection of Slaughter-houses, and preventing Cruelty in Slaughter-houses, and for keeping the same in a cleanly and proper State, and for removing Filth at least once in every Twenty-four Hours, and requiring Commissioners may make Byelaws for Regulation of Slaughter-houses, &c.

PART V *General Police Regulations.* Sect. 13.

requiring them to be provided with a sufficient Supply of Water, and they may impose pecuniary Penalties on Persons breaking such Byelaws; provided that no such Penalty exceed for any One Offence the Sum of Five Pounds, and in the Case of a continuing Violation of such Regulations or Byelaws the Sum of Ten Shillings for every Day during which such Nuisance shall be continued after the Conviction for the First Offence.

Licence of Slaughter-houses may be suspended in addition to Penalty imposed.

361. The Magistrate before whom any Person is convicted of killing or dressing any Cattle contrary to the Provisions of this Act, or of the Non-observance of any of the Byelaws or Regulations made by virtue of this Act, in addition to the Penalty imposed on such Person under the Authority of this Act, may suspend for any Period not exceeding Two Months the Licence granted to such Person under this Act; and such Magistrate, upon the Conviction of any Person for a Second or other subsequent like Offence, may, in addition to the Penalty imposed under the Authority of this Act, declare the Licence granted under this Act revoked; and whenever the Licence of any such Person is revoked as aforesaid the Commissioners may refuse to grant any Licence whatever to the Person whose Licence has been so revoked.

Penalty for slaughtering Cattle during Suspension of Licence, &c.

362. Every Person who, during the Period for which any such Licence is suspended, or after the same is revoked as aforesaid, slaughters Cattle in the Slaughter-house to which such Licence relates, or otherwise uses such Slaughter-house, or allows the same to be used as a Slaughter-house, shall be liable to a Penalty not exceeding Five Pounds for such Offence, and a further Penalty of Five Pounds for every Day on which any such Offence is committed after the Conviction for the First Offence.

If Commissioners provide Slaughter-houses, no other Places to be used.

363. If the Commissioners resolve to provide and establish, and do provide and establish, Shambles or Slaughter-houses, as herein provided, or in virtue of Powers contained in any Local Act, no Person shall thereafter slaughter any Cattle or Beasts, or scald or dress the Carcasses of any slaughtered Cattle, or cause the same to be done, within the Boundaries of the Burgh in which such Slaughter-houses are provided, or within a Distance of Two Miles beyond such Boundaries, elsewhere than within the said Slaughter-houses, under a Penalty of Five Pounds for each Offence; and to prevent Evasion of the Use of such Slaughter-houses, all Persons who shall, after such Slaughter-houses are provided, bring within the Boundaries of the Burgh, for Sale or Consumption therein, the Carcass or Part of a Carcass of any Cattle or Beast slaughtered beyond the Distance of Two Miles of the said Boundaries, shall, on their bringing such Carcass or Part of a Carcass within the said Boundaries, be liable in Payment to the Commissioners or their Collector for the Time being of the same Dues as shall at the Time be leviable for Cattle or Beasts slaughtered in such Slaughter-houses; and it shall and may be lawful for the Commissioners to demand and take, for the Use of the said Slaughter-houses, such reasonable Rate or Sum as may be agreed on and fixed between them and the Persons using the same; and in case of Difference as to the Rate to be taken for the Use of such Slaughter-houses, the same shall, upon the Application of either Party, and after Seven Days previous Notice to the other Party of such intended Application, be fixed and determined by the Sheriff in a summary Manner, without written Pleadings, and the Decision of the Sheriff shall be final and conclusive, and not subject to Review.

PART V.

SECTION XIV.—*Markets.*

Commissioners Powers as to Markets, &c.

364. The Commissioners shall have Power to do the following Things or any of them:

To improve any existing Market Places within the Burgh:

To provide a Market Place, and construct a Market House and other Conveniences, for the Purpose of holding Markets:

To provide Houses and Places for weighing Carts:

To make convenient Approaches to such Market:

To provide all such Matters and Things as may be necessary for the convenient Use of such Market:

To take Stallages, Rents, and Dues in respect of the Use by any Person of such Market House:

But no Market shall be established in pursuance hereof so as to interfere with any Rights, Powers, or Privileges enjoyed by any Person, Chartered Joint Stock or Incorporated Company, without his or their Consent.

For the Purpose of enabling the Commissioners to establish Markets in manner foresaid, or to improve and regulate Markets already established in any Burgh, there shall be incorporated with this Act the Provisions of "The Markets and Fairs Clauses Act, 1847," in so far as the same relate to Markets:

With respect to the holding of the Market or Fair and the Protection thereof; and

With respect to the weighing Goods and Carts; and

With respect to the Stallages, Rents, and Tolls; and

With respect to Byelaws:

Subject to this Proviso, that all Tolls leviable by the Commissioners in pursuance of this Act shall be approved of by the Sheriff of the County within which such Market is situate.

PART V.

SECTION XV.—*Special Orders.*

As to certain Matters authorized to be done by the Commissioners by Special Order only.

365. Where by this Act the Commissioners are empowered to do any Thing by Special Order only, it shall not be lawful for them to do such Thing unless the Resolution to do the same have been agreed to by Two Thirds of the Commissioners present at a Meeting whereof special Notice has been given, and has been confirmed by Two Thirds of the Commissioners present at a subsequent Meeting held not sooner than Four Weeks after the preceding Meeting, and which subsequent Meeting has been advertised once at least in each of the Weeks intervening between the Two Meetings in some Newspaper circulating within the Burgh, if any be, or otherwise in some Newspaper circulating in the County in which the Burgh is situated, and of which special Notice in Writing has been given to each of the Commissioners.

Final Resolution not to be carried into effect for One Month, nor then if Householders remonstrate against the same.

366. Provided always, That after any Resolution has been confirmed in a subsequent Meeting as aforesaid the Commissioners shall not proceed to carry the same into effect until after the Expiration of One Month from the Date of such Second Meeting, and during such Month such Resolution shall be advertised once at least in each Week in such Newspaper as aforesaid, and public Notice thereof shall also be given by means of Placards posted in public Places within the Burgh, and Reference shall, in such Advertisement and Notice, be made to some Place provided by the Commissioners where the Plan or Particulars of the Work or Matter to which such Resolution relates may be gratuitously seen by the Ratepayers; and if before the Expiration of such Month a Remonstrance in Writing by Seven or more Householders against carrying into effect such Resolution or any Part thereof be lodged with the Commissioners, such Resolution, or such Part thereof as such Remonstrance applies to, shall not be carried into effect unless confirmed by a Majority of the Householders qualified and voting at the Poll to be taken thereanent; and upon such Remonstrance being lodged as aforesaid the Commissioners, or the Chief or Senior Magistrate of such Burgh, shall be bound to direct a Poll to be taken in the Manner prescribed in regard to Polls of Householderst aken with reference to the Adoption of this Act; and the whole Enactments and Procedure provided in regard to such Polls shall, so far as applicable, extend and apply to the Poll hereby authorized and directed to be taken: Provided always, that where any such Remonstrance applies to Part only of such Resolution, the Commissioners may either carry into effect the Remainder of such Resolution, or rescind the same, as they think fit; but provided also, that if the said Resolution shall not be so confirmed, it shall be lawful to the Commissioners, as often as they shall think proper thereafter, but not sooner than One Year from the Date of any preceding Resolution, by such and the like Procedure again to adopt the same, but such Resolution shall always be subject to be confirmed by the Householders in the event of a Remonstrance being made there against, all in manner above provided.

Places for public Recreation;

367. The Commissioners may, by Special Order, as herein defined, but not otherwise, resolve to and may purchase, rent, or otherwise provide Lands, Grounds, or other Places, either within the Burgh or at a reasonable Distance therefrom, not exceeding Three Miles from the Centre of the principal Market Place, if any, or from the principal Office of the Commissioners, to be used as a Pleasure Ground or Place of Public Resort or Recreation; and the Commissioners may from Time to Time level, drain, plant, and otherwise lay out and improve any such public Lands or Grounds for the more convenient Use and Enjoyment thereof.

and public Bathing Places and Drying Grounds.

368. The Commissioners may from Time to Time, by Special Order, as herein defined, but not otherwise, resolve to and may purchase, rent, or otherwise provide, either within the Burgh, or at a reasonable Distance therefrom, suitable and convenient Premises to be used for public Baths and Wash-houses, and public open Bathing Places, and public Drying Grounds, for the Use and Accommodation of the Inhabitants within the Burgh in washing and drying Clothes and other Articles, and may fit up the same respectively with all requisite and proper Conveniences, and from Time to Time enlarge, renew, and repair the same respectively, and afford the Use thereof respectively to such Inhabitants at such reasonable Charges and under and subject to such Regulations as the Commissioners may deem expedient; and every Person who offends against any such Regulations shall be liable to a Penalty not exceeding Forty Shillings for every Offence.

Proportion of Baths for the Working Classes.

369. Provided always, That the Number of Baths for the Use of the Working Classes provided by the Commissioners in any Burgh shall not be less than twice the Number of the other Baths of any higher Class.

Charges for the Use of Baths.

370. The Commissioners may from Time to Time make such reasonable Charges for the Use of such Baths, Bathing Places, Wash-houses, and Drying Grounds as they think fit.

Recovery of Charges for the Use of Baths, &c.

371. For the Recovery of the Charges at such Wash-houses and Drying Grounds, the Officers, Servants, and others having the Management thereof may, at the Period of using the same, or at any subsequent Time, detain the Clothes or other Goods and Effects, in or upon any such Wash-house or Drying Ground, of any Person refusing to pay the Charge to which such Person may be liable, or any Part thereof, till full Payment thereof be made; and in case such Payment be not made within Seven Days, the Commissioners may sell such Clothes, Goods, and Effects, or any of them, returning the

surplus Proceeds of such Sale, after deducting the unpaid Charge and the Expenses of such Detention and Sale, and the unsold Articles, if any, on Demand, to such Person.

Publication of Byelaws in regard to Baths, &c.

372. A printed Copy or sufficient Abstract of the Byelaws made by the Commissioners relating to the Use of such Baths, Bathing Places, and Wash-houses, so far as regards every such Bath, Bathing Place, or Wash-house, shall be put up in such Bath-room, Bathing Place, and Wash-house.

Sale of Baths, &c. on discontinuing them.

373. Whenever any of such public Baths, Bathing Places, Wash-houses, or Drying Grounds are deemed by the Commissioners to be unnecessary or too expensive to be kept up, the Commissioners may, by Special Order, as herein defined, but not otherwise, discontinue the same, and sell the Lands, Buildings, and Materials for the best Price that can reasonably be obtained, and convey the same accordingly; and the Purchase Money shall be paid to the Treasurer of the Commissioners, and be disposed of as the Commissioners direct.

Commissioners may erect a Public Hall, &c.

374. The Commissioners may, by Special Order as herein defined, but not otherwise, resolve to acquire and may acquire Ground for the Erection of and may thereafter erect thereon a Public Hall and Offices, with all public Conveniences thereto, and may repair the same from Time to Time, and furnish and fit up the same, and employ proper Persons to take care thereof; and for that Purpose it shall be lawful to them to apply, for a Period not exceeding Twenty Years, the General Improvement Assessment hereby authorized to be levied, or such Portion thereof as they may think proper, towards the Expense of such Acquisition, Erection, furnishing, and fitting-up; and they shall be and are hereby authorized, upon the Security of the said General Improvement Assessment, to borrow, as herein-after provided with regard to the borrowing of Money for Police Purposes, such Sum as they may require for the Purpose.

PART VI.

POWERS AND REMEDIES.

PART VI. *Powers and Remedies.* Sect. 1.

SECTION I.—*Byelaws to be made by virtue of this Act.*

Byelaws.

375. The Commissioners may from Time to Time make such Byelaws as they think fit for the several Police Purposes for which they are by this Act empowered to make Byelaws, and from Time to Time repeal, alter, or amend any such Byelaws, provided such Byelaws be not repugnant to the Law of *Scotland*, or the Provisions of this Act, and be reduced into Writing, and have affixed thereto the Signatures of Two of the Commissioners and the Clerk, and, if affecting other Persons than the Officers or Servants of the Commissioners, be confirmed and published as herein provided.

Byelaws may be enforced by Imposition of Penalties.

376. The Commissioners, by the Byelaws so to be made by them, may regulate the Fees to be paid to them or to their Officers, or others employed by them in connexion with the Inspection of Plans, Records, or other Documents in their Possession, and with Applications for their Sanction or Authority to the Execution of Works to which by this Act such Sanction or Authority is requisite, and may further impose such reasonable Penalties as they think fit, not exceeding Forty Shillings for each Breach of such Byelaws: Provided always, that such Byelaws be so framed as to allow the Magistrate before whom any Penalty imposed thereby is sought to be recovered to order the whole or part only of such Penalty to be paid, or to remit the whole Penalty.

Byelaws to be confirmed.

377. No Byelaw made by the Commissioners under the Authority of this Act, except such as relate solely to the Commissioners or their Officers or Servants, shall come into operation until the same be confirmed by the Sheriff and authenticated by his Signature; and it shall be incumbent on the Sheriff, on the Request of the Commissioners, to inquire into any Byelaws tendered to him for that Purpose, and to allow or disallow the same as he may think meet.

Notice of Confirmation to be given.

378. No such Byelaws shall be confirmed unless Notice of the Intention to apply for a Confirmation of the same have been given in One or more Newspapers circulating within the Burgh, if any be, or otherwise in some Newspaper circulating in the County in which the Burgh is situated, One Month at least before the Hearing of such Application; and any Person desiring to object to any such Byelaw, on giving to the Commissioners Notice of the Nature of his Objection Ten Days before the Hearing of the Application for the Allowance thereof, may, by himself, or his Counsel or Agent, be heard thereon, but not so as to allow more than One objecting Party to be heard on the same Matter of Objection.

A Copy of proposed Byelaws to be open to Inspection.

379. For One Month at least previous to any such Application for Confirmation of any Byelaw a Copy of the proposed Byelaws shall be kept at the Office of the Clerk of the Commissioners, and all Persons may at all reasonable Times inspect such Copy without Fee or Reward; and the Commissioners shall furnish every Person who applies for the same with a Copy thereof, or of any Part thereof, on Payment of Sixpence for every One hundred Words so to be copied.

Publication of Byelaws.

380. Such Byelaws, when confirmed, shall be printed; and the Clerk to the Commissioners shall deliver a printed Copy thereof to every Person applying for the same at a Charge not exceeding One Penny; and a Copy thereof shall be painted or printed or placed on Boards, which shall be hung up on the Front or in some conspicuous Part of the principal Office of the Commissioners, and also on some conspicuous Part of the Works or Locality to which the same relate, for a Period of not less than Three Months after the Date of such Confirmation; and any such Clerk who does not allow the same to be inspected at all reasonable Times shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

381. Such

Byelaws to be binding on all Parties.

381. Such Byelaws, when so confirmed and published, shall be binding upon and be observed by all Parties, and shall be sufficient to justify all Parties acting under the same.

Evidence of Byelaws.

382. The Production of a written or printed Copy of the Byelaws as confirmed by the Sheriff, certified by the Clerk, and a written or printed Copy of the Byelaws not requiring such Confirmation, authenticated by the Signature of the Clerk, shall be Evidence of the Existence and of the due making of such Byelaws in all Prosecutions under the same; and with respect to the Proof of the Publication thereof, it shall be sufficient to prove that a Board containing a Copy thereof was affixed and continued in the Manner by this Act directed, and in case of its being afterwards displaced or damaged that such Board was replaced or restored as soon as conveniently might be, unless Proof be adduced by the Party complained against that such painted Board did not contain a Copy of the Byelaw under which he is prosecuted, or that it was not duly affixed or continued as required by this Act.

Penalty on pulling down Boards.

383. Any Person who destroys, pulls down, injures, or defaces any Board on the Premises of the Commissioners, on which any Byelaw of the Commissioners is painted or placed, shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

PART VI.

SECTION II.—*Borrowing of Money for the Police Purposes of this Act.*

Power to Commissioners to borrow Money for the Purposes of this Act.

384. It shall be lawful for the Commissioners to borrow and take up, for any of the Purposes of this Act, other than the Construction, Alteration, or Maintenance of Sewers as herein-before provided, or for Repayment of any Monies borrowed for such Purposes under this or any former Acts which shall have fallen due to the Lenders thereof, such Sum or Sums and at such Time or Times as the Commissioners shall deem necessary for such Purposes: Provided always, that in all Cases where it shall be necessary to borrow any Sum or Sums for the said Purposes of this Act, it shall be lawful for the Commissioners and they are hereby authorized and required, at their first Annual Meeting for Assessment after such borrowing, if the respective Rates of Assessment then leviable do not amount to the respective maximum Rates by this Act authorized, to assess all Owners or Occupiers of Premises within the Burgh respectively liable in the several Assessments under this Act in such additional Assessments beyond the Sums necessary for such respective Purposes as will produce a Fund equal to Five *per Centum per Annum* upon the Sum or Sums so borrowed respectively, and also to the annual Interest of such borrowed Sum or Sums, which Sum of Five *per Centum per Annum* the Commissioners shall annually appropriate, set apart, and invest, at the highest Rate of Interest which can be had for the same, in the Public Funds, or in any chartered or other Bank, or on Heritable Security, as a Sinking Fund, applicable and to be applied by the Commissioners from Time to Time to the Repayment of the Moneys borrowed until the respective Debts shall be extinguished: Provided always, that such additional Assessment shall at no Time increase the whole Assessment leviable beyond the maximum Rates of Assessment, as the Case may be, allowed by this Act; and provided also, that no Sum of Money shall be borrowed until an Estimate of the Amount required shall have been laid before the Commissioners, or until the Expiration of Six Weeks after public Notice shall have been given by the Commissioners of the Amount so proposed to be borrowed, and the Purpose to which the borrowed Money is to be applied, in some Newspaper in ordinary Circulation within such Burgh; and provided further, that the Proposal to borrow shall be disposed of at the next Meeting of the Commissioners Six Weeks after such public Notice, and that the Sum borrowed shall not exceed the Amount so advertised, without a further Estimate and Notice in manner above provided.

Commissioners not to be personally liable.

385. No Commissioner or Officer acting under the Commissioners shall be personally liable for the Repayment of any Money so borrowed, but all such Obligations shall be deemed and taken to be granted on the sole Security of the Rates and Assessments authorized to be assessed and levied as herein-before provided.

As to Bonds to be granted.

386. All Bonds for Monies to be borrowed as aforesaid shall be signed by the Treasurer or Collector of the Commissioners in Presence of Two of the said Commissioners, who shall sign as Witnesses thereto, and shall be in the Form and Tenor following; *videlicet*,

'Number [*here state the Number*].

'BY virtue of an Act made in the Year of the Reign of Her Majesty Queen Victoria, 'intituled "An Act" [*specify this Act*], I *A.B.* [*state whether Treasurer or Collector, or both*] 'of the Commissioners of Police for the Burgh of [*insert the Name of the Burgh*], and by Authority of 'the said Commissioners, in consideration of the Sum of [*insert the Sum in Words*] instantly advanced 'and paid to me on account of the said Commissioners, and for the Purposes of the said Act, by '*C.D.* of *E.*, do hereby bind and oblige the said Commissioners for the Time being, out of the first and 'readiest of the Monies to be raised under the annual Assessments by the said Act authorized to 'be imposed and levied, and designated the Assessment or Rate (*as the Case may be*), 'to pay at the Term of [*insert Term of Payment*] to the said *C.D.*, his Executors or Assignees, the 'said Sum of [*state the Sum*], and also the Interest thereof at the Rate of [*insert the Rate of Interest*] 'per Centum per Annum from the Date hereof, at the Terms of Whitsunday and Martinmas in 'each Year, till the said Sum is paid; and for the further Security of the said *C.D.* I do hereby 'assign to him, his Executors or Assignees, such Proportion of the said Monies to be raised under the

PART VI. *Powers and Remedies.* Sect. 2.

'said annual Assessment as shall be equivalent to the said Sum now paid to me, and the Interest 'thereon as aforesaid from the Date hereof to the Term of Payment; and I consent to the Registration 'hereof in the Books of Council and Session, or others competent for Preservation, and that all 'competent Diligence may pass and be directed hereon, in Form as effeirs, and thereto constitute 'my Procurators. In witness whereof [*insert Testing Clause in common Form*].

'*K.L.*, Commissioner. *A.B.*'

'*M.N.*, Commissioner.'

And till Repayment such Bonds respectively shall form a Lien on the Rates and Assessments under this Act assigned by such Bond, and shall entitle the Creditor under the same to recover the Contents thereof from the Commissioners and their Officers out of the first and readiest of such Rates and Assessments.

Bonds may be transferred by Indorsement.

387. Such Bonds may be assigned by Indorsation on the Back thereof in the Form and Tenor following; *videlicet*,

'I *C.D.*, within designed, do transfer this Bond, with all Right, Title, or Interest which I have under 'the same, to *E.F.*, his [*or* her, *or* their, *as the Case may be*] Executors and Assignees. In witness 'whereof [*insert Testing Clause in common Form*].

'*C.D.*'

'*K.L.*, Witness.

'*M.N.*, Witness.'

Bonds to be recorded, and Assignations to be registered.

388. Before such Bond shall be delivered to the Creditor, or shall form a valid Lien on the Rates and Assessments as aforesaid, the same shall be recorded in the Sederunt Book of the Commissioners, and a Certificate of such Registration shall be indorsed on such Bond, and signed by the Clerk of the Commissioners; and such Assignations shall be notified to the Clerk of the Commissioners, who shall enter in the said Sederunt Book the Date of the said Assignation, the Names of the Parties thereto, the Number or Mark of such Bond, and the Interest due on the same; and a Certificate of such Entry shall be indorsed on the said Bond, and signed by the Treasurer and Clerk; and the said Bond being so certified, the Assignee, his Executors and Assignees, shall thereafter be entitled to the full Benefit of such Bond in Terms of such Assignation.

Public Loan Commissioners may lend Money.

389. It shall be lawful for the Commissioners acting in the Execution of the Act passed in the Nineteenth and Twentieth Years of the Reign of Her present Majesty, Chapter Seventeen, and in the Execution of any of the Acts recited in that Act, or of any Act or Acts for amending or continuing the same, to make Advances to the Commissioners upon the Security of all or any of the Monies or Rates to be assessed or levied by them under the said recited Acts or this Act, and without requiring any further or other Security than a Mortgage of such Monies or Rates, repayable by such Instalments within a Period not exceeding Thirty Years as shall in each Case be agreed upon.

PART VI.

SECTION III.—*Purchase and Acquisition of Lands.*

Part of 8 & 9 Vict. c. 17. incorporated.

390. "The Lands Clauses Consolidation (*Scotland*) Act, 1845," shall be incorporated with and form Part of this Act with respect to the Provisions thereof as to acquiring Lands by Agreement.

Rights of Heritable Property how to be taken.

391. The Rights of all Heritable Property to be acquired in the Execution of this Act shall be taken in favour of the Clerk of the Commissioners for the Time, and his Successors in Office; and such Rights shall be sufficient for vesting the Subjects in the Commissioners and their Successors in Office.

PART VI.

SECTION IV.—*Execution of Works by Commissioners.*

Commissioners empowered to enter upon Premises for Purposes of this Act.

392. The Commissioners shall for the Police Purposes of this Act have Power, by themselves or their Officers, to enter at all reasonable Hours in the Daytime into and upon any Premises within the Burgh, as well for the Purpose of Inspection as for the Purpose of executing any Work authorized to be executed by them under this Act, without being liable to any legal Proceedings on account thereof: Provided always, that, except when herein otherwise provided, the Commissioners or their Officers shall not make any such Entry, unless with the Consent of the Occupier, until after the Expiration of Forty-eight Hours Notice for that Purpose given to the Occupier.

Penalty on Persons obstructing Commissioners or Constables in their Duty.

393. Every Person who shall at any Time obstruct the Commissioners, or shall resist, obstruct, or molest any Constable, Officer, Watchman, Workman, or other Person employed in the Execution of any Duty or the Performance of any Work, by virtue of this Act, or of any Warrant of the Magistrates, or any of them, or of any Byelaw, Regulation, or Order of the Commissioners, or shall aid or incite any Persons so to do, or shall not, when required by a Constable, afford him every reasonable Aid and Assistance in preventing the Escape of any Person whom he has taken into Custody, and is conveying to the Police Office or to Prison, such Person so offending shall for every such Offence be liable to a Penalty not exceeding Five Pounds; and if any Person shall assault or strike any such Constable, Officer, Watchman, Workman, or other Person employed as aforesaid, or aid or incite any Person to rescue or attempt to rescue any Prisoner whom any such Constable, Officer, Watchman, or other

Person

Person shall have in Custody, or be aiding to secure such Person so offending, shall for every such Offence be liable to a Penalty not exceeding Ten Pounds, without Prejudice to any Constable, Watchman, or other Person on whom such Assault or Offence may have been committed to sue in any competent Court for Compensation, Damages, or Expenses for any Injury or Loss he may thereby have sustained.

PART VI. *Powers and Remedies.* Sect. 4.

Commissioners to give Notice of new Levels or Sewers.

394. Twenty-eight Days at the least before fixing the Level of any Street which has not been theretofore levelled or paved, and before making any Sewer where none was before, or altering the Course or Level of or abandoning or stopping any Sewer, the Commissioners shall give Notice of their Intention by posting a printed or written Notice in a conspicuous Place at each End of every such Street through or in which such Work is to be undertaken, which Notice shall set forth the Name or Situation of the Street intended to be levelled or paved, and the Names of the Places through or near which it is intended that the new Sewer shall pass, or the existing Sewer be altered or stopped up, and also the Places of the beginning and the End thereof, and shall refer to the Plans of such intended Work, and shall specify a Place where such Plans may be seen, and a Time and Place where all Persons interested in such intended Work may be heard thereupon.

Meeting of Commissioners to hear Objections.

395. The Commissioners shall meet at the Time and Place mentioned in the said Notice to consider, in the Presence of the Surveyor of the Commissioners, any Objections made against such intended Work, and all Persons interested therein, or likely to be aggrieved thereby, shall be entitled to be heard before the Commissioners at such Meeting; and thereupon the Commissioners may, in their Discretion, abandon or make such Alterations in the said intended Work as they judge fit; and no such Work to which any Objection is made at such Meeting shall be executed unless the Surveyor of the Commissioners after the Person making such Objection, or his Agent, has been heard, certify that the Work in his Judgment ought to be executed, nor shall such Work be begun until the End of Seven Days after an Order for the Execution thereof has been duly made by the Commissioners, and entered in their Books.

Persons aggrieved by Orders of Commissioners may appeal to the Sheriff.

396. Any Person liable to pay or to contribute towards the Expense of any of the Works aforesaid, or otherwise aggrieved by any Order of the Commissioners relating thereto, may, at any Time within Seven Days next after the making of any such Order, give Notice in Writing to the Commissioners that he intends to appeal against such Order to the Sheriff, and along with such Notice he shall give a Statement in Writing of the Grounds of the Appeal; and if within Four Days next after giving such Notice the Party grant Bond to the Sheriff, with Two sufficient Cautioners to the Satisfaction of the Sheriff, to abide the Order of the Sheriff, and pay such Costs as shall be awarded by the Sheriff thereupon, the Work so appealed against shall not be begun until after the Judgment of the Sheriff upon such Appeal; and the Sheriff, upon due Proof of such Notice, and upon such Caution being found, shall hear and determine the Matter of the Appeal, and shall make such Order thereon, either confirming, quashing, or varying the same, and shall award such Costs to either of the Parties, as the Sheriff, in his Discretion, thinks fit: Provided always, that the Appellant shall not be heard in support of such Appeal unless such Notice and Statement have been given and such Caution found as aforesaid, nor, on the Hearing of such Appeal, shall he go into Evidence of any other Grounds of Appeal than those set forth in such Statement as aforesaid.

Notice to be given by Commissioners, and Appeal to the Sheriff.

397. And in respect to Appeal as to all other Matters and Things which the Commissioners are by the Police Provisions of this Act empowered to do or perform, or to authorize to be done or performed, and the Cost attending which falls by this Act to be provided for by way of Private Improvement Assessment, the Commissioners shall, where not otherwise hereby directed, give Notice of their Intention to do or perform or to authorize to be done or performed such Matter or Thing, either by public Advertisement in some Newspaper circulating in the Burgh or in the County in which the Burgh is situated, or by posting Handbills in conspicuous Places in the Burgh, or by Notice in Writing to be transmitted through the Post Office, or delivered personally, or at their Dwelling Houses, to the Individuals having Interest, as the Commissioners shall think proper; and it shall be lawful for any Person whose Property shall be taken or affected, and who shall consider himself injured or aggrieved in respect of such other Matters and Things by this Act so directed to be done or performed and provided for, to appeal to the Sheriff from any Order made or Notice given by the Commissioners in respect of such Matters or Things, in the Manner and to the Effect herein last before provided and directed; and if such Matter or Thing shall not be made the Subject of Appeal to the Sheriff, or being appealed shall be allowed by him, the Commissioners may proceed with the same, and levy the Assessments in reference thereto authorized by this Act: Provided always, that all such Appeals provided for in this and the immediately preceding Clause, and all other Appeals to the Sheriff allowed by this Act, not otherwise provided for, shall be disposed of summarily, and the Decision of the Sheriff shall in all Cases be final and conclusive, and not subject to Review by Suspension, Reduction, or Advocation, or in any manner of way.

Appeals to be disposed of summarily, and Decision of the Sheriff final.

PART VI.

SECTION V.—*Execution of Works by Owners.*

As to Service of Notice on

398. Where under this Act any Notice is required or falls to be given to the Owner or Occupier of any Premises in reference to the Police Purposes of the Act, such Notice, addressed to the Owner or Occupier

Owners and Occupiers.

Occupier thereof, as the Case may require, may be served on the Occupier of such Premises, or left with some Inmate of his Abode, or, if there be no Occupier, may be put up on some conspicuous Part of such Premises; and it shall not be necessary in any such Notice to name the Occupier or the Owner of such Premises: Provided always, that when the Owner of any such Premises and his Residence are known to the Commissioners, it shall be the Duty of the Commissioners, if such Owner be resident within the Burgh, to cause every Notice required to be given to the Owner to be served on such Owner, or left with some Inmate of his Abode; and if such Owner be not resident within the Burgh, they shall send every such Notice by Post, addressed to the Residence of such Owner.

Commissioners, in default of Owner or Occupier, may execute Works, &c.

399. Whenever, under the Police Provisions of this Act, any Work of any Kind falls to be executed by the Owner or Occupier of any Premises, and Default is made in the Execution of such Work, the Commissioners may cause such Work to be executed, and the Expense incurred by the Commissioners in respect thereof shall be repaid to them by such Owner or Occupier.

Occupier, in default of Owner, may execute Works, and deduct from Rent.

400. Whenever Default is made by the Owner of any Premises in the Execution of any Work which by the Police Provisions of this Act falls to be executed by him, the Occupier of such Premises may, with the Approval of the Commissioners, cause such Work to be executed, and the Expense thereof shall be repaid to such Occupier by the Owner of such Premises, and such Occupier may deduct the Amount of such Expense out of the Rent from Time to Time becoming due to such Owner.

How Expenses are to be recovered from Owner.

401. If the Owner of any Premises made liable by the Police Provisions of this Act for any Rate, Assessment, or Charge for the Repayment to the Commissioners of any Expenses incurred by them do not, as soon as the same become due and payable from him, pay such Rate, Assessment, or Charge, or repay all such Expenses to the Commissioners, the Commissioners may, without Prejudice to the Power herein-before contained, recover such Rate, Assessment, Charge, or Expenses, with the legal Interest thereof from the Time when the same was due and payable, from such Owner, in the same Manner as any Debt may be recovered by the Law and Practice of *Scotland*.

Power to levy Charges on Occupier, who may deduct the same from his Rent.

402. The Commissioners may, by way of additional Remedy, require the Payment of all or any Part of such Rate, Assessment, Charge, or Expenses, and Interest, payable by the Owner for the Time being from the Person who then or at any Time thereafter occupies any such Premises under such Owner; and in default of Payment thereof by such Occupier, on Demand, the same may be levied by Seizure and Sale of the Goods and Effects of such Occupier, in the same Manner as the Police Assessment may be recovered from him under this Act; and every such Occupier shall be entitled to deduct from the Rent payable by him to his Landlord so much as is so paid by or recovered from him in respect of any such Assessment, Charge, or Expenses and Interest.

Occupier not to be liable for more than the Amount of Rent due.

403. Provided always, That no Occupier of any Premises shall be liable to pay more Money in respect of any Sums charged by this Act on the Owner thereof than the Amount of Rent due from him for the Premises in respect of which such Rate, Assessment, Charge, or Expenses and Interest are payable at the Time of the Demand made upon him, or which at any Time after such Demand, and Notice not to pay the same to his Landlord, have accrued and become payable by him, unless he neglect or refuse, upon Application made to him for that Purpose by the Commissioners, truly to disclose the Amount of his Rent, and the Name and Address of the Person to whom such Rent is payable; but the Burden of Proof that the Sum demanded of any such Occupier is greater than the Rent which was due by him at the Time of such Demand, or which has since accrued, shall lie upon such Occupier: Provided further, that nothing herein contained shall be taken to affect, abridge, or alter any Claim of Relief or otherwise competent to such Owner or Occupier respectively against each other under any special Contract made between them respecting the Payment of the Expenses of any such Works as aforesaid.

Commissioners may allow Time for Repayment by Owners of Improvement Expenses.

404. Where any such Rate, Assessment, Charge, or Expenses payable to the Commissioners by any Owner of any such Premises amount to more than Half the Amount of the net annual Value of such Building or Lands, the Commissioners may, if they think fit, at the Request of any such Owner, allow Time for the Repayment thereof, and receive the same by such Instalments as they, under the Circumstances of the Case, consider reasonable, but so that the same be repaid by annual Instalments of not less than One Seventh Part of the whole Sum originally due, with Interest for the Principal Money from Time to Time remaining unpaid after the yearly Rate of Five Pounds in the Hundred during the Period of Forbearance; and all such Sums remaining due, notwithstanding the Commissioners have agreed to allow any Time for the Repayment thereof as aforesaid, shall from Time to Time, at the Expiration of the several Times so allowed for Repayment thereof, be recoverable in like Manner as such respective Amounts would have been recoverable if no such Time had been allowed for Repayment thereof.

Proceedings in case of Tenants opposing the Execution of this Act.

405. If the Occupier of any Premises within the Burgh prevent the Owner thereof from carrying into effect in respect of such Premises any of the Police Provisions of this Act, after Notice of his Intention so to do has been given by the Owner to such Occupier, the Magistrate may make an Order in Writing requiring such Occupier to permit the Owner to execute all such Works with respect to such Premises as may be necessary for carrying into effect the Provisions of this Act; and if after the Expiration of Ten Days from the Date of such Order such Occupier continue to refuse to permit such Owner to execute such Works, such Occupier shall for every Day during which he so continues to refuse be liable to a Penalty not exceeding Five Pounds; and every such Owner, during the Continuance

of such Refusal, shall be discharged from any Penalties to which he might otherwise have become liable by reason of his Default in executing such Works.

Respecting existing Contracts for building.

406. Nothing in this Act contained shall extend to or make void any Agreement in Writing entered into before the Adoption of this Act for erecting or altering any Building, but the same shall be performed, with such Alterations as may be rendered necessary by this Act, and as if such Alterations had been stipulated for in such Agreement; and the Difference between the Cost of the Work according to the Agreement and the Cost of such Work as executed according to the Provisions of this Act shall be ascertained by the Parties to the respective Agreements, and paid for or deducted, as the Case may require; and if the said Parties do not agree upon the Amount of such Difference, the same shall, on the Request of either Party (Notice being given to the other), be decided by the Surveyor to the Commissioners, and for his Trouble in making such Decision each of the said Parties shall pay to the said Surveyor such Sum, not exceeding One Pound, and to be disposed of for such Purposes of this Act, as the Commissioners shall direct.

Respecting Contracts for Leases.

407. Nothing in this Act contained shall affect any Lease or Agreement for a Lease whereby any Person may be bound to erect Buildings upon any Building Ground within the Burgh, but the Buildings mentioned in such Lease or Agreement shall be built, according to the Conditions which may be rendered necessary by this Act, in the same Manner as if this Act had been adopted and in operation at the Time of making such Lease or Agreement, and the same had been made subject thereto, and that without either Party being entitled to any Compensation.

PART VI.

SECTION VI.—*Jurisdiction, and Recovery of Penalties.*

Jurisdiction of Magistrates of Police under this Act.

408. The Magistrates of Police of a Burgh under this Act, or any One or more of such Magistrates, shall have Jurisdiction and Power to take cognizance of all Crimes, Offences, Misdemeanors, and Breaches of the Police Regulations herein-before contained, or of any Byelaw made in virtue of the Police Provisions of this Act, and of any other Crime or Offence which is punishable by Public General Statute or Common Law, and is within the Jurisdiction of the Magistrates of any Royal Burgh, and shall have all such and the like Jurisdiction within such Burgh as any Magistrate of a Royal Burgh, or any Dean of Guild of a Royal Burgh, has by the Law of *Scotland* within the Royal Burgh in or for which he acts as such Magistrate or Dean of Guild.

Magistrates of Police may appoint Procurator Fiscal.

409. It shall be lawful for the Magistrates under this Act to appoint from Time to Time, by Writing and during Pleasure, the Superintendent of Police or other fit Person or Persons to be Procurator Fiscal, for the Purposes of this Act, of the Burgh in which they are Magistrates, and such Procurator Fiscal shall within such Burgh have all such and the like Powers and Privileges as by Law appertain to any Procurator Fiscal by the Law of *Scotland*.

Interim Fiscal.

410. In the temporary Absence of the Procurator Fiscal so to be appointed, occasioned by Indisposition or other Cause, it shall be lawful for the Magistrate of Police presiding in the Police Court to appoint a fit Person to perform *ad interim* the Duties of such Procurator Fiscal, in the Name of such Procurator Fiscal, or in the Name of the Person so appointed *ad interim*, and to insist in any Proceedings which may have been commenced in the Name of such Procurator Fiscal.

Forms of Procedure in Police Court.

411. All Actions, Prosecutions, and Proceedings for Crimes and Offences committed within the Burgh, or for the Recovery of Fines, Penalties, Forfeitures, or Expenses under the Police Provisions of this Act, the Mode of recovering which is not herein otherwise provided for, shall be sued for before the Magistrates of Police, in the Police Court, at the Instance of the Procurator Fiscal, to be appointed as herein authorized; and (with the Exception of Complaints against Chain Droppers, Thimblers, loaded Dice Players, and Offenders of that Description,) such Complaint, in all Cases of Theft or of Reset of Theft, or of Falsehood, Fraud, and wilful Imposition, or of Breach of Trust and Embezzlement, shall bear that the Sum of Money or the Value of the Article stolen, resetted, obtained by Falsehood, Fraud, and wilful Imposition, or embezzled, does not exceed Ten Pounds; and it shall not be competent thereafter to the Person accused (except where an Offer shall be made at the Time) to prove that the Money or Article stolen, resetted, obtained, or embezzled exceeded in Value the Sum of Ten Pounds; and the whole Procedure before such Magistrates or any of them shall be conducted summarily *vivâ voce*, and without written Pleadings; and no other Record shall be kept of the Proceedings except the Complaint and the Judgment pronounced thereon; and it shall not be competent to any Party who shall appear to answer to any Complaint to plead Want of due Citation, or Informality in the Warrant, Citation, or Execution.

Forms of Procedure to be framed.

412. The Magistrates of Police, with the Advice and Approbation of the Lord Justice General and the Lord Justice Clerk for the Time being, shall and they are hereby authorized and required, when necessary, to frame Rules and Regulations and Forms of Procedure calculated to despatch such Business in the easiest and most expeditious Manner, and from Time to Time to alter and amend the same, in order that the Provisions of this Act may be carried into full Execution.

Certain Crimes not competent to be taken cognizance of

413. If it shall appear, either in the preliminary Investigation of the Charges against any Person accused of having committed any Crime, Delinquency, or Offence within the Burgh, or during his Trial before the Magistrate, that such Person has been guilty of or is charged with any of the Crimes denominated

in the Police Court.

denominated the Pleas of the Crown, (*videlicet,*) Murder, Robbery, Rape, and wilful Fire-raising, or with the Crimes of Stouthrief, or of Theft by Housebreaking, or of Housebreaking with Intent to steal, or of Theft to an Amount exceeding Ten Pounds, or of Theft by opening lockfast Places, or of Theft aggravated by being Habit and Repute a common Thief, or by having been twice previously convicted of Theft, or of Reset of Theft, to an Amount exceeding Ten Pounds, or of Reset of Theft aggravated by having been twice previously convicted of that Crime, or of Falsehood, Fraud, and wilful Imposition to an Amount exceeding Ten Pounds, or of Falsehood, Fraud, and wilful Imposition aggravated by having been twice previously convicted of that Crime, or of Breach of Trust and Embezzlement to an Amount exceeding Ten Pounds, or of Breach of Trust and Embezzlement aggravated by having been twice previously convicted of that Crime, or of Assault to the Danger of Life, or of Assault whereby any Limb has been fractured, or of Assault with any Knife or other lethal Instrument where Effusion of Blood has followed, or of Assault aggravated by Two previous Convictions for that Crime, or of Assault with Intent to ravish, or of Attempt at wilful Fire-raising, or of culpable Homicide, or of Forgery, or of uttering forged Bank or Banker's Notes, it shall not be competent for the Procurator Fiscal, or those acting under or for him, to insist in a Prosecution against such Person before the Magistrate, but the Magistrate shall commit the Person accused to Prison for Examination, and the Procurator Fiscal or Superintendent of Police shall forthwith give Notice of such Commitment to the Procurator Fiscal of the County in which the Offence shall be charged to have been committed, in order that such Person may be proceeded against conformably to Law: Provided always, that the aforesaid Provision shall not apply to Chain Droppers, Thimblers, loaded Dice Players, and Offenders of that Description, whom the Magistrate is hereby specially empowered to try and sentence, whatever may be the Amount of the Sum specified in the Charge against them, or however often they may have been previously convicted.

Officers or Owners of Property on which Offences are committed may take Offenders into Custody.

414. Any Person found committing any Offence punishable either by Indictment or criminal Libel, or upon summary Conviction, under this Act, may, without a Warrant, be taken into Custody by any Police Constable, or be apprehended by the Owner of the Property on or with respect to which the Offence shall be committed, or by his Servant or any Person authorized by him, and may be detained until he can be delivered into the Custody of a Police Constable, and the Person so arrested shall be taken as soon as conveniently may be before some Magistrate, to be examined and dealt with according to Law; and any Police Constable may search any Premises, and may also stop, search, and detain any Vessel, Boat, Cart, or Carriage in or upon which there shall be Reason to suspect that anything stolen or unlawfully obtained, or fraudulently carried away, may be found, and also any Person who may be reasonably suspected of having or carrying in any Manner anything stolen or fraudulently obtained or carried away.

Horse, Carriage, or Vessel of Persons taken into Custody may be secured.

415. When any Person having charge of any Horse, Cart, Carriage, Vessel, or Boat, or any Animal or Thing, shall be taken into the Custody of any Constable, under the Provisions of this Act, it shall be lawful for any Constable to take charge of such Horse, Cart, Carriage, Vessel, or Boat, or Animal or Thing, and to deposit the same in some Place of safe Custody, as a Security for Payment of any Expenses which may have been necessarily incurred for taking charge of and keeping the same; and unless the same shall be claimed by the Owner, and all Expenses incurred thereon paid, within Four Days after such Detention, it shall be lawful for any Two Magistrates to order the Sale of any such Horse, Cart, Carriage, Vessel, or Boat, or any Animal or Thing, so detained, and the Proceeds of such Sale to be applied towards the necessary Expenses incurred, the Overplus, if any, being paid to the Owner.

Limitation of Police Prosecutions.

416. All Actions, Prosecutions, or Proceedings for Recovery of Fines, Penalties, Forfeitures, or Expenses by virtue of the Police Provisions of this Act shall be commenced within Three Months from the Time the Facts on which such Actions, Prosecutions, or Proceedings were brought shall have been discovered and known, and not thereafter.

Superintendent in certain Cases may accept of Bail or Deposit.

417. Upon the Apprehension of any Person charged with any Offence under this Act, or with any Crime which may be competently tried before the Magistrate, it shall be lawful for the Superintendent or other Officer of Police having charge in Absence of the Superintendent to accept of Bail or Deposit that such Person shall appear for Trial before the Magistrate at some Time and Place to be specified, and at all after Diets of Court, and to liberate the Person so apprehended upon Bail being found to an Amount not exceeding Twenty Pounds, or upon the Deposit of any Money or Article of Value to the Amount of the Bail fixed; and the Superintendent or other Officer of Police, if Deposit be accepted, shall enter the same in a Book to be kept for the Purpose, and grant an Acknowledgment for the Money or Article so deposited: Provided always, that the Superintendent or other Officer of Police may refuse, if he see Cause, to accept of Bail in any Shape; and the Refusal to accept Bail or Deposit, and detaining the Person so apprehended until the Case of such Person is tried in the usual Form, shall not subject the Superintendent or other Officer of Police to any Claim for Damages, Wrongous Imprisonment, or Claim of any other Kind whatsoever.

Persons in Custody to be taken before the Magistrate.

418. Every Person who by virtue of this Act shall be taken into Custody, or who shall be detained in Custody, may be detained in the Police Office or Police Cells, and shall be taken before the Magistrate not later than in the course of the first lawful Day after he shall be taken into Custody, such Day not being a Sacramental Fast Day, or a Day set apart for a General Fast; and if the Nature of the Crime or Offence charged shall admit of its being competently tried before the Magistrate under the Provisions

of

of this Act, it shall be lawful for him to grant Warrant to commit such Offender to the Police Cells or to Prison, when remanded for affording Time to find Bail, or for further Examination, or for Trial, such further Examination or Trial always taking place as soon as Circumstances shall permit, and without any unnecessary Delay; or if the Crime or Offence charged shall in the Opinion of the Magistrate merit a higher or greater Punishment than he can lawfully award, it shall be lawful for him at any Stage of the Examination or Trial to commit such Offender to Prison for Examination; or if the Crime or Offence charged, from having been committed beyond the Limits of the Burgh, or from being otherwise excluded from the Jurisdiction of the Magistrate, falls to be tried in another Jurisdiction, it shall be lawful for the Magistrate to commit such Offender to Prison until disposed of according to Law; in either of which last Two Cases it shall be the Duty of the Superintendent of Police to give Notice of such Commitment to the Procurator Fiscal or other proper Officer for the City, County, Burgh, or other Jurisdiction within which the Crime or Offence was committed, in order that such Offender may be further proceeded with according to Law.

Authority to Officers to cite Parties and Witnesses.

419. This Act shall be a sufficient Authority to the Constables for citing a Party charged with any Offence against the Police Provisions of this Act, or of any Byelaw made in virtue thereof, or at Common Law, and for summoning any Witness to give Evidence in relation to the same; and it shall be deemed a legal Citation of such accused Party or Witness if the Citation be delivered personally, or left at his Dwelling House, or, if such Party or Witness has no known Dwelling House, at the Hotel, Inn, Lodging House, or other Place in which he eats and sleeps, or in the Shop, Warehouse, Counting-house, or other Place of Business occupied by him, or, in the Case of a Master of or Seaman or Party employed in any Ship or Vessel, in the Hands of a Person on board thereof and connected therewith, which Citation shall state the Nature of the Charge, and the Time and Place of Appearance.

Offenders removing from the Bounds of Police, how to be proceeded against.

420. Warrants granted by the Magistrate for apprehending or citing Persons charged under the Police Provisions of this Act with having committed Crimes and Offences, or for citing Witnesses for the Prosecutor or accused Parties when such Persons or Witnesses are beyond the Jurisdiction of the Magistrates of Police, shall be sufficient for apprehending or citing the Offenders and Witnesses within *Scotland*, and for conveying such Offenders as shall be taken into Custody in Terms of the Warrant, to be dealt with according to Law, if backed or endorsed by the Sheriff or any Justice of the Peace of the County within which the same shall be so executed: Provided always, that the said Warrants shall be executed against the Persons therein mentioned, and the Witnesses shall be cited by a Constable acting under the Authority of the Police Provisions of this Act.

Examination of Witnesses.

421. Where from the Absence of Witnesses for the Prosecutor in any Complaint, or from any other Cause, it becomes necessary to adjourn the Diet, and where Witnesses for the Accused in such Prosecutions are in attendance, it shall be lawful for the Magistrate, at the Request of the accused Person, and if the Magistrate in the Circumstances shall deem it proper, to take the Evidence of the Witnesses for the Accused before the Proof for the Prosecution has been led or concluded; but the Accused shall in all such Cases be entitled to lead additional Evidence after the Prosecutor's Case has been concluded.

Penalty for Witnesses not appearing.

422. If any Person who has been duly cited as a Witness to appear before the Magistrate, either on the Part of the Prosecutor or the Person charged with any Offence, fails to appear at the Time and Place for that Purpose appointed, the Magistrate may grant Warrant to take such Person into and detain him in Custody, or to commit him to Prison until he finds Security to appear and give Evidence, and may also sentence such Person to a Penalty not exceeding Five Pounds, and if it appears that his Noncompliance arose from a Desire on his Part to defeat the Ends of Justice, the Magistrate may sentence such Person to be imprisoned for a Period not exceeding Thirty Days; provided that Proof on Oath be made that he had been duly summoned at least Twenty-four Hours before the Diet of Court.

Penalty for Witnesses refusing to give Evidence.

423. If any Person refuses to be precognosced or to give Information or Evidence touching or concerning the Subject Matter of any Penal or Police Offence, or at any Trial before the Magistrate refuses to be sworn or examined upon Oath, or, in case of a Quaker or other Person privileged by Law, to be examined upon solemn Affirmation, the Magistrate may grant Warrant to commit to Prison such Person for any Period not exceeding Thirty Days.

Witnesses prevaricating may be punished summarily.

424. If any Person, when under Examination on Oath or solemn Affirmation before the Magistrate, shall prevaricate or wilfully conceal the Truth, it shall be lawful to the Magistrate, in open Court, and in a summary Manner; to adjudge the Person so offending to Imprisonment for any Term not exceeding Sixty Days, and the Sentence awarding such Imprisonment shall set forth the Nature of such Offence; and if any Person, when under Examination on Oath or solemn Declaration as aforesaid, shall wilfully or corruptly give false Evidence touching any Matter or Thing relating to the Case, or shall wilfully or corruptly swear or affirm any Matter or Thing which shall be false or untrue, although the Evidence be not recorded, every Person so offending, on being duly convicted thereof, shall be subject and liable to such Pains and Penalties as by Law Persons guilty of wilful and corrupt Perjury are liable to; and it shall be lawful to the Magistrate to remit such Person for Trial to a higher Criminal Tribunal, and for that Purpose to grant Warrant for his Imprisonment until disposed of according to Law.

425. The

In default of paying Fines Parties to be imprisoned.

425. The Magistrate may sentence any Person found liable in a pecuniary Penalty to Imprisonment until the same is paid, but in no Case shall the Period of Imprisonment for Nonpayment exceed Sixty Days.

Power to order Offenders to find Caution-ment or Fine;

426. It shall be lawful for the Magistrate, in lieu of any Punishment by Imprisonment or Fine, to ordain any Offender to find Caution for good Behaviour or for keeping the Peace for any Period not exceeding Twelve Months, and under a Penalty not exceeding Twenty Pounds, and to sentence the Person ordained to find such Caution to be imprisoned till Caution be found; but in no Case shall the Period of Imprisonment exceed Sixty Days.

or to find Caution in addition to Imprisonment or Fine.

427. It shall be lawful for the Magistrate, in addition to any Punishment by Imprisonment or Fine, to ordain the Offender to find Caution as aforesaid from and after the Expiry of the Term of Imprisonment, or from and after the Payment of the Fine or pecuniary Penalty specified in the said Sentence, or from and after the Expiry of the Term of Imprisonment for Nonpayment thereof; and in case such Caution shall not then be found, it shall be lawful to sentence the Person ordained to find such Caution to be further detained in Prison beyond the Expiry of the said Term of Imprisonment until such Caution be found; but in no Case shall the whole Period of Imprisonment, including the Period of Detention for not finding such Caution, exceed Ninety Days.

Warrant of Commitment.

428. In all Cases where Imprisonment takes place under the Powers of the Police Provisions of this Act, a short Extract of the Charge and Sentence, certified by the Clerk of the Police Court or his Depute, shall be a sufficient Warrant of Commitment: Provided always, that any Person sentenced to Imprisonment in consequence of Nonpayment of any pecuniary Fine, Penalty, Forfeiture, or Expenses, or for Want of Caution being found, or otherwise, may be detained in the Police Office or Police Cells for a reasonable Time to allow of such Extract being made, such Time not exceeding in any Case Twelve Hours.

Police Officers may be dismissed by the Magistrate.

429. It shall be lawful for the Magistrate, without the Necessity of any Complaint, to direct the Superintendent of Police to dismiss any Constable under him whose Conduct in any Proceedings that shall form the Subject of Investigation before the Magistrate shall, in the Opinion of the Magistrate, render such Constable unfit to be any longer retained in the Police Establishment, and such Constable shall be dismissed accordingly.

Proceedings not to be void for Want of Form, and Judgments to be final.

430. No Order, Judgment, Record of Conviction, or other Proceeding whatsoever, concerning any Prosecution instituted before the Magistrate by virtue of this Act, shall be quashed or vacated for any Misnomer or Informality; and all Judgments and Sentences pronounced by the Magistrate shall be final and conclusive, and not subject to Suspension, or Advocation, or Appeal, or any other Form of Review or Stay of Execution, unless on the Ground of Corruption, Malice, or Oppression on the Part of the Magistrate, or of such Deviations in point of Form from the statutory Enactments as the Court of Review shall think took place wilfully, or of Incompetency, including Defect of Jurisdiction of the Magistrate; and such Suspension, or Advocation or Appeal, or Review or Stay of Execution, must be presented before the next Circuit Court of Justiciary, or where there are no Circuit Courts, before the High Court of Justiciary at *Edinburgh*, in the Manner, and by and under the Rules, Limitations, Conditions, and Restrictions, which shall from Time to Time be prescribed by the said High Court of Justiciary.

No Suspension or Stay of Execution, &c. to prevent Payment of Penalties.

431. Such Suspension, or Advocation or Appeal, or Review or Stay of Execution, shall not operate as a Suspension or Stay of Execution of any Order or Sentence of the Magistrate requiring the Payment of any Penalty, unless on Consignment thereof in the Hands of the Treasurer, nor of any Order or Sentence of the Magistrate awarding Imprisonment, unless on sufficient Caution to the Satisfaction of the Magistrate for the Appearance of the Person appealing at such Time and Place as he shall direct; and in all Cases of Prosecution before the Magistrate under this Act it shall be lawful for the Magistrate whose Sentence shall be brought under Review in another Court to authorize the Expenses incurred in the Proceedings in such other Court to be defrayed out of the Police Assessment authorized to be levied by this Act: Provided always, that at the first Meeting of the Commissioners after any such Sentence shall have been brought under Review as aforesaid the Procurator Fiscal shall make a Report of the Facts and Circumstances of the Prosecution on which any such Sentence shall have been pronounced and brought under Review, and the Commissioners shall thereupon direct such Sentence so brought under Review to be defended or not, as to them shall seem proper; and if they shall direct such Sentence not to be defended, then no Expenses incurred in defending such Action subsequent to such General Meeting shall be defrayed out of the said Assessment.

Fines to be paid to the Clerk.

432. All Forfeitures, Penalties, Fines, and Expenses imposed by the Magistrate, and recovered, shall be paid to the Clerk, and shall be accounted for by him once every Month, or at such other Time or Times as the Commissioners may direct, to the Collector, to be disposed of as herein mentioned; and the Procurator Fiscal is hereby directed, on the First *Monday* of every Month, to intimate to the Collector the Amount of the Forfeitures, Penalties, and Fines imposed in the previous Month.

Application of Penalties.

433. The whole Forfeitures, Penalties, and Fines imposed by the Magistrate, and paid to the Clerk, shall be applied in Payment of the Expenses incurred in alimenting Prisoners detained in Custody in the Police Office or Station Houses: Provided always, that if such Forfeitures, Penalties, and Fines shall not be sufficient for these Purposes, whatsoever further Sum may be required shall be paid from the

the Police Assessment; and if such Forfeitures, Penalties, and Fines shall be more than sufficient for these Purposes, the Surplus shall be applied to the same Purposes as the Police Assessment.

For Recovery of forfeited Bail Bonds and Bonds of Caution.

434. When any Person shall be apprehended, and afterwards liberated on finding Bail for his Appearance, and shall fail to appear, or when any Person who shall have found Caution for good Behaviour or for keeping the Peace as aforesaid shall commit a new Offence inferring Forfeiture of such Caution, it shall be lawful for the Magistrate, on Complaint by the Procurator Fiscal in the Police Court as aforesaid, to declare the Sum contained in the Bail Bond or Bond of Caution to be forfeited, and to order the Cautioner to be summoned to make Payment thereof to the Clerk within Six Days after the Date of such Summons, and in Default of such Payment, after the Lapse of such Period, to grant Warrant for apprehending and imprisoning the Cautioner till the said Sum be paid, but which Period of Imprisonment shall not exceed Thirty Days from the Time of Incarceration, and after such Imprisonment no further Procedure against the Cautioner shall be competent on the Bond; and when any Money or other Article shall be deposited by any Person as a Security for his Appearance, and such Person shall fail to appear, it shall be competent to the Magistrate to declare such Deposit to be forfeited; and if it be Money, it shall be forthwith ordered by the Magistrate to be paid to the Clerk; and if it be not Money, such Article so deposited shall be ordered by the Magistrate to be sold by Public Auction, and the free Proceeds shall be paid to the Clerk, and in both Cases accounted for by him, along with the Forfeitures, Penalties, and Fines to the Collector, and applied in the same Way and Manner as Forfeitures, Penalties, and Fines are by the Police Provisions of this Act directed to be applied.

Cautioners in Bonds.

435. Any Bail Bond or Bond of Caution, the Cautioner in which is unable or shall declare he is unable to subscribe his Name, shall be valid and effectual if such Cautioner shall adhibit to such Bond his Mark, in Presence of Two Witnesses, who shall subscribe the said Bond in testimony thereof.

Clerk of Police Court.

436. The Commissioners shall appoint a proper Person to be Clerk of the Police Court, who shall hold Office only during their Pleasure, and such Person may be the same Person who is Clerk to the Commissioners, and such Person may appoint, by a Writing under his Hand, a Depute, for whom he shall be responsible; and such Depute shall be invested with all the Powers appertaining to the Office of Clerk of the Police Court: Provided always, that the Commissioners shall fix the Salary to be paid to such Clerk.

Where any Act or Decision, &c. declared final, the same shall not be reviewable.

437. Wherever any Act, Decision, Determination, Declaration, or Deliverance of any Sheriff or Magistrate, or Preses of a Meeting, Commissioner or Commissioners, or other Person whatever, is by this Act declared to be final, the same shall not be subject to be set aside or reviewed or affected by any Court or Judicature upon any Ground or in any manner of way whatever.

Jurisdiction of Sheriffs and Courts of Guild to be preserved.

438. No Jurisdiction conferred by this Act shall be held to exclude the Jurisdiction of any Sheriff or Court of Guild, where the Case shall in the first instance have been brought before or taken up by such Sheriff or Court of Guild.

PART VI.

SECTION VII.—*Municipal Establishments of Burghs and Billet Masters.*

Assessments in Parliamentary Burghs having no Revenues.

439. It shall be lawful for the Magistrates and Councils of Parliamentary Burghs in which there are no Means or no adequate Means of defraying the necessary Expenses of their Municipal Establishments, and other Expenses attending the Administration of the Affairs of such Burghs respectively, to assess all Occupiers of Premises within such Burghs respectively in the Sums necessary for defraying the Expenses of such Municipal Establishments and Administration as aforesaid, but in no Case to an Amount exceeding Threepence in the Pound of the yearly Rent of such Premises; and such Assessment shall be imposed, levied, and recovered in such and the like Manner, from the same Descriptions of Persons and Property, and under the like Provisions and Exceptions, as the Police Assessment leviable under the Provisions of any Local Act, or of the Thirteenth and Fourteenth *Victoria*, Chapter Thirty-three, if in force in such Burgh, or under this Act, is authorized to be imposed, levied, and recovered by the Commissioners.

Billet Masters to be appointed.

440. It shall be lawful for the Magistrates of Burghs, and they are hereby authorized and required to appoint a Billet Master or Billet Masters for the Purpose of regulating the quartering of Soldiers as the Law directs; and such Billet Masters shall be removed at the Pleasure of such Magistrates, and be subject always to such Regulations as they shall think proper to establish for the due Performance of the Duties of the Office; and the Commissioners shall and may fix such Salaries for such Billet Masters as they shall think fit.

PART VII.

Promotion of the Public Health.

Amendment of the Act passed in the Nineteenth and Twentieth Years of the Reign of Her present Majesty, intituled *An Act to make better Provision for the Removal of Nuisances, Registration of Lodging Houses, and the Health of Towns in* Scotland.

Commissioners, &c. to be Local Authority.

441. The Commissioners or Trustees of Police of Burghs shall, within the Limits of their respective Jurisdictions, be the Local Authority for the Purposes of "The Nuisances Removal (*Scotland*) Act, 1856," anything in the said Act notwithstanding.

442. The

Power of Entry to include Superintendent of Police, Medical Officer, &c.

442. The Power of Entry given by the Ninth Clause of the said recited Act to the Local Authority or Inspector shall include not only the Superintendent of Police but the Medical Officer of the Parish, or such other Officers as the Local Authority may desire to accompany them to inspect any private Premises where the Local Authority or Inspector of Nuisances have reasonable Grounds for believing that Nuisance exists.

Decree to prevent overcrowding of common Tenements, and Watercloset Accommodation may be ordered.

443. The Eleventh Clause of the said recited Act is hereby amended to this Extent, that the Decree therein mentioned shall also, if the Case requires it, ordain the Owner of any inhabited House, Building, or Part thereof which has been rendered unwholesome or unfit for Human Habitation by and through its being overcrowded, as the Author of such Nuisance, to limit the Number of separate Dwellings into which such common Tenement or Part thereof may be divided, or let to or for the Use of separate Families; and the Number of Persons who may be accommodated in such common Tenements, or such Parts thereof which may be let to or for the Use of separate Families; and the Word "Nuisances" under the said Act shall include "any overcrowding of an inhabited House, Building, common Tene- "ment, or Part thereof, insufficient in Size for the Number of Persons inhabiting the same;" and the said Decree shall also, if the Case requires it, ordain the Owner, as the Author of the Nuisance, to provide sufficient Watercloset Accommodation (in lieu of Privy Accommodation) for the separate Use of the Sexes of the Inmates of such common Tenement or Parts thereof.

Water not to be fouled by any Person.

444. The Nineteenth Clause of the said recited Act is hereby amended to this Extent, that any Person who shall wilfully do or permit to be done any Act whereby the Water in any Stream, Reservoir, Aqueduct, Pond, or Place constructed for the Supply of Water for domestic Purposes shall be fouled, shall forfeit for every such Offence a Sum not exceeding Fifty Pounds.

Drainage Works may be carried out under Police Acts.

445. The Forty-third Section of the said Act is hereby amended to this Extent, that it shall be lawful to the Sheriff to supersede the Consideration, for such Time as he shall see proper, of any Complaint directed under the said Forty-third Section of the said Act, against the Commissioners of any Burgh which has adopted this Act, if he shall deem such just, to enable the Commissioners to carry out a regular System of Drainage under any General or Local Act, in order the better to remove any Nuisance for the Removal of which Drainage Works are necessary.

Sheriff may grant Warrant for Recovery of Penalties, &c. if not paid.

446. The Forty-fourth Section of the said recited Act is hereby amended to this Extent, that the Sheriff may, without Prejudice to any other Remedy under the said Act for the Recovery of Penalties, grant Warrant for the Recovery of the Penalties and Expenses decerned for, and, failing Payment thereof by the Party convicted within Eight Days after Conviction, for his Imprisonment for a Period, in the Discretion of the Sheriff, not exceeding Sixty Days.

Provisions for Appeals from Sheriffs to apply to Appeals from Magistrates.

447. All the Provisions of the last-recited Act, and all the Procedure therein prescribed, in regard to Proceedings before and to Appeals from any Judgment or Order of the Sheriff, shall apply to Proceedings before and to any Judgment or Order of any Magistrate or Justice of the Peace under the said Act.

Offensive Trades to be subject to Regulations.

448. The Business of a Blood Boiler, Bone Boiler, Tanner, Slaughterer of Cattle, Horses, or Animals of any Description, Soap Boiler, Tallow Melter, Tripe Boiler, or other noxious or offensive Business, Trade, or Manufacture, shall not be newly established in any Building or Place within the Burgh without the Consent of the Commissioners; and any Person contravening this Enactment shall be liable for each Offence to a Penalty of Fifty Pounds, and a further Penalty of Forty Shillings for each Day during which the Offence is continued; and the Commissioners may from Time to Time make such Byelaws with respect to any such Businesses so newly established as they may think necessary, and in order to prevent or diminish the noxious or injurious Effect thereof.

Act may be incorporated, either in whole or in part, with any future Act.

449. Any of the Enactments of this Act may be incorporated, in whole or in part, with any Act to be passed in the present or any future Session of Parliament; and for the Purpose of incorporating Part only of this Act with any Act hereafter to be passed, it shall be sufficient to describe the Part of this Act by a Reference to the Parts, Sections, or Clauses thereof, and to enact that the Parts, Sections, or Clauses so described, or that this Act, with the Exception of the Parts, Sections, or Clauses so described, shall be incorporated with such Act, and thereupon all the Parts, Sections, or Clauses of this Act so incorporated shall, save so far as they are expressly varied or excepted by such Act, form Part of such Act, and such Act shall be construed as if such Parts, Sections, or Clauses were set forth therein with reference to the Matter to which such Act relates.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

Notice is hereby given, That in virtue of the Powers contained in an Act passed in the Year of the Reign of Her Majesty Queen Victoria, intituled "An Act" [*specify this Act*], the Householders in the Burgh of [*or, where the Boundaries have been ascertained by Proceedings under this Act*, within the Boundaries following, viz., *repeat them as in the recorded Deliverance of the Sheriff*,] of the yearly Rent or Value of £10 [*or £6 as the Case may be*] or upwards, are

are hereby required to meet upon the Day of next, at of the Clock, within , when the said Act shall be laid before the Meeting, with a view of adopting it in whole or in part.

Dated at , the Day of 18 .

(Signed) *E.F.*, Chief or Senior Magistrate, *or* Sheriff [*as the Case may be*].

SCHEDULE (B.)

Form of the Book to be used at the Meeting for resolving whether this Act shall come into operation.

Adopt, or not, the Provisions of Act, in so far as respects					Qualifications of Voters.	Names of Voters.

SCHEDULE (C.)

Form of the Book to be used in the Election of Commissioners.

Names and Designations of Commissioners voted for.		Qualifications of Electors.	Names of Electors.
1.	2.		

SCHEDULE (D.)

Attestation by Collector, Application to Sheriff or Magistrate, and Warrant, to be written at the End of each Volume of the Roll or Book of Assessment.

(1.) *Attestation by Collector.*

I *A.B.* Collector of Police Assessments for the Burgh of do hereby certify, That this is the [First, Second, *or* Third, *as the Case may be,*] Volume of the Books of Assessments according to which the Police Assessments are leviable from the Persons and others therein named, for the Year from to ; that the said Assessments became due and payable on the Day of ; that certain of the Persons and others assessed in the said Book have failed to pay the said Assessments on or before the said Day of , notwithstanding of the same having been demanded from them by printed Notices from me, delivered to or left for them on the Premises assessed ; and that the Persons and others named in this Volume who have so failed to pay the said Assessments are those against whose Names respectively the Charges in this Volume remain unpaid or otherwise undischarged at this Date.

A.B., Collector.

[*Place and Date.*]

(2.) *Application to Sheriff.*

To the Honourable [the Sheriff of the County of , *or* his Substitute, *or* the Magistrates of Police of the Burgh of , *or* the Magistrates of the Burgh of , *as the Case may be.*]

The Petition of *A.B.*, Collector of Police Assessments for the Burgh of ,

Humbly sheweth,

That by the Act [*or* Acts] of Parliament [*here refer to them*] certain Police Assessments are authorized to be levied in the Burgh of .

That,

That, in Terms of said Act [*or* Acts] Assessment Books for levying the said Assessments for the Year from to were made up and delivered to the Petitioner, in order to his levying and collecting the Sums set opposite the Names of the Persons and others respectively therein entered, of which Assessment Books this is the Volume.

That the said Assessments became due and payable on the Day of 18 .

That by the Attestation of the Petitioner, hereunto prefixed, it appears that certain of the Persons so assessed have failed to pay the said Assessments on or before the said Day of 18 , notwithstanding of the same having been demanded from them by printed Notices from the Petitioner, delivered to or left for them on the Premises assessed, and that the Persons named in this Volume who have so failed to pay are those against whose Names respectively the Charges in this Volume remain unpaid or otherwise undischarged at the Date of the said Attestation.

That the said Persons who have failed to pay the Police Assessments charged against them, or any Portion thereof, have incurred, in addition, a Penalty of One Penny upon each Pound of the Rental of the Premises in respect of which they are assessed, in Terms of the said Act [*or* Acts] [*here refer to them*].

That in these Circumstances it becomes necessary to apply to your Lordship [*or* Honours] for Warrant to the following Effect:—

May it therefore please your Lordship [*or* Honours] to grant summary Warrant against the Persons who have failed in Payment as aforesaid for Recovery of the said Assessments so remaining unpaid, and Penalty foresaid, and to authorize Messengers-at-Arms and Officers of Court to enter the Houses or other Premises of the Persons who have failed in Payment as aforesaid, and to seize, take possession of, and remove so much of the Goods and Effects therein as shall appear to such Messenger or Officer to be sufficient for satisfying out of the Proceeds of the Sale thereof the said Assessment remaining unpaid, and Penalty, with the Costs and Charges incurred or to be incurred in carrying into execution the Warrant which may be granted hereon against said Persons respectively; and to authorize the said Messenger or Officer, if the said Assessments and Penalty, together with said Costs and Charges, shall not be paid within Three Days next after Seizure is made as aforesaid, forthwith to sell the said Goods and Effects so seized by Public Roup, either on the Premises in which the same were so seized, or at the Market Cross of the said Burgh, or in such other Place as your Lordship [*or* Honours] may appoint, returning the Surplus of the Price, if any be, after Payment of the said Assessments and Penalty, together with the Costs and Charges incurred in carrying the said Warrant into execution, and of such Sale, to the Owner of the said Goods and Effects.

(Signed) *A.B.*, Collector.

(3.) *Warrant.*

(*Date*) . The Sheriff *or* Sheriff Substitute, Magistrate of Police, *or* Magistrate, [*as the Case may be,*] having considered the foregoing Application and Attestation, grants Warrant as craved.

(Signed) *C.D.*

SCHEDULE (E.)

*Name of Burgh*_____.

GENERAL SEWER RATE [*or* SPECIAL SEWER RATE and PRIVATE IMPROVEMENT ASSESSMENT, *as the Case may be.*]

Description of Subjects.	Name of Owner.	Name of Occupier.	Rental.	Rate or Assessment due and chargeable at						
				15 May 18 .	15 May 18 .	15 May 18 .	15 May 18 .	15 May 18 .	15 May 18 .	15 May 18 .
General Sewer Rate										
Special Sewer Rate										
Private Improvement Assessment.										

*Date*_____ *A.B.*, Collector.

CAP. CII.

An Act to amend the Metropolis Local Management Acts. [7th *August* 1862.]

18 & 19 Vict. c. 120. 19 & 20 Vict. c. 112.

'WHEREAS an Act was passed in the Session of Parliament holden in the Eighteenth and Nineteenth Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for the better Local Management of the Metropolis:* And whereas the said Act was amended by a certain other Act passed in the Session holden in the Nineteenth and Twentieth Years of the Reign of

'of Her present Majesty, Chapter One hundred and twelve, and was further amended, and certain 'further and other Provisions were made, by another Act passed in the Session holden in the Twenty- 'first and Twenty-second Years of the Reign of Her present Majesty, Chapter One hundred and four: 'And whereas it is expedient further to amend the said first-mentioned Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

21 & 22 Vict. c. 104.

1. 'Whereas the Metropolitan Commissioners of Sewers, in exercise of the Powers conferred upon 'them by the Act of the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter 'One hundred and twelve, did cause to be prepared and did approve of certain Plans for the Main 'Drainage and Sewage Interception of the Metropolis, and certain Sewers and Works included in and 'forming a Portion of the Plans so prepared and approved were constructed and completed by the said 'Commissioners or by the Metropolitan Board of Works; that is to say, the Sewers and Works known 'as the *Counters Creek* Diversion Works: And whereas the Cost of the said Works, amounting to the 'Sum of Forty-three thousand seven hundred and twenty-one Pounds Fifteen Shillings, was defrayed 'by Monies borrowed on certain Securities, which Securities and Monies are included amongst and 'form Part of the Securities and Monies enumerated in Schedule A. to this Act, and the Debt incurred 'in respect thereof was charged by the said Commissioners upon the following Sewerage Districts; 'viz., the *Counters Creek*, *Ranelagh*, and *Fulham* and *Hammersmith* Districts, in certain Shares and 'Proportions, and has been apportioned by the Metropolitan Board of Works, pursuant to the One 'hundred and eighty-first Section of the firstly-recited Act, among the several Parishes or Parts of 'Parishes which heretofore constituted the said Districts, that is to say, *Paddington*, *Chelsea*, *St. 'Mary Abbott's Kensington*, *St. Margaret and St. John the Evangelist Westminster*, *Hammersmith*, 'Fulham, *Willesden*, *St. Marylebone*, *St. George Hanover Square*, *St. John Hampstead*, *Acton*, 'Ealing and *Chiswick*: And whereas it is just and expedient that the Cost of and incidental to the 'Construction and Execution of the said Sewers and Works, amounting to the Sum aforesaid, should 'be deemed to be Part of the Expenses of and incidental to the Works which the said Metropolitan 'Board are by the said Acts of the Eighteenth and Nineteenth *Victoria*, Chapter One hundred and 'twenty, and the Twenty-first and Twenty-second *Victoria*, Chapter One hundred and four, empowered 'and directed to construct and execute for the Improvement of the Main Drainage of the Metropolis, 'and for preventing, as far as may be practicable, the Sewage of the Metropolis from passing into the 'River *Thames* within the Metropolis: And whereas certain other Works were executed by the said 'Commissioners, known as the *Ravensbourne* Works, and the Cost of such Works, amounting to the 'Sum of Twenty-six thousand five hundred and forty-five Pounds Sixteen Shillings and Fivepence, 'was defrayed out of Monies borrowed on certain Securities, which Securities and Monies are included 'amongst and form Part of the Securities and Monies enumerated in the said Schedule A. to this Act, 'and the Debt incurred in respect thereof was charged by the said Commissioners upon the following 'Sewerage Districts, *viz.*, the *Ravensbourne* and *Greenwich* Districts, in certain Shares and Propor- 'tions, and has been apportioned by the said Metropolitan Board of Works, pursuant to the said firstly- 'recited Act, among the several Parishes and Places or Parts of Parishes and Places which heretofore 'constituted the said Districts; that is to say, *St. Paul Deptford*, *Greenwich*, *Kidbrooke*, *Lewisham*, 'Camberwell, *Charlton*, *Eltham*, and *Lee*: And whereas the last-mentioned Works partly enure to the 'Benefit of the Metropolis at large, and it is just and expedient that a Portion of the Costs and 'Charges thereof, amounting to the Sum of Ten thousand Pounds, should be deemed to be Part of the 'said Expenses of and incidental to the Works which the said Metropolitan Board are empowered and 'directed to construct and execute under the said Acts of the Eighteenth and Nineteenth *Victoria*, 'Chapter One hundred and twenty, and the Twenty-first and Twenty-second *Victoria*, Chapter One 'hundred and four:' Be it therefore enacted, That the Debts incurred in respect of the Costs and Charges of the said *Counters Creek* Diversion Works, amounting to the said Sum of Forty-three thousand seven hundred and twenty-one Pounds Fifteen Shillings, and in respect of the said Portion of the Costs and Charges of the said *Ravensbourne* Works, amounting to the said Sum of Ten thousand Pounds, making together the Sum of Fifty-three thousand seven hundred and twenty-one Pounds Fifteen Shillings, shall cease to be the special Debts and Obligations of the said Parishes and Places and Parts of Parishes and Places, and the same shall be deemed to have become, on the First Day of *January* One thousand eight hundred and fifty-six, transferred to and charged upon and shall stand charged upon the Metropolis at large, as defined by the said firstly-recited Act, including the said Parishes and Places and Parts of Parishes and Places comprised within the Limits thereof; and all Sums becoming payable under or required for the Payment of any Security given for the Monies so borrowed to the Extent of the said Sums of Forty-three thousand seven hundred and twenty-one Pounds Fifteen Shillings and Ten thousand Pounds, or of any Interest due or to accrue thereon, shall be paid by the said Metropolitan Board of Works out of any Monies which they may have already borrowed and raised or may hereafter borrow and raise on the Security of the Assessments or Rates made or to be made by them for the Metropolis Main Drainage Rate under the Provisions of the said Act of the Twenty-first and Twenty-second *Victoria*, Chapter One hundred and four; and the said Board

Debt in respect of Counters Creek Works, and Part of Debt in respect of Ravensbourne Works, redistributed and made payable out of Monies borrowed on the Security of the Main Drainage Rate.

Board shall take an Account between the Parishes, Places, and Parts aforesaid originally charged with the said Debts and Obligations and the Metropolis at large to which the same are hereby transferred, and shall reimburse or give Credit to the said Parishes, Places, and Parts for any Sums which may have been overpaid by them or any of them on account of Principal or Interest in respect of the said Sums of Forty-three thousand seven hundred and twenty-one Pounds Fifteen Shillings and Ten thousand Pounds respectively (if any), since the First Day of *January* One thousand eight hundred and fifty-six, beyond the Sums which would have been due from them or any of them if the Transfer and Apportionment hereby directed had been in force on the First Day of *January* One thousand eight hundred and fifty-six, and the said Board shall place any such Excess to the Credit of such Parishes, Places, or Parts, in reduction of their next or some future ordinary Assessment upon such Parishes or Parts, for defraying their Expenses in the Execution of the firstly-recited Act.

Application of Part of Monies raised on Security of Metropolis Main Drainage Rate to Repayment of Sums expended on Victoria Street Sewer since 1st Jan. 1856.

2. 'And whereas at certain Times between the First Day of *January* One thousand eight hundred 'and fifty-six and the passing of this Act certain Works were executed by the said Metropolitan Board 'of Works for the Reparation and Reconstruction of Portions of One of the Main Sewers of the 'Metropolis known as the *Victoria Street* Sewer, and the Expenses of and incidental to the Execution 'of the said Works were charged by the said Board on certain Parishes in the Metropolis, which were 'heretofore included in the separate Sewerage Districts, known as the Eastern Division of the '*Westminster* Sewers, the Western Division of the *Westminster* Sewers, and the *Regent Street* and '*Regent's Park* District, in certain Shares and Proportions, and were paid by the said Board partly 'out of their general Funds and partly by Monies raised in some of the said Parishes: And whereas 'that Portion of the said Sewer in respect of which the said Works of Reconstruction and Reparation 'were executed will be incorporated with and form Part of the Main Drainage Works now in course of 'Execution by the said Board, under the Provisions of the said Acts of the Eighteenth and Nineteenth '*Victoria*, Chapter One hundred and twenty, and the Twenty-first and Twenty-second *Victoria*, 'Chapter One hundred and four, and will enure to the Benefit of the Metropolis at large, and the 'Costs and Charges of executing the same ought to be borne by the Metropolis at large instead of by 'individual Parishes:' Be it therefore enacted, That the Expenses of and incidental to the Execution of the said Works of Reparation and Reconstruction so executed by the said Board between the First Day of *January* One thousand eight hundred and fifty-six and the passing of this Act shall be deemed to be Part of the Expenses of and incidental to the Main Drainage Works which the said Board are empowered to construct and execute under the said Acts of the Eighteenth and Nineteenth *Victoria*, Chapter One hundred and twenty, and the Twenty-first and Twenty-second *Victoria*, Chapter One hundred and four; and the said Board shall, out of the Monies borrowed and raised or to be borrowed and raised by them for the Metropolis Main Drainage Rate under the Provisions of the said Act of the Twenty-first and Twenty-second *Victoria*, Chapter One hundred and four, replace the said Monies taken from the general Funds of the said Board for the Payment aforesaid, and reimburse the Monies which the said Parishes or any of them may have paid towards the said Works of Reparation and Reconstruction between the First Day of *January* One thousand eight hundred and fifty-six and the passing of this Act; and the said Monies so to be applied in reimbursing the said Parishes shall be retained by the said Board, and shall be carried to the Credit of the said Parishes, in reduction, so far as the same will extend, of the next or some future Assessment upon such Parishes by the said Board for their Expenses in the Execution of the firstly-recited Act.

Parishes, Parts, and Places on which Debt on Loan from the Clergy Mutual Assurance Society stands charged.

3. 'And whereas the said Metropolitan Commissioners of Sewers did, in exercise of the Powers 'vested in them by the said Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One 'hundred and twelve, borrow and take up at Interest from a certain Society known as the Clergy 'Mutual Assurance Society, on the Security of certain Rates authorized to be levied under the last-'mentioned Act, the Sum of One hundred and forty thousand Pounds, and there was previous to the 'First of *November* One thousand eight hundred and sixty due and owing to the said Society from 'the Metropolitan Board of Works, as the Successors of the said Metropolitan Commissioners of Sewers, 'in respect of the said Loan, the Sum of One hundred and five thousand Pounds, and it is expedient 'accurately to ascertain and determine the several Parishes, Parts, and Places on which the Debt in 'respect of the said Sum of One hundred and five thousand Pounds shall stand charged, and on which 'Monies or Rates are to be raised or levied for the Payment of the Principal and Interest in respect of 'the same, and to ascertain and determine the Proportions charged upon each:' Be it therefore enacted, That the said Debt of One hundred and five thousand Pounds shall be and stand charged upon and apportioned to the several Parishes, Parts, and Places enumerated in Schedule B. to this Act, in the several Proportions specified in such Schedule, and the said several Parishes, Parts, and Places shall be deemed to be and shall be liable to the Payment of the Sums set against their respective Names therein, and to the Payment of Interest thereon, and the Monies from Time to Time becoming payable under the said Security, or required for or towards Payment of the said Debt or any Part thereof, and the Interest thereon, shall be raised by such Board upon such Parishes, Parts, and Places respectively in manner provided in respect to the Expenses of such Board in the Execution of the firstly-recited Act: Provided always, that Credit shall be given for any Sums paid off in respect of the said Loan previous to the passing of this Act according to the several Proportions specified in the said Schedule.

4. Provided,

Saving Rights and Remedies of Persons holding Securities.

4. Provided, That nothing in this Act contained shall prejudice, abridge, diminish, or affect the Priority secured by the firstly-recited Act to the Persons respectively entitled to the Mortgages, Annuities, Securities, and Debts referred to in the One hundred and eighty-first Section of that Act, and the First, Second, and Third Sections of this Act, or the Right of any or either of such Persons to require and enforce Payment of any Principal or Interest thereon, or in respect thereof, in, from, or out of all or any of the Districts, Assessments, Rates, or Monies liable to such Payment under or by virtue of their respective Mortgages or Securities, but all the Securities, Rights, and Remedies of such Persons respectively shall remain as good, ample, and effectual, to all Intents and Purposes, as if this Act had not been passed: Provided also, that nothing herein contained shall prejudice or affect the Power vested in the said Metropolitan Board under the firstly-recited Act to borrow Monies for paying off former Securities.

Sums to be assessed by Metropolitan Board.

5. From and after the passing of this Act the One hundred and seventieth Section of the firstly-recited Act is hereby repealed; and in lieu thereof be it enacted, That the Metropolitan Board of Works shall from Time to Time ascertain and assess upon the several Parts of the Metropolis the several Sums which, having regard to the annual rateable Value of the Property in such Parts respectively, ought to be charged thereon for defraying the Expenses of the said Board in the Execution of the firstly and secondly recited Acts and of this Act, and any such Sums may be assessed wholly or in part in respect of Expenses incurred or to be incurred, and also in respect of any unpaid Balance of any former Precept of the said Board: Provided always, that such Repeal shall not in any respect affect any Act, Matter, or Thing whatsoever done or commenced to be done under or by virtue of the said firstly and secondly recited Acts, or any Proceeding taken or to be taken under the thirdly-recited Act or to affect or prejudice, except as herein specially provided, in any way the Rights or Liabilities of any District or Part under the One hundred and eighty-first Section of the firstly-recited Act, but the same shall be judged of in all respects as if this Act had not been passed.

Basis of Assessment.

6. For the Purpose of making any Assessment under the preceding Section the Board shall estimate the annual Value of Property according to the Estimate or Basis on which any County Rate in force in any Part of the Metropolis is made, or, where there is no such County Rate, according to a like Estimate or Basis.

Mode of Assessment by the Metropolitan Board of Works.

7. All such Assessments to be made by the Metropolitan Board of Works shall be assessed and charged by the said Board upon the same Basis and in the same Manner as the County Rate is assessed and charged by the Justices under the Statutes in force for assessing and charging County Rates in *England* and *Wales*: Provided always, that all Precepts shall be issued and Rates levied by the said Board in manner directed by the several recited Acts relating to the better Local Management of the Metropolis and by this Act, so far as relates to making Precepts and levying Rates.

Assessments, &c., according to Forms in Schedule C.

8. The Assessment of any Monies to be assessed by the Metropolitan Board of Works for the Expenses of executing the firstly and secondly recited Acts and this Act, and the Precepts for obtaining Payment of Monies required by the Board for that Purpose, may be according to the Forms contained in Schedule C. to this Act, or to the like Effect.

Any Vestry or District Board may pay Precept out of any Money, and reimburse themselves out of Sewer Rate.

9. The Vestry of any Parish mentioned in Schedule A. to the firstly-recited Act, or the Board of Works for any District to whom any Precept of the Metropolitan Board shall be directed, may, if they shall see fit, pay to the Person or Body authorized by the said Metropolitan Board to receive the same the Sum required by such Precept, within such Time as may be therein mentioned, out of any Monies in their Possession at the Time of their receiving such Precept, or which may come into their Hands at any Time within Two Calendar Months next after the Service thereof; and all Payments so made by any Vestry or District Board shall be charged by them against and reimbursed to them out of the Monies which the said Vestry or District Board shall and which they are hereby required to raise and collect by virtue of such Precept.

Vestries may include in the Sewers Rate Precepts of Metropolitan Board.

10. Where, by any Local Act of Parliament, the Poor Rate in any Parish in Schedules A. or B. to the firstly-recited Act is made by the Vestry of such Parish at a fixed Period or Periods in every Year, it shall be lawful for such Vestry, at their Discretion, to include in the Sewers Rate for their Parish such Sum or Sums of Money as they may consider necessary to meet any Precepts received or to be received from the Metropolitan Board of Works during the Period for which such Poor Rate extends, to defray the Expenses of the said Board in the Execution of the said first-recited Act; and, at the Time of making such Poor Rate, also to make a separate Rate for the Metropolis Main Drainage, to meet the Precept received or to be received from the Metropolitan Board of Works for the Sum assessed for such Rate during the Year, such Rates to be levied in the same Manner, for the same Period, upon the same Persons, and to be subject to the like Provisions as the Sewers Rate by the first-recited Act, and to be contained in the same Book or Books as the Poor Rate of the said Parish, but distinguishing the Title of each of the said separate Rates or Assessments, and to be collected quarterly or otherwise by such Person or Persons as shall be appointed by the said Vestry to receive and collect the same: Provided, that nothing herein contained shall prevent the said Metropolitan Board of Works from requiring Payment, or relieve the Vestry of any Parish from the Payment, of the Sums assessed by such Board at such Times as they are now entitled by Precept to require the same.

11. Where,

Sums collected in certain Places beyond Amount of Rate for Main Drainage Rate, &c. to be credited to such Places.

11. Where, under or by virtue of any Rate or Assessment made by an Assessor appointed by the said Metropolitan Board of Works, for the Metropolis Main Drainage Rate, any Monies shall have been or shall be collected in any Place mentioned in Schedule C. to the firstly-recited Act beyond the Amount required to satisfy the Amount of the Assessment of the said Board upon the said Place, and the Expenses of and incidental to the preparing, making, collecting, and levying such Rate or Assessment, the Excess shall be placed by the said Board to the Credit of such Place, on account of the next Assessment upon such Place by the said Board for the Metropolis Main Drainage Rate.

Payment of Sums assessed upon Places in said Schedule C.

12. For obtaining Payment of the Sum assessed upon any Place mentioned in Schedule C. to the firstly-recited Act for the Metropolis Main Drainage Rate, the said Board shall issue a Precept under their Seal requiring Payment of the Amount mentioned in such Precept to their Treasurer, or into any Bank therein mentioned, within such Time or Times as may be therein limited, and every such Precept shall be directed to the Masters of the Bench, Treasurer, Governors, or other Body or Persons having the chief Control or Authority in any such Place; and the Body or Persons to whom any such Precept shall be directed shall raise and levy the Money required by the same by means of a separate Rate, in like Manner and subject to the like Provisions as the Sewers Rate to be made under the Provisions of the firstly-recited Act and this Act; and the said Body or Persons may appoint One or more Persons to collect any such Rate, and may pay him or them such Salary, Poundage, or Allowance as they may deem just and reasonable, and may take such Security from every such Collector for the due Execution of his Duty as they shall think reasonable and proper; and the several Provisions herein-after contained with respect to the levying, paying over, and accounting for Monies levied by Collectors by Direction of any Vestry shall be applicable to every such Collector; and the several Enactments with respect to the levying of Monies by the said Metropolitan Board on the Default of Vestries and District Boards shall apply in case of a Default by the Body or Persons to whom any such Precept may be directed by the said Board to levy and pay over the Money therein named according to the Exigency thereof.

Metropolitan Board may amend Assessments and Precepts where necessary.

13. It shall be lawful for the Metropolitan Board of Works, in case of any Omission or other Inaccuracy in any Assessment or Precept which they have made or issued, to make such Amendments or Alterations therein as may render the same conformable to the Provisions of the recited Acts and this Act; and it shall be lawful for the said Board, should they deem it requisite and proper, to revoke any Precept which they may have issued, and to issue another Precept in lieu thereof.

Overseers to pay over and account for Monies to Vestries and District Boards.

14. Whenever any Vestry or District Board shall by their Order require the Overseers of any Parish or Place to levy and pay over the Sum or Sums of Money which such Vestry or Board may require, under the Provisions of the said recited Acts or this Act, such Overseers shall, within such Period after the levying of the said Sum or Sums or any Part thereof as the said Vestry or Board shall determine, pay over to the Treasurer of the said Vestry or Board, or to any Officer, or into any Bank in such Order mentioned, the Amount mentioned in such Order, and the Excess, if any, which may have been levied beyond such Amount, less the Expenses of and incidental to the making and collecting of the same, and shall make out and deliver to the said Vestry or Board a true and perfect Account in Writing signed by them, and duly audited by the Auditors appointed for such Parish or Place under the Provisions of the firstly-recited Act, of all Monies and Rates received by them in pursuance of the said Order, and shall for such Purpose produce to the said Auditors the Vouchers, Counterfoils, or Receipts for all Payments made to or by them; and such Auditors shall, for the Purposes of the said Audit, have all and every the Powers and Authorities given to the Auditors named in the 195th Section of the firstly-recited Act; and in case any Overseers shall fail to pay over such Monies or Rates as aforesaid, or to render such Account, or to produce such Vouchers, Counterfoils, and Receipts for the Space of Twenty-one Days after being thereunto required, they shall be subject to the Penalties mentioned and contained in the Sixty-fifth Section of the firstly-recited Act: Provided always, that where the Term "Overseer" or "Overseers" shall extend to and include any Vestry elected under the firstly herein-before recited Act, or any Board of Trustees or Governors of any Parish or Place chosen under any Local Act now in force, the Provisions of this Clause shall not be applicable to such Vestry or Board of Trustees or Governors, so long as the Orders of the Vestry or Board shall be duly complied with and satisfied; and in every Case in which the Vestry does not appoint a Collector or Collectors to collect such Rates, the said Overseers are hereby authorized to employ and pay One or more Collector or Collectors to collect all such Rates, and to take from every such Collector Security for his duly collecting such Rates, and paying over and accounting for the same, and such Security shall enure to the Benefit of the Overseers for the Time being of every such Parish or Place, who shall have all such and the same Remedies thereon as the Overseers to whom such Security was originally given.

Power to Metropolitan Board, Vestries, and District Boards, to demand to be furnished with Copies of Poor Rate &c.

15. It shall be lawful for the Metropolitan Board of Works, or for the Vestry of any Parish mentioned in Schedule A. to the firstly-recited Act, or for any District Board, by Order in Writing, to require the Vestry Clerk, Overseer, Collector, or other Person having the Custody or Control of any Rate for the Relief of the Poor in any Parish or Place, or of any other Rate, or of any Book containing a Copy of any such Rate as aforesaid, to furnish, within such Period, not being less than Seven Days, as shall be limited in such Order, a true Copy of such Rate for the Relief of the Poor, or other Rate, or of such Copy thereof as aforesaid, or of such Part or Parts of the same as shall be specified in such Order, on Payment or Tender for such Copy at the Rate of Sixpence for every Twenty-four Names (inclusive of all the

Particulars

Particulars in the several Columns in the Rate, so far as such Particulars have reference to such Names respectively), and the said Copy shall be examined by and signed by such Vestry Clerk, Overseer, Collector, or other Person, and shall be verified by his solemn Declaration, if the said Metropolitan Board or Vestry or District Board shall require the same, which solemn Declaration any Justice of the Peace, or Commissioner duly authorized, is hereby empowered to administer; and any Person having the Custody or Control of such Rate, or Copy thereof, who shall refuse or neglect to make and deliver to such Metropolitan Board, Vestry, or District Board, or any Person by them authorized to receive the same, such Copy or Extract, or to make such solemn Declaration as aforesaid, shall be liable to a Penalty not exceeding Ten Pounds for every such Offence, and to a further Penalty not exceeding Ten Pounds for each and every Day during which the said Offence shall be continued, to be recovered by a summary Proceeding.

Expenses incurred by certain Vestries to be paid by District Boards.

16. Whenever the Vestry of any Parish mentioned in Schedule B. to the firstly recited Act shall have lawfully incurred any Expenses in the Execution of the said recited Acts or this Act, the Board of Works for the District in which such Parish may be situate shall, in case the Payment of such Expenses is not otherwise provided for, pay and discharge the Amount of such Expenses out of the Monies which they are by the firstly-recited Act authorized to raise for the Payment of the Expenses of the Execution of such Act.

Recovery of Monies assessed by Metropolitan Board on extra-parochial Property for Payment of Debts.

17. The Sums from Time to Time assessed by the Metropolitan Board of Works upon or in respect of any extra-parochial or other Property which was included in any separate Sewerage District under the Metropolitan Commission of Sewers, for or towards Payment of any Debt or Debts charged upon such District at the Determination of the said Act of the Eleventh and Twelfth *Victoria*, Chapter One hundred and twelve, or of any Interest thereon, for the Payment of which Provision is not otherwise made in the said recited Acts or this Act, shall be paid, on Demand, to the said Board, by the Occupier of the Tenements or Premises, or by the Person or Persons in receipt of any Tolls or Profits issuing out of any incorporeal Hereditaments in respect of which such Assessment shall be made, and every such Sum may be recovered by the said Board by an Action at Law or by a summary Proceeding before a Justice, at the Option of the said Board.

One Summons only to issue for the Recovery of Rates.

18. In any Proceedings before any Justice or Justices, by or on behalf of any Vestry, District Board, Overseer, or Collector, against the Occupier or Owner of any Premises, for the Recovery of any Rates assessed under the said Acts or this Act which may be in arrear, all the Rates for the Recovery of which such Proceedings shall be taken shall be included in the same Summons, and the Charge for such Summons shall not exceed One Shilling, and the Signature of any Justice or Justices to any such Summons may be either in Writing or by a Stamp affixed as such Justice or Justices may direct.

Parties lending Money to Metropolitan Board or Vestries or District Boards not bound to inquire into Application of Money, Regularity of Proceedings, &c.

19. 'Whereas by the firstly-recited Act Power is given to the Metropolitan Board of Works and to 'any District Board or Vestry to borrow Money for the Purpose of defraying any Expenses incurred by 'them in the Execution of the said Act, on the Credit of all or any of the Monies or Rates authorized 'to be raised by them under the said Act:' Be it enacted, That no Corporate Body or Person or Persons lending or proposing to lend Money to the said Metropolitan Board or any Vestry or District Board, under the Provisions of the said Acts or this Act, or of any Act or Acts for amending the same, or of any Act or Acts empowering them or either of them to borrow Money, shall be bound to see or obliged to inquire whether the Money lent or proposed to be lent is advanced for the Purposes of such Acts, nor to see or inquire into the Application of the Money so lent, or any Part thereof; nor shall any such respective Body or Person or Persons be bound or required to ascertain that the Board or Vestry so borrowing, or the Meeting or Meetings of such Board or Vestry, was or were properly constituted or convened, or that the Proceedings at any Meeting were legal or regular; and the Common Seal of every such Board or Vestry impressed upon or affixed, pursuant to the Order or Resolution of such Board or Vestry, to any Mortgage, Bond, or other Instrument which may have been made or granted by the said Board or Vestry, shall be binding and conclusive on the said Board or Vestry by whom any such Mortgage, Bond, or other Instrument may have been so sealed and executed, and their Successors.

Public Loans Commissioners authorized to lend Money to Metropolitan Board, Vestries, &c.

20. It shall be lawful for the Commissioners acting in the Execution of the Act of the Session holden in the Nineteenth and Twentieth Years of Her Majesty, Chapter Seventeen, and in the Execution of any of the Acts recited in that Act, or of any Act or Acts for amending or continuing the same Acts or any of them, to make Advances to the Metropolitan Board of Works, or to any Vestry or District Board, upon the Security of all or any of the Monies or Rates to be assessed or levied by them under the said recited Acts or this Act, and without requiring any further or other Security than a Mortgage of such Monies or Rates, repayable by such Instalments, within a Period not exceeding Thirty Years, as shall in each Case be agreed upon.

Power to stop up Carriage or Foot Ways, &c.

21. It shall be lawful for the said Metropolitan Board, and they are hereby authorized and empowered, during the Construction of any Works by them under the recited Acts or this Act, subject to the Provisions of such Acts, to cause to be stopped up all or such Part of the Carriage or Foot Way of any Streets, Roads, or Ways as shall be necessary for the due Execution of the said Works.

Power to Metropolitan Board to take Lands for Roads, &c.

22. The compulsory Powers of taking Land given to the said Metropolitan Board by the firstly-recited Act, and the "Lands Clauses Consolidation Act, 1845," shall, subject to the Conditions and Restrictions in the firstly-recited Act contained, extend and be applicable to the taking of any Lands which they may require for the Purpose of making convenient Roads or Ways to or in connexion with

any Sewers or Works vested or hereafter to be vested in the said Board, or which they may require for making Roads or Ways during the Construction of any Sewerage Works, or for Spoil Banks or Places of Deposit of surplus Earth or other Materials in the Execution of any such Works.

Votes exceeding 20,000*l.* to be confirmed.

23. No Resolution made or passed after the passing of this Act by the said Metropolitan Board, authorizing the Expenditure upon or the Construction of any Works the estimated Cost of which shall amount to or exceed the Sum of Twenty thousand Pounds, shall be carried into execution or be deemed valid and binding until the same shall have been confirmed at a subsequent Meeting of the said Board duly convened.

Maintenance of Bridges, Culverts, &c.

24. When the said Metropolitan Board shall, in exercise of the Powers conferred upon them, have constructed any Bridges, Culverts, Arches, or Passages in connexion with any Sewers or Works, all such Bridges, Culverts, Arches, and Passages shall at all Times after the Construction thereof be maintained at the Expense of the said Board.

Formation and Maintenance of Bridges, Arches, Culverts, &c.

25. It shall be lawful for the said Metropolitan Board to make and maintain any Bridges, Arches, Culverts, Passages, or Roads over, under, or by the Sides of or leading to or from any Sewerage Works constructed or to be constructed by them, which they may deem necessary and convenient for preserving the Communications between Lands through which the said Works may have been or may be made or carried; provided that it shall be lawful for the said Board to contract and agree with the Owners and Occupiers of Lands to pay them or any of them Compensation in lieu of making or maintaining such Bridges or other Works.

Time limited for Completion of Works specified in Sect. 1. of 21 & 22 Vict. c. 104.

26. The Extension of Time authorized and directed by the Twenty-sixth Section of the thirdly-recited Act, the Twenty-first and Twenty-second *Victoria*, Chapter One hundred and four, shall be deemed to apply to the Sewers and Works mentioned in the First Section of that Act for the Improvement of the Main Drainage of the Metropolis, and for preventing, as far as may be practicable, the Sewage of the Metropolis from passing into the *Thames* within the Metropolis.

As to trapping of Gullies connected with Main Sewers.

27. No Gully or Ventilating Shaft immediately connected with or appertaining to, or which hereafter may be immediately connected with or appertain to, any Sewer vested in the Metropolitan Board of Works, shall be trapped, covered, or closed up without previous Notice in Writing being given to the said Board, nor if the said Board or their Engineer within One Week after the giving of such Notice shall express in Writing their or his Objection to the same.

As to Transfer of Powers as to Sewerage to Metropolitan Board.

28. Notwithstanding the Provision contained in the Eighty-ninth Section to the firstly-recited Act, relative to the Transfer by Vestries and District Boards to the Metropolitan Board of Works of their Powers and Duties in relation to Sewerage and Drainage, it shall not be lawful for any Vestry or District Board to transfer to the Metropolitan Board of Works any such Powers or Duties without the previous Consent in Writing of the said Metropolitan Board.

Orders to be made by Committee on Appeals.

29. Under the Provisions of the Two hundred and eleventh and Two hundred and twelfth Sections of the firstly-recited Act, empowering the Committee of Appeal of the Metropolitan Board of Works to hear and determine an Appeal against any Order or Act of any Vestry or District Board, the said Committee may allow or dismiss the Appeal, or quash or confirm or vary the Order appealed against.

Committee empowered to make Improvement Rates, &c. for Expenses of Works of private Improvement executed by the Commissioners of Sewers, and take other Proceedings in relation thereto.

30. In any Case in which the Metropolitan Commissioners of Sewers have incurred any Expenses authorized by the Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twelve, to be paid by an Improvement Rate, or as Charges for Default, it shall be lawful for the Committee of Appeal, appointed under and in pursuance of the Two hundred and twelfth Section of the firstly-recited Act, to levy Improvement Rates or Charges for Default for the Recovery of the whole of such Expenses, or such Portion thereof as shall still remain due and unpaid, in the Manner directed by the said Act of the Eleventh and Twelfth Years of the Reign of Her Majesty, Chapter One hundred and twelve, and the said Committee shall have all the Rights and Remedies for the Recovery thereof which are vested in the said Metropolitan Board in that Behalf; and if any Person liable to the Payment of any such Improvement Rate or Charges for Default fail to pay the same when due, or for the Space of Fourteen Days after the same shall have been lawfully demanded, the said Committee of Appeal may and they are thereby empowered to summon the Defaulter to appear before them to show Cause why such Improvement Rate or Charges for Default so in arrear should not be paid; and in case the Defaulter fail to appear according to the Exigency of the Summons, or if no sufficient Cause for Nonpayment be shown, the said Committee may by Warrant under the Seal of the Board cause the Amount of such Improvement Rate or Charges for Default so in arrear to be levied by Distress of the Goods and Chattels of the Defaulter.

Part of Sect. 58. of 18 & 19 Vict. c. 120. repealed.

31. So much of Section Fifty-eight of the said Act of the Eighteenth and Nineteenth of *Victoria* as provides that the Acts of every Committee shall be submitted to the general Body of the Board or Vestry appointing such Committee, for their Approval, shall be repealed so far as relates to the Metropolitan Board; and be it enacted in lieu thereof, That the said Metropolitan Board shall be at liberty to give such Instructions to any Committee appointed by such Board regulating the Conduct of any Business deputed to such Committee, and such Committee shall act in conformity therewith, and shall report to the Board all Acts done by them in conformity with such Instructions.

Communications between Sewers in

32. 'Whereas it is in and by the firstly-recited Act provided that the Metropolitan Board of Works 'shall from Time to Time, in order to secure the efficient Maintenance of the Main and General

'Sewerage

'Sewerage of the Metropolis, make such general or special Orders as to them may seem proper for 'the Guidance, Direction, and Control of the Vestries of Parishes and District Boards in the Levels, 'Construction, Alteration, Maintenance, and Cleansing of Sewers in their respective Parishes or 'Districts, and for securing the proper Connexion and Intercommunication of the Sewers of the several 'Parishes and Districts, and their Communications with the Main Sewers vested in the said Metropolitan 'Board, and generally for the Guidance, Direction, and Control of Vestries and District Boards in the 'Exercise of their Powers and Duties in relation to Sewerage, and all such Orders shall be binding upon 'such Vestries and Boards:' Be it enacted, That whenever the said Metropolitan Board shall, in exercise of the said Power, have ordered that any Sewer or Sewers vested in the Vestry, District Board, or other Body acting for any Parish or Place comprised in the Schedules of the firstly-recited Act, having Control over the Sewers in one Parish, District, or Part, shall, for the Purpose of Outfall or otherwise, be connected with any Sewer or Sewers vested in the Vestry or District Board of another Parish, District, or Part, or other Body having Control over the Sewers in such Parish, District, or Part, it shall be lawful for the Vestry, District Board, or other Body, for the Drainage of whose Parish, District, or Part such Connexion shall be required, and at whose Instance and Request such Order shall have been made, to execute all necessary Works as well within their own Parish, District, or Part as within any other Parish, District, or Part which shall be specified in the said Order of the Metropolitan Board for effecting such Connexion: Provided that every Communication to be made by any Vestry, District Board, or other Body with any Sewer out of their own Parish, District, or Part shall be made under the Supervision and to the Satisfaction of the Board, Vestry, or other Body having Control over such last-mentioned Sewer; and where it shall appear to the said Metropolitan Board to be equitable and just, under the Circumstances of the Case, that any Vestry, Board, or other Body so connecting their Sewers with the Sewers vested in another Vestry, District Board, or other Body should pay such last-mentioned Vestry, Board, or Body any Compensation or Remuneration, either in One Sum or by yearly or other Payments, for the Use of their Sewer, it shall be lawful for the said Metropolitan Board to order and direct Payment of such Compensation or Remuneration accordingly, and the Vestry, Board, or other Body to whom any such Payment shall be directed to be made may recover the same from the Vestry, Board, or Body directed by such Order to make such Payment, either by Action at Law or before a Justice of the Peace in a summary Manner.

different Parishes or Districts, and Payment of Compensation &c. in consideration thereof.

33. The One hundred and fifty-seventh Section of the firstly-recited Act is hereby repealed; and in lieu thereof be it enacted, That the Metropolitan Board of Works, and any Vestry or District Board may, where necessary for the Purpose of executing any Work authorized by the recited Acts or this Act, open and break up any Turnpike Road, under and subject to the Restrictions and Provisions herein-after contained; that is to say, Three Days previous Notice, with a full Description of any intended Works, shall be left at the Office of the Commissioners or Trustees of the Road, and, except by the Permission of the said Commissioners or Trustees, the Traffic of the Road shall not at One Time be stopped or hindered along more than Half of its Width, nor, if the Half left open be of less than the clear Width of Fourteen Feet, along more than One hundred Yards in Length, and the Party doing the Works shall cause all Openings in the Road to be effectually secured and fenced, and affix and maintain Lights during the Night near to the Place where the Ground is open, so as to prevent Accidents; and the said Commissioners or Trustees are hereby absolved from all Liability in respect of any Accident arising in consequence of such Works; and the Party doing the Work shall restore every Road so opened or broken up to its original State as to Surface and Materials, and, in order to meet the future Expenses consequent on the Subsidence of Materials newly filled in, shall pay to such Commissioners or Trustees, on Demand, such Sum as they shall require for such Purpose, not exceeding One Shilling for every superficial Square Yard, and, so far as the Works affect the same, shall make good all Drainage, Paving of Water Channels, Kerbs, or Footpaths, and other Matters and Things connected with the Maintenance of the Road, and in default the Surveyor of the said Commissioners or Trustees may cause the necessary Work to be done; and in all Cases of Expense incurred by any such Surveyor on the Default of the Party doing the Works, such Party shall pay such Expense to the Commissioners or Trustees, on Demand.

Regulations as to breaking up Turnpike Roads.

34. Where any Works authorized by this or the recited Acts will interfere with any Railway or Canal, the Board or Vestry proposing to construct such Works shall before commencing the same give Notice in Writing of their Intention so to do to the Company owning such Railway or Canal, and shall, together with such Notice, deliver a Plan and Section showing the Nature of such Interference; and if within Seven Days after the Receipt of such Notice the Company shall by Writing, addressed to the Board or Vestry, object to the Manner in which it is intended to interfere with such Railway or Canal respectively, on account of the probable Interruption or endangering of the Traffic thereon, the same Works shall not be commenced; and it shall thereupon be referred to an Engineer, to be appointed by the Board of Trade, on the Application of either Party, to determine the Manner of executing the said Works, and the Determination come to by such Engineer shall be binding on both Parties.

Plan, &c. of Works affecting Railways or Canals to be submitted to Companies.

35. Provided always, That it shall not be lawful for any Board or Vestry to alter the Level of any Railway or Canal, unless with the Consent of the Company owning the same respectively, or, if that be refused, with the Consent of the Board of Trade; and provided also, that nothing in this Act contained shall

Line of Railway not to be altered.

shall take away or affect the Right of any Railway or Canal Company to Compensation for the taking or injuriously affecting of any Land or Property of such Company, or for or by reason of the Interruption of any Traffic on their Railway or Canal, or for any Damages, Costs, or Expenses which such Company may be required to pay in consequence of such Interruption.

Inspectors of Votes to appoint Umpire.

36. The Inspectors of Votes directed to be appointed under the firstly-recited Act for any Parish, or, where any Parish is divided into Wards, for any Ward of a Parish, may, before commencing the Duties of their Office under the said Act, appoint by Writing under their Hands an Umpire; and in case the said Inspectors shall be unable to agree upon or determine by a Majority any Matter which they are by the said Act required to determine, such Matter shall be decided by the said Umpire, and his Decision in relation thereto shall be final and conclusive.

Vestries and District Boards may appoint their Days of Meeting.

37. Every Vestry and District Board constituted under the firstly-recited Act, or this Act, may hold their Meetings on such Days of the Week, except *Sundays*, as they may from Time to Time determine, notwithstanding any Provision to the contrary contained in any Local Act; and any Business which, by any Local or other Act of Parliament, or Custom, should be done by any such Vestry on a certain Day, may be done at any Meeting of such Vestry duly convened for the Purpose, and held within Seven Days next before or after such certain Day as aforesaid: Provided that where the Hour or Time for holding such Meetings is fixed by the Local Act they shall continue to be held at the same Hour or Time.

Certiorari for Auditors Allowances or Disallowances.

38. Notwithstanding anything in the One hundred and ninety-fifth Section of the firstly-recited Act contained to the contrary, if any Person aggrieved by any Allowance, Disallowance, or Surcharge by any Auditors of the Accounts of any Vestry or District Board require such Auditors to state the Reasons for the said Allowance, Disallowance, or Surcharge, the Auditors shall state such Reasons in Writing in the Book of Account in which the Allowance, Disallowance, or Surcharge may be made; and it shall be lawful for every Person aggrieved by such Allowance, Disallowance, or Surcharge to apply to the Court of Queen's Bench for a Writ of Certiorari to remove into the said Court the said Allowance, Disallowance, or Surcharge, in the like Manner and subject to the like Conditions as are provided in respect of Persons suing forth Writs of Certiorari for the Removal of Orders of Justices of the Peace, except that the Condition of the Recognizance shall be to prosecute such Certiorari at the Costs and Charges of such Person, without any wilful or affected Delay, and if such Allowance, Disallowance, or Surcharge be confirmed, to pay to such Auditors or their Successors, within One Month after the same may be confirmed, their full Costs and Charges, to be taxed according to the Course of the said Court, and except that the Notice of the intended Application, which shall contain a Statement of the Matter complained of, shall be given to such Auditors or their Successors, who shall in return to such Writ return a Copy under the Hands of a Majority of them of the Entry or Entries in such Book of Account to which such Notice shall refer, and shall appear before the said Court, and defend the Allowance, Disallowance, or Surcharge so impeached in the said Court, and shall be reimbursed all such Costs and Charges as they may incur in such Defence out of the Funds of the Vestry or District Board respectively interested in the Decision of the Question, unless the said Court make any Order to the contrary; and on the Removal of such Allowance, Disallowance, or Surcharge the said Court shall decide the particular Matter of Complaint set forth in such Statement, and no other; and if it appear to such Court that the Decision of the said Auditors was erroneous, they shall, by Rule of the Court, order such Sum of Money as may have been improperly allowed, disallowed, or surcharged to be paid to the Party entitled thereto by the Party who ought to repay or discharge the same, and they may also, if they see fit, by Rule of the Court, order the Costs of the Person prosecuting such Certiorari to be paid by the Vestry or District Board to which such Accounts relate, as to such Court may seem fit, which Rules of Court respectively shall be enforced in like Manner as other Rules of the said Court are enforceable.

Provision in case of a Vestryman being returned for more than One Ward.

39. If any Person be returned to serve in any Vestry for more than One Ward, he shall on or before the next Meeting of the Vestry after such Election signify in Writing to the Clerk of such Vestry his Decision as to the Ward which he may desire to represent on such Return; and if before or at such Meeting he shall refuse or neglect so to do, the Vestry shall determine the Ward which he shall represent; and the Vacancy occasioned by such Determination or Decision shall be filled up by an Election to be held for that Purpose within One Month from the Date of such Determination or Decision, such Elections to be conducted in the like Manner as the annual Elections of Vestrymen.

Elections to be held annually for supplying Vacancies occasioned by Expiration of Term of Office.

40. The Thirty-fifth Section of the recited Act of the Eighteenth and Nineteenth *Victoria* is hereby repealed; and in lieu thereof be it enacted, That the Vestry constituted by the said Act in every Parish mentioned in the Second Column of Schedule B. to the same Act shall, on the First *Wednesday* in the Month of *June* in the Year One thousand eight hundred and sixty-three, and in every subsequent Year, elect so many Persons qualified by Rating and Occupation, as required by the same Act and the recited Act of the Nineteenth and Twentieth *Victoria* to be elected Vestrymen of such Parish, to be Members of the Board for the District in which such Parish is comprised, as may be necessary for supplying the Vacancies among the Members of such Board elected for such Parish occasioned by Expiration of the Term of Office of the Members going out of Office at the Time of such Election.

41. When

As to Division into Wards when Parish contains 2,000 Houses.

41. When at any Time, upon any Account taken of the Population by the Authority of Parliament, any of the Parishes within the Metropolis not now divided into Wards for the Purpose of electing Vestrymen shall be found to contain more than Two thousand rated Householders, it shall be lawful for the Metropolitan Board of Works, upon the Application in Writing of the Vestry, or of not less than Five hundred rated Householders of the Parish, to divide such Parish into Wards, and to determine and set out the Number, Extent, Limits, and Boundary Lines of such Wards, but so nevertheless that no Ward shall contain less than Five hundred rated Householders, and that the whole Number of Wards shall not exceed Eight; and the Metropolitan Board shall apportion among the several Wards the Number of Vestrymen to be elected for such Parish, and shall, in assigning the Number of Vestrymen to each Ward, have regard, as far as in their Judgment is practicable, as well to the Number of Persons rated to the Relief of the Poor in each Ward as to the aggregate Amount of the Sums at which all such Persons are rated; and the Number of Vestrymen assigned to each Ward shall be a Number divisible by Three, and a Copy of the Particulars of such Division and Apportionment shall be forthwith transmitted to One of Her Majesty's Principal Secretaries of State for his Approval, and also to the Vestry Clerk of the Parish to which such Division and Apportionment relate; and the said Particulars shall, within Seven Days after such Transmission, be published by the said Board in the *London Gazette;* and at the Expiration of not less than Two Calendar Months the said Secretary of State shall, if he approve of the same, publish the said Particulars again with his Approval affixed thereto in the *London Gazette;* but if the said Secretary of State disapprove of the proposed Division into Wards or Apportionment of Vestrymen, then he shall, subject, however, to all the above Limitations, make such other Division or Apportionment as in his Judgment shall be more conducive to a fair Representation in the Vestry of the Interests of the Ratepayers of the said Parish, and shall publish the Particulars of such fairer Division and Apportionment in the *London Gazette*, and the Parish shall, after such Publication by him in the *London Gazette*, be deemed to be divided into such Wards so determined and set out.

No Parish shall be annexed without previous Notice.

42. No Representation shall be made under the Two hundred and forty-ninth Section of the firstly-recited Act, unless and until the Metropolitan Board of Works shall have given to the Churchwardens and Surveyors of Highways of the Parish to which such Representation relates Two Months Notice in Writing under their Common Seal of their Intention to make such Representation and of the Provisions which it is intended to propose in such Representation; and the said Churchwardens and Surveyors of Highways shall, immediately after receiving such Notice as aforesaid, summon a Vestry Meeting of the Parish, and submit such Notice to the Consideration of the said Meeting; and such Representation of the said Metropolitan Board shall be accompanied by a Copy of all Resolutions or Statements that may have been made to the said Board in Writing by the said Churchwardens and Surveyors of Highways, or either of them, by Direction of such Vestry Meeting.

Annual Report of Officer of Health.

43. The Officer or Officers of Health for each Parish or District shall make an annual Report to the Vestry or District Board of the sanitary Condition of the Parish or District, and upon the other Matters set forth in the One hundred and thirty-second Section of the firstly recited Act, and it shall not be necessary to append to the annual Report of the Vestry or District Board, to be made in the Month of *June* in each Year, a Copy of any other Report of such Officer or Officers than such annual Report.

Owners and Occupiers of Land may execute Works of Drainage at their own Expense.

44. It shall be lawful for the Owners or Occupiers of any Land or Premises in any Parish, District, or Part within the Limits of the Metropolis as defined by the firstly recited Act, with the Consent and subject to the Regulations and Conditions herein-after mentioned to construct Sewers at their own Expense for the Purpose of draining such Land or Premises; and it shall be lawful for any Vestry or District Board in whom the Sewers in any Parish, District, or Part are vested, if they shall deem it just and proper so to do, to contribute out of the Rates under their Control applicable to the Execution of Works of Sewerage to the Cost of any Sewers constructed for the Purpose aforesaid.

Vestries, &c. to submit Plans of new Sewers to Metropolitan Board.

45. Any Vestry or District Board intending to construct any Sewer shall, before commencing any Works for that Purpose, submit to the Metropolitan Board of Works a Plan of the Street or Place in which it is proposed to construct such Sewer, drawn to such a convenient Scale or Scales as the said Metropolitan Board shall direct, and there shall be shown on such Plan the Position, Course, and Dimensions of the proposed Sewer, with a Section or Sections thereof, and such other Particulars in relation thereto as the said Metropolitan Board shall deem necessary and require, and no such Sewer or Works shall be proceeded with without the Approval in Writing or contrary to the Directions of the said Board.

Communications with Main Sewers.

46. Three clear Days Notice in Writing shall be given to the Metropolitan Board of Works by any Vestry or District Board previously to the Connexion of any Sewer or Drain with a Main Sewer; and the necessary Junction or Communication for that Purpose shall be made by such Vestry or District Board to the Satisfaction of the said Metropolitan Board.

Private Parties before branching Sewers to apply for Sanction of Vestries, &c.

47. Every Person other than a Vestry or District Board intending to make or branch a Sewer, either into a Sewer vested in the Metropolitan Board of Works, or into a Sewer vested in any Vestry or District Board, shall in the first instance lay the Plan and Section thereof before, and apply for the Sanction of, the Vestry or District Board of the Parish, District, or Part in which such last-mentioned Sewers shall be

be situate; and no Sewer shall be begun to be made by such Person until the Sanction in Writing of such Vestry or District Board shall have been obtained.

Vestries, &c. to apply for Approval of Metropolitan Board.

48. Before any Vestry or District Board shall sanction the Construction of any such Sewer they shall submit the Plan and Section thereof to the Metropolitan Board of Works for their Approval, in the same Manner as if such Sewer were proposed to be constructed by such Vestry or District Board; and no Vestry or District Board shall sanction the Construction of any such Sewer without the Approval in Writing of the said Metropolitan Board first had and obtained.

Seven Days Notice must be given before Drains can be branched into Main Sewers.

49. All Persons intending to make or branch any Drain into a Sewer vested in the Metropolitan Board of Works shall, Seven clear Days before commencing any Works for that Purpose, make written Application to the Vestry or Board of the Parish, District, or Part in which such Sewer shall be situate, accompanied by a Plan showing such Particulars as may be required by any Byelaw or Resolution of the said Metropolitan Board; and no such Work shall be commenced until the Sanction in Writing of the said Vestry or District Board shall have been given.

Regulations as to Abandonment, Alteration, &c. of Designs for Sewers previously approved.

50. When it shall be desired to abandon either wholly or in part, or to extend, contract, or alter any Design for a Sewer previously submitted to and approved by the Metropolitan Board of Works, Notice in Writing of such Desire shall be given by the Vestry or District Board by whom such Approval shall have been obtained to the said Metropolitan Board, accompanied by Plans and Sections showing the Nature of the Abandonment, Extension, Contraction, or Alteration desired; and no such Abandonment, Extension, Contraction, or Alteration shall be made without the previous Approval in Writing of the said Metropolitan Board; and no Person other than a Vestry or District Board shall abandon wholly or in part, or extend, contract, or alter in Construction, any Sewer approved or sanctioned by the Metropolitan Board of Works, without the previous Sanction in Writing of the Vestry or District Board in whose Parish or District the Works were intended to be executed, to be applied for and given in the same Manner as herein-before directed with respect to new Sewers.

In case Sewer be not constructed within 12 Months, fresh Application to be made.

51. In case any Sewer sanctioned and approved by the Metropolitan Board of Works as herein-before provided shall not be constructed or executed within Twelve Calendar Months from the Date of such Sanction or Approval, the Works for the Construction of such Sewer shall not be executed without a fresh Permission by the Metropolitan Board, and their written Sanction that the necessary Works for the Construction of such Sewer may proceed, to be applied for and obtained in manner herein-before provided with respect to the original Permission for the Construction of such Sewer.

Expense of constructing Sewers in new Streets and Streets laid out since 1st Jan. 1856.

52. Where any Sewer shall, after the passing of this Act, be constructed by any Vestry or District Board in or for the Drainage of any new Street, or of any House or Houses erected since the First Day of *January* One thousand eight hundred and fifty-six, the Expense of constructing such Sewer and the Works appertaining thereto, including the Cost of Gullies, Side Entrances, Lengths of Sewer at the Intersection of Streets, and other incidental Charges and Expenses, shall be borne and defrayed by the Owners of such Street or Houses, and of the Land bounding or abutting on such Street respectively, and the said Expenses shall be apportioned by the Vestry or District Board in such Proportions as they may deem just, and the Amount charged upon or payable in respect of each House or Premises shall be payable before the Works shall be commenced, during their Progress, or after their Completion, as the Vestry or District Board shall in each Case determine, either in One Sum or by Instalments, within such Period, not exceeding Twenty Years, as the Vestry or District Board shall direct; and any such Sum or Instalments shall be recoverable from the present or any future Owner of the said House or Premises either by Action at Law or in a summary Manner before a Justice of the Peace, at the Option of the Vestry or Board.

Expense of constructing Sewers where there had before been only open Sewers.

53. Where any Sewer shall be constructed by any Vestry or District Board in a Street in which previously to such Construction there had been no Sewer, or only an open Sewer, but where Sewers Rates have been levied previously to such Construction, the Expense of constructing such Sewer and the Works appertaining thereto, including the Cost of Gullies, Side Entrances, Lengths of Sewer at the Intersection of Streets, and other incidental Charges and Expenses, shall be borne and defrayed in part only by the Owners of the Houses situate in and of the Land bounding and abutting on such Street respectively; and the Amount to be borne by such Owners shall be determined by the Vestry or District Board in each particular Case, and the Residue of such Expenses shall be defrayed by the Vestry or District Board out of the Sewers Rates levied in their Parish or District; and the Amount so charged by the Vestry or District Board upon or in respect of each House or Premises shall be payable, either before the Works shall be commenced, during their Progress, or after their Completion, as the Vestry or Board shall in each Case determine, either in One Sum or by Instalments within such Period not exceeding Twenty Years, as the Vestry or Board shall direct; and any such Sum or Instalment shall be recoverable from the present or any future Owner of such House or Premises either by Action at Law or in a summary Manner before a Justice of the Peace, at the Option of the Vestry or Board: Provided that no Street or Property in respect of which Sewers Rates have been levied for Five Years prior to the First Day of *January* One thousand eight hundred and fifty-six shall be subject to be charged under the Provision contained in this Section.

Land may be charged in a

54. In apportioning the Cost of constructing Sewers under the Provisions contained in the Two last preceding Sections of this Act relating to the Construction of Sewers wholly or partly at the Cost of private

private Parties, it shall be lawful for any Vestry or District Board to charge the Owners of Land bounding or abutting on any Street in a less Proportion than the Owners of House Property, should they, under the Circumstances of the Case, deem it just and expedient so to do. less Proportion than House Property.

55. In any Case in which the estimated Expenses shall exceed the actual Cost of constructing Sewers under the Provisions contained in the said Two preceding Sections of this Act relating to the Construction of Sewers wholly or partly at the Cost of private Parties, then the Difference between such estimated Expenses and the actual Cost shall be repaid by the Vestry or Board to the Owners of the Houses or Premises by whom the Amount of any such estimated Expenses may have been paid; and in any Case in which the estimated Expenses shall be less than the actual Cost of constructing any Sewer or Sewers under the Provisions aforesaid, then the Owners of the said Houses or Premises shall, on Demand, pay to the said Vestry or Board such further Sum of Money as, together with any Sums already paid, will make up the Amount of the actual Cost; and the Vestry or District Board shall have all the same Remedies for the Recovery of such further Sum as are herein-before given for recovering any Expenses apportioned by Vestries or District Boards under the said Enactments. Where estimated Expenses exceed actual Cost, Difference to be refunded by, and where less to be paid to, Vestry, &c.

56. It shall be lawful for the Vestry or District Board, should they deem it reasonable and just so to do, at their Discretion to defray, out of the Sewers Rates to be levied in their Parish or District, any Portion of the Expenses of and incident to the Construction of Sewers under the Provisions contained in the said Two Sections of this Act relating to the Construction of Sewers wholly or partly at the Cost of private Parties. Vestry, &c. may defray Part of Expense out of Sewer Rates.

57. Any Person who may deem himself aggrieved by any Order or Resolution of any Vestry or District Board in relation to the Expenses of constructing Works under the said Two Sections of this Act relating to the Construction of Sewers wholly or partly at the Cost of private Parties, or the Apportionment of such Expenses, may appeal to the Metropolitan Board of Works against such Order or Resolution, subject in all respects to the Directions and Provisions contained in the Two hundred and eleventh Section of the firstly-recited Act, and the Section of this Act relative to the Form of Order to be made by the Committee of Appeal of the Metropolitan Board of Works against Orders or Acts of Vestries or District Boards. Appeal against Orders of Vestries, &c. as to Amount or Apportionment of Expenses.

58. 'Whereas the Vestries of the Parishes mentioned in Schedule A. of the firstly-recited Act and 'District Boards are, by the Sixty-ninth Section of the said Act, subject to the Powers vested in the 'Metropolitan Board of Works, empowered to make, repair, and maintain Sewers vested in them, and 'to do and perform other Works and Matters as in the said Section is mentioned, and it is expedient 'to give increased Facilities to such Vestries and District Boards for the Execution and Performance 'of such Works and Matters:' Be it therefore enacted, That whenever it shall be found necessary by the Vestry of any Parish mentioned in Schedule A. to the said Act, or by the Board of Works of any District mentioned in Schedule B. to the said Act, for the Purpose of executing Works for any of the Purposes mentioned in the said Section, to carry any Sewer or Work beyond the Limits of the Metropolis as defined by the said Act, it shall be lawful for any such Vestry or District Board to execute Works in Parts situate beyond or without such Limits, and to cleanse, repair, and maintain such Works as they shall from Time to Time deem necessary: Provided always, that no Work shall be performed or commenced by any Vestry or District Board beyond the Limits of the Metropolis as above defined, except for the Purpose of continuing or forming Part of a Work commenced or executed within their respective Parish or District; nor shall any such Works be performed or commenced without the Consent in Writing of the Metropolitan Board of Works for that Purpose first had and obtained, nor without the Consent of the Vestry or District Board, or Authorities of the Parish or Place through which the Work may pass; but if any such Vestry or District Board or Authority shall refuse such Consent, One of Her Majesty's Chief Secretaries of State shall have Authority under this Act to decide whether such Consent ought to be withheld, and such Secretary of State may make such Order as to him shall seem just; but nothing herein contained shall apply to any Work for the Purpose of the Main Drainage of the Metropolis under the recited Acts: Provided also, that no new Sewer, either within or beyond the Limits of the Metropolis, shall be made or executed by any Vestry, District Board, or other Body having Control over Sewers within the Metropolis without the previous Approval of the said Metropolitan Board. Execution of Works of Sewerage by Vestries and District Boards beyond the Limits of the Metropolis. Proviso.

59. The Provisions contained in the Eightieth Section of the firstly-recited Act, empowering Vestries and Districts Boards to order, at their Discretion, under the Circumstances therein mentioned, such Sums as they shall deem just to be paid and contributed by the Owners of Houses towards the Expense of the Construction of Sewers into which Drains from such Houses shall be made or branched, shall be extended, and the same are hereby extended and made applicable to the Metropolitan Board of Works with respect to Houses draining into Main Sewers constructed at the Expense of any Person or Body other than any Commissioners of Sewers, and which are vested in the Metropolitan Board; and the same Provisions are hereby extended and made applicable to all Sewers within the Limits of the Metropolis as defined by the firstly-recited Act, built since the First Day of *January* One thousand eight hundred and fifty-six, or which may hereafter be built at the Expense of any Person or Body other than the Metropolitan Board of Works, or any Vestry, District Board, or other Body having Control over Sewers within the Metropolis, into which House Drains may be made or branched; and Contribution to Cost of Main Sewers and Sewers built since 1st January 1856, or hereafter to be built.

the said Metropolitan Board, Vestry, District Board, or other Body, as the Case may be, may at their Discretion accept Payment of Contribution from the Owners of Houses draining into such Sewers respectively, either in One Sum or by Instalments within any Period not exceeding Twenty Years, with Interest after a Rate not exceeding Five Pounds by the Hundred by the Year, as the said Board, Vestry, or other Body shall in each Case determine, and shall on receipt of any such Contribution or Instalment pay over the same to the Person or Body entitled thereto; and every Sum payable to the said Board, Vestry, or other Body by way of Contribution to the Construction of Sewers shall be recoverable from the present or any future Owner of the said Premises either by Action at Law or before a Justice of the Peace in a summary Manner, at the Option of the Board or Vestry: Provided that nothing herein contained shall prejudice or affect the Right of Vestries and District Boards to demand and recover from the Owners of Houses and Land the Sums charged upon them by such Vestry and District Boards respectively under the Provisions contained in this Act.

Where Time is given for Payment of Contribution, the Metropolitan Board shall keep a Register.

60. In all Cases in which Time shall be given by the Metropolitan Board of Works, or by any Vestry, District Board, or other Body, for the Payment of any Contribution to the Cost of a Sewer as aforesaid, the Metropolitan Board of Works shall keep a Register of all such Orders for Contribution, which Register shall contain the Description of the Premises, the Amounts payable, the Periods for Payment, and other necessary Particulars; and such Register shall be open to Inspection by Parties interested during Office Hours without Payment of Fee or Reward; and every Vestry, District Board, or other Body giving Time for Payment of any such Contribution as aforesaid shall forthwith transmit to the said Metropolitan Board a Copy of their Order or Resolution in that Behalf made, and such other Particulars in relation thereto as the said Board may deem necessary and require.

Regulations respecting Openings into Sewers.

61. The Seventy-seventh Section of the firstly-recited Act is hereby repealed; and in lieu thereof be it enacted, That no Person shall make or branch any Sewer or Drain, or make any Opening into any Sewer vested in the Metropolitan Board of Works, or in any Vestry or District Board, without the previous Consent in Writing of such Board or Vestry: Provided that it shall be lawful for any Person, with such Consent, at his own Expense, to make or branch any Drain into any Sewer vested in such Board or Vestry, or authorized to be made by them or either of them under the firstly-recited Act or this Act, such Drain being of such Size, Materials, and other Conditions, and branched into such Sewer in such Manner and Form of Communication in all respects, as the Board or Vestry shall direct or appoint: Provided also, that where any Contribution to the Cost of a Sewer is payable in respect of Drainage into the same, it shall not be lawful for any Person to make or branch any Drain into such Sewer, except in conformity with the Directions of the Board or Vestry in whom the same shall be vested with respect to Payment of Contribution under the Provisions contained in the firstly-recited Act and this Act in that Behalf; and in case any Person, without the Consent of the said Metropolitan Board, District Board, or Vestry as aforesaid, make or branch, or cause to be made or branched, any Sewer or Drain, or make any Opening into any of the Sewers vested in any such Board or Vestry, or authorized to be made by them as aforesaid, or if any Person make or branch, or cause to be made or branched, any Drain of a different Construction, Size, Material, or other Conditions, or in another Manner or Form of Communication than shall be directed or appointed by such Board or Vestry, every Person so offending shall for every such Offence forfeit a Sum not exceeding Fifty Pounds; and the Board or Vestry may cut off the Connexion between such Drain and their Sewer, or if they shall see fit execute the necessary Works for making the said Drain conformable to their Regulations or Directions at the Expense of the Person making such Drain or causing the same to be made, such Expenses to be recovered either by Action at Law or in a summary Manner before a Justice of the Peace, at the Option of the Board or Vestry.

Reports as to underground Rooms occupied as Dwellings.

62. Every District Surveyor required to report by the One hundred and third Section of the firstly-recited Act shall, without Fee or Reward, report to the Metropolitan Board, and to every Vestry and District Board in the District in which such Surveyor may act, in the Months of *June* and *December* in each Year, and at all other Times when he shall be required so to do by any such Board or Vestry, all underground Rooms or Cellars occupied as Dwellings within the Meaning of the first-recited Act that are not built or constructed in conformity with the Rules contained in the said Section, and shall in such Report set forth the exact Locality in which such underground Rooms or Cellars are situate; and in any Proceedings taken to recover the Penalty under the said One hundred and third Section of the said Act, such Evidence as may give rise to a probable Presumption that some Person passes the Night in such Room or Cellar shall be Evidence, until the contrary be made to appear, that such has been the Case.

Extension of Time under Sect. 76. of 18 & 19 Vict. c. 120. for making Orders by Vestries and District Boards.

63. 'Whereas by the Seventy-sixth Section of the firstly-recited Act it is provided that the Vestry 'or District Board shall make their Order in relation to the Matters therein referred to, and cause the 'same to be notified to the Person from whom the Notice mentioned in the said Section was received 'within Seven Days after the Receipt of such Notice, and it is expedient that the Time for making such 'Order should be extended:' Be it therefore enacted, That where any Notice shall have been given to any Vestry or District Board pursuant to the said Section, it shall be lawful for the Surveyor of such Vestry or Board, if he shall deem it necessary and proper so to do, within Three days after the Receipt of such Notice by the Vestry or District Board, by Writing under his Hand directed to and served upon the

the Person giving such Notice, to require that the Building or Works referred to therein shall not be proceeded with until after the then next Meeting of the said Vestry or District Board, and until their Directions in reference thereto shall have been notified to such Person, provided that the Order of the said Vestry or District Board shall be made and notified to the said Person at the latest within Fifteen Days after the Receipt of such Notice by the Vestry or District Board; and in case any Person shall proceed with any Building or Works contrary to this Enactment he shall forfeit and pay to the Vestry or District Board a Sum not exceeding Five Pounds, and also a further Sum of Forty Shillings for every Day during which such Offence shall continue, to be recovered by Action at Law or in a summary Manner at the Option of the Vestry or Board.

Where Parties neglect to carry out Works pursuant to Order of Vestry, the Vestry may recover Penalty or do the Works.

64. 'Whereas by the Seventy-third, Seventy-fourth, Seventy-sixth, Eighty-first, Eighty-fifth, and 'Eighty-sixth Sections of the firstly-recited Act, certain Works, Matters, and Things are required to 'be constructed, made, or executed on the Requisition of Vestries and District Boards by the Owners 'or Occupiers of the Premises therein referred to; and in case any such Owner or Occupier refuse or 'neglect to commence, proceed with, or complete the same, as the Case may be, the Vestry or District 'Board are authorized to perform and execute such Works, Matters, and Things, and recover the Costs 'incurred thereby in manner therein provided:' Be it enacted, That in case of any such Neglect or Default by any Person or Persons to comply with the Order of any Vestry or District Board to execute any Works, Matters, or Things under any of the said Provisions, the Person or Persons so offending shall forfeit and pay to the Vestry or District Board a Sum not exceeding Five Pounds, and also a further Sum not exceeding Forty Shillings for every Day during which such Offence shall continue, to be recovered by Action at Law or before a Justice of the Peace in a summary Manner, at the Option of the Vestry or District Board; and the Vestry or District Board may at their Discretion either execute or perform any such Works, Matters, or Things, and recover the Costs and Expenses thereof from the Owner of the Property as aforesaid, or proceed for and recover the said Penalty or Penalties; but nothing herein contained shall render any Person or Persons liable to be proceeded against for the Penalty as well as for the Costs and Expenses of the Works.

Extension of Penalties in 18 & 19 Vict. c. 120.

65. The Penalties declared by the firstly-recited Act in the Case of Persons committing the Offences mentioned therein are hereby extended and made applicable to all Persons causing the Commission of any such Offences, or by whose Order or Direction any such Offences shall have been committed.

Temporary Provision for Drainage of Property where no proper Sewer within 200 Feet.

66. 'Whereas certain Property within the Limits of the Metropolis is so situate as to render it 'impracticable, or practicable only at undue Expense, to connect such Property with covered Sewers, 'and it is expedient that some temporary Provision should be made for draining such Property and 'abating the Nuisances existing thereon or caused thereby:' Be it therefore enacted, That in any Case in which any House or other Building, whether erected before or after the passing of this Act, is without sufficient Drainage, and there is no proper Sewer within Two hundred Feet of any Part of such House or Building, it shall be lawful for the Vestry or District Board of the Parish or District in which such House or Building is situate by Notice in Writing to require the Owner of such House or Building to construct and lay from such House or Building a covered Drain to lead therefrom into a covered water-tight Cesspool or Tank or other suitable Receptacle, not being under a House or within such Distance from a House as the Vestry or Board shall direct, and to construct such Cesspool, Tank, or Receptacle; and the several Provisions in the firstly-recited Act with respect to the laying of House Drains at the Expense of the Owners of Property, and the Recovery of such Expenses of and the Penalties for any Omission in respect to the Performance of any such Works pursuant to the Orders of Vestries or District Boards in accordance with the Directions of the said Act, shall be extended to and apply to the making of such Cesspools, Tanks, Receptacles, and Drains, and the Orders of Vestries and District Boards in relation thereto and the Expenses thereof.

Vestries, &c. may compel Supply of Water for Houses.

67. If it shall appear to any Vestry or District Board that any House within their respective Parishes or Districts is without a proper Supply of Water, and that such Supply can be furnished to such House at a Rate not exceeding Threepence *per* Week, conformably with the Scale of Rates authorized to be charged by any Water Company within the Metropolis as defined by the firstly-recited Act, the said Vestry or District Board may give Notice in Writing to the Owner or Occupier of such House, requiring him, within a Time specified therein, to obtain such Supply, and to do all such Works as may be necessary for that Purpose; and if such Notice be not complied with, the said Vestry or District Board shall do such Works and recover the Expenses thereof from the Owner of the Premises as hereinafter provided; and any Water Company shall, upon the Requisition of such Vestry or Board, supply with Water such House, and the Rates for the Supply of such House or Houses as aforesaid shall be due and payable by the said Owner, and shall be recovered by the Company as if such Owner had contracted with the Company for the Supply of such Water. In any Case where it shall appear to any Vestry or District Board that the existing Supply of Water to any House within their respective Parishes or Districts would be sufficient for such House if the same were inhabited by a lesser Number of Persons, but is insufficient by reason that the same is inhabited by numerous Persons (being more than One single Family), it shall be lawful for such Vestry or District Board to give Notice in Writing to the Occupier of such House, requiring him, within a Time specified therein, to obtain such further Supply (not exceeding a Supply at the Rate of Thirty Gallons *per* Day for each Person) as to them

them shall appear necessary, and to do all such Works as may be necessary for that Purpose; and if such Notice be not complied with within the Time therein specified, it shall be lawful to take Proceedings for overcrowding, in the Manner provided by the "Nuisances Removal Act for *England*, 1855;" and upon Proof of the Fact that the Water Supply is not sufficient by reason of the Number of Persons inhabiting the said House (being more than One Family), it shall be lawful for the Justices to make the like Order and to inflict the like Penalty as in any other Case of overcrowding.

Penalty on Persons placing Buildings or Encroachments on Sewers.

68. Every Person who shall knowingly erect or place any Building, Wall, Bridge, Fence, Obstruction, Annoyance, or Encroachment in, upon, over, or under any Sewer under the Jurisdiction of the Metropolitan Board of Works, or of any Vestry or District Board, and every Person obstructing, filling in, or diverting any Sewer or Drain under the Jurisdiction, Survey, or Control of the Metropolitan Board, or of any Vestry or District Board, without the previous Consent in Writing of the Board or Vestry in whom the same may be vested, shall, in addition to any other Proceeding to which he may be liable therefor, forfeit and pay to such respective Board or Vestry a Sum not exceeding Twenty Pounds for every such Offence; and the Board or Vestry may demolish and remove any such Building, Wall, Bridge, Fence, Obstruction, Annoyance, or Encroachment, and perform any Works necessary for restoring or reinstating the Sewer or other Work or Thing damaged; and the Party erecting such Building, Wall, Bridge, Fence, or causing such Obstruction, Annoyance, or Encroachment, shall also pay the Expense of removing and abating them respectively, and of re-opening, restoring, repairing, or reinstating any Sewer or Drain obstructed, filled in, closed up, or diverted; and in case of a continuing Offence in any of the Cases aforesaid the Offender shall be liable to a further Penalty, not exceeding Five Pounds, for each Day after Notice thereof from the Metropolitan Board of Works, or from the Vestry or District Board, to be recovered by Action at Law or before any Justice of the Peace by a summary Proceeding, at the Option of the Board or Vestry: Provided always, that nothing herein contained shall extend to prevent or impede the Maintenance, Repair, or Renewal of any Buildings or Works under which a Sewer or Drain has been constructed, but so, nevertheless, that such Buildings or Works shall not injure or obstruct the said Sewer or Drain.

Penalty on Persons interfering with Sewers.

69. Any Person who shall take up, remove, demolish, or otherwise interfere with any Sewer or Part of a Sewer vested in the Metropolitan Board of Works, or in any Vestry or District Board, without the previous Permission in Writing of such Board or Vestry, or who shall wilfully damage any Sewer, Bank, Defence, Wall, Penstock, Grating, Gully, Side Entrance, Tide Valve, Flap, Work, or Thing vested in the Metropolitan Board or any Vestry or District Board, or do any Act by which the Drainage of the Metropolis or any Part thereof may be obstructed or injured, shall for every such Offence forfeit and pay to the said Metropolitan Board of Works, or to the Vestry or District Board aggrieved by any such Act, for every such Offence a Sum not exceeding Twenty Pounds, and shall also pay to such Board or Vestry all the Expenses of repairing, restoring, reinstating, or amending any Sewer or other Work or Thing so taken up, removed, demolished, damaged, or interfered with, to be recovered by Action at Law or before a Justice of the Peace by a summary Proceeding, at the Option of the Board or Vestry.

Vestries in Schedule A. and District Boards empowered to provide and maintain Drinking Fountains.

70. The Vestry of any Parish mentioned in Schedule A. to the said firstly-recited Act and any District Board may provide and maintain Drinking Fountains in such convenient and suitable Situations as they may deem proper, and may undertake the Maintenance of any Drinking Fountain already erected within such Parish or District, and supply the same with Water and defray the Expenses thereof; and any Expenses incurred by any Vestry or District Board in providing or maintaining any such Fountains or supplying the same with Water shall be paid out of the general Rate authorized to be raised and levied under the firstly-recited Act; and any Person guilty of wilfully fouling the Water in any Drinking Fountain so erected or maintained, or of wilfully damaging any of the said Fountains, or any Part thereof, shall forfeit and pay to such Vestry or District Board for every such Offence a Sum not exceeding Five Pounds, to be recovered by a summary Proceeding, and shall also pay to such Vestry or District Board the Expenses of repairing or reinstating any such Fountain, or any Part thereof, so injured as aforesaid.

Income of Estates, Property, &c., subject to Trusts for Repair of Highways to be paid over to Vestry or District Board.

71. All Property, Rights, Matters, and Things whatsoever which before the passing of the firstly-recited Act were vested in any Surveyor or Surveyors of Highways in connexion with their Duties and Powers as such Surveyor or Surveyors, transferred by that Act to any Vestry or District Board, shall be deemed to have become transferred to and to have vested in such Vestry or District Board by virtue of the said Act; and so much of the yearly and other Income of all Estates, Property, and Effects of whatsoever Description so vested and transferred as aforesaid as is or may be subject to any Use or Trust for or in respect of and applicable to the Repair of any Highways within the Metropolis shall be applicable to the Repair, Maintenance, and Improvement of the Highways within the Metropolis under the Provisions of the said Act, and shall from Time to Time be accounted for and paid over to the respective Vestries and District Boards, and be applied by them for the Purposes of the Highways within their Parishes and Districts, in the same Manner as the same could lawfully have been applied before the passing of the said Act.

Vestries and District Boards may, with Consent of Metro-

72. The Vestry of every Parish mentioned in Schedule A. to the firstly-recited Act, and the District Board of every District, shall, with the previous Consent in Writing of the Metropolitan Board of Works, have Power within their respective Parish or District to make, extend, widen, alter, or improve any

Street,

Street, Road, or Way, or any Bridge over a Canal traversing any Part of such Parish or District, for the Purpose of facilitating Passage and Traffic, or for any other public Purpose; or to contribute and join with the Metropolitan Board, or with any other Body or Persons, in any such Improvements; and to take by Agreement or Gift any Land, Right in Land, or Property for the Purposes aforesaid, or any of them, on such Terms and Conditions as they may think fit; and for the Purposes aforesaid it shall be lawful for any Vestry or District Board, should they see fit, to take down the present Bridges over Canals within their Parish or District, and to erect others in their Place and Stead, or to erect new Bridges over such Canals in such Situations as they may deem beneficial, and from Time to Time to repair and maintain such existing or new Bridges, and to indemnify the Canal Company or other Body or Persons interested in such Bridges against the future Repairs and Maintenance of any such Bridges; and the Expenses incurred by any Vestry or District Board in any such Improvements shall be paid out of the general Rate authorized to be raised in their Parish or District under the firstly-recited Act: Provided that no such Extension, Widening, Alteration, Improvement, taking down, or Re-erection of any existing Bridge over any such Canal, or the Erection of any new Bridge over the same, shall be made without the previous Consent in Writing under their Common Seal of the Company owning such Canal, and the Provisions of the One hundred and seventh Section of the firstly-recited Act shall remain in force and be applicable to this Enactment: Provided also, that it shall be lawful for any such Vestry or District Board, under the Provision contained in the One hundred and eighty-third Section of the firstly-recited Act, to borrow and take up at Interest on the Credit of all or any of the Monies or Rates authorized to be raised by them under that Act any Sums necessary for defraying the Expenses of any such Improvements: Provided, that nothing in this Act shall extend or be construed to extend to authorize the taking down or removing any Bar, Gate, Rail, or other Fence fixed for preventing any Thoroughfare into or from any Square, Street, or Way, without the Consent of the Proprietor of the Estate or Property upon which such Bar, Gate, Rail, or other Fence, Square, Street, or Way shall be situate: Provided that this Enactment shall not limit the Powers in force given by the Act next hereinafter referred to, or by any Local Act.

politan Board, effect Improvements within their Parish or District.

73. The Powers of improving and regulating Streets and for the Suppression of Nuisances contained in the Act of the Fifty-seventh Year of the Reign of His Majesty King *George* the Third, Chapter Twenty-nine, Local and Personal, intituled *An Act for better paving, improving, and regulating the Streets of the Metropolis, and removing and preventing Nuisances and Obstructions therein*, shall, so far as the same is in force, and is not inconsistent with the Provisions of the recited Acts and this Act, extend and apply to the Metropolis as defined in the firstly-recited Act and in this Act, including any unpaved Streets, and notwithstanding any Exceptions therein contained.

Act as to paving and improving Parts of Metropolis to extend to Metropolis as defined by this Act.

74. In case any Building, situated within any of the Parishes, Districts, or Places comprised in the Schedules of the firstly-recited Act, which shall in any Part thereof project beyond the general Line of the Street in which the same may be situate, or beyond the Front of the Building, Wall, or Railing on either Side thereof, shall at any Time be taken down to an Extent exceeding One Half of such Building, such Half to be measured in Cubic Feet, or shall be destroyed by Fire or other Casualty, or demolished, pulled down, or removed from any other Cause to the Extent aforesaid, it shall be lawful for the Metropolitan Board of Works to require the same to be set back to such a Line and in such a Manner for the Improvement of any Street as the said Board shall direct; provided that the said Board shall make Compensation to the Owner of such Building for any Damage and Expenses which he may sustain and incur thereby: Provided also, that this Section shall not apply to any Building in the Places mentioned in Schedule (C.) to the Metropolis Local Management Act which does not abut upon any Public Street or Place.

Buildings projecting beyond general Line when taken down to be set back.

75. The One hundred and forty-third Section of the first-recited Act, and the One hundred and fortieth Section of the Act passed in the Seventh Year of His Majesty King *George* the Fourth, Chapter One hundred and forty-two, intituled *An Act for consolidating the Trusts of the several Turnpike Roads in the Neighbourhood of the Metropolis North of the River* Thames are hereby repealed; and in lieu thereof be it enacted, That no Building, Structure, or Erection shall, without the Consent in Writing of the Metropolitan Board of Works, be erected beyond the general Line of Buildings in any Street, Place, or Row of Houses in which the same is situate in case the Distance of such Line of Buildings from the Highway does not exceed Fifty Feet, or within Fifty Feet of the Highway when the Distance of the Line of Buildings therefrom amounts to or exceeds Fifty Feet, notwithstanding there being Gardens or vacant Spaces between the Line of Buildings and the Highway, such general Line of Buildings to be decided by the Superintending Architect to the Metropolitan Board of Works for the Time being; and in case any Building, Structure, or Erection be erected, or be begun to be erected or raised, without such Consent or contrary to the Terms and Conditions on which the same may have been granted, it shall be lawful for the Vestry of the Parish or the Board of Works for the District in which such Building or Erection is situate to cause to be made Complaint thereof before a Justice of the Peace, who shall thereupon issue a Summons requiring the Owner or Occupier of the Premises, or the Builder or Person engaged in any Work contrary to this Enactment, to appear at a Time and Place to be stated in the Summons to answer such Complaint; and if at the Time and Place appointed in such Summons the said Complaint shall be proved to the Satisfaction of the Justice before whom

Mode of proceeding with regard to Buildings beyond Line of Street.

whom the same shall be heard, such Justice shall make an Order in Writing on such Owner or Occupier, Builder, or Person, directing the Demolition of any such Building or Erection, or so much thereof as may be beyond the said general Line so fixed as aforesaid, within such Time as such Justice shall consider reasonable, and shall also make an Order for the Payment of the Costs incurred up to the Time of Hearing; and in default of the Building or Erection complained of being demolished within the Time limited by the said Order, the said Vestry or Board shall forthwith enter the Premises to which the Order relates and demolish the Building or Erection complained of, and do whatever may be necessary to execute the said Order, and may also remove the Materials to a convenient Place, and subsequently sell the same, as they think fit; and all Expenses incurred by the said Vestry or Board in carrying out the said Order and in Disposal of the said Materials may be recovered by the said Vestry or Board from the Owner or Occupier of the said Premises, or the Builder or Person engaged in the Work, either by Action at Law or in a summary Manner before a Justice of the Peace, at the Option of the said Vestry or Board, in manner provided by the Two hundred and twenty-seventh Section of the firstly-recited Act as to the Recovery of Penalties.

Conditions as to Buildings beyond Line of Street.

76. The Metropolitan Board may, in giving Consent for any Erection beyond the regular Line of the Buildings in any Street, annex any Condition to the Consent given by the Board, and in case such Erection shall not be made in accordance with the Consent of the Board, or be in any Manner altered or raised without their Consent, the Board may enter and demolish or alter the Buildings or Structure or any Part thereof, and recover all Expenses, or may impose any Penalty not exceeding Forty Shillings to be summarily recovered for every Day during which any Building or Structure being a Contravention of such Condition shall exist after Notice from the said Board or any Officer of the Board to remedy the Complaint.

Expenses of paving new Streets.

77. Where any Vestry or District Board shall, under the Powers given by the One hundred and fifth Section of the firstly-recited Act, have paved or be about to pave any new Street, the Owners of the Land bounding or abutting on such Street shall be liable to contribute to the Expenses or estimated Expenses of paving the same, as well as the Owners of Houses therein, provided that it shall be lawful for the Vestry or District Board to charge the Owners of Land in a less Proportion than the Owners of House Property, should they deem it just and expedient so to do; and any such Costs or Expenses, including the Cost of paving at the Points of Intersection of Streets, and all other incidental Costs and Charges, shall be apportioned by the Vestry or Board, and shall be recoverable either before the Work shall be commenced, or during its Progress, or after its Completion; and it shall be lawful for the Vestry or District Board at their Discretion to accept Payment of the Amount apportioned or charged in respect of each House or Premises by Instalments spread over a Period not exceeding Twenty Years, and any such Amount shall be recoverable from the present or any future Owner of the Premises either by Action at Law or in a summary Manner before a Justice of the Peace, at the Option of the Vestry or Board.

Vestry may flag Footways and levy the Costs.

78. In case any Footway laid out at the passing of the firstly-recited Act shall have been repaired by the Vestry or any other Body, but shall not have been flagged, and the Vestry or District Board shall have deemed it necessary or expedient or shall deem it necessary or expedient that the same should be flagged, and such Vestry or Board shall have flagged or shall flag the same, either throughout the whole Breadth thereof or any Part of such Breadth, it shall be lawful for such Vestry or Board to levy the Cost and Expenses by a Rate or Rates upon the Occupiers of the Houses in the Road, Street, or Part abutting on or next to the Footway which shall have been so flagged, either in One Sum or by equal Instalments spread over a Period not exceeding Twenty Years, as the said Vestry or Board may see fit; and the said Vestry or Board shall thenceforth keep the said flagging in good and sufficient Repair.

Sums to be paid by the Duke of Bedford to Parties making up Roads and Footways on Bedford Estate, in the Parish of St. Pancras, to be added to Debt on that Part of the Parish.

79. 'And whereas at the Time of the coming into operation of the firstly-recited Act certain Houses 'were in course of Erection or about to be erected by private Parties on certain Lands, Parts of the 'Estate belonging to his Grace the Duke of *Bedford*, in the Parish of *Saint Pancras*, and the Roads 'and Footways in front of the said Houses and Land were partly paved by and at the Expense of the 'said Parties before the coming into operation of the firstly-recited Act: And whereas the Commissioners acting under the Local and Personal Act of the Session holden in the Thirty-ninth and Fortieth 'Years of King *George* the Third, Chapter Forty-nine, relating to the paving of the said Estate, and 'whose Powers were determined by the firstly-recited Act, ought, under the Power vested in them by 'the said Act of the Thirty-ninth and Fortieth Years of King *George* the Third, to have executed the 'said Works of paving, or to have defrayed the Cost thereof, and Payment for the same would, if the 'Powers of the said Commissioners had not been determined, have been made out of the Money arising 'from Rates or Assessments to be made under the said Act of King *George* the Third, or Money 'borrowed on the Security thereof; but the Arrangements respecting the said Works were not such as 'to be binding on the Vestry of the said Parish under the Transfer made to such Vestry by the said 'firstly-recited Act of the Debts and Liabilities legally charged upon or payable out of Rates or 'Assessments authorized to be made under the said Act of King *George* the Third: And whereas 'certain of the said Parties are willing to complete the said Roads and Footways in consideration of the 'Payment to them of certain Sums of Money, such Sums to be received in satisfaction as well of past 'as of future Expenses incurred by them in the making or paving of the said Roads and Footways:

'And

'And whereas his Grace the Duke of *Bedford* is willing to advance such Sums of Money, and it is 'expedient to authorize the Addition of such Sums to the said Debt on the Completion as aforesaid of 'the said Roads and Footways and Payment of the said Sums to the said Parties respectively:' Be it therefore enacted, That upon the Completion of the said Roads and Footways to the Satisfaction of the said Vestry, and the Production to them of the Receipts in Writing of the said Parties respectively for the said Sums from his Grace the Duke of *Bedford* or his Agent, such Sums shall respectively become Debts to the said Duke, and be added to and form Part of the Debt which at the Time of the coming into operation of the firstly-recited Act was legally charged upon the said Rates or Assessments, and shall carry Interest at the Rate of Four Pounds *per Centum per Annum*, payable half-yearly on the First Day of *January* and the First Day of *July* in every Year from the Time of the Receipt of such Sums by the said Parties or the Completion of the said Roads and Footways as aforesaid, whichever shall last happen; and Section One hundred and eighty of the firstly-recited Act shall be applicable accordingly in respect of such Sums and the Interest thereof in like Manner as in respect of such Debt as last aforesaid.

Proviso to Sect. 106 of 18 & 19 Vict. c. 120. repealed.

Notice of Intention to repair Street, not being a Highway.

80. The Proviso of the One hundred and sixth Section of the firstly-recited Act is hereby repealed; and in lieu thereof be it enacted, That no Street not being a Highway shall be repaired as in the said Section mentioned, unless Notice be given to the Owners and rated Occupiers of the Houses in such Street respectively; and Service of any such Notice may be effected by leaving the same at the several Houses in such Street, or where any of the said Houses shall be unoccupied, by affixing the same upon the outer Door or some conspicuous Part of such Houses; and provided further, that no such Street shall be repaired as in the said Section mentioned if within One Month after Notice has been given as aforesaid written Notice of Objection to such Repair, signed by at least Two Thirds of the Owners or rated Occupiers of Houses in the said Street, shall be given to the Vestry or District Board.

If Owners of Courts, &c. omit to drain, &c. Vestry may perform the Works.

81. In any Case of Default by the Owner of any Court, Passage, or public Place, not being a Thoroughfare, to comply with the Requisition of any Vestry or District Board to perform Works of paving or draining of the Nature described in the One hundredth Section of the firstly-recited Act, it shall be lawful for the Vestry or Board, should they see fit, in lieu of enforcing the Penalty therein mentioned, to execute and perform such Works, and recover the Expenses thereof from the Owner either by Action at Law or in a summary Manner before a Justice, at the Option of the Vestry or Board.

Reinstatement of Pavement broken up by Works of Companies, &c.

82. In every Case in which any Company or Person shall be liable under the firstly-recited Act to reinstate the Pavement, Surface, or Soil of any Street under the Control of any Vestry or District Board which may have been broken up or opened, or to repay to such Vestry or Board the Expenses of reinstating the Pavement, Surface, or Soil of any Street, every such Company or Person shall be liable to reinstate the Pavement, Surface, or Soil, or to pay the Expenses of reinstating the Pavement, Surface, or Soil of such Parts of the Street as shall have been so broken up or opened, as well as of the Part or Parts contiguous thereto which may be affected by the Works of such Company or Person, to the reasonable Satisfaction of the Surveyor for the Time being of the Vestry or District having Control over the Pavements in such Parish or District.

Metropolitan Board may make Byelaws for Guidance of Vestries, &c. in Construction of Sewers.

83. The Metropolitan Board of Works may, in order to secure the efficient Maintenance of the Main and general Sewerage of the Metropolis, from Time to Time make, alter, and repeal Byelaws for the Guidance, Direction, and Control of the Vestries of Parishes in Schedule A. to the firstly-recited Act, District Boards, and all other Persons, in relation to the Levels, Dimensions, Construction, Maintenance, Ventilation, and cleansing of Sewers in their respective Parishes, Districts, or Parts, and for the other Objects enumerated in the One hundred and thirty-eighth Section of the firstly-recited Act, subject in all respects to the several Provisions relating to Byelaws contained in the Two hundred and second Section of the said Act; but this Provision shall only extend to the City of *London* and the Liberties thereof, so far as regards the Main Drainage of the Metropolis.

Vestries, &c. may stop up Streets during Execution of Works.

84. It shall be lawful for any Vestry or District Board, with the previous Sanction of the Metropolitan Board of Works, to close or stop up any Street within their Parish or District, during the Execution of any Paving, Sewerage, or other Works by such Vestry or Board in such Street, and to keep the same closed and stopped up for such Time as shall be necessary in that Behalf, and allowed by the Metropolitan Board.

Height of Buildings in certain Streets.

85. No Building, except a Church or Chapel, shall be erected on the Side of any new Street of a less Width than Fifty Feet, which shall exceed in Height the Distance from the external Wall or Front of such Building to the opposite Side of such Street, without the Consent in Writing of the Metropolitan Board of Works; nor shall the Height of any Building so erected be at any Time subsequently increased so as to exceed such Distance without such Consent; and in determining the Height of such Building the Measurement shall be taken from the Level of the Centre of the Street immediately opposite the Building up to the Parapet or Eaves of such Building; and every Person committing any Offence under this Enactment shall be liable to a Penalty of Five Pounds, and in case of a continuing Offence to a further Penalty of Forty Shillings for every Day during which such Offence shall continue after Notice from the said Board, to be recovered by summary Proceeding.

86. Where

Metropolitan Board may place Roadway, Footpaths, &c. in different Parishes or Districts under Management of One Vestry or District Board.

86. Where in any Street the Roadway and Footpaths or either of them are or is situate in more than One Parish or District, or where the whole of the Roadway and Footpaths of any Street are situate in One Parish or District, and the whole or any Part of the Houses and Buildings abutting on such Roadway or Footpaths are situate in another Parish or District, in either of the said Cases it shall be lawful for the Metropolitan Board of Works, should they deem it convenient and proper so to do, to order that any such Roadway and Footpaths shall, for the Purposes of Sewerage, Drainage, Paving, and Lighting, or any of them, be under the exclusive Management of the Vestry or District Board of One of the said Parishes or Districts, and to order and direct in what Proportions the Cost of constructing and maintaining any new Sewer or Drain in such Street, or of the Reconstruction, Reparation, or Maintenance of any existing Sewer or Drain therein, or of the paving or making up or lighting of the Roadway or Footpaths thereof, and the Repair and Maintenance of such Roadway or Footpaths, shall be borne and defrayed by the Vestry or Board of each Parish or District, and the Decision of the said Metropolitan Board thereon shall be final and conclusive; and in case of Default by any Vestry or Board liable under any such Order to any such Payment, the Vestry or District Board entitled thereto may sue for and recover the Amount thereof from the Vestry or Board so making Default by Action at Law.

Affixing Names of Streets by Vestries and District Boards.

Alteration of Names by Metropolitan Board, and Execution of Orders by Vestries and District Boards.

87. The One hundred and forty-first Section of the firstly-recited Act is hereby repealed; and in lieu thereof be it enacted, That Vestries and District Boards shall and may, within the Limits of their respective Jurisdictions, from Time to Time cause to be painted or affixed on a conspicuous Part of some House or Building at or near each End, Corner, Entrance, or other convenient Part of any Street in their Parish or District, the Name of such Street, and renew such Name whenever it may be obliterated or defaced; and the Metropolitan Board of Works may alter the Name of any Street to any other Name which to such Board may seem fit; and before any Name is given to any Street, Notice of the intended Name shall be given to the said Metropolitan Board, and the said Board may, by Notice in Writing given to the Person by whom Notice of such intended Name has been given to them, at any Time within One Calendar Month after Receipt of such Notice, object to such intended Name; and it shall not be lawful to set up any Name to any new Street in the Metropolis until the Expiration of One Calendar Month after Notice thereof has been given as aforesaid to the said Metropolitan Board, or to set up any Name objected to as aforesaid; and whenever the said Metropolitan Board shall, under the Power herein-before given, have ordered or directed an Alteration in the Name or Names of any Street, or of any Place or Row of Houses, or in any Line of Road, they shall transmit a Copy of their Order directing such Alteration to the Vestry or District Board in whose Parish or District such Street, Place, Row of Houses, or Line of Road shall be situate; and such Vestry or District Board shall thereupon cause to be painted or affixed on a conspicuous Part of some House or Building, to the Satisfaction of the said Metropolitan Board, at or near each End, Corner, Entrance, or other convenient Part of the said Street, Place, Row of Houses, or Line of Road, the altered Name or Names specified in the Order of the Metropolitan Board, and shall perform all other necessary Acts for giving effect to such Order; and it shall be lawful for the said Metropolitan Board from Time to Time to order and direct that any Row of Houses or Buildings in any Street or in any Line of Road in the Metropolis shall, for the Purpose of distinguishing the same, be marked with such Numbers or Names as they shall deem convenient and proper for that Purpose, and which they shall specify in their Order in that Behalf; and whenever the said Metropolitan Board have passed any such Order as last aforesaid, they shall transmit a Copy thereof to the Vestry or District Board in whose Parish or District the said Street, Place, Row of Houses, or Line of Road shall be situate, and it shall thereupon become the Duty of such Vestry or District Board to perform all necessary Acts and to take all requisite Proceedings for carrying the Order of the said Metropolitan Board into execution, and for that Purpose they shall give Notice to the Owners or Occupiers of the Houses and Buildings in such Street, Place, Row of Houses, or Line of Road to mark their several Houses and Buildings with such Numbers or Names as the said Metropolitan Board shall by their said Order have ordered or directed, and to renew the Numbers or Names of such Houses or Buildings as often as they are obliterated or defaced; and if any Occupier of any such House or Building neglect for One Week after Notice from the said Vestry or District Board to mark such House or Building with such Number or Name as shall be mentioned and required in the said Notice, or to renew the Number or Name as aforesaid, he shall be liable to a Penalty not exceeding Forty Shillings, and the said Vestry or District Board may cause such Number or Name to be so marked or renewed, and recover the Expenses thereof from the Owner of such House or Building by a summary Proceeding before a Justice of the Peace; and if any Person wilfully destroy, pull down, obliterate, or deface the Name of any Street or Line of Road in the Metropolis, or the Name or Number of any House or Building therein, or paint, affix, or set up any Name or Number to any House or Building contrary to this Enactment, he shall for every such Offence forfeit a Sum not exceeding Forty Shillings; and it shall be lawful for the said Vestry or District Board to cause such Name or Number so painted, affixed, or set up contrary to the Directions in their said Notice to be obliterated or destroyed: Provided always, that the Powers conferred by this Section upon the Metropolitan Board shall extend to the City of *London* and the Liberties thereof; and all Matters by this Section directed and authorized to be done by Vestries and District Boards shall and may be done within the City of *London* and the Liberties thereof by the Commissioners of Sewers of the said City and Liberties.

88. If

Persons omitting to give Notice required by 18 & 19 Vict. c. 120. s. 76. liable to Penalty.

88. If any Person shall, without having given the Notice directed by the Seventy-sixth Section of the firstly-recited Act, begin to lay the Foundation of any new House or Building within any Parish mentioned in Schedule A. of the said Act, or any District in Schedule B. of the said Act, or to make any Drain for the Purpose of draining either directly or indirectly into any Sewer under the Jurisdiction of the Vestry or Board of such Parish or District, he shall become liable to a Penalty for every such Offence not exceeding Five Pounds, and to a continuing Penalty of Forty Shillings for each and every Day during which he shall omit to give the Notice directed by the said Act.

Penalty on Persons wrongfully collecting Ashes, &c.

89. If any Person or Persons other than the Person or Persons employed by or contracting with the Vestry or District Board of any Parish or District, or those employed by or under such Person or Persons, shall receive, carry away, or collect any Dirt, Dust, Cinders, Rubbish, Ashes, or Breeze from any Houses or Premises, or from any Street or Highway in any Parish or District, or any Road Scrapings, Refuse, or Mud from any Street or Highway within any Parish or District, it shall and may be lawful for any Justice of the Peace, upon Complaint to him made, to grant a Summons, or, if such Justice shall think fit, a Warrant to bring before him such Offender or Offenders, and such Justice shall examine on Oath any Witness or Witnesses who shall appear to give Information or Evidence touching such Offence; and any Person convicted of any such Offence shall forfeit to the said Vestry or District Board a Sum not exceeding Five Pounds, to be recovered by a summary Proceeding; provided that nothing herein-before contained shall be deemed to apply to the Removal of the Refuse of any Trade, Manufacture, or Business, or of any Building Materials from any House or Land by the Direction of the Owner or Occupier of such House or Land.

Penalties for affixing Bills on Lamp Posts, Notice Boards, &c.

90. Every Person who shall affix or cause to be affixed any Bill, Notice, or Paper against, or deface or disfigure any Street Post, Lamp Post, Pump, or Building vested in any Board or Vestry, or who shall remove, deface, or injure any Notice Board placed or set up by Order of any Board or Vestry, or who shall pull down, obliterate, or deface any Notice set up or affixed by Order of any Board or Vestry, shall for every such Offence forfeit a Sum not exceeding Forty Shillings, to be recovered before a Justice by a summary Proceeding.

Penalty for keeping Swine in improper Situations.

91. No Person within any Parish mentioned in Schedule A. to the firstly-recited Act, or in any District mentioned in Schedule B. to the said Act, shall breed, feed, or keep any Swine in any Locality, Premises, or Place which may be unfit for the keeping of Swine, or in which the breeding, feeding, or keeping Swine may create a Nuisance, or be injurious to Health; and any Person breeding, feeding, or keeping Swine in or on any such Locality, Premises, or Place shall be liable to a Penalty not exceeding Forty Shillings, and to a further Penalty not exceeding Ten Shillings for every Day during which he shall continue such Offence after Notice from the Vestry or District Board to discontinue the same, and any such Penalty may be recovered by a summary Proceeding; and if in any Proceeding under this Enactment it shall be proved to the Satisfaction of the Justice or Justices that any such Locality, Premises, or Place are or is unfit for the keeping of Swine, such Justice or Justices may prohibit the using thereof for that Purpose for the future; and any Person disobeying the Order of any Justice or Justices in this Behalf shall be liable to a Penalty of Ten Shillings for every Day during such his Default.

Sect. 131 of 18 & 19 Vict. c. 120. and Sect. 35 of 20 & 21 Vict. c. cxxxv. repealed. Licences to continue.

92. The One hundred and thirty-first Section of the firstly-recited Act, and the Thirty-fifth Section of "The Metropolitan Market Act, 1857," (Twentieth and Twenty-first *Victoria*, Chapter One hundred and thirty-five) (Local and Personal), are repealed; but all Licences granted in pursuance of the Provisions in the said repealed Sections contained shall continue in force for the Space of One Year next after the Day of the granting of the same respectively, and all Offences heretofore committed against the Provisions of the said Acts, or either of them, in relation to Slaughter-houses, shall be dealt with in every respect as if this Act had not been passed.

Licensing Cowhouses.

93. From and after the First Day of *November* One thousand eight hundred and sixty-two no Place within any Parish or Place mentioned in the Schedules to the firstly-recited Act shall be used by any Person carrying on the Business of a Slaughterer of Cattle or Cowkeeper or Dairyman as a Slaughter-house for the Purpose of slaughtering Cattle or a Cowhouse or Place for the keeping of Cows, without a Licence had for such Purpose respectively from the Justices of the Peace assembled at a Special Sessions held in the Division or District where such Slaughter-house, Cowhouse, or Place is situate, and such Licence shall continue in force for the Period of One Year from the granting thereof, and thenceforth until the Special Sessions to be held next after the Expiration of such Period, and no Fee or Reward exceeding Five Shillings shall be taken for any such Licence; and if any Person carrying on such Business of a Slaughterer of Cattle, Cowkeeper, or Dairyman use as a Slaughter-house or Cowhouse any Place within any Parish or Place mentioned in the Schedules of the firstly-recited Act which is not so licensed, every Person so offending shall for each Offence be liable to a Penalty not exceeding Five Pounds, of which Offence the Fact that Cattle have been taken into such Place shall be deemed sufficient *primâ facie* Evidence: Provided always, that before any Licence for the Use of any Place as a Slaughter-house or Cowhouse is granted as aforesaid, Fourteen Days Notice of the Intention to apply for such Licence shall be given to the Vestry or District Board of the Parish or District in which any such Place is situate, to the Intent that such Vestry or District Board, if they think fit, may show Cause against the granting of any such Licence, and also Seven Days Notice previous to such

Special Sessions being held of the Intention to apply for such Licence shall be given to the Clerk of the Justices for such Division: Provided, that nothing in this Act contained shall extend to Slaughter-houses erected or to be erected in the Metropolitan Cattle Market under the Authority of the Metropolitan Market Act, 1851, or the Metropolitan Market Act, 1857.

Month's Notice to be given of applying for Licence for keeping Slaughter-house.

94. Before any Licence for the keeping or using of any House or Place within the Metropolitan Police District as a licensed Slaughtering House or Place for the Purpose of slaughtering or killing Horses or other Cattle not killed for Butchers' Meat shall be granted by any Quarter Sessions of the Peace under the Provisions of the Act of the Session holden in the Twenty-sixth Year of the Reign of His Majesty King *George* the Third, Chapter Seventy-one, or of the Act of the Session holden in the Seventh and Eighth Years of Her present Majesty, Chapter Eighty-seven, or any Act amending either of the said Acts, One Month's previous Notice of the Intention to apply for such Licence shall be given to the Vestry or District Board of the Parish or District in which such House or Place is situate, to the Intent that such Vestry or District Board, if they think fit, may show Cause against the Grant of such Licence.

Vestries and District Boards to contract for Removal of Manure from Stables and Cowhouses.

95. It shall be lawful for every Vestry and District Board, if they in their Discretion think fit, to appoint and employ a sufficient Number of Persons, or to contract with any Company or Persons, for collecting and removing the Manure and refuse Straw from such Stables and Cowhouses within their Parish or District, the Occupiers of which may signify their Consent in Writing to such Removal; provided that such Consent shall not be withdrawn or revoked without One Month's previous Notice to the Vestry or District Board, and that no Person shall be hereby relieved from any Penalty or Penalties to which they may be subject for placing Dung or Manure upon the Footways or Carriageways of any Parish or District, or for having any Accumulation or Deposit of Manure so as to be a Nuisance or injurious to Health.

Vestry or District Board may require Payment of Costs or Expenses from Owner or Occupier, and Occupier paying to deduct from Rent.

96. The Two hundred and seventeenth, Two hundred and eighteenth, and Two hundred and nineteenth Sections of the firstly-recited Act are hereby repealed; and in lieu thereof be it enacted, That it shall be lawful for any Vestry or District Board, at their Discretion, to require the Payment of any Costs or Expenses which the Owner of any Premises may be liable to pay under the said recited Act or this Act either from the Owner or from any Person who then or at any Time thereafter occupies such Premises, and such Owner or Occupier shall be liable to pay the same, and the same shall be recovered in manner authorized by the recited Act and this Act; and the Owner shall allow such Occupier to deduct the Sums of Money which he so pays out of the Rent from Time to Time becoming due in respect of the said Premises as if the same had been actually paid to such Owner as Part of such Rent: Provided always that no such Occupier shall be required to pay any further Sum than the Amount of Rent for the Time being due from him, or which, after such Demand of such Costs or Expenses from such Occupier, and after Notice not to pay his Landlord any Rent without first deducting the Amount of such Costs or Expenses, becomes payable by such Occupier, unless he refuse, on Application being made to him for that Purpose by or on behalf of the Vestry or District Board, truly to disclose the Amount of his Rent, and the Name and Address of the Person to whom such Rent is payable, but the Burden of Proof that the Sum demanded from any such Occupier is greater than the Rent due by him at the Time of such Notice, or which has since accrued, shall lie upon such Occupier: Provided also, that nothing herein contained shall be taken to affect any Contract made or to be made between any Owner and Occupier of any House, Building, or other Property whereof it is or may be agreed that the Occupier shall pay and discharge all Rates, Dues, and Sums of Money payable in respect of such House, Building, or other Property, or to affect any Contract whatsoever between Landlord and Tenant.

Agreements between Landlord and Tenant not to be affected.

Deduction by Owner paying Rent where Amount of Expenses deducted from Rent paid to him.

97. If the Owner or Landlord of any Premises from whose Rent any Amount shall be deducted in respect of any Costs, Charges, or Expenses payable under the firstly-recited Act or this Act shall hold the Premises in respect of which the Amount of such Costs, Charges, or Expenses shall be paid at a Rent not less than the Rackrent, he shall be entitled to deduct the whole Amount paid by him on account of such Costs, Charges, or Expenses from the Rent payable by him to his superior Landlord; and if he holds at a Rent less than the Rackrent, he shall be entitled to deduct from the Rent so payable by him a Sum bearing the same Proportion to the Amount so paid by him on account of such Costs, Charges, or Expenses as his Rent shall bear to the Rackrent; and if the Owner or Landlord from whose Rent any Deduction be made under the Provision last aforesaid be himself liable to the Payment of Rent for the Premises in respect of which the Deduction shall be made, and hold such Premises for a Term of which less than Twenty-one Years shall be unexpired, but not otherwise, he may deduct from the Rent so payable by him a Sum bearing the same Proportion to the Sum deducted from the Rent payable to him as the Rent payable by him shall bear to the Rent payable to him, and so on in succession with respect to every Landlord of the same Premises both receiving and liable to pay Rent in respect thereof, and holding the same for a Term of which less than Twenty-one Years shall be unexpired as aforesaid: Provided always, that nothing herein contained shall be construed to entitle any Person to deduct from the Rent payable by him more than the whole Sum deducted from the Rent payable to him: Provided also, that nothing herein contained shall be taken to affect any Contract made or to be made between any Owner or Occupier of any House, Building, or other Property whereof it is

or may be agreed that the Occupier shall pay and discharge all Rates, Dues, and Sums of Money payable in respect of such House, Building, or other Property, or to affect any Contract whatsoever between Landlord and Tenant.

Roads, &c. laid out as Streets to be of full Width of Forty Feet for Carriage Traffic, and Twenty Feet for Foot Traffic.

98. No existing Road, Passage, or Way being of a less Width than Forty Feet shall be hereafter formed or laid out for building as a Street for the Purposes of Carriage Traffic, unless such Road, Passage, or Way be widened to the full Width of Forty Feet, the Measurement of the Width of such Street to be taken Half on either Side from the Centre or Crown of the Roadway to the external Wall or Front of the Houses or Buildings erected or intended to be erected on each Side thereof; but where Forecourts or other Spaces are intended to be left in front of the Houses or Buildings, then the Width shall be measured up to the Fence or Boundary dividing or intended to divide such Forecourts or Spaces from the Public Way, or for the Purposes of Foot Traffic only, unless such Road, Passage, or Way be widened to the full Width of Twenty Feet, measured as aforesaid, or unless such Streets respectively shall be open at both Ends, from the Ground upwards; and any Road, Passage, or Way hereafter to be formed or laid out for either of the Purposes aforesaid shall be deemed to be a new Street, and become subject to all the Provisions of the recited Acts and this Act, and to the Provisions and Penalties of and under any Byelaws made or to be made in pursuance thereof in relation to Sewerage, Drainage, or Paving, and to Width, Construction, Surface, Inclination, and other Requirements and Particulars.

Metropolitan Board may sanction Streets of less Width, &c.

99. Provided that it shall be lawful for the Metropolitan Board of Works to permit the Formation of any such Street of less Width than herein-before provided, or with One Opening only, should they under any special Circumstances deem it equitable and expedient so to do.

Power to Vestries, &c. to borrow Monies for the Improvement of Streets.

100. It shall be lawful for every Vestry and District Board mentioned in Clause One hundred and eighty-three of the first-recited Act to exercise the Power to borrow Monies therein mentioned, with the Sanction of the Metropolitan Board of Works granted under their Common Seal, for the Purpose of enabling such Vestry or District Board to make, extend, widen, alter, or improve any Street, Road, or Way, for facilitating the Passage and Traffic within the Parish or District for which such Vestry or District Board is appointed, or for the Purpose of contributing to and of joining with the Metropolitan Board or with any other Board or Persons in any such Improvement.

Any Vestry or District Board may put an end to any Powers of Appointment of Inspectors of Weights and Measures existing under any Local Act in their Parish or District.

101. If any Vestry, Commissioners, or other Body in whom any Duties or Powers in relation to the Appointment of Inspectors or Examiners of Weights and Measures are now vested under any Local Act, Charter, or otherwise, desire that such Duties or Powers should cease, and that Inspectors of Weights and Measures appointed or to be appointed at General or Quarter Sessions, pursuant to the Provisions of the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Sixty-three, and of any Act amending the same, should act in and for the Parts to which such Local Act extends, so far as regards their Parish or District, and a Resolution to that Effect be passed by a Majority, at a Meeting of the Vestry or Board specially convened for the Purpose of considering the Question of determining such Duties or Powers, of which not less than Fourteen Days Notice shall have been given, Notice of such Resolution shall be given by the Clerk of such Vestry or Board to the Clerk of the Peace for the County in which their Parish or District is situate; and such Notice shall be laid by such Clerk of the Peace before the next Court of General or Quarter Sessions of the Peace for such County; and from and after the Receipt of such Resolution by such Justices the Appointment, and all Powers of Appointment, of any Inspector or Examiner appointed under any such Local Act shall cease so far as regards such Parish or District, but not so as to affect any pending Proceedings for Penalties or otherwise; and all the Provisions of the said Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Sixty-three, and of any Act amending the same, shall apply to such Parish or District as if such Local Act were not in force therein.

Recovery of Penalties.

102. Every Penalty or Forfeiture imposed by this Act, and made recoverable by a summary Proceeding, may be recovered before any Justice of the Peace in manner provided by the Act of the Session holden in the Eleventh and Twelfth Years of Her Majesty, Chapter Forty-three.

Expenses of Act to be included among general Expenses of executing Acts.

103. The Expenses incurred by the Metropolitan Board of Works in applying for and passing this Act, and preparatory or incident thereto, shall be and are hereby included among the general Expenses of the said Board in the Execution of the firstly-recited Act, and may be defrayed accordingly; and the Expenses incurred by any Vestry or District Board in relation to this Act shall be and are hereby included among the other Expenses incurred by that Vestry or District Board in the Execution of the firstly-recited Act, and may be defrayed accordingly.

Extension of certain Provision of 18 & 19 Vict. c. 120. s. 227.

104. The Provision in the Two hundred and twenty-seventh Section of the firstly-recited Act for the Recovery of Penalties and Forfeitures imposed by the said Act is hereby extended to any Damages, Costs, or Expenses payable or recoverable under the said recited Acts or this Act; and any such Damages, Costs, or Expenses, the Recovery whereof is not otherwise provided for, may be recovered by summary Proceedings in manner directed by the said Section.

Application of Penalties.

105. The Two hundred and thirty-fourth Section of the firstly-recited Act is hereby repealed; and in lieu thereof be it enacted, That all Penalties or Forfeitures payable or recoverable under the firstly-recited Act or this Act, and all Penalties or Forfeitures recovered by any Vestry or District Board acting as the Local Authority for the Execution within their respective Parish or District of "The

Nuisances Removal Act, for *England*, 1855," shall go and be paid in manner herein-after mentioned, anything contained in an Act made and passed in the Session holden in the Second and Third Years of the Reign of Her present Majesty, Chapter Seventy-one, or in any other Act or Acts to the contrary notwithstanding; that is to say, One Half shall go to the Informer, and the Remainder shall go to the Vestry or District Board of the Parish or District in which the Offence was committed, or to the Metropolitan Board of Works, in case the Injury shall have been sustained by or the Offence committed in respect of that Board; or if such Vestry or District Board or the Metropolitan Board of Works be the Informers, then the whole of the Penalty recovered shall go to them respectively, and all Sums which shall go to or be recovered by any Board or Vestry on account of any Penalty or Forfeiture shall be paid to their Treasurer, or into such Bank to their Account as they may direct, and shall be applicable towards the general Expenses of such Board or Vestry; provided that in every Case where any Board or Vestry are liable to any Penalty or Forfeiture, the whole of such Penalty or Forfeiture shall go to the Informer.

Notice of Action, &c.

106. No Writ or Process shall be sued out against or served upon, and no Proceeding shall be instituted against the Metropolitan Board of Works, or any Vestry or District Board, or their Clerk, or any Clerks, Surveyor, Contractor, Officer, or Person whomsoever, acting under their or any of their Directions, for anything done or intended to be done under the Powers of such Board or Vestry under the said Acts or this Act, until the Expiration of One Calendar Month next after Notice in Writing shall have been served upon such Board or Vestry, or where the Action or Proceeding shall be against such Officer or other Person acting under their or any of their Directions shall have been delivered to him or left at his Office or Place of Abode, stating the Cause of Action or Grounds of the Proceeding or Demand, and the Name and Place of Abode of the intended Plaintiff or Claimant and of his Attorney or Agent in the Cause or Proceeding; and upon the Trial of any Action the Plaintiff shall not be permitted to go into Evidence of any Cause of Action except such as is stated in the Notice so served or delivered, and unless such Notice be proved the Jury shall find for the Defendant; and every such Action and Proceeding shall be brought or commenced within Six Months next after the Accrual of the Cause of Action or Ground of Claim or Demand, and not afterwards, and every such Action shall be laid and tried in the County or Place where the Cause of Action accrued, and not elsewhere; and the Defendant shall in any such Action be at liberty to plead the General Issue, and give the said recited Acts and this Act and all special Matter in Evidence thereunder; and it shall be lawful for the Board or Vestry, or any Person to whom such Notice is given as aforesaid, to tender Amends to the Plaintiff, his Attorney or Agent, at any Time within One Calendar Month after Service of such Notice, and in case the same be not accepted to plead such Tender in Bar, and (by Leave of the Court) with the General Issue or other Plea or Pleas; and if upon Issue joined upon any Plea pleaded to the whole Action the Jury find generally for the Defendant, or if the Plaintiff be nonsuited or discontinue, or if Judgment be given for the Defendant, then the Defendant shall be entitled to full Costs of Suit, and have Judgment accordingly; and in case Amends have not been tendered as aforesaid, or in case the Amends tendered be insufficient, it shall be lawful for the Defendant, by Leave of the Court, at any Time before Trial, to pay into Court under Plea such Sum of Money as he may think proper, and (by the like Leave) to plead the General Issue or other Plea or Pleas, any Rule of Court or Practice to the contrary notwithstanding.

Limitation.

Venue.

General Issue.

Tender of Amends.

Penalties to be proceeded for within Six Months.

107. The Two hundred and thirty-third Section of the firstly-recited Act is hereby repealed; and in lieu thereof be it enacted, That no Person shall be liable for the Payment of any Penalty or Forfeiture under the recited Acts or this Act, or any Byelaw made by virtue thereof, for any Offence made cognizable before a Justice, unless the Complaint respecting such Offence have been made before such Justice within Six Months next after the Commission or Discovery of such Offence.

Application of Act.

108. Except as herein specially provided, nothing herein contained shall in any way prejudice or affect any Act, Matter, or Thing made, done, or commenced prior to the passing of this Act.

No further Liability to attach to Places named in Sched. (C.) of 18 & 19 Vict. c. 120.

109. Nothing in this Act contained shall be held to make the several Places named in Schedule (C.) of the firstly-recited Act liable to any Payment or Assessment to which they would not have been liable if this Act had not been passed.

Construction of Acts.

110. The said recited Acts and this Act shall be construed together as One Act.

Short Titles.

111. The recited Acts may be respectively cited for all Purposes as "The Metropolis Management Act, 1855," "The Metropolis Management Amendment Act, 1856," and "The Metropolis Management Amendment Act, 1858;" and this Act may be cited for all Purposes as "The Metropolis Management Amendment Act, 1862."

Interpretation of Terms.

112. In the Construction of the recited Acts and this Act the Term "Metropolis" shall be deemed to include the City of *London* and the Parishes and Places mentioned in the Schedules (A.), (B.), and (C.) to the firstly-recited Act; the Word "Drain" shall be deemed to apply to and include the Subject Matters specified in the Two hundred and fiftieth Section of the firstly-recited Act, and also any Drain for draining a Group or Block of Houses by a combined Operation, laid or constructed before the First Day of *January* One thousand eight hundred and fifty-six, pursuant to the Order or Direction or with the Sanction or Approval of the Metropolitan Commissioners of Sewers; the Expression "Water Company" shall mean and include any of the Companies enumerated in the Twenty-ninth Section of the

Act

Act of the Session of the Fifteenth and Sixteenth Years of the Reign of Queen *Victoria*, Chapter Eighty-four, for the making better Provision respecting the Supply of Water to the Metropolis, and also any other Company, Board, or Commission, Association, Person, or Partnership, corporate or unincorporate, for the Time being supplying the Metropolis or any Part thereof with Water for Domestic Use; the Word "Cattle" shall include Sheep, Lambs, and Swine; the Word "Street" shall be deemed to apply to and include the Subject Matters specified in the Two hundred and fiftieth Section of the firstly-recited Act, and also any Mews and a Part thereof; the Expression "new Street" shall apply to and include all Streets hereafter to be formed or laid out, and a Part of any such Street, and also all Streets, the Maintenance of the Paving and Roadway whereof had not, previously to the passing of this Act, been taken into Charge and assumed by the Commissioners, Trustees, Surveyors, or other Authorities having Control of the Pavements or Highways in the Parish or Place in which such Streets are situate, and a Part of any such Street, and also all Streets partly formed or laid out; the Word "pave" shall apply to and include the Formation of the Roadway or Footway of any Street; the Word "Clerk" shall include any Officer called or to be called "Secretary;" the Word "Surveyor" shall include any Officer called or to be called "Engineer;" the Word "Print" shall apply to and include every Mode of taking Impressions, whether by Letter Press, Stereotype, Lithography, or otherwise.

Finsbury Park Act continued till 1863.

113. 'Whereas an Act was passed in the Session of Parliament holden in the Twentieth and Twenty-first Years of Her Majesty, "to enable the Metropolitan Board of Works to form a Park for the "Northern Suburbs of the Metropolis, to be called *Finsbury Park*:" And whereas it is expedient to continue the said Act for such Period as herein mentioned:' Be it therefore enacted, That the said Act shall be continued in force until the Seventeenth Day of *August* One thousand eight hundred and sixty-three, in like Manner as if the Time so limited had been the Time limited by the said Act of the Twentieth and Twenty-first Years of *Victoria*, Chapter One hundred and twenty.

Amendment of 18 & 19 Vict. c. 120. s. 193.

114. There shall be repealed so much of the One hundred and ninety-third Section of an Act passed in the Session holden in the Eighteenth and Nineteenth Years of the Reign of Her present Majesty, Chapter One hundred and twenty, intituled *An Act for the better Local Management of the Metropolis*, as provides that the Auditor of the Accounts of the Metropolitan Board shall be paid by such Board not exceeding Five Guineas for every Day he is fully employed on such Audit, and all Expenses he is put to in the auditing of such Accounts; provided always, that such Payment shall not exceed Fifty Guineas: And in lieu thereof, be it enacted, That the Auditor of the Accounts of the Metropolitan Board shall be paid by such Board a Sum not exceeding Two Guineas for every Day that he is fully employed on such Audit, and all Expenses that he is put to in the auditing of such Accounts, provided that such Payments do not in the whole exceed One hundred Guineas.

Certain Powers under Local Act. 10 G. 4. c. lxviii. respecting St. Paul, Covent Garden, transferred.

115. From and after the passing of this Act all Duties, Powers, and Authorities under the Local Act of the Tenth Year of *George* the Fourth, Chapter Sixty-eight, now remaining vested in the Committee of Management of the Affairs of the Parish of *Saint Paul, Covent Garden*, shall cease to be so vested, and shall become vested in and be performed and exercised by the Vestry of such Parish, elected under the Act of the Eighteenth and Nineteenth Years of *Victoria*, Chapter One hundred and twenty, and that the said Committee shall cease and be determined, and no new Appointment or Election of such Committee shall take place.

Saving Rights of the Crown and the Duchy of Lancaster.

116. It shall not be lawful for the Metropolitan Board of Works, or for any Vestry or District Board, to take, use, or in any Manner interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights, of whatsoever Nature, belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty in right of Her Crown, or in right of the Duchy of *Lancaster*, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty, first had and obtained for that Purpose, which Consent such Commissioners are hereby respectively authorized to give, or without the Consent in like Manner of the Chancellor of the said Duchy; and nothing herein contained shall divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors, in right of Her Crown or in right of Her Duchy of *Lancaster*: Provided always, that nothing herein contained shall in any way lessen, alter, or in any Manner prejudice or affect the Rights, Powers, and Authorities of the Metropolitan Board of Works relating to the Main Drainage of the Metropolis, but such Rights, Powers, and Authorities may be put in force as if this Section had not been passed.

Saving Rights of the Crown in respect of the Duchy of Cornwall.

117. It shall not be lawful for the Metropolitan Board of Works, or for any Vestry or District Board, to take, use, or in any Manner interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights, of whatsoever Nature, belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty in right of Her Duchy of *Cornwall*, without the Consent in Writing of Two or more of the principal Officers of the Duchy, which Consent such principal Officers of the Duchy are hereby authorized to give; and nothing herein contained shall divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors, in respect of the said Duchy: Provided always, that nothing herein contained shall in any way lessen, alter, or in any Manner prejudice or affect the Rights, Powers, and Authorities of the Metropolitan Board of Works relating to the Main Drainage of the Metropolis, but such Rights, Powers, and Authorities may be put in force as if this Section had not been passed.

SCHE-

SCHEDULES to which this Act refers.

SCHEDULE A.

LIST OF CERTAIN SECURITIES AND LIABILITIES OF METROPOLITAN COMMISSIONERS OF SEWERS.

Name of Lender, Party holding Security, or for whose Life Annuity granted.	Amount of Loan, or Value of Annuity. £	s.	d.	Date of Loan or Grant of Annuity.
John Newberry George	3,000	0	0	11th April 1823.
Mary Robinson	2,000	0	0	12th March 1824.
G. B. Hart (Executors of)	1,000	0	0	"
B. D. Kershaw	1,000	0	0	"
Rev. E. D. Kershaw	1,000	0	0	"
Samuel Kershaw	2,000	0	0	4th June 1824.
T. W. Meller (Executors of)	3,000	0	0	12th December 1828.
Do. (do.)	9,500	0	0	13th January 1832.
J. Hicks (Executors of)	5,000	0	0	8th March 1833.
John Hobbs	2,000	0	0	27th May 1840.
J. G. Hall	1,500	0	0	10th Sept. 1847.
Helena Balcombe (Trustees of)	1,500	0	0	"
Philip Green	1,000	0	0	"
James Courthope Peache	10,000	0	0	2d May 1851.
Royal Exchange Assurance Corporation	20,000	0	0	17th Sept. 1852.
Rock Life Assurance Company	228,800	0	0	Between 1st March 1854 and 1st Feb. 1855.
ANNUITIES. (Estimated Value, 1st January 1856.)				
Charlotte Swabey	210	10	0	19th April 1816.
William Edwards	961	18	7	12th April 1822.
Sarah Dorothy Woodifield	85	19	0	10th October 1823.
Louisa Turner	1,039	11	4	"
Sarah Dorothy Hunt	217	13	11	27th August 1824.
Maria Woodroffe	259	13	11	22d October 1824.
Carolina Jeremy	544	3	8	28th July 1826.
Margaret Symons	70	4	2	
Total £	295,689	14	7	

SCHEDULE B.

APPORTIONMENT OF DEBT ON LOAN FROM THE CLERGY MUTUAL ASSURANCE SOCIETY.

Parishes and Places.	Amount charged on each Parish or Part. £	s.	d.	£	s.	d.
Saint Marylebone	-	-	-	10,563	0	3
Saint Pancras	-	-	-	7,466	4	7
Lambeth	-	-	-	5,181	16	6
Saint George Hanover Square	-	-	-	9,449	0	3
Saint Mary Islington	-	-	-	4,618	18	9
Saint Leonard Shoreditch	-	-	-	2,658	15	6
Paddington	-	-	-	4,544	19	0
Saint Matthew Bethnal Green	-	-	-	1,103	13	8
Saint Mary Newington, Surrey	-	-	-	2,008	4	8
Camberwell	-	-	-	2,219	12	6
Saint James Westminster	-	-	-	4,348	6	3
Saint James and Saint John Clerkenwell	-	-	-	2,274	5	0
Chelsea	-	-	-	2,290	7	2
Saint Mary Abbotts Kensington	-	-	-	2,560	17	2
Saint Luke Middlesex	-	-	-	1,726	0	6

Metropolis Local Management Acts Amendment.

Parishes and Places.	Amount charged on each Parish or Part.					
	£	s.	d.	£	s.	d.
Saint George the Martyr, Southwark	-	-	-	1,317	12	3
Bermondsey	-	-	-	1,391	12	0
Saint George in the East	-	-	-	1,754	11	5
Saint Martin the Fields	-	-	-	2,642	8	3
Hamlet of Mile End Old Town	-	-	-	1,589	2	6
Rotherhithe	-	-	-	676	9	2
Saint John Hampstead	-	-	-	814	2	4
Whitechapel District.						
Saint Mary Whitechapel	1,139	14	1			
Christchurch Spitalfields	370	13	2			
Saint Botolph Without Aldgate	488	1	11			
Holy Trinity Minories	63	0	4			
Precinct of St. Katharine	169	2	3			
Hamlet of Mile End New Town	149	13	4			
Liberty of Norton Folgate	81	18	8			
Old Artillery Ground	42	8	11			
District of the Tower	28	17	6			
				2,533	10	2
Westminster District.						
Saint Margaret and Saint John the Evangelist	-	-	-	2,695	5	2
Greenwich District.						
Saint Paul Deptford, including Hatcham	1,048	3	10			
Saint Nicholas Deptford	211	7	10			
Greenwich	1,268	7	2			
				2,527	18	10
Wandsworth District.						
Clapham	871	19	11			
Tooting Graveney	103	15	8			
Streatham	514	14	10			
Saint Mary Battersea, excluding Penge	836	1	2			
Wandsworth	464	0	2			
Putney, including Roehampton	369	19	9			
				3,160	11	6
Hackney District.						
Hackney	2,451	0	4			
Saint Mary Stoke Newington	283	7	10			
				2,734	8	2
Saint Giles District.						
Saint Giles in the Fields and Saint George Bloomsbury	-	-	-	2,772	2	5
Holborn District.						
Saint Andrew Holborn above Bars, and Saint George the Martyr	1,395	3	10			
Saint Sepulchre, in the County of Middlesex	187	11	10			
Saffron Hill, &c.	294	11	4			
Liberty of Glasshouse Yard	38	9	11			
				1,915	16	11
Strand District.						
Saint Anne Soho	958	7	5			
Saint Paul Covent Garden	458	17	10			
Precinct of the Savoy	90	9	6			
Saint Mary-le-Strand	157	1	4			
Saint Clement Danes	897	15	9			
Liberty of the Rolls	169	18	4			
				2,732	10	2
Fulham District.						
Saint Peter and Saint Paul Hammersmith	713	9	0			
Fulham	501	19	6			
				1,215	8	6

Parishes and Places.	Amount charged on each Parish or Part.					
	£	s.	d.	£	s.	d.
Limehouse District.						
Saint Anne Limehouse	586	7	3			
Saint John Wapping	373	11	6			
Saint Paul Shadwell	325	12	7			
Hamlet of Ratcliffe	463	14	3			
				1,749	5	7
Poplar District.						
All Saints Poplar	1,637	9	10			
Saint Mary Stratford-le-Bow	286	1	2			
Saint Leonard Bromley	383	6	9			
				2,306	17	9
Saint Saviour's District.						
Christchurch	671	3	5			
Saint Saviour (including the Liberty of the Clink)	1,030	10	10			
				1,701	14	3
Plumstead District.						
Charlton next Woolwich	311	16	1			
Plumstead	300	9	11			
Eltham	157	9	9			
Lee	248	7	9			
Kidbrooke	90	18	0			
				1,109	1	6
Lewisham District.						
Lewisham, including Sydenham	1,149	19	7			
Hamlet of Penge	309	13	9			
				1,459	13	4
Saint Olave District.						
Saint Olave	536	6	1			
Saint Thomas Southwark	47	12	6			
Saint John Horsleydown	438	12	10			
				1,022	11	5
The Charter House	-	-	-	20	11	10
Grays Inn	-	-	-	142	13	10
TOTAL	-	-	-	105,000	0	0

SCHEDULE C.

Form of Assessment.

RESOLVED, That this Board do and they do hereby ascertain the Sums which ought, in their Judgment, to be charged upon the several Parts of the Metropolis, and other Parts charged with Mortgages, Debts, and Liabilities at the Expiration of the Act of the 11th and 12th Years of Her Majesty, Chapter 112, for defraying the Expenses of the said Board, in the Execution of the Metropolis Local Management Act, 1855, for the Year ending 18 , under and pursuant to the said Act and the Acts for amending the same; and ordered that such Sums be assessed as herein-after specified, and they are hereby assessed upon such Parts respectively, and that Precepts under the Common Seal of the Board do issue for obtaining Payment thereof:—

Parishes, Districts, or Parts.	Sums assessed.
[*Here insert the Parishes Districts, Parts of Parishes, &c., as for instance,*]	
City of London, the whole - - -	
Parish of _____, the whole - -	
That Part of the Parish included in former District [*or* Level *or* Division] - - -	
That Part of the Parish included in former District [*or* Level *or* Division] - - -	
[*And so on, adding the Names of the other Parishes, Districts, Parts of Parishes, &c., on which Sums are assessed, and the Sums assessed.*]	

Form of Precept demanding One Sum assessed upon the whole of a Parish or other Place.

To the Vestry [*or other Body or Person charged with Payment of the Amount*] of the Parish [*or other Place, describing it by Name*].

By virtue of an Act passed in the Nineteenth Year of the Reign of Queen Victoria, intituled "An "Act for the better Local Management of the Metropolis,"

The Metropolitan Board of Works do issue this their Precept under their Common Seal to you the said Vestry [*or* Chamberlain, *&c.*], and do hereby require you to pay to on or before the Day of now next ensuing, the Sum of Pounds Shillings and Pence, being the Sum which ought, in the Judgment of the said Board, to be charged upon the said Parish [*or* City, *&c.*], for defraying the Expenses of the said Board in the Execution of the said Act, and which they the said Board did, on the Day of 18 , ascertain and assess upon the said Parish [*or* City, *&c.*], for such Purpose, under and in pursuance of the Provisions of the said Act and the Acts for amending the same in that Behalf.

Dated this Day of 18 .

L. S.

Form of Precept demanding an Amount made up of a Sum assessed upon the whole of a Parish or other Place, and of a Sum or Sums assessed upon a Part or Parts of such Parish or Place.

To the Vestry [*or other Body or Person charged with Payment of the Amount*] of the Parish [*or other Place, describing it by Name*].

By virtue of an Act passed in the Nineteenth Year of the Reign of Queen Victoria, intituled "An "Act for the better Local Management of the Metropolis,"

The Metropolitan Board of Works do issue this their Precept under their Common Seal to you the said Vestry, and do hereby require you to pay to on or before the Day of now next ensuing, the Sum of Pounds Shillings and Pence, the Sum of Pounds Shillings and Pence, Part of the said Sum of Pounds Shillings and Pence, being the Sum which ought, in the Judgment of the said Board, to be charged upon the whole of the said Parish for defraying the Expenses of the said Board in the Execution of the said Act, and which they the said Board did, on the Day of 18 , ascertain and assess upon the said Parish for such Purpose, under and in pursuance of the Provisions of the said Act and the Acts for amending the same in that Behalf.

*The Sum of Pounds Shillings and Pence, other Part of the said Sum of Pounds Shillings and Pence, being the Sum which ought, in the Judgment of the said Board, to be charged upon that Part of the said Parish of which was at and immediately before the Determination and Expiration of the Metropolitan Sewers Act, 1848, included in the Sewerage District, for defraying the Expenses of the said Board in the Execution of the said Act, and which they the said Board did, on the Day of 18 , ascertain and assess upon the said Part of the said Parish for such Purpose, under and in pursuance of the Provisions of the said Act and the Acts for amending the same in that Behalf. [*Where distinct Sums are assessed upon other Parts of the same Parish, that Portion of the preceding Form commencing at * may be repeated in each Case.*]

Dated this Day of 18 .

L. S.

Form of Precept to a District Board of Works, demanding a Sum assessed upon the whole of a Parish within the District, or an Amount consisting of a Sum assessed upon the whole Parish, and a Sum or Sums assessed upon a Part or Parts of the same Parish.

To the Board of Works for the District.

By virtue of an Act passed in the Nineteenth Year of the Reign of Queen Victoria, intituled "An "Act for the better Local Management of the Metropolis,"

The Metropolitan Board of Works do issue this their Precept under their Common Seal to you the said District Board of Works for the said District, and do hereby require you to pay to on or before the Day of now next ensuing,* the Sum of Pounds Shillings and Pence, being the Sum which ought, in the Judgment of the said Board, to be charged upon the Parish of within the said District, for defraying the Expenses of the said Board in the Execution of the said Act, and which they the said Board did, on the Day of 18 , ascertain

ascertain and assess upon the said Parish for such Purpose, under and in pursuance of the Provisions of the said Act and the Acts for amending the same in that Behalf.

*[*Where the Amount demanded is made up of a Sum assessed upon a whole Parish within the District, and also of a Sum or Sums assessed on a Part or Parts of the same Parish, the Form may be as follows :—*

The Sum of Pounds Shillings and Pence, Part of the said Sum of Pounds Shillings and Pence, being the Sum which ought, in the Judgment of the said Board, to be charged upon the whole of the Parish of within the said District, for defraying the Expenses of the said Board in the Execution of the said Act, and which they the said Board did, on the Day of 18 , ascertain and assess upon the said Parish for such Purpose, under and in pursuance of the Provisions of the said Act and the Acts for amending the same in that Behalf.

The Sum of Pounds Shillings and Pence, other Part of the said Sum of Pounds Shillings and Pence, being the Sum which ought, in the Judgment of the said Board, to be charged upon that Part of the said Parish of within the said District, which was at and immediately before the Determination and Expiration of the Metropolitan Sewers Act, 1848, included in the separate Sewerage District, for defraying the Expenses of the said Board in the Execution of the said Act, and which they the said Board did, on the Day of 18 , ascertain and assess upon the said Part of the said Parish for such Purpose, under and in pursuance of the Provisions of the said Act and the Act for amending the same in that Behalf.]

Dated this Day of 18 .

L. S.

Form of Precept to a District Board of Works, where Sums are assessed upon several Parishes and Parts of Parishes within the District.

To the Board of Works for the District.

By virtue of an Act passed in the Nineteenth Year of the Reign of Queen Victoria, intituled "An "Act for the better Local Management of the Metropolis,"

The Metropolitan Board of Works do issue this their Precept under their Common Seal to you the said Board of Works for the said District, and do hereby require you to pay to the on or before the Day of now next ensuing, the Sum of Pounds Shillings and Pence, being the Amount of the several and respective Sums of Money hereunder set down and expressed opposite to and against the several Parishes and Parts of Parishes within your said District herein-after mentioned, which said several Sums ought, in the Judgment of the said Board, to be charged upon the said Parishes and Parts of Parishes respectively for defraying the Expenses of the said Board in the Execution of the said Act, and which they the said Board did, on the Day of 18 , ascertain and assess upon the said several Parishes and Parts of Parishes for such Purpose, under and in pursuance of the Provisions of the said Act and the Acts for amending the same in that Behalf :

Names of Parishes, Parts of Parishes, &c.	£	s.	d.	£	s.	d.
The Parish [*or* Hamlet, Precinct, *&c.*] of _____ The whole of the Parish. That Part of the said Parish [*or* Hamlet, Precinct, *&c.* of _____], within the said _____ District, which was at and immediately before the Determination and Expiration of the Metropolitan Sewers Act, 1848, included in the _____ Sewerage District. [*And so on in the Case of each Parish, Part of a Parish, &c.*]						

Dated this Day of 18 .

L. S.

CAP. CIII.

An Act to amend the Law relating to Parochial Assessments in *England*. [7th *August* 1862.]

'WHEREAS it is expedient that more effectual Provision should be made for securing uniform and correct Valuations of Parishes in the Unions of *England*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation.

1. The Words used in this Act shall be construed in like Manner as the Words contained in the Act Fourth and Fifth of King *William* the Fourth, Chapter Seventy-six, and the Word "Committee" shall signify the Assessment Committee provided for by this Act; and this Act shall be termed "The Union Assessment Committee Act, 1862."

Appointment of the Assessment Committee by Board of Guardians.

2. The Board of Guardians of every Union, formed under the Act Fourth and Fifth Years of King *William* the Fourth, Chapter Seventy-six, shall, as soon as convenient after the passing of this Act and in every subsequent Year, at their First Meeting after the annual Election of Guardians, appoint from among themselves any Number not less than Six nor more than Twelve to be a Committee, consisting partly of *ex-officio* and partly of elected Guardians, to be called the Assessment Committee of the Union, for the Investigation and Supervision of the Valuations to be made as herein-after mentioned within such Union, and for the Performance of such said Acts and Duties as herein-after mentioned: Provided always, that One Third at least of such Committee shall consist of *ex-officio* Guardians, in case there shall be an adequate Number of such *ex-officio* Guardians; but in case an adequate Number of such *ex-officio* Guardians shall not exist, then the Number so deficient shall be made up of elected Guardians.

Where Union has the same Bounds as Borough, Names of Assessment Committee to be sent to Town Council, &c.

3. Where any Union shall have the same Bounds as a Municipal Borough, the Clerk to the Guardians of such Union shall, upon the Appointment of the Assessment Committee, if directed by the said Guardians to do so, transmit in Writing the Names of the Persons so appointed to the Town Council of such Borough, and such Council may thereupon, if they think fit, appoint from themselves a certain Number, not exceeding the Number appointed by the Board of Guardians, who shall, until they respectively cease to be Members of the Town Council or decline to act, forthwith form Part of the Assessment Committee for such Union, and the said Council may from Time to Time supply any Vacancies in the Number of Persons appointed by them.

Provision for Neglect to appoint.

4. If the Guardians shall neglect or be prevented from making such Appointment at the Meeting above specified, the Poor Law Board shall by their Order appoint some other Day on which the Guardians shall make such Appointment.

Provision for Vacancies.

5. If any *ex-officio* or elected Guardian being a Member of the Committee cease to be Guardian, or resign his Seat at such Committee, or die, or become incapable of acting as such Member, the Board of Guardians shall with all convenient Speed appoint an *ex-officio* or elected Guardian, as the Case may be, to supply the Vacancy.

As to continuing Members.

6. During any Vacancy in any Assessment Committee the other or continuing Members of such Committee may act, and shall have the same Powers and Jurisdiction as if no such Vacancy had happened.

Extent of Committee's Authority.

7. The Authority of the Committee appointed for any Union under this Act shall extend over every Parish comprised in such Union.

First Meeting, when to be holden.

8. The Committee shall hold their First Meeting at the Board Room of the Union on a Day to be fixed by the Board of Guardians, and the subsequent Meetings of the Committee shall be holden at such Times and at such Place and upon such Notice and Requisition as they shall from Time to Time appoint; and any Guardian of the Union may be present at any Meeting of the Committee, but shall not be entitled to take part in the Proceedings thereof.

Quorum of Meetings.

9. All Acts, Orders, Matters, and Things by this Act authorized or directed to be made or done by the Committee may be made or done by the major Part of the Members of such Committee who shall be present at a Meeting, the whole Number present together at such Meeting not being less than Three, and not less in any Case than One Third of the whole Number of which such Committee consists; and when upon any Question there shall be an Equality of Votes the presiding Chairman shall have a Second or Casting Vote.

Committee may employ Clerk.

10. The Committee shall employ the Clerk or Assistant Clerk of the Board of Guardians as their Clerk, with such Remuneration for his Services as the Poor Law Board shall sanction.

Proceedings to be entered in Books, and signed;

Such Entries Evidence.

Books to be open to Inspection.

11. The Committee shall cause a Minute of their Proceedings, and of the Names of the Members who attend each Meeting, to be duly made from Time to Time in Books to be provided for that Purpose, which shall be kept by their Clerk, under their Superintendence, and every such Entry shall be signed by the presiding Chairman of the Assessment Committee present at the Meeting at which the Proceeding took place; and such Entry, purporting to be so signed, shall be received as Evidence in all Courts, and before all Judges, Justices, and others, without Proof of such Meeting having been duly convened or held, or of the Persons attending such Meeting having been or being Members of the Committee, or of the Signatures of the Members, all of which Facts shall be presumed until the contrary be proved; and all such Books shall at all seasonable Times be open to the Inspection of every Person rated to the Relief of the Poor in any Parish or Place in the Union, without any Fee being demanded for such Inspection;

Inspection; and all such Persons shall be entitled at all seasonable Times to take Copies or Extracts from the said Books, without paying any Fee for the same; and if, on Request made for that Purpose, the Clerk of the Committee refuse to permit any such Person to inspect any such Books, or to take Copies or Extracts therefrom, as aforesaid, such Clerk shall for every such Offence be liable to a Penalty not exceeding Five Pounds, upon a summary Conviction for the same before Two Justices of the Peace.

Proceedings to be reported.

12. The Board of Guardians shall in the Month of *April* in every Year report the Proceedings of their Assessment Committee to the Poor Law Board.

Committee may require Returns from Overseers, &c.;

13. The Committee by their Order may from Time to Time require the Overseers, Assistant Overseers, Constables, Assessors, Collectors, and any other Persons having the Custody of any Books of Assessment of any Taxes or Rates, Parliamentary or Parochial, or of the Valuations of any Parish, or having the Collection or Management of any such Taxes or Rates, to make Returns in Writing to the Committee, at such Times and Places as they may appoint, of all such Particulars as they may direct in relation to such Taxes, Rates, or Valuations, or any Property included therein, so far as relates to the Union for which they act, and may require the Persons having the Custody of any such Books as aforesaid to make and transmit to the Committee Copies of or Extracts from such Books, or to permit such Copies or Extracts to be made by such Persons as the Committee may in that Behalf direct; and may from Time to Time require any Persons having the Custody of any such Books, or the Collection or Management of any such Taxes or Rates as aforesaid, to attend before them at a Time and Place to be mentioned in the Order in this Behalf, and to produce all parochial and public Books of Assessment, Rates, Rate Books, Valuations, Apportionments, Tithe and other Maps, Plans, Surveys, and other public Documents in their Custody or Power, and may examine all Persons who shall attend before them: Provided always, that nothing herein contained shall authorize the Production of Valuations or Assessments which by any Provision of Law at present are not suffered to be made public.

and may require Production of Rates, &c., and examine Persons attending before them.

Overseers to prepare Valuation Lists.

14. Subject to any Order as herein-after referred to which may be made by the Committee, the Overseers of each Parish in the Union shall, within Three Calendar Months after the Appointment of such Committee, make a List of all the rateable Hereditaments in such Parish, with the annual Value thereof respectively in so much of the Form shown in the Schedule annexed to the Act Sixth and Seventh *William* the Fourth, Chapter Ninety-six, as is set out in the Schedule to this Act; and unless such Overseers think that the Valuation then last acted upon in assessing the Rate for the Relief of the Poor correctly shows the full annual rateable Value of all such Hereditaments, they shall revise such Valuation, and such Overseers shall sign every List so made by them as aforesaid, and such List shall be styled "The Valuation List."

Definition of gross estimated Rental.

15. The gross estimated Rental for the Purpose of the Schedule to this Act shall be the Rent at which the Hereditament might reasonably be expected to let from Year to Year, free of all usual Tenants Rates and Taxes, and Tithe Commutation Rentcharge, if any: Provided that nothing herein contained shall repeal or interfere with the Provisions contained in the First Section of the said Act (Six and Seven *William* the Fourth, Chapter Ninety-six,) defining the net annual Value of the Hereditaments to be rated.

Committee may enlarge Time for making Valuation Lists, and may give Directions as to Valuations, &c., and may appoint Persons to make same.

16. The Committee by their Order may from Time to Time enlarge the Time within which the First Valuation Lists under this Act shall be made by the Overseers of all or any of the Parishes in the Union, and for ensuring a uniform and correct Valuation of every Parish in the Union may direct that any existing Valuation of the rateable Hereditaments in any Parish be revised, in whole or in part, or a new Valuation of such Hereditaments be made by the Overseers, or the Committee may, with the Consent of the Board of Guardians of the Union, after Notice shall have been sent to every Guardian thereof, in any Case appoint some Person for either of the Purposes aforesaid, and may direct such Person to make and sign the Valuation List instead of the Overseers, and every Valuation List so made and signed shall be delivered by such Person to the Overseers of the Parish to which the same relates.

Valuation Lists to be deposited for Inspection, and afterwards transmitted to the Committee.

17. The Valuation List for each Parish, made and signed by the Overseers, or delivered to them, as herein-before provided, shall be deposited by the Overseers in the Place in such Parish in which Rate Books are deposited or kept, and a Copy of such Valuation List shall be forthwith delivered to the Board of Guardians, and the Overseers shall give public Notice of the Deposit of such List on the *Sunday* next following the Deposit of such List, and such Notice shall be given in the same Manner, and all Persons assessed or liable to be assessed to the Relief of the Poor of such Parish shall have the like Right of inspecting, and of demanding and taking Copies of and Extracts from such List, as in the Case of a Poor Rate allowed by the Justices, and the Overseers shall, at the Expiration of Fourteen Days from the Time of the Notice given of the Deposit of such List, transmit the same to the Committee, and any Overseer or other Ratepayer within the Union shall have the Right of inspecting and taking Copies of and Extracts from any of the Lists so transmitted.

Objections to Valuation List.

18. Any Overseer or Overseers of any Parish in any Union who shall have reason to think that such Parish is aggrieved by the Valuation List of any Parish within such Union, or any Person who may feel himself aggrieved by any Valuation List on the Ground of Unfairness or Incorrectness in the Valuation of any Hereditaments included therein, or on the Ground of the Omission of any rateable Hereditament

Hereditament from such List, may at any Time after the Deposit as aforesaid of such List, and before the Expiration of Twenty-eight Days after the Notice of the Deposit as aforesaid, give to the Committee and to the Overseers a Notice in Writing of his Objection, specifying the Grounds thereof, and where the Ground of any Objection shall be Unfairness or Incorrectness in the Valuation of any Hereditament in respect of which any Person, other than the Person objecting, is liable to be rated, or the Omission of such Hereditament, also give Notice in Writing of such Objection, and of the Ground thereof, to such other Person.

Committee to hold Meetings to hear Objections.

19. The Committee shall hold such Meetings as they may think necessary for hearing Objections to the Valuation Lists, and shall, Twenty-eight Days at least before holding every Meeting for hearing Objections to Valuation Lists, other than Meetings by Adjournment, cause Notice of such Meeting to be given to the Overseers of the several Parishes to which such Lists relate, and such Overseers shall, on the *Sunday* next following the Receipt of such Notice, publish the same in the Manner in which Notice of a Rate allowed by Justices is by Law required to be given, and the Committee may at any such Meeting hear and determine such Objections, or may from Time to Time adjourn any such Meeting, and adjourn or postpone the Hearing or further Hearing and Determination of any such Objections, and may, where they think fit, direct Notice of any such Objections to be given by the Overseers or by the Persons objecting to Third Parties before the further Hearing thereof; but the Committee shall not be required to hold a Meeting for hearing Objections to the Valuation List of any Parish, unless such Notice in Writing as herein-before mentioned of some Objection or Objections thereto have been given to the Committee; and where a Meeting is holden for hearing Objections to the Valuation List of any Parish, the Committee shall not hear any Objection to such Valuation List unless such Notice as aforesaid of such Objection have been given to the Committee and to the Overseers; and where the Ground of such Objection is Unfairness or Incorrectness in the Valuation of any Hereditament of any other Person than the Person objecting, or the Omission of such Hereditament, also to such other Person by the Person objecting, except where the Overseers, by themselves or any other Person on their Behalf, and in the Case aforesaid such other Person as aforesaid, by himself or any other Person on his Behalf, consent to the Hearing of such Objection, and in such Case the Committee may, if they see fit, hear the same; and where the Committee see fit to hear the same they shall act in relation thereto in like Manner as if Notice of such Objection had been duly given.

Board may direct further Valuation, and correct Valuation Lists, and when corrected to approve the same.

20. The Committee may, whether any Objection be or be not made to any such Valuation List, and either before or after any Meeting for hearing Objections, make such Alterations in the Valuation of any Hereditaments included in any Valuation List, and insert therein any rateable Hereditament omitted therefrom, and make such Corrections in Names, Descriptions, and Particulars in any Valuation List, and upon such Information, as to them may seem sufficient, and may, with the Consent of the Guardians as aforesaid, appoint or employ a Person to survey and value the rateable Hereditaments comprised in any such Valuation List or any of them, or omitted therefrom, or may take such other Means as they may think necessary for ascertaining the Correctness thereof; and when the Committee have heard and determined all such Objections as aforesaid, and have made such Alterations, Insertions, and Corrections in any Valuation List as to them may seem proper, they shall approve the same under the Hands of Three Members of the Committee present at the Meeting at which the same is approved, with the Date of such Approval.

Valuation List when altered to be deposited, &c.

21. Where the Committee make any Alteration in the Valuation of any Hereditaments included in, or insert therein any rateable Hereditament omitted from, any such Valuation List, they shall cause such Valuation List, with such Alteration or Insertion, to be deposited for Inspection in manner herein-before provided concerning the Valuation List made by or delivered to the Overseers, and shall cause the like Notice to be given of such Deposit as is required in the Case of a Valuation List so made or delivered as aforesaid, and shall appoint a Day, not less than Seven Days nor more than Fourteen Days from the Re-deposit of such Valuation List, for the Hearing of any Objections to the Valuation List as so altered; and when the Committee have heard and determined any such Objections, or have made such further Alterations, Insertions, and Corrections in such Valuation List, they shall approve the same in manner herein-before provided.

If Rate amended on Appeal List to be altered.

22. In case any Ratepayer shall under the existing Law appeal to the Special Sessions or Quarter Sessions against any Rate made for the Relief of the Poor in any Parish, and the Result of such Appeal shall be to amend the Rate appealed against, the Assessment Committee shall alter the Valuation List of the said Parish in conformity with the Decision so made.

Custody, &c. of Valuation List after Approval.

23. Every Valuation List, when approved by the Committee, shall be delivered to the Overseers of the Parish to which the same relates, and shall be preserved at the like Place and in the like Custody, and be subject to the like Resort thereto, and be delivered over from Time to Time in like Manner, as the Books are wherein Rates and Assessments for the Relief of the Poor for the same Parish are entered, and shall be produced by the Overseers before the Justices, upon Application, for the Allowance of Rates, and at the Special or General or Quarter Sessions when any Appeal is to be heard, and also at such Times and Places as the Committee may from Time to Time direct.

24. Every

What shall be deemed Valuation Lists in force.

24. Every Valuation List approved by the Committee, and delivered to the Overseers of the Parish to which the same relates, shall, with and subject to the Alterations and Additions for the Time being made therein or thereto by any supplemental Valuation Lists so approved and delivered, be the Valuation List in force in such Parish, except in the Case of any Parish, as is herein-after referred to, in which the Poor Rate, or Assessment for the Poor Rate, is made under the Authority of a Local Act, until a new Valuation List in substitution for the same be approved and delivered in like Manner.

Overseers to prepare supplemental Valuation Lists in case of Additions to or Alterations in the rateable Property of the Parish.

25. When and so often as any Property not included in the Valuation List in force in any Parish becomes rateable, or where, by reason of any Alteration in the Occupation of any Property included in such List, such Property becomes liable to be rated in Parts not mentioned in such List as rateable Hereditaments and separately valued therein, and when and so often as it shall appear to the Overseers that any rateable Property included in such List has been increased or reduced in Value since the Valuation thereof, whether by Building, Destruction of Building, or other Alteration in the Condition thereof or otherwise, the Overseers of the Parish in each of the Cases aforesaid shall, as soon as conveniently may be, make a supplemental Valuation List showing the annual rateable Value according to the Judgment of the Overseers of the Property so become rateable, or of the Parts so become liable to be rated separately, or of the Property so increased or reduced in Value, as the Case may be.

Committee may from Time to Time direct new Valuation, and new or supplemental Valuation Lists.

26. The Committee by their Order may from Time to Time, where they see fit, upon the Application of any Person aggrieved by the Valuation List in force in any Parish, or where they themselves think the same expedient, direct a new Valuation of all or any of the rateable Hereditaments in such Parish, and a new Valuation List in substitution for such Valuation List as aforesaid, or a supplemental List in substitution for any Part thereof or in addition thereto, to be made by the Overseers, or the Committee may, with such Consent as aforesaid, appoint a Person for such Purposes; and the Committee may, in directing such new Valuation, and the making of such new or supplemental Valuation List, give and make all such or the like Directions and Provisions in relation thereto as they are authorized under this Act to give and make in relation to the Valuations and Valuation Lists first directed and authorized to be made under the Act.

Act to apply to new and supplemental Valuation Lists.

27. All the Provisions of this Act in relation to Signature, Deposit, Objections, Approval, and otherwise concerning the Valuation List first directed and authorized to be made under this Act of the rateable Hereditaments in any Parish shall be applicable to every new or supplemental Valuation List to be made under this Act.

After a Valuation List is approved no Rate to be allowed unless made according to such List.

28. In every Parish where a Valuation List under this Act has been approved and delivered to the Overseers, no Rate for the Relief of the Poor, or other Rate which by Law is required to be based upon the Poor Rate, shall be of any Force, unless the Hereditaments included in such Rate, except as herein-after provided, be rated according to the annual rateable Value thereof appearing in the Valuation List in force in such Parish; and instead of the Declaration required by the Second Section of the said Statute of the Sixth and Seventh Years of *William* the Fourth, Chapter Ninety-six, the Overseers shall, before the Rate shall be allowed by the Justices, sign a Declaration according to the Form set forth in the Schedule hereunto annexed: Provided always, that where by reason of any Alteration in the Occupation of any Property included in such List such Property has become liable to be rated in Parts not mentioned in such List as rateable Hereditaments, and separately rated therein, such Parts may, where a supplemental Valuation List showing the annual rateable Value of such Parts has not been approved and delivered as herein-before required, and whether such List has or has not been made, be rated according to such Amounts as shall be fair apportioned Parts of the annual rateable Value appearing in such Valuation List in force as aforesaid of the Hereditaments out of which such Parts have been constituted.

Provision for Places under Local Acts.

29. The Provisions of Section Twenty-eight shall not apply to any Poor Rate made by any Vestry, Trustees, Guardians, Commissioners, Overseers, or other Persons authorized by any Local Act to make the Rate for the Relief of the Poor in any Parish, or the Assessment on which such Rate is made.

In computing Amount of Contributions to Common Fund the annual rateable Value to be taken from approved Valuation Lists.

30. When the Assessment Committee for any Union shall have approved Valuation Lists for all the Parishes comprised within such Union, the Guardians of such Union, in computing the Amount of Contribution to the Common Fund for the several Parishes, shall thenceforward take the annual rateable Value of the Property in such Parishes respectively from the Valuation Lists for the Time being lastly approved of for such Parishes respectively, any Statute to the contrary notwithstanding: Provided that in case any Parish comprised in any Union shall receive any Sum of Money as a Contribution in aid of the Poor Rate of such Parish, for or in respect of Government Property within such Parish and used for public Purposes, the annual Value of such Property, according to the Estimate (if any) of such Value on which the Amount of the Sum of Money so received is computed, or, if there be no such Estimate, then the annual Value of such Property, estimated in the Mode provided by the Act Sixth and Seventh *William* the Fourth, Chapter Ninety-six, for making an Estimate of the annual rateable Value of Property liable to be rated to Rates for the Relief of the Poor, shall be included by the Overseer or Overseers in the Valuation List of such Parish, and shall be added to the annual rateable Value

of

of the Property in such Parish in computing the Amount of Contribution to the Common Fund for the several Parishes in such Union.

Copy of Valuation Lists to be deposited in Board Room.

31. The Committee shall cause a Copy of the Valuation List for the Time in force for every Parish in the Union to be made and deposited at the Board Room or other convenient Place to be appointed by the Board of Guardians in the Custody of the Clerk, which Copy shall be open at seasonable Times to the Inspection of any of the Guardians of the Union, and of any Overseer of any Parish within the Union, without Charge, and of any Ratepayer within the Union on Payment of One Shilling, such Fee to be carried to the Account of the Common Fund.

Appeal against Valuation List.

32. If the Overseer or Overseers of any Parish in any Union shall have Reason to think that such Parish is aggrieved by the Valuation List of any Parish within such Union, whether it be on the Ground that the rateable Hereditaments comprised in the Valuation List of such Parish are valued at Sums beyond the annual rateable Value thereof, or on the Ground that the rateable Hereditaments comprised in the Valuation List of some other Parish in such Union are valued at Sums less than the annual rateable Value thereof, it shall be lawful for such Overseer or Overseers, with the Consent of a Vestry summoned for the Purpose of considering the Expediency of giving such Consent, to appeal to the Quarter Sessions for the County or Borough in which the greatest Number of Parishes belonging to the Union is situate, or, in case the Number of Parishes in any Two or more such Jurisdictions is equal to the Quarter Sessions for the County or Borough having Jurisdiction over the Parish in which the Workhouse of the Union is situate, at the Sessions to be holden after the Expiration of a Month after the Allowance of and Deposit of such Valuation List as aforesaid, against such Valuation List of the Parish which shall appear to be over-valued or under-valued; and if in any Case any such Overseer or Overseers appeal against the Valuation List of any other Parish on the Ground that the rateable Hereditaments in such List are valued at less than the annual rateable Value thereof, such Overseer or Overseers shall give Fourteen clear Days Notice in Writing previous to the First Day of the said Quarter Sessions at which the Appeal is to be made of the Intention to appeal, and the Grounds thereof, to the Overseers of the Poor of such Parish, and to the Guardians of the Union comprising such Parish; and if any Overseer or Overseers of any Parish appeal against the Valuation List of such Parish on the Ground that the rateable Hereditaments in such List are valued beyond the annual rateable Value thereof, such Overseer or Overseers shall give Fourteen Days Notice in Writing previous to the Quarter Sessions at which the Appeal is to be made of the Intention to appeal, and the Grounds thereof, to the Guardians of the Union in which such Parish is situate, the said Court shall be empowered to hear and determine such Appeal, and either confirm such Valuation List, or correct such Irregularities or Inaccuracies as shall be proved to exist therein as to them may appear fair and just; but no such Valuation List shall upon such Appeal be quashed or destroyed in regard to any other Parish unless the Court deem it necessary to proceed to the making of an entire new Valuation List as herein-after provided.

Hearing and determining Appeals.

33. It shall be lawful for the Court of Quarter Sessions upon any such Appeal, instead of hearing the said Appeal, to adjourn the same, and to order, upon the Application of the Appellant or Respondent in such Appeal, a Survey or Valuation of any of the Parishes in respect of which such Appeal shall be made, and to fix the next or some subsequent Sessions for receiving such Survey or Valuation, and for hearing and determining such Appeal; and such Court shall also thereupon appoint a proper Person to make such Survey or Valuation, and the Person so appointed shall have Power, with or without Assistants, to enter upon and survey, measure, and value all the Hereditaments liable to be assessed to the Rates for the Relief of the Poor within the Parish or Parishes mentioned in such Order, and such Survey and Valuation shall be reported to the Quarter Sessions on Adjournment fixed as aforesaid for receiving the same, and the Court then and there assembled shall hear and determine the said Appeal in the Manner herein-before set forth.

Costs of Valuation and Appeal.

34. The Charges and Expenses of any such Survey and Valuation so ordered shall be deemed Costs in such Appeal, and abide the Event thereof, and the Court before which any such Appeal is heard and determined may order the Costs in and about the Appeal to be paid by either the Appellant or Respondent Party, as they in their Discretion may think fit; but where any Appeal is made on the Ground that the rateable Hereditaments of any Parish comprised in the Valuation List of such Parish are valued beyond the annual rateable Value thereof, if the Court on such Appeal determine in favour of the Appellants, such Court shall ascertain the Costs and Charges incurred by such Appellants in and about such Appeal, and shall order the Board of Guardians of the Union in which such Parish is situate to pay the same to the Appellants out of the Money raised for the Common Fund for the several Parishes in such Union.

Act not to prevent Composition for Rates.

35. Nothing herein contained shall be construed to prevent the Owners of Tenements from compounding for the Rates to be assessed on the same, in such Manner as they were by any Statute or Statutes enabled to do before the passing of this Act.

Saving of Exemptions and special Rules of rating.

36. Nothing herein contained shall extend or be taken to render liable to be rated any Property, or any Person in respect of any Occupation not now by Law rateable of any Property, or to deprive any Property, or the Occupier of any Property, of the Benefit of any Exemption, in whole or in part, to

to which such Property or Occupier is now by Law entitled, from any Poor Rate or other Rate which by Law is required to be based upon the Poor Rate, or to render liable to be rated, according to the annual rateable Value thereof, any Property which under any Local Act or otherwise is entitled to be rated upon a fixed Amount, or according to any special or exceptional Principle of Valuation, whether such Property shall or shall not be included in any Valuation List in force under this Act, or shall in anywise affect the Provisions of "The *Cambridge* Award Act, 1856," or the Act of the Seventeenth and Eighteenth *Victoria* relating to the Relief of the Poor in the City of *Oxford*.

Board may allow Compensation for Returns, &c.

37. The Committee may allow such Compensation for any Returns, Copies, or Extracts, or any Valuation, or Valuation List, or other Act, Matter, or Thing to be made or done in pursuance of their Order, and such Expenses connected therewith, as to the Committee in each Case seems just.

Remuneration to Clerk, &c. to be paid out of Common Fund.

38. The Remuneration allowed by the Committee to their Clerk, and all Expenses incurred by them for the common Use and Benefit of the several Parishes within the Union for which they are appointed, shall be paid by the Guardians of the said Union, and be charged upon the Common Fund thereof.

Expenses of Valuation, &c. to be paid out of Poor Rates.

39. The Expenses of making any Valuation and Valuation List of any Parish, or any of such Expenses, whether such Valuation and Valuation List respectively be made by the Overseers, or by any Person appointed by the Committee, shall be charged upon the Poor Rates of such Parish if the Valuation made by Direction of the Committee shall exceed by One Sixth the Amount of the Valuation delivered to them by the Overseers, and upon the Common Fund of the said Union if the Valuation so made as last mentioned shall not exceed by One Sixth the Valuation so delivered as aforesaid.

Penalty for Non-attendance, &c.

40. Every Person who wilfully refuses to attend in obedience to any lawful Order of any such Committee, or to give Evidence, or refuses to produce any Rate Book, Assessment, or Valuation which may be lawfully required to be produced before such Committee, shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds upon a summary Conviction for the same before Two Justices of the Peace; and every Person who wilfully injures, defaces, conceals, or destroys such Rate Book, or who upon any Examination before any such Committee wilfully gives false Evidence, shall be deemed guilty of a Misdemeanor.

Injuring, &c. Rate Books a Misdemeanor.

Authentication and Service of Orders and Notices of the Committee.

41. Every Order and Notice made or given by the Committee under this Act may be in Writing or Print, or partly in Writing and partly in Print, and shall be sufficiently authenticated if signed by their Clerk, and may be served by the same or a Copy thereof being delivered personally or sent by the Post to the Party on or to whom such Order or Notice purports to be made or given, or by being delivered at his usual Place of Abode.

Service of Notices, &c. on the Committee.

42. Any Notice or Statement required to be served upon the Committee may be served by being left at the Office of the Clerk to the Board of Guardians, or sent through the Post Office, addressed to the Committee at such Clerk's Office, or by being delivered personally to their Clerk, or at his usual Place of Abode.

Provision as to Form of Poor Rate.

43. In every Parish, until a Valuation List has been approved, and delivered to the Overseers under this Act, every Rate made for the Relief of the Poor in such Parish shall be made in the Form and contain the Particulars required by the said Act of the Sixth and Seventh Years of King *William* the Fourth; and after such Valuation List has been so approved and delivered, every such Rate, except in any Parish where the Poor Rate or the Assessment for the same is made under the Provisions of a Local Act as aforesaid, shall show the annual rateable Value of each Hereditament comprised therein, according to the Valuation List in force in such Parish.

Provisions as to Assessment, &c. of Poor Rates to apply to Rates under this Act.

44. All the Powers, Authorities, Provisions, Clauses, and Regulations now in force relating to the Assessment, Collection, and levying of Poor Rates (save so far as the same are hereby repealed or altered) shall be good, valid, and effectual for the Purposes of assessing, levying, collecting, and enforcing the Payment of such Rate and for carrying this Act into execution.

Power for Unions under Gilbert's or Local Acts to be included in this Act.

45. 'And whereas there are divers Unions or Incorporations for the Relief of the Poor formed under 'Local Acts and under the Act of the Twenty-second Year of King *George* the Third, Chapter 'Eighty-three, which may desire to adopt the Provisions of this Act:' Be it enacted, That any such Union or Incorporation, on Resolution to that Effect of a Majority, at Two successive Meetings of the Body, having under the Constitution of such Union or Incorporation the Management of the Relief of the Poor within the same, may, by Writing under the Hand of the presiding Chairman of the Second of such Meetings, apply to the Poor Law Board to be included in this Act; and such Union or Incorporation, upon the Consent of the Poor Law Board being given to such Application under its Seal, shall be so included; and such Consent so signified shall be Evidence that such Application was in all respects duly made according to the Provisions above mentioned; and such Regulations shall thereafter be made from Time to Time by the said Board, with the Consent of such Body, as may be necessary to render the Provisions of this Act conformable with the Provisions of the Act under which the said Union or Incorporation shall have been formed.

Extent of Act.

46. This Act shall extend only to *England*.

SCHE-

SCHEDULE.

VALUATION LIST for [*the Parish or Place for which the List is made*] in the County of

Name of Occupier.	Name of Owner.	Description of Property.	Name or Situation of Property.	Estimated Extent.	Gross estimated Rental.	Rateable Value.

Signed this Day of

A.B. } Overseers of the Poor of
C.D. } the Parish aforesaid.

DECLARATION TO BE ADDED TO THE RATE.

WE, the undersigned, do hereby declare that One of us, or some Person on our Behalf, has examined and compared the several Particulars in the respective Columns of the above Rate with the Valuation List made under the Authority of the Union Assessment Committee Act of 1862, in force in this Parish (*or* Township), and the several Hereditaments are, to the best of our Belief, rated according to the Value appearing in such Valuation List.

_____ } Churchwardens.
_____ }
_____ } Overseers.
_____ }

C A P. CIV.

An Act for the Discontinuance of the Queen's Prison, and Removal of the Prisoners to *Whitecross Street* Prison. [7th *August* 1862.]

'WHEREAS the Amendment of the Law of Bankruptcy and Imprisonment for Debt has reduced 'the Number of Prisoners in the Queen's Prison to such an Extent that it is expedient to dis- 'continue the said Prison, and to remove the Prisoners now remaining therein to the Debtors Prison 'for *London* and *Middlesex* situate in *Whitecross Street*, and herein-after referred to as *Whitecross* '*Street* Prison:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited for all Purposes as "The Queen's Prison Discontinuance Act, 1862." Short Title.

2. After the passing of this Act no Person shall be committed to the Queen's Prison, but all Persons now imprisoned in the Queen's Prison may, until their Removal therefrom as herein-after mentioned, be detained in the same Manner as if this Act had not passed. Prohibition of Committal to Queen's Prison.

All Persons who before the passing of this Act might lawfully have been committed to the Keeper of the Queen's Prison may be committed to the Keeper of *Whitecross Street* Prison, subject to this Proviso, that no Person shall be removed by Writ of Habeas corpus from any other Prison to *Whitecross Street* Prison, and *Whitecross Street* Prison shall for all Purposes of Law be deemed and regarded as the Queen's Prison.

3. At such Time after the passing of this Act as may be determined by One of Her Majesty's Principal Secretaries of State the Keeper of the Queen's Prison shall certify under his Hand to the Lord Chief Justice of the Court of Queen's Bench a true List of the Names of the Prisoners then in his Custody, with the several Causes and Times of their Commitments, and as soon thereafter as conveniently may be the Lord Chief Justice of the Court of Queen's Bench shall issue his Warrant or Warrants from Time to Time under his Hand directed to the Keeper of the Queen's Prison, requiring him to deliver into the Custody of the Keeper of *Whitecross Street* Prison the Prisoners named in such Warrant, and upon the Receipt of any such Warrant the Keeper of the Queen's Prison shall deliver such Prisoners into the Custody of the Keeper of *Whitecross Street* Prison, with the Processes under which they were respectively committed, and such last-mentioned Keeper shall remove such Prisoners to *Whitecross Street* Prison. Prisoners to be removed by Warrant of Lord Chief Justice of Queen's Bench.

If any Person named in any Warrant of the Lord Chief Justice has been lawfully discharged out of the Custody of the Keeper of the Queen's Prison before the Execution of the Warrant, the Keeper shall certify such Discharge under his Hand to the said Lord Chief Justice.

The Removal of any Prisoner in obedience to the Warrant of the Lord Chief Justice shall not be considered to be an Escape.

Custody of Prisoners committed in pursuance of Act.

4. All Persons removed or committed to *Whitecross Street* Prison in pursuance of this Act shall be in the Custody of the Keeper of that Prison, and be subject to the Rules for the Time being in force for the Regulation of *Whitecross Street* Prison, or to such other special Rules as may from Time to Time be approved by One of Her Majesty's Principal Secretaries of State for the Government of *Whitecross Street* Prison.

Any Part of *Whitecross Street* Prison may from Time to Time be appropriated for the Purposes of the Prisoners removed or committed there in pursuance of this Act, and the Intermixture of the said Prisoners with other Prisoners in the said Prison shall not be construed to be an Escape from the Custody under which the first-mentioned Prisoners are held.

Removal of Lunatic Prisoners.

5. If any Prisoner confined in *Whitecross Street* Prison under the Authority of this Act is reported by the Keeper thereof to One of Her Majesty's Principal Secretaries of State to be of unsound Mind, such Secretary of State may cause such Prisoner to be examined by Two Persons, being either Physicians or Surgeons, and upon their certifying that the Prisoner is of unsound Mind the Secretary of State may, by Warrant under his Hand, directed to the said Keeper, order such Prisoner to be removed to the Royal Hospital at *Bethlehem*, or to some other Asylum named in such Warrant.

The Removal of a Prisoner in pursuance of this Section shall not be deemed to be an Escape, and he shall remain under Confinement in such Hospital or Asylum, or in such other Hospital or Asylum as the Secretary of State may from Time to Time direct, until certified by Two Medical Men to be of sound Mind, in which Case he shall be sent back by Order of the Secretary of State to *Whitecross Street* Prison, if still liable to be confined there, and if not so liable shall be discharged.

Neither the President, Treasurer, or Governors of *Bethlehem Hospital*, nor the Superintendent of any Asylum to which a Prisoner may be removed under this Act, shall be answerable for the Escape of such Prisoner from such Hospital or Asylum.

Maintenance of Prisoners in new Prison.

6. The Commissioners of the Treasury, on behalf of Her Majesty, Her Heirs and Successors, and the Mayor and Aldermen of the City of *London*, may enter into such Agreements as they think fit with respect to the Contribution to be paid to the said Mayor and Aldermen on account of the Expenses to be incurred by them in the safe-keeping, lodging, Maintenance, and Care of the Prisoners removed or committed to *Whitecross Street* Prison in pursuance of this Act, and the Amount of Contribution so agreed to be paid shall be defrayed out of Monies to be provided by Parliament.

Payment for Maintenance of Prisoners.

7. And in the meantime, and until such Agreement shall be made, the Commissioners of the Treasury shall pay to the said Mayor and Aldermen, for the safe-keeping, lodging, Maintenance, and Care of Prisoners committed to *Whitecross Street* Prison under the Authority of this Act, a Sum bearing the same Proportion to the total Cost of the safe-keeping, lodging, Maintenance, and Care of the whole of the Prisoners as the daily average Number of Prisoners committed to the Custody of the Keeper under the Authority of this Act shall from Time to Time bear to the total Number of Prisoners in his Custody during the Period embraced in such Account.

Removal of Record.

8. As soon as all the Prisoners confined in the Queen's Prison have been discharged or been removed under this Act to *Whitecross Street* Prison, all Records, Books, and Papers in the Custody of any Officer of the Queen's Prison relating to the Business of the said Prison shall be delivered to such Person as One of Her Majesty's Principal Secretaries of State may direct, and the Office of Keeper of the Queen's Prison and all other Offices in the said Prison shall be abolished.

Discontinued Prison vested in the Crown.

9. Upon the Abolition of the Office of Keeper of the Queen's Prison, that Prison, with all the Messuages, Lands, and Tenements, Furniture and Fixtures, thereunto belonging, shall vest absolutely in the Commissioners of Public Works, upon trust to be sold, conveyed, disposed of, or applied in such Manner as the Commissioners of the Treasury shall direct.

Appointment of Tipstaffs.

10. After the passing of this Act the Lord Chancellor, the Lord Chief Justice of the Court of Common Pleas, and the Lord Chief Baron of the Court of Exchequer shall severally continue to appoint the Tipstaffs formerly appointed by the Warden of the *Fleet* Prison to act in the Courts of Chancery, Common Pleas, and Exchequer respectively, and the Lord Chief Justice of the Court of Queen's Bench shall severally continue to appoint the Tipstaffs formerly appointed by the Marshal of the Queen's Bench Prison to act in the Court of Queen's Bench, and the Tipstaffs so appointed shall perform the same Duties, so far as is consistent with the Provisions of this Act, and be entitled to the same Emoluments respectively, as the Tipstaffs heretofore appointed by the said Warden and Marshal respectively.

Tipstaffs of Court of Chancery, &c. to give Security to Keeper for faithful Discharge of Duties.

11. Every Tipstaff of the High Court of Chancery, and of the Courts of Queen's Bench, Common Pleas, and Exchequer, shall give such Security by Bond or otherwise to the Keeper of *Whitecross Street* Prison for the Time being as the Commissioners of Her Majesty's Treasury, or any Three or more of them, direct, for the faithful Discharge of the Duties entrusted to them as such Tipstaffs of the said Courts respectively, in regard to any Prisoners confined in the *Whitecross Street* Prison, and the said Tipstaffs shall obey all such Directions and Instructions as they or either of them may from Time to Time receive from the said Keeper of the *Whitecross Street* Prison in respect of such Prisoners; and every Tipstaff of the said Courts, neglecting or refusing to give such Security when required so to do,

or

or not obeying the Directions and Instructions of the Keeper of the *Whitecross Street* Prison, or his Deputy, in respect of such Prisoners as aforesaid, shall for every such Default incur a Penalty not exceeding One hundred Pounds, to be recovered in any of Her Majesty's Courts of Law in such Manner as the said Commissioners of Her Majesty's Treasury may direct.

Power to build new Prison.

12. If at any Time hereafter the Mayor, Aldermen, and Commons of the City of *London* provide such Prison Accommodation as may in the Opinion of One of Her Majesty's Principal Secretaries of State be properly substituted for *Whitecross Street* Prison, it shall be lawful for the said Secretary, by Writing under his Hand, to direct all the Prisoners confined in *Whitecross Street* Prison to be removed to the Prison so substituted, and upon such Removal being effected the said Prison at *Whitecross Street* shall be discontinued, and may be disposed of as the said Mayor, Aldermen, and Commons think fit; and the Prison so substituted shall for all Purposes be deemed to be in the Place of the Prison for which it is substituted.

Any Part of the substituted Prison may from Time to Time be appropriated for any of the Purposes of the discontinued Prison, and the Removal of the Prisoners from any Part of the substituted Prison to another Part of such Prison, or the Intermixture in such substituted Prison of Prisoners in different Custodies, shall not be construed to be an Escape from the Custodies under which such Prisoners are respectively held.

Appropriation of Charitable Gifts.

13. The Keeper of the Queen's Prison shall make out and deliver to One of Her Majesty's Principal Secretaries of State a true List of all Charitable Gifts and Bequests applicable to the Relief of the poor Debtors or other Prisoners in the Queen's Prison, and such Gifts and Bequests shall be applied for the Relief of discharged or other Prisoners in *England* in such Manner as may be settled by a Judge of the Court of Chancery in Chambers.

CAP. CV.

An Act to transfer the Roads and Bridges under the Management of the Commissioners of Highland Roads and Bridges to the several Counties in which the same are situate, and to provide for other Matters relating thereto. [7th *August* 1862.]

'WHEREAS by the Act Forty-third *George* the Third, Chapter Eighty, the Sum of Twenty thousand Pounds was directed to be issued from His Majesty's Exchequer in *Great Britain*, to be paid and applied by the Commissioners thereby appointed in the making and erecting Roads and Bridges in the Highlands of *Scotland*: And whereas by the Act Fifty-ninth *George* the Third, Chapter One hundred and thirty-five, further Commissioners were appointed, and on a Recital that certain Roads and Bridges had been made in the Highlands of *Scotland*, and that various Grants of Monies had been made for that Purpose, Provision was made for the Appropriation of the Monies granted in manner therein mentioned, and for the Payment out of the Public Money of a Sum of Five thousand Pounds annually towards the Purposes of the said Act: And whereas by the Act Fourth *George* the Fourth, Chapter Fifty-six, Provision was made for eventually increasing the Assessments leviable under the recited Acts, or for erecting Toll Bars for the Collection of Rates and Duties or Tolls in aid or in lieu of such Assessments, and for the Purpose of maintaining in repair the several Piers and Quays erected by the said Commissioners under the Authority of the recited Acts, or One of them, Power was given to the said Commissioners to levy certain Tolls or Dues on Vessels or Boats using, and on Goods embarked from or landed at such Piers and Quays: And whereas by the Act Fifth *George* the Fourth, Chapter Thirty-eight, further Provision was made for the Execution of the recited Acts, and specific Allotments out of the said annual Grants of Five thousand Pounds were made to the Counties therein mentioned in aid of the Expense of repairing the Roads and Bridges within the same: And whereas by the Act Third and Fourth *William* the Fourth, Chapter Thirty-three, certain Powers were given to the said Commissioners to remove Doubts that had arisen in the Interpretation of the Two last-recited Acts in Cases where Tolls had been imposed upon Roads, for the Maintenance of which such Tolls had afterwards proved inadequate, and on a Recital that it had in some Cases appeared inexpedient to the said Commissioners to enforce the Provisions of the third-recited Act made for the Purpose of maintaining in repair the Piers and Quays erected by the said Commissioners, by levying Tolls or Dues thereon, the said Commissioners were empowered, in case they should deem it expedient, with the Consent of the Heritors and Commissioners of Supply of the County within which such Piers or Quays should be situate, to assume the Care of maintaining in repair, altering or improving the same, and such Piers and Quays were thenceforth to be maintained in repair by them in the same Manner and with and under the same Powers and Limitations as the Roads and Bridges whereon no Tolls were levied: And whereas under the Provisions of the recited Acts Roads and Bridges have been made, and Harbours, Ferry Piers, and Shipping Quays have been constructed, in several of the Northern Counties of *Scotland*: And whereas by the Act Fourteenth and Fifteenth *Victoria*, Chapter Sixty-six, on a Recital that the Stone Bridge over the River *Ness* at the Royal Burgh of *Inverness* had been destroyed by a Flood, and that there were no adequate available Means of defraying the Expenses of rebuilding the same, the said Commissioners were empowered to make a new Bridge over the River *Ness*, and Provision was made for the Appropriation

43 G. 3. c. 80.

59 G. 3. c. 135.

4 G. 4. c. 56.

5 G. 4. c. 38.

3 & 4 W. 4. c. 33.

14 & 15 Vict. c. 66.

'of a Sum of Public Money, and also for an Advance of Ten thousand seven hundred Pounds out of the 'Consolidated Fund by way of Loan, and for the Repayment of the said Sum of Ten thousand seven 'hundred Pounds, with Interest, by means of certain Payments out of the Sums allotted by the fourth-
18 & 19 Vict. c. 113. 'recited Act, out of the annual Grant of Five thousand Pounds: And whereas by the Act Eighteenth 'and Nineteenth *Victoria*, Chapter One hundred and thirteen, the Provisions of the last-recited Act 'were extended, and on a Recital that the Expense of erecting the said Bridge had exceeded the 'estimated Amount thereof, Provision was made for an Advance of a further Sum of Three thousand 'Pounds out of the Consolidated Fund by way of Loan, to be repaid, with Interest, in the same Manner 'as is provided by the last-recited Act with reference to the said Sum of Ten thousand seven hundred 'Pounds: And whereas such Payments have hitherto been regularly made, pursuant to the Provisions
17 & 18 Vict. c. 94. 'of the Two last-recited Acts: And whereas by the Act Seventeenth and Eighteenth *Victoria*, Chapter 'Ninety-four, the annual Grant to the Commissioners charged by the second-recited Act upon the 'Public Revenues was directed to be thereafter paid out of such Aids or Supplies as might be from Time 'to Time provided by Parliament for the Purpose: And whereas the Payment of the said annual Sum 'of Five thousand Pounds has been discontinued by Parliament, and it is expedient that the Commission 'constituted by the first and second recited Acts should be dissolved, and that Provision should be made 'for winding up the Affairs thereof, and for the Maintenance of the Roads and Bridges, Harbours, Piers,
6 & 7 Vict. c. 97. 'and Quays made and erected under the Provisions of the recited Acts: And whereas by the Act 'Sixth and Seventh *Victoria*, Chapter Ninety-seven, the County of *Argyll* was for Road Purposes 'divided into Districts, which were placed under the Superintendence of District Road Trustees, and 'certain Provisions were made for the Purpose of maintaining the Roads under the Management of the
23 & 24 Vict. c. 201. 'said Commissioners: And whereas by the Act Twenty-third and Twenty-fourth *Victoria*, Chapter 'Two hundred and one, all the Roads in the County of *Caithness*, with the Exception of the Roads 'within the Boundaries of the Towns of *Wick* and *Thurso*, and of the Roads under the Management of 'the said Commissioners, were vested in Trustees for the whole County:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The Highland Roads and Bridges Act, 1862."

Interpretation of Terms.

2. The following Expressions in this Act shall have the Meanings hereby assigned to them; that is to say, the Expression "the Commissioners" shall mean the Commissioners of Highland Roads and Bridges; and the Expression "the Roads" shall mean the Roads and Bridges at present under the Management of the Commissioners.

Dissolution of the Commission.

3. From and after the Thirty-first Day of *December* One thousand eight hundred and sixty-two the Powers of the Commissioners shall, so far as regards the Control and Management of the Roads, and the Appointment and Payment of Officers, cease and determine, but all other Powers now vested in the Commissioners shall, for the Purpose of winding up their Affairs, remain and be exerciseable until the Commissioners shall, in compliance with the Provision contained in the second-recited Act, present their next Report to Parliament, and upon the Presentation of such Report the Commission constituted by the first and second recited Acts shall be absolutely dissolved.

Transfer of Roads and other Property to Commissioners of Supply.

4. From and after the said Thirty-first Day of *December* One thousand eight hundred and sixty-two, the Roads which in any County are at present under the Management of the Commissioners, together with the Bridges, Lands, Toll Houses, Buildings, Works, Rights, Interests, Arrears of Assessments, Monies, Property, and Effects, Rights of Action, Claims, and Demands whatsoever pertaining thereto respectively, shall, except in the Case of the Counties of *Argyll* and *Caithness*, be and are hereby transferred to and vested in the Commissioners of Supply of such County, and in the Case of the said County of *Argyll* shall be and are hereby transferred to and vested in the Road Trustees of the respective Districts of such County within which the Roads are respectively situate, and in the Case of the said County of *Caithness* shall be and are hereby transferred to and vested in the Road Trustees of such County; and such Commissioners of Supply or Road Trustees (as the Case may be) may act in respect thereof as effectually as the Commissioners might have done if this Act had not been passed.

Roads to be maintained by Commissioners of Supply.

5. From and after such Transfer as aforesaid, the Management of the Roads shall be vested in the Commissioners of Supply, or in the Road Trustees (as the Case may be) of the Counties within which such Roads are respectively situate; and the Commissioners of Supply or Road Trustees respectively shall thereafter maintain in proper and efficient Repair the Roads so transferred to them, and shall respectively have and exercise with reference thereto as well all the Rights, Powers, and Privileges possessed and enjoyed by them in connexion with the Roads at present under their Jurisdiction and Control within their respective Counties or Districts, as all the Rights, Powers, and Privileges which would have been competent to and might have been exercised by the Commissioners previous to such Transfer: Provided always, that it shall not be lawful to demand and take more than One Penny *per* Mile for every Horse drawing any Mail Carriage.

Sheriff may make Orders for Repair of Roads.

6. After such Transfers as aforesaid it shall be lawful for the Sheriff of any County in which any Part of the Roads is situate, and he is hereby required, upon a Complaint in Writing under the Hand of any Four Heritors in such County, or in any Road District in the said County of *Argyll*, setting forth that

that any of the Roads in such County or District are not in a proper State of Repair, to hear such Evidence as to the Condition of such Roads, and as to what Repairs, if any, are required to be made thereon, as he shall deem necessary, and thereupon it shall be lawful for the Sheriff to make such Orders for the Repairs of the Roads, if any such are required, as to him shall seem fit, and to decern for such Expenses to be paid in the Matter of such Complaint, either by the Complainers or the Commissioners of Supply, or the Road Trustees, (as the Case may be,) as he may think fit, and the Orders and Decrees of the Sheriff shall be final, and not be subject to Revision or Appeal in any Court or by any Process whatsoever.

Contracts enumerated in Schedule (A.) may be enforced.

7. 'And whereas the several Contracts for the Maintenance and Repair of the Roads enumerated in 'Schedule (A.) to this Act have been entered into by or on behalf of the Commissioners, and are still in 'force:' From and after the said Thirty-first Day of *December* One thousand eight hundred and sixty-two such Contracts shall cease and determine as regards the Commissioners or any Person or Persons acting on their Behalf, except in regard to any Claims due and payable by the Commissioners prior to the said Thirty-first Day of *December* One thousand eight hundred and sixty-two, but shall be binding on and enforceable by and against the Commissioners of Supply or the Road Trustees (as the Case may be) of the Counties to which the same may respectively relate, as fully as the same would have been binding on or enforceable by and against the Commissioners, or such Person or Persons as aforesaid, if this Act had not been passed.

Actions not to abate.

8. No Action, Suit, Prosecution, or other Proceeding whatsoever commenced by or against the Commissioners, or by or against any Persons acting on their Behalf, shall abate, cease, or be discontinued or prejudicially affected by this Act, but the same shall continue and take effect both in favour of and against the Commissioners of Supply of the respective Counties or the Road Trustees (as the Case may be), so far as the same are applicable to the Roads to be transferred to such Commissioners of Supply or Road Trustees respectively as aforesaid, in the same Manner in all respects as if this Act had not been passed.

Power to abandon Portions of Roads.

9. The Commissioners of Supply or the Road Trustees (as the Case may be) to whom the Roads shall be transferred as aforesaid may abandon, alter, straighten, divert, or stop up, either temporarily or permanently, any Portions of the Roads so respectively transferred to them, should such Portions of Roads become, in the Opinion of such Commissioners of Supply or Trustees, unnecessary for general or local Traffic; and for the special Purposes aforesaid the Commissioners of Supply or the Road Trustees (as the Case may be) shall have and exercise all the Powers with respect to the Purchase of Lands by Agreement which are conferred upon the Promoters of Undertakings by "The Lands Clauses Consolidation (*Scotland*) Act, 1845:" Provided always, that at least Six Months Notice of the Resolution or Order to effect any of such Purposes shall be given in Writing to the Owners of the Lands adjacent to such Roads, and during that Time such Resolution or Order shall be inserted for Three successive Weeks in some One and the same Newspaper published in the County in which such Portions of Roads proposed to be affected may be situate, or if there be no such Newspaper, then in some One and the same Newspaper published in some adjoining or neighbouring County.

8 & 9 Vict. c. 19.

Persons aggrieved may appeal to the Sheriff.

10. Any Person who shall think himself aggrieved by such Resolution or Order may, within Ten Days after he shall have received such Notice as aforesaid, apply by summary Petition to the Sheriff of the County within which the Roads proposed to be affected are situate, setting forth specifically his Objections, which Petition shall be intimated to and served upon the Commissioners of Supply or the Road Trustees (as the Case may be), whose Resolution or Order may be objected to, and a Time and Place shall be appointed by the Sheriff for hearing the Parties thereon; and after hearing the Petitioner and the Commissioners of Supply or the Road Trustees (as the Case may be), and any other Persons who may be interested in such Petition, and taking such Evidence as he shall deem necessary, it shall be lawful for the Sheriff to suspend the Execution of such Resolution or Order, and to grant or refuse the Prayer of such Petition, in whole or in part, and to sustain or repel such Objections, and to pronounce such Judgment in reference thereto as he shall think fit.

If dissatisfied with Decision of Sheriff may appeal to the Lord Ordinary in the Court of Session.

11. If the Petitioners or Commissioners of Supply or the Road Trustees (as the Case may be), or any other Person interested in such Petition, and who made Appearance and was heard before the Sheriff, shall be dissatisfied with the Judgment of the Sheriff, it shall be competent to such Parties or any of them to appeal from such Judgment within One Month after the Date thereof, and to bring the same by Advocation under Review of any Lord Ordinary in the Outer House of the Court of Session; and the Judgment to be pronounced by such Lord Ordinary in the Matter of such Petition shall be final, and shall not be subject to Review by the Inner House, or to Appeal to the House of Lords.

Assessment to be levied for the Purposes of this Act.

12. The Commissioners of Supply to whom the Roads shall be transferred as aforesaid shall annually impose and levy an Assessment in their respective Counties, either separately or as Part of a General Road Assessment, upon and from all Lands and Heritages within such Counties respectively, according to the yearly Rent or Value thereof, as established by the Valuation Rolls, made up under the Valuation of Lands (*Scotland*) Acts, Seventeenth and Eighteenth *Victoria*, Chapter Ninety-one, and Twentieth and Twenty-first *Victoria*, Chapter Fifty-eight, or any other Act relating to the Valuation of Lands in *Scotland*, or any Local Act relating to any of such Counties, which may be in force for the Time being, and that at such Rate in every Year as shall be necessary in order to provide sufficient Funds for the Purposes of this Act, including such Sum as may be requisite to cover the Expenses of Assessment and Collection,

Collection, and such Assessments shall be imposed, levied, and recovered in the Manner provided by the recited Acts or any of them, and under the Provisions thereof, which are hereby incorporated with this Act, and made applicable to the Assessments to be levied under this Act; and for the Purposes of this Act such Parts of the Counties of *Cromarty* and *Nairn* as lie in the County of *Ross* shall be considered as belonging to the said last-mentioned County; and the first of such annual Assessments shall be imposed at any of the half-yearly Meetings of such Commissioners of Supply which shall take place after the passing of this Act for the Year from the First Day of *January* One thousand eight hundred and sixty-three to the First Day of *January* One thousand eight hundred and sixty-four.

Roads in the Counties of Argyll and Caithness to be maintained out of Assessments levied under existing Acts.

13. From and after the said Thirty-first Day of *December* One thousand eight hundred and sixty-two the Twenty-sixth and Twenty-seventh Sections of the recited Act of the Sixth and Seventh *Victoria* shall be and the same are hereby repealed; and so long as such Act shall continue in force the General Road Trustees of the said County of *Argyll* shall annually apportion among the several Districts of the said County of *Argyll*, according to the Amount of their respective Valuations for Assessment under the said last-mentioned Act, such a Sum as may be required for the Maintenance of the Military Roads and Bridges within the said County; and the Road Trustees of the several Districts within the said County of *Argyll* to whom the Roads are to be transferred as aforesaid shall apply the Assessments which they are authorized to levy by such Act, first, in Payment to the County Collector in every Year of the Proportion falling to be paid by each District on account of the said Military Roads and Bridges as aforesaid, such County Collector paying to the Trustees of the Districts within which such Military Roads and Bridges are respectively situate the Monies which shall thus come into his Hands in proportion to the Length of such Military Roads within such last-mentioned Districts respectively; and secondly, in or towards the Maintenance of the Roads within their respective Districts, in the same Manner in all respects as such Assessments are applicable to any Roads at present under the Jurisdiction and Control of the District Road Trustees; and from and after the said Thirty-first Day of *December* One thousand eight hundred and sixty-two the Forty-first Section of the recited Act of the Twenty-third and Twenty-fourth *Victoria* shall be and the same is hereby repealed; and so long as such Act shall continue in force the Road Trustees of the said County of *Caithness* shall apply the Assessments which they are authorized to levy by the said last-mentioned Act in or towards the Maintenance of the Roads so transferred to them as aforesaid, in the same Manner in all respects as such Assessments are applicable to any Roads at present under their Jurisdiction and Control.

Burghs to contribute to Repair of Roads within any Burgh.

14. When any Portion of the Roads is situate within any Burgh, the Commissioners of Supply or the Road Trustees (as the Case may be) who shall be entitled to levy Assessments in the County or District within which such Burgh may be situate shall take whatever Steps may be necessary for ascertaining the probable annual Cost of repairing and maintaining such Portion of the Roads, and they shall transmit to the Magistrates of such Burgh a Statement of such estimated Cost, and the Magistrates of such Burgh shall be bound within One Calendar Month after receiving such Statement to lodge in Writing with the Clerk of the Commissioners of Supply any Objections which they may have to the same, with the Reasons for such Objections, and failing to do so they shall not thereafter be entitled to dispute the Correctness of the Statement; and if any Objections shall be so lodged, and no Agreement can be come to as to the Correctness of the Statement within a Week after such Objections shall have been lodged as aforesaid, the Matters in difference shall be determined, upon the Application of any of the Parties, by the Sheriff, whose Decision shall be final and binding, and shall not be liable to Appeal or Suspension, Advocation or Reduction, or any other Form of Review; and upon the Statement being so agreed to or determined upon, the Magistrates of each Burgh shall annually enforce and levy such an Assessment upon and from the Lands and Heritages within such Burgh as shall be sufficient to defray the annual Cost of repairing and maintaining such Portion of the Roads as aforesaid, and also the Cost of Assessment and Collection, and such Assessment shall be imposed and levied within such Burgh as like Assessments are imposed and levied therein, and such Magistrates as aforesaid may proceed in like Manner, and with the same Powers and Right of Action and Diligence, and of issuing summary Warrants and Proceedings for the Recovery of the same, as may be competent with respect to any Municipal or Police or General Assessment, with which the said Magistrates may deem it most expedient the said Assessments should be laid on and collected, and any Board or other Public Body which may be directed by the Magistrates of any Burgh to levy and collect the said Assessments are hereby empowered and required to do so: Provided always, that in any Burgh in which there may be no Municipal or Police or other General Assessment, or in any Burgh in which it may appear to the Magistrates to be inexpedient to levy the Assessment, they may collect the same in such Manner and by means of such Collectors or other Persons as they shall from Time to Time appoint; and the Magistrates of each Burgh shall from Time to Time hand over to the Commissioners of Supply or to the Road Trustees (as the Case may be) the full Amount of such annual Assessment, after deducting the Cost of Assessment and Collection, and such annual Assessment shall be expended for the general Repair and Maintenance of the Roads within such Burgh in such Manner as they shall think fit.

Boundaries of Burghs for the Purposes of this Act.

15. The Boundaries of Burghs for the Purposes of this Act shall be the Boundaries thereof as the same are ascertained and fixed under the Provisions to that Effect contained in the following Acts; *viz.*, the Act Seventeenth and Eighteenth *Victoria*, Chapter Ninety-one, the Act Twentieth and Twenty-first

first *Victoria*, Chapter Fifty-eight, the Act Twentieth and Twenty-first *Victoria*, Chapter Seventy, and the recited Act Twenty-third and Twenty-fourth *Victoria*, Chapter Two hundred and one.

Warrants and Proceedings for Recovery of Land and Assessed Taxes applicable to Assessments under this Act.

16. The whole Powers and Rights of issuing summary Warrants and Proceedings, and all Remedies and Provisions enacted for collecting, levying, and recovering the Land and Assessed Taxes, or any of them, and other Public Taxes, shall be applicable to the collecting, levying, and recovering the Assessments under this Act, and all Sheriffs, Magistrates, Justices of the Peace, and other Judges may grant the like Warrants for Recovery of all such Assessments in the same Form and under the same Penalties as is provided in regard to such Land and Assessed Taxes, and other Public Taxes; and all Assessments imposed by virtue of this Act shall, in case of Bankruptcy or Insolvency, be paid out of the first Proceeds of the Estate, and shall be preferable to all other Debts of a private Nature due by the Persons assessed.

Appointment of Committees and Officers.

17. From and after the passing of this Act the Commissioners of Supply of the several Counties to whom the Roads shall be transferred by virtue thereof may nominate Committees of their Number, in such Manner and with such Powers and for such Periods as they may deem proper, to superintend the Management of the Roads; and the Commissioners of Supply or the Road Trustees (as the Case may be) may appoint a fit Person or fit Persons to be Surveyor or Surveyors, Clerk or Clerks, or such other Officers as they shall think necessary for the due Execution of this Act, either separately or in connexion with other Roads under their Management, with such Salaries or Allowances as such Commissioners of Supply or Road Trustees (as the Case may be) shall think proper, for which Provision shall be made by Assessment made pursuant to this Act, and from Time to Time to remove such Officers or any of them as they shall see Occasion, and to appoint others in their Room.

The Loans of 10,700*l.* and 3,000*l.* extinguished.

18. From and after the passing of this Act all future Payments which would have been made, pursuant to the Provisions of the Sixth and Seventh recited Acts, for the Repayment of the said Sums of Ten thousand seven hundred Pounds and Three thousand Pounds advanced on Loan as aforesaid, shall cease, and such Loans shall be considered as wholly repaid or extinguished.

Transfer of Piers and Harbours by Commissioners.

19. 'And whereas the Commissioners have, under Powers conferred upon them by the recited Acts 'or some of them, constructed several Harbours, Piers, and Quays: And whereas the Harbours 'enumerated in Schedule (B.) to this Act have, by various Local Acts or otherwise, been transferred 'to and are now vested in other Bodies or Persons, and the Piers and Quays enumerated in Schedule '(C.) to this Act, though maintained out of Assessments made in the Counties in which they are 'respectively situate, are still the Property of the Commissioners, and the Harbours enumerated in 'Schedule (D.) to this Act have for some Time been and are now maintained by Rates and managed 'either by the Commissioners or by the Proprietors of the Lands in which such Harbours are situate: 'And whereas it is expedient that Provision should be made for the future Maintenance of the Piers, 'Quays, and Harbours in the said Schedules (C.) and (D.) to this Act:' Such of the Piers and Quays enumerated in the said Schedule (C.) to this Act as are situate in the said County of *Argyll* shall on the said Thirty-first Day of *December* One thousand eight hundred and sixty-two be transferred to the Road Trustees within whose Districts such Piers and Quays are respectively situate, and all other Piers and Quays enumerated in the said Schedule (C.) to this Act shall on the said Thirty-first Day of *December* One thousand eight hundred and sixty-two be transferred to the Commissioners of Supply of the Counties within which such Piers and Quays are respectively situate, and from and after such Transfers such Piers and Quays shall be maintained by such Road Trustees or Commissioners of Supply respectively (as the Case may be), in the same Manner and under the same Conditions as they are respectively bound to maintain the Roads to be respectively transferred to them under the Provisions of this Act; and the Harbours enumerated in the said Schedule (D.) to this Act may be transferred by the Commissioners in such Manner and upon such Terms as they shall think fit to the Owners of the Lands in which such Harbours are respectively situate; and in case any of such Owners shall decline to accept such Transfer, then to such other Person or Persons as the Commissioners may in the Exercise of their Discretion think fit; and the Limits of any Harbour which may be transferred pursuant to this Act shall extend to Three hundred Yards, measured in a straight Line along the Coast, on either Side of such Harbour, and the same Distance Seaward, measured from the Mouth or Entrance thereof; and upon the Transfer of any Harbour as aforesaid the Person or Persons to whom such Transfer may be made shall have and exercise all the Powers and be subject to all the Liabilities which are conferred and imposed upon Undertakers by "The Harbours, Docks, and Piers Clauses Act, 1847," with the Exception of such Liabilities as are imposed by Sections Sixteen, Seventeen, Eighteen, Nineteen, Forty-nine, and Fifty of the said last-mentioned Act: Provided always, that the Road Trustees or the Commissioners of Supply (as the Case may be) to whom the said Piers and Quays shall be transferred as aforesaid may abandon any of such Piers and Quays as may in their Opinion be or become unnecessary for general or local Trade, but in the Exercise of this Power the Road Trustees or the Commissioners of Supply (as the Case may be) shall be subject and liable to similar Provisions and Conditions with regard to Notices, Applications to the Sheriff, and Appeals to the Lord Ordinary of the Court of Session, as are contained and prescribed in the Ninth, Tenth, and Eleventh Sections of this Act with reference to the Abandonment of Portions of Roads.

40. The

Power to levy Rates and to borrow Money.

20. The Persons to whom the several Harbours enumerated in the said Schedule (D.) to this Act may be transferred under the Powers of this Act respectively, and their respective Heirs and Assigns, may demand and receive in respect of the Vessels, Goods, Persons, and Things in Schedule (E.) to this Act described entering or using, or shipped or unshipped, landed or delivered in such Harbours respectively, any Sums not exceeding the Rates in the said Schedule (E.) to this Act specified; and such Persons respectively, and their respective Heirs and Assigns, may from Time to Time borrow on the Security of such Rates such Sums of Money as may be required to enlarge and improve the Harbours which may be so transferred as aforesaid: Provided always, that the Interest accruing on the Money so borrowed shall be regularly kept down and not allowed to accumulate, and that the Principal Sums borrowed shall be respectively repaid within Fifty Years from the Time of borrowing.

Sheriff may make Orders for Repair of Piers, &c.

21. After any such Transfer of Piers, Quays, or Harbours as aforesaid (but subject to the Power of Abandonment contained in the Nineteenth Section of this Act) it shall be lawful for the Sheriff of any County in which such Piers, Quays, or Harbours are respectively situate, and he is hereby required, upon a Complaint in Writing under the Hand of any Four Persons being Heritors of such County, or ordinarily using such Piers, Quays, or Harbours, setting forth that any of the same are not in a proper State of Repair, to hear such Evidence as to the Condition thereof, and as to what Repairs, if any, are required to be made thereon, as he shall deem necessary, and thereupon it shall be lawful for the Sheriff to make such Orders for the Repair of the said Piers, Quays, or Harbours, if any such are required, as to him shall seem fit, and to decern for such Expenses to be paid in the Matter of such Complaint as he may think fit, and the Orders and Decrees of the Sheriff shall be final and not be subject to Revision or Appeal in any Court or by any Process whatsoever.

Endurance of Act.

22. The Powers and Provisions of this Act, so far as regards the Erection and Maintenance of all Gates, and the Imposition and levying of Tolls, shall be and continue in force for the Term of Twenty-one Years from and after the passing of this Act, and thence to the End of the then next Session of Parliament.

SCHEDULES referred to in this Act.

SCHEDULE (A.)

CONTRACTS OF THE COMMISSIONERS STILL IN FORCE.

Roads or Districts of Roads.	Length of Roads under Contract.	Names of Contractors.	When Contracts expire.	Annual Amount of Contracts.	At what Periods payable.	Total Amount payable under Contracts.
COUNTY OF INVERNESS.	Miles. Yards.			£ s. d.		£ s. d.
Inverness and Nairn Road, Fort George Road and Branches, and North Part of North Boleskine Road.	31 0	James Mac Gillivray.	1st June 1863	306 13 0	Aug., Sept., Dec.; and June.	919 19 0
Moy Badenock and Inverfarigaig Road.	42½ 0	John and Donald Grant.	Do.	429 10 0	Do.	1,288 10 0
Southern Portion of Badenock Road.	41 0	John and Donald Grant.	Do.	445 0 0	Do.	1,335 0 0
Eastern Portion of Fort William and Ardochy Branch Road.	23½ 0	John Cameron -	Do.	130 0 0	Do.	390 0 0
Western Portion of Port William Road.	22 0	Jas. Mc Gillivray and Peter Cameron.	Do.	155 0 0	Do.	465 0 0
South Boleskine and South Portion of North Boleskine Road.	26¼ 0	DuncanMcDonald	Do.	106 0 0	Do.	318 0 0
Glenelg Road - - -	7¾ 0	Donald Cameron	Do.	45 0 0	Do.	135 0 0
Sconser and Ashiek Roads -	27½ 0	Jno. Kennedy and Alex. Robertson.	Do.	130 0 0	Do.	390 0 0
Broadford Road - - -	15¾ 0	Malcolm and Don^{d} McInnes.	Do.	82 0 0	Do.	246 0 0
Stein, Macleod, and Dungevan Roads.	34 0	Don^{d} and Ewen McInnon.	Do.	160 10 9	Do.	481 12 3
Portree Road - - -	12½ 0	Do.	Do.	86 5 8	Do.	258 17 0
East Laggan and Carryarrock Road.	28¼ 0	John Macdonald	10th June 1864	137 0 0	Do.	411 0 0
peyside Road - - -	6 200	Duncan Cameron	Do.	35 0 0	Do.	106 10 0
Beauly and Strathglass Road -	38 0	John Forsyth -	1st June 1864	431 15 0	Do.	1,295 5 0
Glengarry 31 m. 1,113 yds. and Rhaebine Rd. 3 m.	34 1,113	Ewen Cameron -	Do.	175 0 0	Do.	525 0 0

Highland Roads and Bridges.

Roads or Districts of Roads.	Length of Roads under Contract.	Names of Contractors.	When Contracts expire.	Annual Amount of Contracts.	At what Periods payable.	Total Amount payable under Contracts.
	Miles. Yards.			£ s. d.		£ s. d.
West Laggan Road - -	16 0	John Cameron -	1st June 1864	88 0 0	Aug., Sept., Dec., & June	264 0 0
Ballechernoch Road - -	5 0	John McDonald	Do.	21 0 0	Do.	63 0 0
Invermorriston Road - -	27 0	Alexr. Mackenzie	Do.	208 0 0	Do.	624 0 0
Snizort Road - - -	18 0	Alexr. Maclean -	Do.	153 5 0	Do.	459 15 0
Total - -	456 1,313			3,325 9 5		9,976 8 3
COUNTY OF ROSS.						
Contin and Fearn Road - -	30¾ Miles	Donald Mann -	1st June 1863	388 1 4	Do.	1,164 4 0
Invergordon Road - -	17 „	John Munro -	Do.	324 11 4	Do.	973 14 0
Tain Road - - -	15 „	Donald Ross -	Do.	148 5 8	Do.	444 17 0
Glenshier Road and Glenelg Road	20¾ „	Donald Cameron	Do.	104 10 0	Do.	313 10 0
Lochalsh and Ardelve Road -	16½ „	Jno. Kennedy and Alex. Robertson.	Do.	80 0 0	Do.	240 0 0
Dingwall Fortrose and Kessock Branch Roads.	29½ „	Wm. and James Stewart.	1st June 1864	480 0 0	Do.	1,440 0 0
Eastern Division of Loch Carron Road.	25 „	John Fraser -	Do.	134 15 4	Do.	404 6 0
Western Division of Loch Carron Road and Kishorn Road.	37 „	Duncan Matheson	Do.	149 0 0	Do.	447 0 0
Rhaebine Road - - -	7 „	Ewen Cameron -	Do.	35 0 0	Do.	105 0 0
Total - -	198½ Miles			1,844 3 8		5,532 11 0
COUNTY OF SUTHERLAND.						
Sutherland Coast Road - -	47 Miles	John Grant -	1st May 1864	508 19 6	Do.	1,526 18 6
COUNTY OF CAITHNESS.						
Dunbeath Road - - -	33 Miles	Donald Mackenzie	1st May 1863	485 2 0 for two yrs.	Do.	970 4 0
Thurso Road - - -	21 „	George Gilchrist	1st May 1864	386 0 0	Do.	1,158 0 0
Total - -	54 Miles			871 2 0		2,128 4 0
COUNTY OF NAIRN.						
Findhorn 11 Miles, and Bemuchlye Road 9¼ Miles.	20¼ Miles	Angus McDonald	10th June 1864	89 0 0	Do.	267 0 0
COUNTY OF MORAY.						
Grantown 20 Miles, and Duthel Road 6½ Miles.	26½ Miles	John and Donald Grant.	1st June 1863	229 0 0	Do.	687 0 0
Findhorn Road - - -	3 „	Angus McDonald	10th June 1864	13 0 0	Do.	39 0 0
Speyside Road - - -	6 „	Duncan Cameron	„	35 10 0	Do.	106 10 0
Total - -	35½ Miles			277 10 0		832 10 0
COUNTY OF BANFF.						
Speyside Road - - -	1⅔ Miles	Duncan Cameron	10th June 1864	9 15 0	Do.	29 5 0
Total - -	1⅔ Miles			9 15 0		29 5 0
COUNTY OF ARGYLL.						
Kilmelford Road - - -	8¾ Miles	Neil Munro -	10th June 1864	40 0 0	Do.	120 0 0
Strachur Road - - -	12 „	Don[d] and Peter Ferguson.	20th May „	58 4 0	Do.	174 12 0
Glendaruel Road - -	21 „	Archibald McDonald.	20th May „	123 0 0	Do.	369 0 0
Total - -	41¾ Miles			221 4 0		663 12 0

SCHEDULE (B.)

HARBOURS NOT NOW THE PROPERTY OF THE COMMISSIONERS.

1. Burghead, in the County of Moray.
2. Fraserburgh, in the County of Aberdeen.
3. Peterhead, in the County of Aberdeen.
4. Kirkwall, in the County of Orkney.
5. East Tarbet, in the County of Argyll.
6. Fortrose, in the County of Ross.
7. Tobermory, in the County of Argyll.
8. Banff, in the County of Banff.
9. Macduff, in the County of Banff.
10. Dingwall, in the County of Ross.
11. Cullen, in the County of Banff.
12. Gourdon, in the County of Kincardine.
13. Inverfarigaig, in Lochness, in the County of Inverness.
14. Jura, Small Isles, in the County of Argyll.
15. Nairn, in the County of Nairn.

SCHEDULE (C.)

PIERS AND QUAYS MAINTAINED BY COUNTY ASSESSMENTS.

1. Invergordon and Inverbrakie Ferry Piers, in the County of Ross.
2. Chanonry Ferry Pier, in the County of Ross.
3. Keills and Lagg Ferry Piers, in the County of Argyll.
4. St. Catherine's Ferry Pier, in the County of Argyll.
5. Kylerhed Ferry Piers, in the County of Inverness.
6. Corran Ferry Piers, in the Counties of Inverness and Argyll.
7. Kylehakin Ferry Piers, in the Counties of Inverness and Ross.
8. Dornie Ferry Pier, in the County of Ross.
9. Strome Ferry Piers, in the County of Ross.
10. Feoline Ferry Pier, in Jura, in the County of Argyll.
11. Brodick Pier, in Arran, in the County of Bute.
12. Blackwater-foot, in the County of Argyll.

SCHEDULE (D.)

HARBOURS MAINTAINED BY RATES.

1. Avoch, in the County of Ross.
2. Ballintraid, in the County of Ross.
3. Portree, in the County of Inverness.
4. Portmahomack, in the County of Ross.

SCHEDULE (E.)

RATES ON VESSELS USING THE HARBOURS.

		s.	*d.*
For every decked or partly decked Vessel:			
Under the Burden of 20 Tons	per Ton	0	4
Of the Burden of 20 Tons and not exceeding 100 Tons	per Ton	0	6
Of the Burden of 100 Tons and upwards	per Ton	0	10

RATES ON HERRING BOATS, &c.

For every Herring Boat and every undecked Boat coming to the said Piers with Herrings or fresh Fish, on landing or taking on board Goods or dried or salt Fish	each	0	6

RATES ON PASSENGERS.

For every Person landing from or embarking in any Vessel		0	3

RATES ON ANIMALS AND GOODS SHIPPED OR UNSHIPPED IN THE HARBOURS.

Ale, Beer, or Porter	per Hogshead	0	6
Beef, fresh or salted, or other Provisions	per Barrel	0	3
Bone Dust	per Ton	1	0
Bricks	per 1,000	0	8
Butter	per Cwt.	0	2

		s.	d.
Carriages with Four Wheels	each	0	8
Carriages with Two Wheels	each	0	6
Cattle, Cows, Calves	each	1	0
Horses, Asses, and Mules	each	1	0
Pigs	each	0	0½
Sheep	each	0	0½
Coach or Cart Wheels	per Pair	0	3
Coal	per Ton	0	5
Copper, Lead, Zinc	per Cwt.	0	3
Cordage	per Cwt.	0	3
Dogs (Sporting only)	each	0	2
Fish, salted or dry	per Barrel Bulk	0	3
Flour	per Sack	0	2
Groceries	per Barrel Bulk	0	3
Guano and artificial Manures	per Ton	1	0
Hardware	per Barrel Bulk	0	3
Hay	per Ton	1	0
Hemp and Flax	per Cwt.	0	3
Herrings, fresh	per Cran	0	1
Ditto, cured	per Barrel	0	3
Hides	per Cwt.	0	1½
Iron, Pig or old	per Cwt.	0	1
Ditto, Bar, Bolt, or Rod	per Cwt.	0	2
Lime	per Boll	0	0¼
Meal	per Bag of 280 lbs.	0	3
Oil	per Tun	1	0
Oilcake	per Ton	1	0
Potatoes	per Ton	0	6
Ropes and Rags (old)	per Cwt.	0	2
Salt	per Ton	0	10
Slates	per 1,000	0	10
Spirits	per Hogshead of 56 Gallons	0	8
Staves	per 1,000	0	4
Stones, paving or dressed	per Ton	0	4
Ditto, others	per Ton	0	3
Stucco	per Barrel	0	2
Sugar, &c.	per Cwt.	0	4
Tar	per Barrel	0	2
Tiles or Pipes for draining	per 1,000	0	8
Ditto, roofing	per 1,000	0	9
Timber, unwrought, of all Kinds	per Load of 50 Cubic Feet	0	10
Wheat, Barley, Bear, Peas, Beans, Oats, and all other Descriptions of Grain; Grass and Turnip Seeds	per Quarter	0	2
Wine in Cask	per Hogshead	0	8
Wool	per Cwt.	0	2
All other Articles not enumerated to pay at landing or shipping:			
If by Measurement	per Barrel Bulk	0	3
If by Weight	per Ton	1	4

Articles which can be measured to pay by Barrel Bulk, all others by Weight.

In charging the Rates on Goods the gross Weight or Measurement of all Goods to be taken, and for any less Weights, Measures, and Quantities than those above specified a Proportion of the respective Rates shall be charged.

Five Cubic Feet, not exceeding Two and a Half Hundredweight, to be rated as a Barrel Bulk, but when the Weight of Five Cubic Feet is greater than Two and a Half Hundredweight, then Two and a Half Hundredweight to be rated as a Barrel Bulk.

RATES FOR THE USE OF SHEDS, CRANES, AND WEIGHING MACHINES.

1. *Sheds.*

For each Ton of Goods of Eight Barrels Bulk, or for each Ton of Goods of Twenty Hundredweight, which shall remain in any Shed or on any Pier in the Harbours for a longer Time than Forty-eight Hours, the Sum of Threepence, and the Sum of One Penny per Ton for each Day during which such Goods shall remain after the First Forty-eight Hours.

2. *Cranes.*

2. *Cranes.*

				s.	d.
All Goods or Packages not exceeding One Ton				0	3
Exceeding One Ton and not exceeding Two Tons				0	4
„	Two Tons „ „	Three Tons		0	6
„	Three Tons „ „	Four Tons		0	8
„	Four Tons „ „	Five Tons		0	10
„	Five Tons „ „	Six Tons		1	0
„	Six Tons „ „	Seven Tons		1	2
„	Seven Tons „ „	Eight Tons		1	4
„	Eight Tons „ „	Nine Tons		1	8
„	Nine Tons „ „	Ten Tons		2	0
„	Ten Tons			3	6

3. *Weighing Machines.*

For Goods weighed, One Penny for each Ton or Part of a Ton.

CAP. CVI.

An Act to amend the Law relating to the Appointment of County Surveyors in *Ireland*. [7th *August* 1862.]

'WHEREAS it is expedient to amend the Law relating to the Appointment of County Surveyors in *Ireland*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Part of Sect. 39. of 6 & 7 W. 4. c. 116. and of Sect. 7. of 7 & 8 Vict. c. 106. repealed.

1. So much of Section Thirty-nine of the Act of the Sixth and Seventh Years of King *William* the Fourth, Chapter One hundred and sixteen, and so much of Section Seven of the Act of the Seventh and Eighth Years of Her Majesty, Chapter One hundred and six, as respectively provide that the Lord Lieutenant shall appoint a Board of Three Civil or Military Engineers to examine and certify the Qualifications of all Persons desirous to act as Surveyors under the Provisions of the said first-recited Act, or as District Surveyors for the County of *Dublin* under the Provisions of the said second-recited Act, shall be and the same is hereby repealed.

Persons desirous to act as Surveyors or as District Surveyors under recited Acts to be examined by the Civil Service Commissioners.

2. The Qualifications of all Persons desirous to act as Surveyors under the Provisions of the said first-recited Act, or as District Surveyors for the County of *Dublin*, under the Provisions of the said second-recited Act, shall be examined into and certified by the Civil Service Commissioners for the Time being appointed by Her Majesty in Council; and whenever a Vacancy shall occur in any of such Offices an Examination of all Persons desirous to fill the same shall be held at such Time in *Dublin* as the said Commissioners shall appoint, of which Examination due Notice shall be given, and One of the Persons who shall be certified by the said Commissioners shall be appointed to the vacant Office of Surveyor by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, subject to the Approval of the Grand Jury of such County, or to the vacant Office of District Surveyor for the County of *Dublin* by the Grand Jury of the said County, according as such Vacancies shall occur.

Persons certified under Acts 7 & 8 Vict. c. 106. and 6 & 7 W. 4. c. 116. eligible for County or District Surveyors.

3. The Persons who were duly certified by the Board of Examiners under the Act of the Seventh and Eighth Years of *Victoria*, Chapter One hundred and six, in the Year One thousand eight hundred and fifty-six, and who were further certified by the Board of Examiners to the Lord Lieutenant as duly qualified under the Act of the Sixth and Seventh Years of *William* the Fourth, Chapter One hundred and sixteen, shall continue to be deemed and taken as eligible for the Appointment of County Surveyor or District Surveyor, as the Case may be, without further Examination, and may be lawfully appointed to such Offices, anything in this Act to the contrary notwithstanding.

Commencement of Act.

4. This Act shall commence and take effect on and after the First Day of *October* One thousand eight hundred and sixty-two.

CAP. CVII.

An Act to give greater Facilities for summoning Persons to serve on Juries, and for other Purposes relating thereto. [7th *August* 1862.]

6 G. 4. c. 50.

'WHEREAS it is expedient to amend an Act passed in the Session of Parliament holden in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relative to Jurors and Juries*, and also to give greater Facilities for summoning Persons to serve on any Jury:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title of Act, &c.

1. This Act may be cited as "The Juries Act, 1862," and shall be construed with and as Part of the said recited Act, herein-after termed the Principal Act.

2. All

Exemptions from serving on Juries.

2. All registered Pharmaceutical Chemists and Managing Clerks to Attornies, Solicitors, and Proctors actually practising, all subordinate Officers in Gaols and Houses of Correction, shall be and are hereby absolutely freed and exempted from being returned and from serving upon any Juries or Inquests whatsoever, and shall not be inserted in the Lists to be prepared by virtue of the Principal Act or of this Act.

Provisions as to High Constables repealed.

3. All the Provisions of the Principal Act relating to the Functions of High Constables shall be and are hereby repealed, except as to any Liabilities incurred before such Repeal, and the Duties of High Constables as set forth in the Principal Act shall cease and determine.

Clerk of the Peace to issue Precepts to Parish Officers by Post.

4. The Clerk of the Peace in every County, Riding, and Division in *England* and *Wales* shall on or before the Twentieth Day of *July* in every Year issue his Precept (in the Form set forth in the Schedule to this Act, or as near thereto as may be,) to the Churchwardens and Overseers of the Poor of the several Parishes, and to the Overseers of the Poor of the several Townships, within the County, Riding, or Division for which he acts, requiring them to make out before the First Day of *September* then next ensuing a true List of all Men residing within their respective Parishes and Townships qualified and liable to serve on Juries according to the Principal Act, and also to perform and comply with all other the Requisitions in the said Precepts contained, and shall forward the same, together with a competent Number of printed Forms of Returns, for the Use of the respective Persons by whom such Returns are to be made, by Post, in a registered Letter having the Words "Jury Precept" legibly written or printed on the Outside thereof, and addressed to the Churchwardens and Overseers as aforesaid; and every Precept delivered or tendered as a registered Letter at the Address of the Person to whom it is addressed, whether a Receipt be given for the same or not, shall be deemed to have been served on the Person to whom the same was so delivered or tendered, and if delivered or tendered to any One Churchwarden or Overseer of a Parish or Township shall be deemed to have been served on the whole of the Churchwardens and Overseers of such Parish or Township.

Precepts, &c. to be printed at the Expense of the County, &c.

5. The Provisions of the Principal Act as to the Expense of printing the Warrants, Precepts, and Returns therein mentioned shall apply to the printing of the Precepts and Returns required by this Act; and the Precepts and Jury Lists required to be posted and registered by this Act shall be posted and registered at the Expense of the County, Riding, or Division.

Duties and Liabilities of Parish Officers to continue.

6. After the Receipt of such Precept from the Clerk of the Peace, the Duties of the Churchwardens and Overseers with reference to the Jury Lists, and the Penalties to which they are liable for making default therein, shall be in all respects the same as if the Words "Clerk of the Peace" had been substituted for the Words "High Constable" in the Eighth Section of the Principal Act.

As to Notices of Special Petty Sessions.

7. No Notice shall be sent to the High Constable of the holding of a Special Petty Sessions for the Production of the Jury Lists, as required by the Tenth Section of the Principal Act.

Justices to adjourn Petty Sessions for the Production of List.

8. It shall be lawful for the Justices of the Peace then present to adjourn any Special Petty Sessions held under the Provisions of the Tenth Section of the Principal Act to any Day within Seven Days thereafter, for the Production of the Jury List for any Parish or Township which, through the Default of any Churchwarden or Overseer, has been omitted to be produced at such Special Petty Sessions, and Notice shall be sent by the Clerk to such Justices to such Churchwardens or Overseers requiring them to produce the said List at such Adjournment.

Justices Clerk to send Jury Lists to Clerk of the Peace.

9. It shall be the Duty of the Clerk to the Justices of the Peace in every Petty Sessional Division in *England* and *Wales* to take charge of the Jury Lists of each Parish and Township within such Division, when and as soon as they shall have been allowed and signed by the said Justices, as by the Principal Act provided, and to forward the same by the next available Post in a registered Letter or Letters, with the Words "Jury List" legibly written or printed on the Outside thereof, addressed to the Clerk of the Peace for the County, Riding, or Division, at his Office, together with a Schedule of the Parishes and Townships for which Jury Lists have been then allowed, which Schedule shall be signed by One of the said Justices, and the Clerk to the Justices shall be entitled to the Fee of Two Shillings and Sixpence, to be paid out of the County Rate, for the Discharge of the Duties hereby imposed upon him.

Clerk of the Peace to deal with the Jury Lists as before.

10. The Duties of the Clerk of the Peace with reference to the Jury Lists so forwarded to him by the Clerks to the Justices, and the Penalties to which he is liable for making default therein, shall be in all respects the same as if this Act had not passed, and the said Lists had been returned by the High Constables to the Court of Quarter Sessions under the Provisions of the Principal Act.

All Jurors may be summoned by Post.

11. Any Person liable to serve on any Jury may be summoned as heretofore, or in the Manner following; that is to say, the Sheriff or other proper Officer may make out a Summons and affix the Seal of his Office thereto, and such Summons, having the Words "Jury Summons" legibly written or printed on the same Side as the Address, may be sent open by the Post, prepaid, and directed to the Person so required to serve as Juror at his Place of Abode as described in "The Jurors Book," which said Summons, together with a Duplicate endorsed with the Name and Address of the Juror to whom the original Summons is directed, shall be taken to the Postmaster of any Post Office where Money Orders are received or paid, within such Hours as shall have been previously agreed upon at such Post Office, and under such Regulations with respect to the Registration of such Summons and the Fee to be paid for such Registration (which Fee shall in no Case exceed Twopence over and above the ordinary Rate

Rate of Postage) as shall from Time to Time be made by the Postmaster General in that Behalf; and in all Cases in which such Fee shall have been duly paid the Postmaster shall compare the Address of the said Summons with that of the Duplicate, and on being satisfied that they are alike shall forward the Summons to its Address by the Post, and shall return the Duplicate to the Party bringing the same, duly stamped with the Stamp of the said Post Office; and the Production by the Party who posted such Summons of such stamped Duplicate shall be Evidence of the Summons having been delivered at the Dwelling House of the Person whose Name and Address is thereon endorsed, at the Place mentioned in such Endorsement, on the Day on which such Summons would, in the ordinary Course of Post, have been delivered, provided it shall appear that the same was not returned by the Post Office as undelivered; and any Summons sent by the Post as before mentioned, and not so returned as undelivered, shall be considered in all respects as duly served; and in the event of any Person to whom any Summons shall be addressed being ascertained to be dead, or to have permanently left the Place to which such Summons is addressed, the Postmaster or Letter Carrier of the Place in which the Summons shall then be shall endorse thereon the Reason of the Non-delivery thereof, and forward the same in the usual Course of Post to the Returned Letter Office in *London*, in order that it may be returned to the Sender: Provided always, that when any Summons shall be served by Post under the Provisions of this Act, Two additional Days shall be allowed for the Transmission of such Summons by Post, over and above the Number of Days required by Law for the Service of a Summons, before the Day on which the Juror is required to attend.

Fines may be remitted upon Cause shown.

12. Whenever any Fine shall be imposed upon any Person for not attending as a Juror in obedience to a Summons in that Behalf, it shall not be lawful to estreat the said Fine until after the Expiration of Fourteen Days, and in the meantime the proper Officer of the Court by which such Fine was imposed shall forthwith, by Letter, inform the said Person of the Imposition of such Fine, and require him, within Six Days after the Date of such Letter, to forward him an Affidavit of the Cause, if any, of his Non-attendance; and such Officer shall, upon the Receipt of any such Affidavit, submit the same to the said Court, or the Judge or Chairman who presided at the said Court at the Time when such Fine was imposed, and such Court, Judge, or Chairman shall have Power to remit such Fine.

Sheriffs to be allowed Costs of Summonses.

13. The Costs incurred by any Sheriff in summoning Jurors by Post, under the Provisions of this Act, so far as the same shall not exceed the Sum allowed to such Sheriff, or his Predecessor in Office, on that Account, in any One Year within the Three Years immediately preceding the passing of this Act, may be included in his ordinary Bill of Cravings, and shall be allowed by the Commissioners of Her Majesty's Treasury.

Extent of Act. As to Jury Lists in the City of London.

14. This Act shall not extend to *Scotland* or *Ireland*; and nothing in this Act contained shall alter or affect the Mode of Procedure heretofore pursued in the making out of Jury Lists or the summoning of Jurors in the City of *London*.

Commencement of Act.

15. This Act shall come into operation on the Tenth Day of *August* One thousand eight hundred and sixty-two.

SCHEDULE.

Precept for returning Lists of Jurors.

County of
to wit.
Hundred
of

} To the Churchwardens and Overseers of the Poor of the Parish [*or*, To the Overseers of the Poor of the Township] of

YOU are hereby required to make out, before the First Day of September next, a true List in Writing in the Form hereunto annexed, containing the Names of all Men, being natural-born Subjects of the Queen, between the Ages of Twenty-one and Sixty, residing within your Parish [*or* Township] qualified to serve upon Juries; that is to say, of every such Man who has in his own Name, or in trust for him, a clear Income of Ten Pounds by the Year in Lands or Tenements, whether of Freehold, Copyhold, or Customary Tenure, or of Ancient Demesne, situate in the said County, or in Rents issuing out of any such Lands or Tenements, or in such Lands, Tenements, and Rents taken together, in Fee Simple or Fee Tail, or for his own Life, or for the Life of any other Person, and also of every such Man who has a clear Income of Twenty Pounds by the Year in Lands or Tenements situate in the said County, held by Lease for the absolute Term of Twenty-one Years, or some longer Term, or for any Term of Years determinable on any Life or Lives, and also of every such Man who is a Householder in your Parish [*or* Township], and is rated or assessed to the Poor Rate or to the Inhabited House Duty on a Value of not less than Twenty Pounds [if in Middlesex Thirty Pounds], and you are required to make out the said List in alphabetical Order, and to write the Christian and Surname of every Man at full Length, and the Place of his Abode, his Title, Quality, Calling, or Business, and the Nature of his Qualification, in the proper Columns of the Forms hereunto annexed, according to the Specimens given in such Columns for your Guidance.

And if you have not a sufficient Number of Forms you must apply to me for more; and in order to assist you in making out the List you are to refer to the Poor Rate, and you may, if you think proper, apply to any Collector or Assessor of Taxes, or any other Officer who has the Custody of any House

Tax,

Tax, Land Tax, or other Tax Assessment for your Parish [*or* Township], and take from thence the Names of Men so qualified: And in making such List you are to omit the Names of all Peers, all Judges, all Clergymen, all Roman Catholic Priests who shall have duly taken and subscribed the Oaths and Declaration required by Law; all Ministers of any Congregation of Protestant Dissenters whose Place of Meeting is duly registered, provided they follow no secular Occupation except that of a Schoolmaster, and produce to you a Certificate of some Justice of the Peace of their having taken the Oaths and subscribed the Declaration required by Law; all Serjeants and Barristers at Law, all Members of the Society of Doctors of Law, and all Advocates of the Civil Law, if actually practising, and all Attornies, Solicitors, and Proctors, if actually practising, and having taken out their annual Certificates, and their Managing Clerks; all Officers of the Courts of Law and Equity, and of the Admiralty and Ecclesiastical Courts, if actually exercising the Duties of their respective Offices; all Coroners, all Gaolers and Keepers of Houses of Correction, and all subordinate Officers of the same; all Members and Licentiates of the Royal College of Physicians in London, all Members of the Royal Colleges of Surgeons in London, Edinburgh, and Dublin, and Apothecaries certificated by the Court of Examiners of the Apothecaries Company, and all registered Pharmaceutical Chemists, if actually practising as Physicians, Surgeons, or Apothecaries, or Pharmaceutical Chemists respectively; all Officers of the Navy and Army on Full Pay; the Master, Wardens, and Brethren of the Corporation of Trinity House of Deptford Strond, and their Clerks, Officers, and Servants; all Pilots licensed by the Trinity House of Deptford Strond, Kingston-upon-Hull, or Newcastle-upon-Tyne, and all Masters of Vessels in the Buoy and Light Service employed by either of those Corporations, and all Pilots licensed under any Act of Parliament or Charter for the Regulation of Pilots; all the Household Servants of Her Majesty; all Commissioners of Property and Income Tax; all Officers of the Post Office; all Officers of Customs and Excise; all Sheriff's Officers, High Constables, and Parish Clerks; all Officers of the Rural and Metropolitan Police; and also all Persons exempt by virtue of any Act of Parliament, Prescription, Charter, Grant, or Writ.

And when you have made out such List you are authorized to order a sufficient Number of Copies thereof to be printed, the Expense of which Printing will be allowed you by the Parish [*or* Township], and you are required, on the Three First Sundays in September next, to fix a Copy of such List, signed by you, on the principal Door of every Church, Chapel, or other public Place of Religious Worship within your Parish [*or* Township], and also to subjoin to every such Copy a Notice to the following Effect, inserting the Time and Place, of which you shall be previously informed: "Take notice, that all "Objections to the foregoing List will be heard by the Justices in Petty Sessions on the "Day of September next, at the Hour of at ;" and you must allow any Inhabitant of your Parish [*or* Township] to inspect the original List, or a true Copy of it, during the Three First Weeks of September next, gratis; and you are also further required to produce the said List at such Petty Sessions, and there to answer on Oath such Questions as shall be put to you by Her Majesty's Justices of the Peace there present touching the said List; and these several Matters you are in nowise to omit, upon the Peril that may ensue.

Given under my Hand at in the said County the Day of in the Year

Clerk of the Peace.

The Form of Precept in Wales *is to be altered according to the Difference of Qualification.*

CAP. CVIII.

An Act to confirm certain Sales, Exchanges, Partitions, and Enfranchisements by Trustees and others. [7th *August* 1862.]

'WHEREAS Trustees and others, in the intended Exercise of Trusts or Powers authorizing them 'to dispose of Land by Sale, Exchange, Partition, or Enfranchisement, have disposed of Land 'subject to such Trusts or Powers, with an Exception or Reservation of Minerals, and either with or 'without Rights and Powers for or incidental to the working, getting, and carrying away of such 'Minerals, or otherwise relating thereto, or have so disposed of Minerals with or without such Rights 'and Powers separately from the Residue of the Land, such Mode of Disposition not being expressly 'authorized nor forbidden by the Instrument creating the Trust or Power: And whereas it is expedient 'to confirm such Dispositions as aforesaid:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Powers of Sale, &c. not to be invalid on the Ground of Want of express Mention of Exception of Reservation of Minerals, &c.

1. No Sale, Exchange, Partition, or Enfranchisement at any Time heretofore of Land by any Trustee or other Person, expressed or intended to be made in exercise of any Trust or Power authorizing the Sale, Exchange, Partition, or Enfranchisement of Land, and not forbidding the Reservation of Minerals, and which Sale, Exchange, Partition, or Enfranchisement shall have been made with an Exception or Reservation of Minerals, and with or without Rights or Powers for or incidental to the working, getting, and carrying away of such Minerals, or otherwise relating thereto, shall be invalid on the Ground only that the Trust or Power did not expressly authorize such Exception or Reservation, but such Sale, Exchange, Partition, or Enfranchisement shall be deemed to have taken effect in the same Manner as if the

the Exception or Reservation had been authorized by the Trust or Power; and no Sale, Exchange, or Partition heretofore made as aforesaid of any Minerals separately from the Residue of the Land subject to the Trust or Power intended to have been exercised, and either with or without such Rights or Powers as aforesaid, shall be invalid on the Ground only that the Trust or Power did not expressly authorize such Sale, Exchange, or Partition, but such Sale, Exchange, or Partition shall be deemed to have taken effect in the same Manner as if such Minerals, Rights, and Powers (if any) had been expressly authorized to be so dealt with separately from the Residue of such Land; but this Enactment shall not be deemed to confirm any Sale, Exchange, Partition, or Enfranchisement already declared by a Court of competent Jurisdiction to be invalid, nor to confirm or affect any Sale, Exchange, Partition, or Enfranchisement as to the Validity of which any Suit or other Proceeding is now pending.

Not to confirm Sales, &c. declared invalid, or pending.

Trustees may dispose of Land or Minerals separately, without the Residue, &c.

2. And whereas it is expedient that Trusts and Powers to dispose of Land by way of Sale, Exchange, Partition, or Enfranchisement should be extended in the Manner herein-after appearing:

Every Trustee and other Person now or hereafter to become authorized to dispose of Land by way of Sale, Exchange, Partition, or Enfranchisement may, unless forbidden by the Instrument creating the Trust or Power, so dispose of such Land with an Exception or Reservation of any Minerals, and with or without Rights and Powers of or incidental to the working, getting, or carrying away of such Minerals, or may (unless forbidden as aforesaid) dispose of by way of Sale, Exchange, or Partition the Minerals with or without such Rights or Powers separately from the Residue of the Land, and in either Case without Prejudice to any future Exercise of the Authority with respect to the excepted Minerals, or (as the Case may be) the undisposed-of Land; but this Enactment shall not enable any such Disposition as aforesaid without the previous Sanction of the Court of Chancery, to be obtained on Petition in a summary Way of the Trustee or other Person authorized as aforesaid, which Sanction once obtained shall extend to the enabling from Time to Time of any Disposition within this Enactment of any Part or Parts of the Land comprised in the Order to be made on such Petition, without the Necessity of any further or other Application to the Court.

Sanction of Court of Chancery requisite.

Extent of Act.

3. This Act shall not extend to *Ireland* or *Scotland*.

CAP. CIX.

An Act to continue the Corrupt Practices Prevention Act (1854). [7th *August* 1862.]

[*Continues the* 17 & 18 *Vict. c.* 102. *as amended by* 21 & 22 *Vict. c.* 87., *until September* 1, 1863, *and from thence until the End of the next Session of Parliament.*]

CAP. CX.

An Act to enable Boards of Guardians of certain Unions to obtain temporary Aid to meet the extraordinary Demands for Relief therein. [7th *August* 1862.]

'WHEREAS by reason of the closing of Mills and Factories in certain Parts of the Country great 'Numbers of the labouring and manufacturing Classes have been thrown out of Employment, and 'having become chargeable to the Unions and Parishes wherein they reside the Ratepayers within the 'same are likely to be subjected to very heavy and extraordinary Burdens, and it is expedient that 'Means should be afforded whereby temporary Relief may be rendered to such Ratepayers:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Guardians may charge Cost of Relief in Parishes in excess of 3*s.* in the Pound on the other Parishes in Union.

1. If the Guardians of any Union situate wholly or in part within any of the Counties of *Lancaster*, *Chester*, or *Derby*, shall find that the Expenditure of any Parish comprised within such Union in and about the Relief of the Poor for the Quarter ending at *Michaelmas* or *Christmas* next, shall have exceeded the Rate of Three Shillings in the Pound *per Annum* on the annual rateable Value of the Property of such Parish, the Excess shall be charged to the other Parishes in the Union in proportion to the Amount of the annual rateable Value of the Property comprised in such Parishes: Provided that if the Expenditure of any Parish for the Quarter ending at any of the Periods aforesaid, including its Proportion of any Excess charged upon it under this Act, shall exceed the said Rate of Three Shillings in the Pound *per Annum* on its annual rateable Value, all Expenditure of such Parish in and about the Relief of the Poor for that Quarter in excess of such Limit shall be charged in like Manner upon the remaining Parishes the Expenditure of which, including their Proportion of any Excess charged upon them under this Act, shall not have exceeded the Limit aforesaid, and so on *toties quoties* until the Sum charged upon each Parish shall amount to the Limit aforesaid, and then all Expenditure over and above that Limit shall be charged to the Common Fund of the Union.

Guardians may make extraordinary Calls.

2. The Guardians may from Time to Time make any Orders for Contributions from the several Parishes comprised in such Union for the Purposes of this Act, in addition to their ordinary Orders, and shall have the same Powers for enforcing such Orders as in the Case of the usual and ordinary Contributions.

If aggregate Expenditure of Union at

3. If the Guardians of any such Union shall find that the aggregate Expenditure in and about the Relief of the Poor of the whole Union for the Quarter ending at *Michaelmas* or *Christmas* next shall have

have exceeded the Rate of Three Shillings in the Pound *per Annum* on the annual rateable Value of the Property comprised within such Union, such Guardians may, by Resolution passed at a Meeting held after special Notice in Writing sent to every elected and *ex-officio* Guardian of the Union, apply to the Poor Law Board for Authority to borrow a Sum of Money sufficient to meet such Excess; and the Poor Law Board may, if they think fit, issue their Order accordingly; and thereupon the said Guardians may borrow such Sum, and shall charge the Common Fund of the Union with the Repayment of the same, by equal annual Instalments not exceeding Seven, and with the Payment of the Interest from Time to Time to accrue thereon.

Michaelmas or Christmas next exceed 3s. in the Pound, Guardians may apply for Authority to borrow.

4. If the Guardians of any such Union shall find that the aggregate Expenditure in and about the Relief of the Poor of the whole Union for the Quarter ending at *Michaelmas* or *Christmas* next shall have exceeded the Rate of Five Shillings in the Pound *per Annum* on the annual rateable Value of the Property comprised within such Union, such Guardians may apply to the Poor Law Board, and thereupon the Poor Law Board may, if they think proper, upon being satisfied that there has been such Excess of Expenditure as aforesaid, make a General Order upon the several Unions and Parishes under a separate Board of Guardians or Select Vestry in the County wherein such Union shall be situated to contribute a Sum of Money to meet the Excess, in proportion to the annual rateable Value of the Property comprised within such Unions and Parishes respectively; and the several Sums so apportioned shall be paid by the Guardians and Select Vestries of the said Unions and Parishes respectively out of the respective Common Funds of the said Unions, and from the Funds of the Guardians and Vestries of the said Parishes respectively, to the Treasurer of the Union on whose Behalf the said Order shall have been issued.

Guardians of distressed Unions where the Expenditure shall have exceeded 5s. in the Pound may apply to the Poor Law Board to apportion such Excess.

5. The Poor Law Board shall exclude from the Contribution any Union or such Parish as aforesaid where the Expenditure for the corresponding Quarter shall have exceeded the Rate of Three Shillings in the Pound *per Annum* on the annual rateable Value of the Property comprised in the said Union or Parish.

Poor Law Board may exclude poorer Unions.

6. Where the Union applying for Aid shall extend into Two or more Counties, the Contribution in aid shall come from that County in which the greater Part of the Union shall be situated; and where the Union required to contribute shall be situated in Two or more Counties, it shall only contribute in that County in which the greater Part of it shall be situated.

Provision where Unions in Two Counties.

7. After the making and issuing of any General Order for Contribution as aforesaid the Guardians of any Union or Parish or any Select Vestry upon whom the Order is made, and who have obeyed such Order, may elect One of their own Body to represent them at the Board of Guardians of the Union on whose Behalf such General Order has been made, and every Person so elected shall be entitled to act as a Guardian of such last-mentioned Union during the then current Quarter, but no such Person shall be entitled to vote in the Election of any Officer for that Union.

Where Parish contributes, Guardians may elect Member of Board of Union aided.

8. No Order of the Poor Law Board shall be issued under the Authority of this Act after the First Day of *March* next, nor be liable to be removed into the Court of Queen's Bench on Certiorari or otherwise; nor shall any Order of the Guardians or Rate made to carry out the Provisions of this Act be questioned in any Court of Law on Certiorari or otherwise.

No Order of Board to be issued after 1st March.

9. For the Purposes of this Act the annual rateable Value of the Property within the several Parishes and Unions herein-before referred to shall be estimated in the Manner in which the same is required to be taken in computing the Amount of Contributions to the Common Fund by the Law in force for the Time being.

How annual Value of Property to be estimated.

10. The several Words herein contained shall be construed in like Manner as in the Act of the Fourth and Fifth *William* the Fourth, Chapter Seventy-six, and in the subsequent Acts extending and explaining the same, and all the Provisions contained therein now in force shall be applicable to this Act.

Interpretation Clause.

CAP. CXI.

An Act to amend the Law relating to Lunatics. [7th *August* 1862.]

'WHEREAS it is expedient to amend the Law relating to Lunatics, other than those found 'Lunatics by Inquisition, or Lunatics convicted of Crime, or acquitted on the Ground of 'Insanity:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Preliminary.

1. In the Construction and for the Purposes of this Act (if not inconsistent with the Context or Subject Matter) the following Terms shall have the respective Meanings herein-after assigned to them; that is to say,

Interpretation of Terms.

"Lunacy Act, Chapter One hundred," shall mean an Act passed in the Session holden in the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter One hundred, and intituled *An Act for the Regulation of the Care and Treatment of Lunatics:*

"Lunacy Act, Chapter Ninety-six," shall mean an Act passed in the Session holden in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, Chapter Ninety-six, intituled *An Act to amend an Act passed in the Ninth Year of Her Majesty, for the Regulation of the Care and Treatment of Lunatics:*

"Lunacy Act, Chapter Ninety-seven," shall mean an Act passed in the Session holden in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, Chapter Ninety-seven, intituled *An Act to consolidate and amend the Laws for the Provision and Regulation of Lunatic Asylums for Counties and Boroughs, and for the Maintenance and Care of Pauper Lunatics, in* England:

"The Lunacy Acts" shall include the Three Acts above mentioned and this Act:

"Asylum" shall have the same Meaning as it has in the Lunacy Act, Chapter Ninety-seven:

"Registered Hospital" shall mean any Hospital registered for the Reception of Lunatics.

Construction of Act.

2. This Act shall be construed as One Act with the Lunacy Acts, Chapters One hundred, Ninety-six, and Ninety-seven, and Words defined by the said Acts or any of them shall have the same Meaning in this Act.

Short Title.

3. This Act may be cited for all Purposes as the "Lunacy Acts Amendment Act, 1862."

Establishment of County Asylums.

Plans, &c. of Visitors, when not approved by the Quarter Sessions, to be submitted to Secretary of State.

4. 'Whereas by Section Thirty-one of the Lunacy Act, Chapter Ninety-seven, it is provided, "that 'the said Visitors shall from Time to Time make their Report to the General or Quarter Sessions of 'the County or Borough, Counties or Boroughs, for which they (or such of them as have not been 'elected by Subscribers, as therein mentioned,) have been elected, of the several Plans, Estimates, 'and Contracts which have been agreed upon, and of the Sum or Sums of Money necessary to be 'raised and levied for defraying the Purchase Monies and Expenses thereof on the County or 'Borough, or, in the Case of such Union as therein mentioned, on each or every of the Counties or 'Boroughs; which Plans, Estimates, and Contracts shall be subject to the Approbation of the Court 'or Courts of General or Quarter Sessions of such County or Counties, and of the Justices of such 'Borough or Boroughs, before the same are completed or carried into execution" (save in the Case 'therein mentioned):'

Where a Plan, Estimate, or Contract agreed upon by any Committee of Visitors on behalf of a Union of Counties, or of a Union of Counties and Boroughs, is disapproved of by One or more but not all of the Courts of General or Quarter Sessions, or other Bodies of Justices whose Approbation is required, in pursuance of the said Enactment, each Court of General or Quarter Sessions or Body of Justices disapproving of the same shall, within Four Months after such Plan, Estimate, or Contract is reported to them, or where the same has been reported to them before the passing of this Act, then within One Month after the holding of the First Court of General or Quarter Sessions of the County or the First Meeting of the Justices of the Borough after the passing of this Act, as the Case may be, set forth their Objections, with any Observations they may think fit in relation thereto, in a Report in Writing, and forthwith transmit the same to One of Her Majesty's Principal Secretaries of State, and the Secretary of State shall cause such Inquiries to be made in relation to the Matter as he may deem proper, and shall by Writing under his Hand direct the Plan, Estimate, or Contract in question, with or without any Alteration therein, or such other Plan, Estimate, or Contract for the like Purpose as he may think fit, to be proceeded with and carried into execution.

The Decision of the Secretary of State, given in pursuance of this Section, shall be final, and shall be acted upon without further Report or Approval.

Estimates to accompany Plans.

5. Together with every Plan for building, or providing or enlarging or improving, any Asylum for Pauper Lunatics, which is to be submitted to the Commissioners in Lunacy, under Section Forty-five of the said Lunacy Act, Chapter Ninety-seven, an Estimate of the Cost and Expense of carrying such Plan into execution shall be also submitted to the said Commissioners.

Excess of Payment may be paid to a Building and Repair Fund.

6. Where the Committee of Visitors enter into any Agreement for the Reception into the County Asylum of Pauper Lunatics belonging to a County or Borough which has not contributed to the erecting or providing such Asylum, and think fit under the Lunacy Act, Chapter Ninety-seven, Section Fifty-four, to fix a greater weekly Sum than is charged by them in respect of Lunatics sent from or settled in some Place, Parish, or Borough which has contributed to the building or providing such Asylum, they may, if they think fit, pay over the Excess created by the Payment of such greater weekly Sum to a Building and Repair Fund, to be applied by them to the altering, repairing, or improving such Asylum, and shall annually submit to the General or Quarter Sessions a detailed Statement of the Manner in which such Fund has been expended.

Provision as to Contract for Reception of Lunatics.

7. Where any Contract has been made by a Committee of Visitors of any County or Borough under the Lunacy Act, Chapter Ninety-seven, Section Forty-two, for the Reception into any Asylum, Hospital, or Licensed House of the whole or a Portion of the Pauper Lunatics of such County or Borough, it shall be lawful for the Justices of such County or Borough, so long as such Contract is subsisting, to defray out of the County or Borough Rate so much of the weekly Charge agreed upon for each Pauper Lunatic received therein as may, in the Opinion of such Committee of Visitors, represent the Sum due for the

Use

Use of such Asylum, Hospital, or Licensed House, not exceeding, however, One Fourth of the whole of such weekly Charge, in exoneration to that Extent of the Union to which the Maintenance of any such Pauper Lunatic may be chargeable.

Provision for Care of chronic Lunatics.

8. It shall be lawful for the Visitors of any Asylum and the Guardians of any Parish or Union within the District for which the Asylum has been provided, if they shall see fit, to make Arrangements, subject to the Approval of the Commissioners and the President of the Poor Law Board, for the Reception and Care of a limited Number of chronic Lunatics in the Workhouse of the Parish or Union, to be selected by the Superintendent of the Asylum, and certified by him to be fit and proper so to be removed.

Lunatics in Asylum.

9. The Committee of Visitors of any Asylum may provide Accommodation for the Burial of Pauper Lunatics dying in the Asylum by acquiring a new Burial Ground, or by enlarging any existing Burial Ground; they may purchase for the Purposes aforesaid any Land, and may grant any Land when purchased, or any Land already belonging to them, to any Person or Body of Persons, to be held on trust for a new Burial Ground or as Part of an existing Burial Ground, or they may themselves hold such Land on trust as a new Burial Ground or as Part of an existing Burial Ground; they may also contribute any Sums of Money to any Person or Body of Persons on condition of such Person or Body of Persons agreeing to provide Accommodation for the Burial of such Paupers as aforesaid in any Burial Ground; they may also take Steps for the Consecration of any new Burial Ground or enlarged Burial Ground, or any Part thereof, and in the Case of a new Burial Ground, they may provide for the Appointment of a Chaplain therein; they may enter into any Agreements necessary for carrying into effect the Powers conferred by this Section, but the Exercise of such Powers shall be subject to the Restrictions following:

Firstly, That not more than Two Statute Acres shall in the Case of any One Asylum be purchased or granted as a new Burial Ground, or for an Enlargement of an existing Burial Ground:

Secondly, That the Sanction of the Court of General or Quarter Sessions and of One of Her Majesty's Principal Secretaries of State shall be given to any Plan that may be proposed by any Visitors for carrying into effect this Section.

All Expenses incurred by any Visitors in providing Accommodation for the Burial of Pauper Lunatics, in pursuance of this Act, shall be deemed to be Monies, Costs, and Expenses payable for the Purposes of the Lunacy Act, Chapter Ninety-seven, and may be defrayed accordingly.

8 & 9 Vict. c. 18. incorporated.

10. All the Provisions of "The Lands Clauses Act, 1845," except the Provisions of that Act "with "respect to the Purchase and taking of any Lands otherwise than by Agreement," "with respect to "the Recovery of Forfeitures, Penalties, and Costs," "with respect to Lands acquired by the Promoters "of the Undertaking, under the Provisions of the Lands Clauses Consolidation Act, 1845, or the "Special Act, or any Act incorporated therewith, but which shall not be required for the Purposes "thereof," "and with respect to the Provision to be made for affording Access to the Special Act by all "Parties interested," shall be incorporated with this Act; and for the Purposes of this Act the Expression "the Promoters of the Undertaking," wherever used in the said Lands Clauses Consolidation Act, shall mean any such Committee of Visitors as aforesaid.

Taking on Lease additional Lands for Use of Asylum.

11. It shall be lawful for any Committee of Visitors, with the Sanction of the Court of General or Quarter Sessions, to hire or take on Lease, from Year to Year or for any Term of Years, at such Rent, and upon such Terms, and under such Covenants as they think fit, any Land or Buildings, either for the Employment or Occupation of the Patients in the Asylum, or for the temporary Accommodation of any Pauper Lunatics for whom the Accommodation in the Asylum may be inadequate.

The Restrictions in Section Thirty-three of the Lunacy Act, Chapter Ninety-seven, as to the Term for which the Committee of Visitors are thereby authorized to take a Lease, or to rent Land, shall not apply to Land or Buildings to be hired or taken under this Provision.

The Land and Buildings so to be hired or taken shall, while used for the Purposes of this Section, be deemed Part of the Asylum, and all existing Provisions as to the Asylum or Part of the Asylum shall be applicable thereto accordingly.

Superannuation of Officers in Asylum.

12. The Power vested in the Visitors of an Asylum of granting an Annuity by way of Superannuation to any Person that has been an Officer or Servant in such Asylum for not less than Twenty Years, under Section Fifty-seven of the Lunacy Act, Chapter Ninety-seven, may be exercised by them when any such Person has been an Officer or Servant for not less than Fifteen Years, in the same Manner as if the Time of such Service had been Twenty Years; and in calculating the Amount of Superannuation regard may be had, if the Visitors think fit, to the Value of the Lodgings, Rations, or other Allowances enjoyed by the Person superannuated: Provided, that no Annuity by way of Superannuation granted by the Visitors of any Asylum under the Provisions of this Act, or of the Lunacy Act, Chapter Ninety-seven, shall be chargeable on or payable out of the Rates of any County until such Annuity shall have been confirmed by a Resolution of the Justices of such County in General or Quarter Sessions assembled.

Provision for Superannuation of Matrons.

13. Where the Offices of Superintendent and Matron of any Asylum are held by Man and Wife, and an Order has been made under the Lunacy Act, Chapter Ninety-seven, granting an Annuity by way of Superannuation to the Superintendent, it shall be lawful for the Committee of Visitors of such Asylum, if

if they think fit to do so, and if the Matron has been an Officer in the Asylum for not less than Twenty Years, to grant to her such Annuity by way of Superannuation as they in their Discretion think proportionate to her Merits and Time of Service, although she may not have become incapable of executing her Office from Sickness, Age, or Infirmity; and every Annuity granted in pursuance of this Section shall be payable out of the Rates lawfully applicable to the building or repairing of such Asylum: Provided, firstly, that the annual Amount by way of Superannuation paid to any Matron under this Section shall not exceed Two Thirds of the Salary payable at the Time of her Retirement; secondly, that no such Superannuation shall be granted unless Notice of the Meeting at which the same is to be granted, and of the Intention to determine thereat the Question of such Superannuation, have been given in such Manner and so long before the Time appointed for such Meeting as is provided in the said Act with respect to Notices of Meetings of Committees of Visitors, nor unless Three Visitors concur in and sign the Order granting the same; thirdly, if any such Matron as aforesaid at any Time thereafter is appointed to any Public Office, or to any Office under the Lunacy Act, in respect of which she receives a Salary, the Payment of the Compensation awarded to her under this Act shall be suspended so long as she receives such Salary, if the Amount thereof is greater than the Amount of Compensation, or, if not, shall be diminished by the Amount of such Salary.

Licensed Houses.

Inspection by Commissioners before Licence granted by Justices.

14. Before the Grant by the Justices of a Licence for the Reception of Lunatics to a House which has not been previously licensed for that Purpose, the Notice given by the Applicant, and the Plan and Statements accompanying the same, or Copies of such Notice, Plan, and Statements respectively, shall be transmitted by the Applicant to the Commissioners, and the Commissioners shall inspect or cause to be inspected the House and Land or Appurtenances proposed to be included in the Licence, and shall ascertain, with reference as well to the Situation as to the Structure, Arrangements, and Condition of the Premises, whether the same are suitable for the Reception of the Patients proposed to be received therein, and the Commissioners shall transmit to the Clerk of the Peace for the County or Borough a Report in reference to such Application; and no Licence shall be granted by the Justices of the County or Borough, in pursuance of such Application, until the Report of the Commissioners with reference thereto has been received by the said Clerk of the Peace, and taken into consideration by the Justices in General or Quarter or Special Sessions assembled.

Where a Licence is granted by the Justices of a County or Borough in respect of a House not previously licensed, such Licence shall, as nearly as conveniently may be, be according to the Form in the Schedule marked A. to this Act, instead of in the Form prescribed by the Lunacy Act, Chapter One hundred.

Notice of Alterations to be given to the Commissioners.

15. Before the Consent of any Visitors is given to any Addition or Alteration being made in or about any Licensed House, or the Appurtenances, the Notice of the proposed Addition or Alteration, and Plan thereof, and accompanying Description given to the Clerk of the Peace, or Copies thereof respectively, shall be transmitted by him to the Commissioners, who shall, after making or causing to be made such Inquiries or Inspection (if any) as they may deem proper, transmit to the said Clerk of the Peace a Report stating their Approval or Disapproval thereof; and the Visitors shall not consent to such Addition or Alteration until they have received and considered such Report.

Provision as to non-resident Proprietors.

16. 'Whereas by the Second Section of the Lunacy Act, Chapter Ninety-six, it is enacted, "that no 'Person having, after the passing of the Lunacy Act, Chapter One hundred, received for the First 'Time a Licence for the Reception of Lunatics, or thereafter receiving for the First Time such 'Licence, shall receive a Licence unless he resides on the Premises licensed, and no Two or more 'Persons having, after the passing of the last-mentioned Act, received for the First Time a joint 'Licence for the Reception of Lunatics, or thereafter receiving for the First Time such joint Licence, 'shall receive such Licence unless they or One of them should reside on the Premises licensed:" 'And whereas it is expedient that in the Licensed Houses to which the said Section does not apply, by 'reason of the Proprietor or Proprietors thereof having first received a Licence prior to the Date 'mentioned in the said Section, the following Provision shall be made:' Be it enacted,

That in all Cases of Licensed Houses, where the Proprietor or Proprietors thereof have first received their Licence or Licences before the Date of the passing of the Lunacy Act, Chapter One hundred, the Physician, Surgeon, or Apothecary required by Act of Parliament to reside in or visit such House shall be approved, in the Case of a House licensed by the Commissioners, by the Commissioners, and in the Case of a House licensed by Justices, by the Justices; and any Proprietor of a Licensed House to which this Section applies who permits any Physician, Surgeon, or Apothecary who has not been approved by the Commissioners, or by the Justices, as the Case may be, to reside in or visit at such House in such Capacity as aforesaid for a Period exceeding One Calendar Month, shall incur a Penalty not exceeding Five Pounds for every Day beyond such Month during which such Physician, Surgeon, or Apothecary so resides or visits; the above-mentioned Period of One Month shall be reckoned in the Case of a Physician, Surgeon, or Apothecary so resident or visiting at the Time of the passing of this Act from the Date of the passing thereof, and in the Case of any fresh Appointment of any such Physician, Surgeon, or Apothecary as aforesaid from the Date of such Appointment.

17. If

Penalty on infringing Terms of Licence.

17. If any Person empowered by Licence issued under the Lunacy Act, Chapter One hundred, to employ his House and Premises for the Reception of Lunatics receives into his House any Patients beyond the Number specified in his Licence, or fails to comply with the Regulations of his Licence in respect of the Sex of the Patients to be received, or the Class of Patients, whether private or not, to be received, he shall, in respect of each Patient received in contravention of his Licence, incur a Penalty not exceeding Fifty Pounds.

Extension of Powers to take Boarders in Houses.

18. It shall be lawful for the Proprietor or Superintendent of any Licensed House, with the previous Assent in Writing of Two or more of the Commissioners, or in the Case of a House licensed by Justices of Two or more of the Visitors, to entertain and keep in such House as a Boarder for such Time as may be specified in the Assent any Person who may have been within Five Years immediately preceding the giving of such Assent a Patient in any Asylum, Hospital, or Licensed House, or under Care as a single Patient.

Admission and Visitation of Patients.

Provision for sending Pauper Lunatics to Asylums.

19. 'Whereas by the Sixty-seventh Section of the Lunacy Act, Chapter Ninety-seven, it is amongst 'other things enacted as follows: "That every Relieving Officer of any Parish within a Union or '"under a Board of Guardians, and every Overseer of a Parish of which there is no Relieving Officer, '"who shall have Knowledge either by such Notice or otherwise that any Pauper resident in such '"Parish is or is deemed to be a Lunatic and a proper Person to be sent to an Asylum, shall within '"Three Days after obtaining such Knowledge give Notice thereof to some Justice of the County or '"Borough within which such Parish is situate:"' Now be it enacted, That the said Section shall be construed as if the Words "and a proper Person to be sent to an Asylum" had been omitted in the said recited Enactment.

Lunatics proper to be sent to Asylums.

20. No Person shall be detained in any Workhouse, being a Lunatic or alleged Lunatic, beyond the Period of Fourteen Days, unless in the Opinion, given in Writing, of the Medical Officer of the Union or Parish to which the Workhouse belongs such Person is a proper Person to be kept in a Workhouse, nor unless the Accommodation in the Workhouse is sufficient for his Reception, and any Person detained in a Workhouse in contravention of this Section shall be deemed to be a proper Person to be sent to an Asylum within the Meaning of Section Sixty-seven of the Lunacy Act, Chapter Ninety-seven; and in the event of any Person being detained in a Workhouse in contravention of this Section, the Medical Officer shall for all the Purposes of the Lunacy Act, Chapter Ninety-seven, be deemed to have Knowledge that a Pauper resident within his District is a Lunatic, and a proper Person to be sent to an Asylum, and it shall be his Duty to act accordingly, and further to sign such Certificate as is contained in Schedule F. to the said Act, No. 3, with a view to more certainly securing the Reception into an Asylum of such Pauper Lunatic as aforesaid.

Amendment of Form of List as respects Pauper Lunatics in Workhouses.

21. The List of Lunatic Paupers required by Section Sixty-six of the Lunacy Act, Chapter Ninety-seven, to be made out by the Medical Officer, shall be in the Form in the Schedule marked B. hereto, and not in the Form required by the said Section, and shall, as respects such of the Lunatics therein mentioned as may be in any Workhouse, state whether, in the Opinion of the Medical Officer, the Workhouse is or not sufficient for the Accommodation of the Lunatics detained therein, and whether or not the Lunatics detained therein are proper Persons to be kept in a Workhouse.

Order for Reception and Medical Visitation of Persons found lunatic by Inquisition.

22. When a Person has been found lunatic by Inquisition an Order, signed by the Committee appointed by the Lord Chancellor, and having annexed thereto an Office Copy of the Order appointing such Committee, shall be a sufficient Authority for the Reception of such Person into any Asylum, Hospital, Licensed House, or other House, without any further Order or any such Medical Certificates as are required by Section Ninety of the Lunacy Act, Chapter One hundred, and Section Four and Eight of the Lunacy Act, Chapter Ninety-six, and the Provisions of the Section Ninety of the Lunacy Act, Chapter One hundred, as to the Visitation of every single Patient once in every Two Weeks by a Physician, Surgeon, or Apothecary, shall not apply to any Person found lunatic by Inquisition as aforesaid.

Persons signing Orders for Admission to have seen Patient within One Month.

23. No Order for the Reception of a Private Patient into any Asylum or Registered Hospital, licensed or other House, made in pursuance of the Lunacy Acts, Chapters Ninety-six and Ninety-seven, or either of them, shall authorize the Reception of such Patient after the Expiration of One Calendar Month from its Date, nor unless the Person subscribing such Order has himself seen the Patient within One Month prior to its Date, nor unless a Statement of the Time and Place when such Person last saw the Patient is added to such Order.

Certain Persons prohibited from signing Orders for Admission.

24. The following Persons shall be prohibited from signing any Certificate or Order for the Reception of any Private Patient into any licensed or other House:

First, Any Person receiving any Per-centage on or otherwise interested in the Payments to be made by or on account of any Patient received into a licensed or other House:

Second, Any Medical Attendant as defined by the Lunacy Act, Chapter One hundred.

Relative of Pauper to be named in Order of Admission.

25. Where an Order is made, in pursuance of the Lunacy Acts or any of them, for the Reception of any Private or Pauper Lunatic into any Asylum, Registered Hospital, or Licensed House, there shall be inserted in every such Order, wherever it be possible, the Name and Address of One or more of the Relations

Relations of the Lunatic; and in the event of his Death it shall be the Duty of the Clerk of such Asylum, the Superintendent of such Hospital, and the Proprietor or Superintendent of such Licensed House, to send by Post Notice of his Death in a prepaid Letter addressed to such Relation or One of such Relations.

Same Order and Certificates to justify Detention as Pauper of Private Patient.

26. The Order and Certificate required by Law for the Detention of a Patient as a Pauper shall extend to authorize his Detention, although it may afterwards appear that he is entitled to be classified as a Private Patient; and the Order and Certificates required by Law for the Detention of a Patient as a Private Patient shall authorize his Detention, although it may afterwards appear that he ought to be classified as a Pauper Patient.

Provision as to defective Certificates.

27. Where any Medical Certificate upon which a Patient has been received into any Asylum, Registered Hospital, licensed or other House, or either of such Certificates, is deemed by the Commissioners incorrect or defective, and the same are or is not duly amended to their Satisfaction within Fourteen Days after the Reception by the Superintendent or Proprietor of such Asylum, Registered Hospital, or licensed or other House of a Direction or Writing from the Commissioners requiring Amendment of the same, the Commissioners or any Two of them may, if they see fit, make an Order for the Patient's Discharge.

Transmission of Documents to Commissioners on Admission of Patient.

28. The Documents required by the Lunacy Act, Chapter One hundred, Sections Fifty-two and Ninety, and the Lunacy Act, Chapter Ninety-seven, Section Eighty-nine, to be sent to the Commissioners in Lunacy, after Two clear Days, and before the Expiration of Seven clear Days from the Day on which any Private Patient has been received into any Licensed House, Registered Hospital, or Asylum, shall, with the Exception of the Statement now required to be subjoined to the Notice of Admission into any Asylum, Hospital, or Licensed House, be transmitted to the said Commissioners within One clear Day from the Day on which any Patient has been received into any such House, Hospital, or Asylum as aforesaid, and the said Sections shall, so far as relates to the said Documents, other than the said Statement, be construed as if the Words "One clear Day" were substituted therein for the Words "after Two clear Days and before the Expiration of Seven clear Days;" nevertheless the said excepted Statement shall be transmitted as heretofore, save that it shall be separate from the said Notice, and shall refer to the Order of Admission by the Date thereof, instead of referring to it as the above Notice, and the Words referring to the said Statement as being subjoined shall be omitted in the said Notice.

Visits by Commissioners.

29. Every Licensed House may be visited at any Time, and, if situate within their immediate Jurisdiction, shall be visited twice at least in every Year by any One or more of the Commissioners, in addition to the Visits now required to be made by Two at least of the Commissioners; and if not within the immediate Jurisdiction of the Commissioners, may be visited at any Time, and shall be visited twice at least in every Year by One or more of the Visitors, in addition to the Visits now required to be made by Two at least of the Visitors.

Every Commissioner visiting alone shall have the same Powers as Two Commissioners would have under Section Sixty-one of the Lunacy Act, Chapter One hundred; and all the Provisions of the said Act contained in Sections Sixty-three, Sixty-four, Sixty-five, Sixty-six, and Sixty-seven shall apply to a Commissioner or Visitor visiting alone, as the Case may be, in the same Manner as they would apply under the said Act to Two or more Commissioners or Two or more Visitors visiting together.

Single Commissioner to visit Asylums and Gaols.

30. Any One or more of the Commissioners may at any Time visit every Asylum and Hospital for Lunatics, and every Gaol in which there may be, or alleged to be, any Lunatic, in addition to the Visits now required or empowered to be made by Two at least of the Commissioners, and every Commissioner so visiting alone shall have the same Powers as Two or more Commissioners would perform and have in the Case of an Asylum or Gaol, in pursuance of the One hundred and tenth Section of the Lunacy Act, Chapter One hundred, and in the Case of a Hospital in pursuance of Section Sixty-one of the Lunacy Act, Chapter One hundred.

Power to remove Lunatic from Workhouse to Asylum.

31. Where upon the Visitation of any Workhouse by any Two or more of the Commissioners in Lunacy it appears to them that any Lunatic or alleged Lunatic therein is not a proper Person to be kept in a Workhouse, they may by an Order under their Hands direct such Lunatic to be received into an Asylum, and any Order so made shall have the same Effect, and be obeyed by the same Persons, and subject them to the same Penalties in case of Disobedience, as an Order made by a Justice for the Reception of a Lunatic into an Asylum under the Sixty-seventh Section of the Lunacy Act, Chapter Ninety-seven: Provided always, that it shall be lawful for the Guardians of the Union or Parish to which any Workhouse belongs to appeal against such Order at any Time within One Calendar Month from the making thereof to Her Majesty's Principal Secretary of State for the Home Department, who shall thereupon exercise the Power given to him by Section One hundred and thirteen of the Lunacy Act, Chapter One hundred, save that he shall not appoint thereunder the Commissioners who made the Order appealed against, or either of them; and the Order in the Matter of the Secretary of State, made upon the Report of the special Visitation, shall be binding on all Parties concerned.

Removal of single Pauper Patients to Asylums.

32. Any Two or more of the Commissioners in Lunacy may visit any Pauper Lunatic or alleged Lunatic not in an Asylum, Hospital, Licensed House, or Workhouse, and may, if they think fit so to do, call to their Assistance a Physician, Surgeon, or Apothecary, and examine such Pauper; and if such Physician

Physician, Surgeon, or Apothecary sign a Certificate with respect to such Pauper, according to the Form in Schedule F. No. 3, annexed to the Lunacy Act, Chapter Ninety-seven, and the Commissioners are satisfied that such Pauper is a Lunatic, and a proper Person to be taken charge of and detained under Care and Treatment, they may, by an Order under their Hands, direct such Lunatic or alleged Lunatic to be received into an Asylum, and any Order so made shall have the same Effect, and be obeyed by the same Persons, and subject them to the same Penalties in case of Disobedience, as an Order made by a Justice for the Reception of a Lunatic into an Asylum under the Sixty-seventh Section of the Lunacy Act, Chapter Ninety-seven.

Effect of Order for Removal.

33. The Order made by any Two or more of the Commissioners in Lunacy in pursuance of this Act may authorize the Admission of a Lunatic not only into any Asylum of the County or Borough in which the Parish or Place from which the Lunatic is sent is situate, but also into any other Asylum for the Reception of Pauper Lunatics of such County or Borough, and also into any Asylum for any other County or Borough, or any Hospital registered or House licensed for the Reception of Lunatics, under the same Circumstances and subject to the same Conditions under which an Order of the Justice or Justices may authorize such Admission in pursuance of Section Seventy-two of the Lunacy Act, Chapter Ninety-seven.

Statement of Condition of Pauper Lunatics to be sent to Guardians.

34. The Superintendent of every Asylum shall, once at the least in each Half Year, transmit to the Guardians of every Union, and of every Parish under a Board of Guardians, and the Overseers of every Parish not in a Union nor under a Board of Guardians, a Statement of the Condition of every Pauper Lunatic chargeable to such Union or Parish.

Amendment of Sect. 64. of 8 & 9 Vict. c. 100.

35. The Inquiries authorized to be made under Section Sixty-four of the Lunacy Act, Chapter One hundred, or under Section Ninety-two of the same Act, and the Provisions amending the same, may include Inquiries as to the Monies paid to the Superintendent or Proprietor on account of any Lunatic under the Care of such Superintendent or Proprietor.

Copies of Entries of Commissioners and Visitors.

36. The Proprietor of every Licensed House within the Jurisdiction of Visitors appointed by Justices shall, within Three Days after a Visit by the Visiting Commissioners or Commissioner, transmit a true and perfect Copy of the Entries made by them or him in the Visitors Book, the Patients Book, and the Medical Visitation Book, respectively, distinguishing the Entries in the several Books, to the Clerk of the Visitors as well as to the Commissioners, and the Copies so transmitted to the Clerk of the Visitors of all such Entries in the Visitors Book relating to any such Licensed House, and made since the Grant or last Renewal of the Licence thereof, shall be laid before the Justices on taking into consideration the Renewal of the Licence to the House to which such Entries relate; and every such Proprietor as aforesaid who shall omit to transmit as herein-before mentioned a true and perfect Copy of every or any such Entry as aforesaid shall for every such Omission forfeit a Sum not exceeding Ten Pounds.

Visiting Committee to enter Observations in a Book respecting Dietary, Accommodation, &c. of Lunatics in Workhouses.

37. The Visiting Committee of every Union, and of every Parish under a Board of Guardians, and the Overseers of every Parish not in a Union nor under a Board of Guardians, shall once at the least in each Quarter of a Year enter in a Book to be provided and kept by the Master of the Workhouse such Observations as they may think fit to make respecting the Dietary, Accommodation, and Treatment of the Lunatics or alleged Lunatics for the Time being in the Workhouse of their Union or Parish, and the Book containing the Observations made in pursuance of this Section by the Visiting Guardians or Overseers shall be laid by the Master before the Commissioner or Commissioners on his or their next Visit.

Miscellaneous Clauses.

Patients may be permitted to be absent on Trial from Hospitals and Private Houses.

38. Section Eighty-six of the Lunacy Act, Chapter One hundred, and Section Seventeen of the Act Eighteenth and Nineteenth *Victoria*, Chapter One hundred and five, shall extend to authorize the Proprietor or Superintendent of any Licensed House or Hospital, with such Consent, and to be given on such Approval as thereby required, to permit any Patient to be absent from such Hospital or House upon Trial for such Period as may be thought fit:

Two of the Commissioners, as regards any Hospital or any Licensed House, and Two of the Committee of Governors of any Hospital, and Two of the Visitors of any Licensed House, as regards any Licensed House within the Jurisdiction of Visitors, may of their own Authority permit any Pauper Patient therein to be absent from such Hospital or House upon Trial for such Period as they may think fit, and may make or order to be made an Allowance to such Pauper not exceeding what would be the Charge for him in such Hospital or House, which Allowance shall be charged for him and be payable as if he were actually in such Hospital or House, but shall be paid over to him, or for his Benefit, as the said Commissioners or Visitors may direct:

In case any Person so allowed to be absent on Trial for any Period do not return at the Expiration thereof, and a Medical Certificate as to his State of Mind certifying that his Detention as a Lunatic is no longer necessary be not sent to the Proprietor or Superintendent of such Licensed House or Hospital, he may at any Time within Fourteen Days after the Expiration of the same Period be retaken as in the Case of an Escape.

Penalty on Officer conniving at the

39. If any Officer or Servant in any Hospital or Licensed House through wilful Neglect or Connivance permits any Patient to escape from such Hospital or Licensed House, or secretes or abets or connives at

Escape of Lunatics.

at the Escape of any Patient from such Hospital or Licensed House, he shall for every such Offence incur a Penalty not exceeding Twenty Pounds.

Correspondence of Private Patients.

40. Every Letter written by a Private Patient in any Asylum, Hospital, or Licensed House, or by any single Patient, and addressed to the Commissioners in Lunacy or Committee, or in the Case of Houses within the Jurisdiction of Visitors to the Visitors or any of them, shall, unless special Regulations to the contrary have been given by such Commissioners or Visitors, be forwarded unopened.

Every Letter written by a Private Patient in any Asylum, Hospital, or Licensed House, or by any single Patient, and addressed to any Person other than the Commissioners or Committee or Visitors or One of them, shall be forwarded to the Person to whom it is addressed, unless the Superintendent in the Case of an Asylum or Hospital, the Proprietor in the Case of a Licensed House, and the Person having the Charge of a single Patient in the Case of a single Patient, prohibit the forwarding of such Letter, by Endorsement to that Effect under his Hand on the Letter, in which Case he shall lay all Letters so endorsed before the Visiting Commissioners, Committee, or Visitors, as the Case may be, on their next Visit.

Any Superintendent, Proprietor, or Person in charge of a single Patient failing to comply with the Provisions of this Section as to laying any Letter before the Commissioners or Committee or Visitors that is not forwarded to the Address of the Person to whom it is directed, or being privy to the Detention by any other Person of any Letter detained in contravention of this Section, shall incur a Penalty not exceeding Twenty Pounds in respect of each Offence ; and any Person detaining any Letter in contravention of this Section shall incur, in respect of each Letter so detained, a Penalty not exceeding Twenty Pounds.

Statement as to Condition of single Patients.

41. Every Person having the Care or Charge of a single Patient shall in addition to the Notice required to be given by the Ninetieth Section of the Lunacy Act, Chapter One hundred, before the Expiration of Seven clear Days from the Day on which he has taken the Patient under his Care or Charge, transmit to the Commissioners a Statement of the Condition of the Patient, according to the Form in Schedule F. annexed to the said last-mentioned Act, such Statement to be signed by the Physician, Surgeon, or Apothecary visiting the Patient in pursuance of the Ninetieth Section of the Lunacy Act, Chapter One hundred.

If any Person having the Care or Charge of a single Patient fails to transmit such Statement as aforesaid within such Time as is required by this Section he shall be guilty of a Misdemeanor.

Commissioners empowered to prescribe Forms, &c. of Medical Visitation Book.

42. In the Case of single Patients the Commissioners may from Time to Time make Regulations as to the Form of and the Particulars to be entered in the "Medical Visitation Book," required to be kept by the Ninetieth Section of the Lunacy Act, Chapter One hundred, and if the Person having the Care or Charge of a single Patient fails to comply with the Regulations so made he shall in respect of each Offence incur a Penalty not exceeding Five Pounds.

Discharge of a Private Patient.

43. If there be no Person capable or qualified, under Section Seventy-two or Section Seventy-three of the said Lunacy Act, Chapter One hundred, to direct the Discharge or Removal of any such Patient as therein mentioned from any Registered Hospital or Licensed House, the Commissioners may order the Discharge or Removal of such Patient, as they may think fit.

Report to Coroner of Death of single Patient.

44. The Superintendent of every Asylum, and every Person having the Care or Charge of a single Patient, shall, in the event of the Death of any Patient, transmit to the Coroner of the County or Borough the same Statement as is required by Law to be transmitted in the Case of the Death of any Patient in any Hospital or Licensed House, and if such Coroner, after receiving such Statement, thinks that any reasonable Suspicion attends the Cause and Circumstances of the Death of such Patient he shall summon a Jury to inquire into the Circumstances of such Death.

Any Superintendent or Person in charge who makes default in complying with the Requisitions of this Section shall be guilty of a Misdemeanor.

Chargeability of Pauper Lunatics whose Settlements cannot be ascertained where found in certain Boroughs.

45. Section Fourteen of the Act of the Session holden in the Eighteenth and Nineteenth Years of Her Majesty, Chapter One hundred and five, shall be repealed, and in lieu thereof be it enacted, Where any Pauper Lunatic is not settled in the Parish by which or at the Instance of some Officer or Officiating Clergyman of which he is sent to an Asylum, Registered Hospital, or Licensed House, and it cannot be ascertained in what Parish such Pauper Lunatic is settled, and such Lunatic is found in a Borough which has a separate Court of Sessions of the Peace, and is not liable, under the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Seventy-six, Section One hundred and seventeen, to the Payment of a Proportion of the Sums expended out of the County Rate, or is found in any Borough which under the Act of the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter Eighty-two, is exempted from Liability to contribute to the Payment of the Expenses incurred for maintaining Pauper Lunatics chargeable to the County in which such Borough is situate, such Lunatic shall be adjudged to be chargeable to the Borough in which he is found ; and it shall not be lawful for any Justices to adjudge such Lunatic to be chargeable to any County, nor to make any Order upon the Treasurer of any County for the Payment of any Expenses whatsoever incurred or to be incurred in respect of such Lunatic.

All the Provisions in the Lunacy Act, Chapter Ninety-seven, as to the Mode of determining that a Pauper Lunatic is chargeable to a County, and as to the Orders to be made for Payment of Expenses and

and other Monies in respect of such Lunatic, and for the Repayment thereof to the Treasurer of a County, shall extend to the Case of a Borough to which a Lunatic is made chargeable under this Section as if the said Provisions were re-enacted in this Act, and such Borough were therein mentioned or referred to instead of a County.

Amendment of 8 & 9 Vict. c. 100. s. 100. as to Power of administering Oaths.

46. Any Two or more Commissioners or Visitors, in exercise of the Powers given to them by the One hundredth Section of the Lunacy Act, Chapter One hundred, may, if they think fit, examine on Oath any Person appearing before them as a Witness, notwithstanding a Summons may not have been served on him in pursuance of the said Section.

Definition of Physician, Surgeon, or Apothecary.

47. The Term Physician, Surgeon, or Apothecary, wherever used in the Lunacy Acts, shall mean a Person registered under "The Medical Act," passed in the Session holden in the Twenty-first and Twenty-second Years of the Reign of Her present Majesty, Chapter Ninety.

Part of Sect. 132. of 16 & 17 Vict. c. 97. repealed.

48. So much of Section One hundred and thirty-two of the Lunacy Act, Chapter Ninety-seven, as enacts that in that Act, unless there be something in the Subject or Context repugnant to such Construction, the Word "County" shall mean a County of a City or County of a Town, shall, except with respect to the City of *London*, be repealed, and all the Provisions of the said Act and of the Acts amending the same shall be read and construed accordingly.

SCHEDULE A.

Form of Licence.

Know all Men, That we, the undersigned Justices of the Peace, acting in and for in General [*or* Quarter *or* Special] Sessions assembled, do hereby certify that *A.B.* of in the Parish of in the County of hath delivered to the Clerk of the Peace a Plan and Description of a House and Premises proposed to be licensed for the Reception of Lunatics, situate at in the County of and which has not been previously licensed for that Purpose, and hath applied to us for a Licence thereof: And whereas the Particulars of the said Application have been transmitted to the Commissioners in Lunacy, and their Report in reference to the said Application has been received, and has been taken into consideration by us; and we, having considered and approved the Application, do hereby authorize and empower the said *A.B.* (he intending *or* not intending to reside therein) to use and employ the said House and Premises for the Reception of Male [*or* Female *or* Male and Female] Lunatics, of whom not more than shall be Private Patients, for the Space of Calendar Months from this Date.

Given under our Hand and Seals, this Day of in the Year of our Lord One thousand eight hundred and

Witness, *Y.Z., Clerk of the Peace.*

SCHEDULE B.

County of
Union [*or* Parish of]
District of

QUARTERLY LIST of LUNATIC PAUPERS within the District of the Union of [*or* the Parish of], in the County or Borough of , not in any Asylum, Registered Hospital, or Licensed House.

Name.	Sex.	Age.	Form of Mental Disorder.	Duration of present Attack of Insanity, and if idiotic, whether or not from Birth.	Resident in Workhouse.	Non-Resident in Workhouse, where and with whom resident.	Date of Visit.	In what Condition, and, if ever restrained, why, and by what Means, and how often.

I declare that I have personally examined the several Persons whose Names are specified in the above List on the Days set opposite their Names; and I certify, firstly, with respect to those appearing by the above List to be in the Workhouse, that the Accommodation in the Workhouse is sufficient for their Reception, and that they are all [*or* all except *A.B.* and *C.D.*] proper Patients to be kept in the Workhouse;

Workhouse; and, secondly, with respect to those appearing by the above List to be resident elsewhere than in the Workhouse, that they are all [*or* all except *A.B.* and *C.D.*] properly taken care of, and may properly remain out of an Asylum.

I declare that the Persons in the above List are to the best of my Knowledge the only Pauper Lunatics in the District of the Union of [*or* in the Parish of] who are not in an Asylum, Registered Hospital, or duly Licensed House.

(Signed) *A.B.*,
Medical Officer of the District
of the Union [*or* Parish] of .

Dated the Day of One thousand eight hundred and .

CAP. CXII.

An Act for establishing the Jurisdiction of the Charity Commissioners in certain Cases. [7th *August* 1862.]

'WHEREAS by the Acts relating to the Charity Commissioners for *England* and *Wales* Authority has been given to the Commissioners to make Orders for various Purposes in Charity Cases upon summary Application, and particularly in relation to the Appointment and Removal of Trustees, and the Sale, Exchange, Leasing, and Improvement of the Property of Charities: And whereas in various Private Acts of Parliament and Decrees and Orders of the High Court of Chancery relating to Charities such Powers and Authorities are often given or reserved, with Directions that the same shall be exercised by the said Court, or with its Sanction or Approbation, and Doubts are entertained whether in such Cases the Authority given to the Charity Commissioners can be validly exercised:' Be it therefore enacted and declared by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

No Provision in any Act of Parliament, or Decree in Chancery, to exclude any Jurisdiction which might otherwise be exercised by the Commissioners.

1. No Provision contained in any such Act of Parliament or Decree or Order as aforesaid for the Appointment or Removal of Trustees of any Charity, or for or relating to the Sale, Exchange, Leasing, Disposal, or Improvement of any Property, by or under the Order or with the Approval of the Court of Chancery, shall (in the Absence of any express Direction to the contrary, to be contained in any future Act of Parliament, Order, or Decree,) exclude or impair any Jurisdiction or Authority which might otherwise be properly exercised for the like Purposes by the Charity Commissioners for *England* and *Wales*.

CAP. CXIII.

An Act to amend the Law relating to the Removal of poor Persons from *England* to *Scotland*, and from *Scotland* to *England* and *Ireland*. [7th *August* 1862.]

'WHEREAS it is expedient that better Means should be provided for the safe Conveyance to the Place of their Destination in *England*, *Ireland*, or *Scotland*, of poor Persons who may be removed in pursuance of the Acts passed in the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter Eighty-three, and Chapter One hundred and seventeen, and in the Tenth and Eleventh Years of the Reign of Her present Majesty, Chapter Thirty-three:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Warrant of Removal to Scotland to be signed by Two Justices or a Magistrate, and to England or Ireland by the Sheriff or Two Justices.

1. No Application for a Warrant ordering the Removal from any Place in *England* to *Scotland*, or in *Scotland* to *England* or *Ireland*, of any poor Person who shall have become chargeable in such Place shall be heard and determined in *England*, except by Two or more Justices in Petty Sessions assembled, or by a Stipendiary Magistrate or Metropolitan Police Magistrate sitting in his Court; and in *Scotland*, except by the Sheriff or any Two Justices of the Peace of the County in which the Parish is situated to which such poor Person may have become chargeable, which Justices or Magistrate, and Sheriff or Justices (as the Case may be) shall see such poor Person, or the Person who is the Head of the Family proposed to be removed, and shall be satisfied that every Person who is proposed to be removed by the Warrant is in such a State of Health as not to be liable to suffer bodily or mental Injury by the Removal.

Warrant to contain Name and Age of every Person to be removed, and other Particulars.

2. Such Warrant of Removal shall be granted in *England* only on the Application of the Relieving Officer, or other Officer of the Guardians of the Union or Parish, and in *Scotland* only on the Application of the Inspector of the Poor of the Parish or Combination, or other Officer appointed by the Parochial Board of such Parish or Combination, where such poor Person shall have become chargeable, and shall contain the Name and reputed Age of every Person ordered to be removed by virtue of the same, and the Name of the Place in *Scotland* or *England* or *Ireland*, (as the Case may be) where the Justices or Magistrate, or Sheriff or Justices, shall find such Person to have been born, or to have last resided for the Space of Five Years in the Case of a poor Person to be removed to *Scotland*, and Three Years in the Case of a poor Person to be removed to *England* or *Ireland*, and a Statement of such Examination

Examination having been made as to the State of Health of every Person ordered to be removed as aforesaid; and such Warrant shall be addressed to the Party applying for the same, and in the Case of a Removal to *Scotland*, to the Parochial Board or Inspector of the Poor of the Parish or Combination to which such poor Person is to be removed, and in the Case of a Removal to *England* or *Ireland* (as the Case may be), to the Guardians of the Union or Parish to which such Person is to be removed, and a Copy shall be given by and at the Cost of the Person applying for such Warrant to the Person or the Head of the Family about to be removed by virtue of it: Provided that in the Case of any Native of *England*, *Ireland*, or *Scotland* where the Justices or Magistrate, or Sheriff or Justices, (as the Case may be,) shall not be able to ascertain, upon the Evidence before them, the Place of Birth or of such continued Residence as aforesaid, they shall order the Pauper to be removed to the Port or Union or Parish in *England* or *Ireland* (as the Case may be), or Port or Parish in *Scotland*, which shall, in the Judgment of such Justices or Magistrate, or Sheriff or Justices, (as the Case may be,) under the Circumstances of the Case be most expedient. Proviso.

3. The Person obtaining the Warrant shall, at least Twelve Hours before the Removal, send a Copy of it by Post to the Inspector of the Poor of the Parish or Combination in *Scotland*, and to the Clerk of the Board of Guardians of the Union or Parish in *England* or *Ireland* (as the Case may be), to which such poor Person shall be ordered to be removed, and also a Copy of the Depositions taken in the Case, if the same shall, at any Time within Three Months from the Date of the Warrant, be required by any such Board of Guardians or Parochial Board. Copy of Warrant to be sent to Parochial Board, &c. of Parish to which Removal is to be made.

4. Such Warrant shall order the Removal of the poor Person to be made to the Place mentioned therein as aforesaid, and shall order the Persons charged with the Execution thereof to cause such poor Person with his Family (if any) to be safely conveyed to such Place in *England*, *Ireland*, or *Scotland* (as the Case may be,) to be delivered, in the Case of a Removal to *Scotland*, to the Inspector of the Poor of the Parish or Combination, and in the Case of a Removal to *England* or *Ireland*, at the Workhouse of such Place or of the Union or Parish containing the Port or Place nearest to the Place mentioned in the Warrant as the Place of the Pauper's ultimate Destination. Warrants shall order poor Persons to be conveyed to the Place mentioned in the Warrant.

5. The Master of the Workhouse of the Union or Parish in *England* or *Ireland*, and the Inspector of the Poor of the Parish or Combination in *Scotland*, to which (as the Case may be) such Warrant is addressed, shall be bound to receive Delivery of the poor Person named in such Warrant, under a Penalty of Ten Pounds for each Case of Refusal, which Penalty may be recovered by the Person applying for such Warrant by an Action in any County Court in *England*, or Court of Quarter Sessions in *Ireland*, or Sheriff Court in *Scotland*, or other competent Court having Jurisdiction in the Place where such Master or Inspector is resident at the Time when such Action is brought. Relieving Officers and Inspectors of Poor to receive poor Persons named in Warrant under Penalty of 10*l*.

6. If by reason of Default of the Guardians, Inspector of the Poor, or other Person having charge of such Warrant, or otherwise, the poor Person named therein shall not be removed to the Place of ultimate Destination, the Guardians of the Union or Parish in *England* or *Ireland*, or Parochial Board of the Parish or Combination in *Scotland*, (as the Case may be,) to which he has been removed, may if they think fit, cause the Pauper to be removed forthwith to the Place mentioned in the Warrant, and shall be entitled to be reimbursed the Costs incurred in such Removal by the Guardians or Parochial Board (as the Case may be), or other Person on whose Application the Warrant was obtained, such Costs being the actual Expense incurred in and about the Conveyance and Maintenance of each Person so removed, which Costs may, if not paid on Demand, be recovered by an Action in any County Court in *England* or *Ireland*, or Sheriff Court in *Scotland*, or other competent Court having Jurisdiction in the Place from whence the Removal shall have taken place. Parochial Boards and Guardians may forward the Pauper to the Place of Destination and recover the Costs.

7. It shall be unlawful to remove any Woman, or any Child under the Age of Fourteen, as a Deck Passenger in any Vessel from *England* to *Scotland*, or from *Scotland* to *England* or *Ireland*, during the Period from the First of *October* to the Thirty-first of *March* following, and no Regulation of any Sheriff, Magistrate, or Justices authorizing such Removal shall be henceforth legal. Women and Children not to be removed as Deck Passengers during the Winter.

8. Section Seventy-seven of the Act Eighth and Ninth *Victoria*, Chapter Eighty-three, in so far as inconsistent with the Provisions of this Act, is hereby repealed. Part of 8 & 9 Vict. c. 83. s. 77. repealed.

9. Except so far as this Act shall alter the Provisions of the said Acts, this Act shall be construed as Part of the same. Construction of this Act.

C A P. CXIV.

An Act for the Prevention of Poaching. [7th *August* 1862.]

'WHEREAS it is expedient that the Laws now in force for the better Detection and Prevention of 'Poaching should be amended:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The Word "Game" in this Act shall for all the Purposes of this Act be deemed to include any One or more Hares, Pheasants, Partridges, Eggs of Pheasants and Partridges, Woodcocks, Snipes, Rabbits, Grouse, Black or Moor Game, and Eggs of Grouse, Black or Moor Game; and the Words "Justice" and "Justices" in this Act shall, unless otherwise provided for, mean respectively a Justice Interpretation of Terms.

and Justices of the Peace respectively of or for the County, Riding, Division, Liberty, City, Borough, or Place in which any Game, Gun, Part of Gun, Net, Snare, or Engine after mentioned shall be found.

Power to Constables to search Persons without Warrant, in certain Cases.

2. It shall be lawful for any Constable or Peace Officer in any County, Borough, or Place in *Great Britain* and *Ireland*, in any Highway, Street, or public Place, to search any Person whom he may have good Cause to suspect of coming from any Land where he shall have been unlawfully in search or pursuit of Game, or any Person aiding or abetting such Person, and having in his Possession any Game unlawfully obtained, or any Gun, Part of Gun, or Nets or Engines used for the killing or taking Game, and also to stop and search any Cart or other Conveyance in or upon which such Constable or Peace Officer shall have good Cause to suspect that any such Game or any such Article or Thing is being carried by any such Person, and should there be found any Game or any such Article or Thing as aforesaid upon such Person, Cart or other Conveyance, to seize and detain such Game, Article, or Thing; and such Constable or Peace Officer shall in such Case apply to some Justice of the Peace for a Summons citing such Person to appear before Two Justices of the Peace assembled in Petty Sessions, as provided in the Eighteenth and Nineteenth of Her present Majesty, Chapter One hundred and twenty-six, Section Nine, as far as regards *England* and *Ireland*, and before a Sheriff or any Two Justices of the Peace in *Scotland*; and if such Person shall have obtained such Game by unlawfully going on any Land in search or pursuit of Game, or shall have used any such Article or Thing as aforesaid for unlawfully killing or taking Game, or shall have been accessory thereto, such Person shall, on being convicted thereof, forfeit and pay any Sum not exceeding Five Pounds, and shall forfeit such Game, Guns, Parts of Guns, Nets, and Engines, and the Justices shall direct the same to be sold or destroyed, and the Proceeds of such Sale, with the Amount of the Penalty, to be paid to the Treasurer of the County or Borough where the Conviction takes place; and no Person who, by Direction of a Justice in Writing, shall sell any Game so seized shall be liable to any Penalty for such Sale; and if no Conviction takes place, the Game or any such Article or Thing as aforesaid, or the Value thereof, shall be restored to the Person from whom it had been seized.

Recovery of Penalties.

3. Any Penalty under this Act shall be recovered and enforced in *England* in the same Manner as Penalties under the Act First and Second *William* the Fourth, Chapter Thirty-two, and in *Scotland* under the Act Second and Third *William* the Fourth, Chapter Sixty-eight, and in *Ireland* under the Petty Sessions, *Ireland*, Act, 1851, when not otherwise directed in this Act.

Provisions of 11 & 12 Vict. c. 43. extended to this Act.

4. The Powers and Provisions of the Act of the Eleventh and Twelfth Years of Her present Majesty, Chapter Forty-three, shall extend and apply to this Act, and to all Proceedings, Matters, and Things to be taken, had, and done, and to all Persons to be proceeded against or taking Proceedings under this Act.

No Conviction shall be quashed for Want of Form or removed by Certiorari.

5. No Conviction or Order made under this Act, or Adjudication made on Appeal therefrom, shall be quashed for Want of Form, or be removed by Certiorari or otherwise into any of Her Majesty's Superior Courts of Record; and no Warrant of Commitment shall be held void by reason of any Defect therein, provided it be therein alleged that the Party has been convicted, and there be a good and valid Conviction to sustain the same.

Power of Appeal.

6. Any Person who shall think himself aggrieved by any such summary Conviction may appeal to the next Court of General or Quarter Sessions which shall be holden not less than Twelve Days after the Day of such Conviction for the County, Riding, Division, or Borough wherein the Cause of Complaint shall have arisen, provided that such Person shall give to the Complainant a Notice in Writing of such Appeal, and of the Cause and Matter thereof, within Three Days after such Conviction, and Seven clear Days at the least before such Sessions, and shall, within Three Days, enter into a Recognizance, or Bond of Caution in *Scotland*, with a sufficient Surety, before a Justice of the Peace, conditioned personally to appear at the said Sessions, and to try such Appeal, and to abide the Judgment of the Court thereupon, and to pay such Costs as shall be awarded by the Court; and the Court at such Sessions shall hear and determine the Matter of Appeal, and shall make such Order therein, with or without Costs, to either Party, as to the Court shall seem fit, and shall, if necessary, issue Process for enforcing such Judgment.

LOCAL ACTS.

[For the Full Titles, see Table of Titles at the Commencement of the Volume.]

Cap. i.

"The Great Northern Railway Amendment Act, 1862."

Recites that it is expedient to enable the Great Northern Railway Company to acquire additional Land near Doncaster, and to extend the Time for the Sale of their superfluous Lands.
Two Years for compulsory Purchase of Lands, § 3.
Extending Period for Sale of superfluous Lands for 10 Years, § 4.

Cap. ii.

"The Woolwich, Plumstead, and Charlton Consumers Gas Act Amendment Act, 1862."

Recites Incorporation of Company in 1855 for the Purpose of making and supplying Gas within the Town and Parish of Woolwich and the Parishes of Plumstead and Charlton, in the County of Kent, with Power to raise 24,000*l.* by Shares and 6,000*l.* by borrowing; that they have raised and expended upon their Undertaking the whole of the said 24,000*l.*, and the Sum of 4,000*l.*, Part of the said 6,000*l.*; proposes to raise further Monies.
Incorporation of Parts of Companies Clauses Act, § 1.
Power to Company to raise additional Capital of 24,000*l.* in 5*l.* Shares, §§ 2 to 8.
Limiting the Amount of Dividend on new Capital to 7*l.* 10*s.* per Annum, § 9.
Power to borrow 6,000*l.*, §§ 10 to 12.

Cap. iii.

"The Norwich Corporation Markets Act, 1862."

Recites that by "The Norwich Corporation Markets Act, 1860," the Corporation of the City of Norwich are empowered to enlarge and improve the Cattle Market, to establish, hold, and regulate Markets and Fairs in the City, to make new Streets in the City, and to purchase Lands compulsorily for the Purposes of that Act; that they have proceeded to put the recited Act into execution, and have acquired Parts of the Lands by the recited Act authorized to be purchased for Markets and new Streets; that the Lands which the Corporation are by the recited Act authorized to purchase compulsorily are insufficient for improving the Cattle Market and for the other Purposes of the recited Act, and it is expedient that the Corporation be empowered to purchase additional Lands, and be empowered to sell and exchange, with the Consent of the Lords of the Treasury, Parts of the Estates and Lands of the Corporation in and near the City; and that additional Provisions be enacted with respect to the Markets, and that the recited Act be amended in manner herein-after provided.
Act to be executed by Corporation, § 2.
Incorporation of Lands Clauses Act, §§ 3, 4.
Compulsory Power to purchase Lands, § 5.
Four Years for compulsory Purchase of Lands under this Act, § 8.
Lateral Deviations of new Streets, § 9.
Section 17 of recited Act to apply to Roads, &c. over Lands purchased compulsorily under this Act, § 10.
Power to sell and exchange Lands, § 11.
Consent of Treasury to Sales and Exchanges of Lands, § 12.
Discontinuance of Markets when other Markets provided, § 13.
Penalty on Sales of Cattle, &c. elsewhere than in Markets, § 14.
Penalty on Sale of Fish by Auction or wholesale elsewhere than in Markets, § 15.
Penalty on Sale, &c. of Meat, &c. unfit for Food of Man, § 16.
Penalties to be paid to Corporation, § 17.
Application of Sale, Exchange, and other Monies to Credit of Borough Fund, and Expenses of executing Act to be paid out of Borough Fund, § 18.
Repeal of Incorporation of Section 50 of Markets and Fairs Clauses Act with recited Act, § 19.
Saving Rights of Corporation and Norwich Corn Exchange Company (Limited), and Lessees of Corporation, § 20.

Cap. iv.

"The Ross Turnpike Roads Act, 1862."

Recites 55 Geo. 3, intituled "An Act for more effectually "repairing the Roads leading into and through the Town of "Ross, in the County of Hereford, and several Roads com-"municating therewith;" that considerable Sums of Money, as specified in the Schedule to the Act, and amounting together to the Sum of 8,100*l.*, have been borrowed and are now due and are secured upon the Credit of the Tolls which the Trustees are authorized to collect, and such Sums cannot be repaid nor the Roads maintained in sufficient Repair unless a further Term and additional Powers are granted.
Repeals recited Act, and continues the Trust for 21 Years.
Schedule (Sums due on Mortgage of Tolls).

Cap. v.

"The Wycombe Railway Amendment Act, 1862."

Preamble recites 9 & 10 Vict. c. ccxxxvi., 15 & 16 Vict. c. cxlvii., 20 & 21 Vict. c. clviii., and 24 & 25 Vict. c. lxxxvii., relating to the Company; that the Railway authorized by the Acts of 1846 and 1852 has been long since made and completed, the Extension to Thame, authorized by the Act of 1857, is in the course of Construction, and the Extensions to Oxford and Aylesbury have not yet been commenced; that by the Act of 1846 they were authorized to raise 150,000*l.* by the Issue of 10,000 Shares of 15*l.* each, and to borrow 50,000*l.*, but by the Act of 1852 the said Share Capital was reduced to 100,000*l.*, divided into 10,000 Shares of 10*l.* each, and

the borrowing Powers were reduced to 33,600*l.*; that by the Act of 1857, the Company were, for the Purposes of the Extension to Thame, authorized to apply any Monies which they were theretofore authorized to raise, and which were not required for the Purposes of the original Undertaking, and also to raise a further Capital, namely, 60,000*l.* by Shares, and 20,000*l.* by borrowing, but these Amounts were respectively increased by the Act of 1861 to 80,000*l.* and 26,000*l.*; that by the Act of 1861, the Company were, for the Purposes of the Extensions to Oxford and Aylesbury, authorized to raise 240,000*l.* by Shares, and 80,000*l.* by borrowing; that their present Capital Account under the Acts of 1846 and 1852 is as follows: Of their Share Capital, which is divided into 10,000 Shares of 10*l.* each, 6,056 Shares are held by various Shareholders in respect of the original Undertaking, and have been fully paid up, 1,000 Shares are forfeited Shares, and 2,944 Shares are now vested in certain Persons as Trustees for the Company, and upon these Shares nothing has been paid; and they have borrowed for the Purposes of the original Undertaking, and now owe, 24,400*l.*, Part of the 33,600*l.*, and they have granted Rentcharges in respect of the original Undertaking to the Extent of 184*l.* 6*s.* 9*d.*; that the Cost of the Extension to Thame was estimated at 108,000*l.*, but it will greatly exceed this Sum, and the Company will require the whole of the Capital not yet raised under the Act of 1852, and it is necessary and expedient that the Powers herein-after contained should be conferred upon the Company with reference to such Capital; that under an Agreement with the Great Western Railway Company, bearing Date the 22d April 1852, and confirmed by Parliament, the original Undertaking is leased to that Company at a yearly Rent of 3,600*l.*, which Rent is, after certain Deductions, reserved to and divided amongst the Holders of the before-mentioned 6,056 Shares, in terms of the Agreement of the 11th August 1859, herein-after referred to; that by the Act of 1852 Power is given to the Company to attach to any unissued Shares a preferential Dividend not exceeding 4*l.* per Centum per Annum, and also to create and issue new Shares with a similar Preference in the Stead of any Shares cancelled or forfeited, and the Company are also by the said Acts of 1857 and 1861 authorized to attach a Preference or Priority of Dividend not exceeding 5*l.* per Centum per Annum to the respective Shares by those Acts authorized to be created, but they have not exercised any of these Powers; that the Extension to Thame when made will be worked by the Great Western Railway Company, under an Agreement bearing Date the 11th August 1859, and (subject to the Approval of the Board of Trade) confirmed by the Act of 1861, in which Agreement it is, amongst other things, provided that the said yearly Rent of 3,600*l.* shall, subject to the Payment of Rentcharges payable in respect of Lands purchased for the original Undertaking, and of Interest on the Mortgages, Bonds, or other Securities affecting the original Undertaking, be applied in paying a preferential Dividend upon the original Share Capital of 60,560*l.*; that by the Act of 1861 the Company are authorized to borrow 86,000*l.*, but not until the whole of the additional Share Capital by that Act authorized has been subscribed for; that the total Amount of such additional Share Capital is 260,000*l.*, whereof 20,000*l.* was for the Thame Extension, 60,000*l.* for the Aylesbury Extension, and 180,000*l.* for the Oxford Extension; proposes to authorize the Company to borrow when and as the before-mentioned Sums are subscribed, and to amend the recited Acts.

1. Sections 5, 6, 7, 8, 9, and 10 of the Act of 1852, relating to unissued, cancelled, and forfeited Shares, and the Proviso to Section 27 of the Act of 1861, restricting the Payment of Dividends until the Railways thereby authorized have been opened for Six Months, Section 25 of that Act as to Extent of preferential Dividend, and Section 29 of that Act, giving Power to borrow, shall be and are hereby repealed.

Company may cancel forfeited Shares, § 2.

Merger of such Shares, and cancelling of the 2,944 Shares in the Company, and Power to issue new Shares instead of those cancelled, § 3.

Privileges not exceeding 5*l.* per Cent. Dividend may be attached to new Shares, §§ 4, 5.

No Dividend on Shares created for particular Extensions until same opened Six Months, § 6.

Limit of Amount and Number of Calls, § 7.

Dividends of new Shareholders, § 8.

As to Votes of Proprietors of new Shares, § 9.

Original Capital to be deemed ordinary Capital notwithstanding Reservation of Rent, § 10.

Power to borrow the several Sums of 6,000*l.*, 20,000*l.*, and 60,000*l.* according as each Share Capital is paid up, §§ 11 to 13.

14. And whereas William Terry, of Fulham, Middlesex, Esquire, has, in consideration of an annual Rentcharge of 800*l.*, payable by the Company, advanced to the Company 20,000*l.*, and is willing to advance to them on similar Terms a further Sum of 20,000*l.*, being at a less Rate of Interest than the Company would have to pay were they to borrow the said Monies on Mortgage: Therefore the Company may accept from the said William Terry a further Sum of Money not exceeding 20,000*l.*; and the Monies already or to be hereafter advanced to the Company by the said William Terry shall, subject to the Provisions of this Act, be a Charge on the Tolls of the Company, and may be recovered in manner provided by Clause 11 of "The Lands Clauses Consolidation Act, 1845," with respect to the Rents therein referred to: Provided always, that the Powers by this Act and the other Acts of the Company conferred upon the Company with respect to the borrowing on Mortgage shall, to the Extent of the Monies so advanced to the Company on any such Rentcharge, be reduced; and all Mortgages and Bonds granted by the Company before the making of any such Advance, and all other Rentcharges shall respectively have Priority over any Rentcharge to be created under the Powers of this Act.

17. The Company may, with the Consent of Three Fifths of the Votes of their Shareholders present, personally or by Proxy, at any Extraordinary Meeting convened with due Notice of the Object, exercise the following Powers:

Firstly, they may appropriate to the Payment of the preferential Dividend which may be attached to any Shares created for the Purposes of the Thame Extension so much of the annual Rent or Payment to be received from the Great Western Railway Company under the before-mentioned Agreement of the 11th Day of August 1859, as may be sufficient or required for that Purpose, and the Company may from Time to Time, out of such annual Rent or Payment, pay such preferential Dividends as the same may accrue and become payable:

Secondly, they may appropriate to the Payment of the preferential Dividend which may be attached to any Shares created for the Purposes of the Aylesbury Extension so much of the annual Rent or Payment to be received from the Great Western Railway Company in respect of such Extension under the Agreement with respect to such Extension and the Oxford Extension, bearing Date the 29th Day of April 1861, as may be sufficient or required for that Purpose, and the Company may from Time to Time out of such annual Rent or Payment pay

such preferential Dividends as the same may accrue and become payable:

Thirdly, the Company may appropriate to the Payment of the preferential Dividend which may be attached to any of the Shares to be created for the Purposes of the Oxford Extension so much of the annual Rent or Payment to be received by the Company from the Great Western Railway Company in respect of such Extension under the said Agreement of the 29th Day of April 1861, as may be sufficient or required for that Purpose, and the Company may from Time to Time out of such annual Rent or Payment pay such preferential Dividends as the same may accrue and become payable:

Provided always, that any such Appropriation and Payment in respect of the said respective Preference Shares shall be made after and subject to the Payment of all Rentcharges granted by the Company, and Interest on Monies from Time to Time borrowed and owing by them.

18. It shall be lawful for the Company, with the Consent of Three Fifths of the Votes of their Shareholders (other than the Holders of the 6,056 Shares in the original Undertaking of the Company) present, personally or by Proxy, at any Extraordinary Meeting convened with due Notice of the Object, to agree with all or any of the said Holders as to the Terms and Conditions upon which their Rights in respect of the beforementioned yearly Rent of 3,600*l.* shall be surrendered in favour of any of the Preference Shareholders of the Company.

Company may have Four Registers of Shareholders, § 19.

Cap. vi.

"The Folkestone to Barham Downs Turnpike Road Act, 1862."

Recites 32 Geo. 3. c. cxvii. and 54 Geo. 3. c. xiv.; that those Acts were continued by the Annual Turnpike Acts Continuance Acts which have been subsequently passed, but will not continue in force beyond the 1st November 1862; that the several Debts specified in the Schedule to this Act annexed, and amounting together to 4,475*l.*, are now secured by Mortgage of the Tolls by the said recited Acts granted; that by an Act passed in 1855, intituled "An "Act to confirm certain Provisional Orders made under an "Act of the 15th Year of Her present Majesty, to facilitate "Arrangements for the Relief of Turnpike Trusts," a certain Provisional Order bearing Date the 6th November 1854 was confirmed, whereby the Interest upon the before-mentioned Debt, which theretofore had been at the Rate of 4*l.* per Centum per Annum, was reduced to 2*l.* per Centum per Annum, and all Arrears of Interest to the 31st December 1854 were extinguished.

Repeals recited Acts and continues the Term for 21 Years.

Cap. vii.

"London and Blackwall Railway Act, 1862."

Recites several Acts relating to the London and Blackwall Railway Company; that by virtue of "The London and Blackwall Railway Act, 1860," the Company were authorized to afford additional Accommodation for Goods Traffic, and for such Purpose they were enabled further to widen their Railway and to acquire additional Lands, and to erect Stations and other Buildings, and they were also authorized to construct a Branch Railway from the London and Blackwall Railway to the London Docks, and those Works are in process of Construction; proposes to authorize the Company to acquire certain additional Lands for the Works connected with their Railway; recites that by the Act of 1860 the Company were authorized to raise by Shares, to form Part of their ordinary Share Capital, a further Sum of 300,000*l.*, and to borrow the Sum of 100,000*l.*; that they accordingly created such Shares, but the same were only partially issued; that it is expedient that the Company should be authorized to attach a Preference or Priority in Payment of Dividend over the ordinary Stock or Shares of the Company to the Shares for raising the said Sum of 300,000*l.*; that the Company have not hitherto created any Preference Shares; that such of the Shares forming Part of the Sum of 300,000*l.* as were issued were taken upon the Terms set forth in the Resolutions creating such Shares, and inasmuch as it was intended to issue the whole Sum of 300,000*l.* upon the same Terms, it is reasonable that the Persons holding the Shares so taken should have the Option of converting the same into Preference Shares; and proposes to amend recited Acts.

Incorporation of Lands Clauses Acts and Railways Clauses Act, §§ 3, 4.

Power to widen, &c. Railway, § 5.

Describing Works, § 6.

Three Years for Completion of Works, § 7.

Two Years for compulsory Purchase of Lands, § 8.

Widenings and Enlargements to be deemed Part of Works authorized by Act of 1860, § 9.

Saving Rights of the Metropolitan and other Boards, § 10.

Certain Sections of Act of 1860 extended to this Act, § 11.

Power to create Shares to the Amount of 300,000*l.* with or without a Preference not exceeding 5*l.* per Cent., §§ 12 to 20.

21. Upon the Issue of any Shares as Preference Shares under the Powers of this Act, any Person who may be the Holder of any Share or Shares created or issued by the Company previous to the passing of this Act for raising the said Sum of 300,000*l.* or any Part thereof, under the Powers of the Act of 1860, shall be entitled to require the Company to convert such ordinary Share or Shares so created and issued into a Preference Share or Shares, entitled to a Preference Dividend not exceeding 4*l.* 10*s.* per Centum per Annum, upon Payment by such Person, his Executors, Administrators, or Assigns, either in One Sum or by such Instalments as the Directors may require, of the Difference between the Price at which such Share or Shares was or were issued and the nominal Value of such Preference Share or Shares: Provided always, that Notice of the Intention to exercise such Right of Conversion shall be given in Writing delivered or sent by Post to the Secretary of the Company, within Two Months after the Day of holding the Meeting of the Company at which the Creation of the Preference Shares was sanctioned; and the Holders of any Shares issued under the Powers of "The London and Blackwall Railway Act, 1860," in respect of which no such Notice shall be given within that Period, shall be deemed to have elected to retain the same as ordinary Shares of the Company.

22. The Clauses of "The Companies Clauses Consolidation Act, 1845," with respect to the Consolidation of the Shares into Stock, are incorporated with this Act, and shall extend to the Shares by this Act authorized to be raised.

23. Inasmuch as the Company have converted 138,221 Shares in the Capital of the Company (in respect whereof the whole Money subscribed has been paid up) into 1,382,210*l.* of Stock, and have distributed the same Stock amongst the Shareholders entitled thereto at the Rate of 10*l.* for each Share, and it is expedient to define the Rights and Privileges of Stockholders: Therefore, for the Purposes of voting and for computing the Qualification of a Director, 10*l.* of Stock in the Capital of the Company shall be deemed to represent One

Share, and all Rights of voting and Qualifications shall be estimated accordingly.

Cap. viii.

"The London, Tilbury, and Southend Railway Act, 1862."

Preamble recites that by "The London, Tilbury, and Southend Extension Railway Act, 1852," the Eastern Counties Railway Company and London and Blackwall Railway Company were authorized to make a Railway with Branches from the Eastern Counties Railway, in the Parishes of West Ham and East Ham, or One of them, in the County of Essex, to Tilbury, and thence to Southend, and to establish a Steam Communication between Tilbury and Gravesend, with Piers and other Works connected therewith; that by such Act it was enacted that all Lands purchased for the Purposes of the Extension Railway should be conveyed to the Two Companies jointly, and be held by them jointly upon trust; that the Two Companies were authorized to raise a Share Capital of 400,000*l.* for the Purposes of the Extension Railway, such Shares to be called "London, Tilbury, and Southend Extension Shares," and to borrow the Sum of 100,000*l.* for the like Purposes; and it was enacted that those Shares shall not confer any Rights other than those given by the Act, and that the Holders of existing Shares in the Two Companies should not acquire, except as expressly enacted, any Right or Privilege in or with respect to the Undertaking by that Act authorized; that by the same Act the Boards of Directors of the Two Companies were respectively authorized to appoint Four Members of their respective Boards as a Joint Committee, and in such Joint Committee were vested all the Powers of the Two Companies with reference to the Extension Railway, and the Two Companies were each of them authorized to use the Extension Railway and Works for the Conveyance of Traffic, subject to the Control and Management of the Joint Committee; that by "The London, Tilbury, and Southend Railway Deviation and Amendment Act, 1854," the Two Companies were authorized to alter a Part of the Line of the Extension Railway, and to purchase the Railway and certain Part of the Works of the Thames Haven Dock and Railway Company, and to raise by the further Issue of Extension Shares the Sum of 52,000*l.*, and the Two Companies were authorized to lease the Extension Railway to Sir Samuel Morton Peto, Baronet, Edward Ladd Betts, and Thomas Brassey for a Term of 21 Years from the passing of that Act, but determinable by the Board of Trade on 12 Months Notice at any Time at or after the Expiration of 10 Years from the Commencement thereof, if in the Opinion of such Board the further Continuance of such Lease would be injurious to the Public; that by "The London, Tilbury, and Southend Railway (Amendment) Act, 1856," the Two Companies were authorized to raise by a further Issue of Extension Shares, 60,000*l.*, and to borrow a further Sum of 40,000*l.* for the Purposes of the Extension Railway; that by "The London, Tilbury, and Southend Railway (Extension and Branches) Act, 1856," the Two Companies were authorized to construct a Railway and Two Branch Railways, such Railway to extend from the London and Blackwall Extension Railway to the London, Tilbury, and Southend Extension Railway, near Barking, and such Railway and Branches form Part of the Undertaking of the London, Tilbury, and Southend Extension Railway, and the Capital for the Construction thereof was authorized to be raised, and was raised by the further Issue of Extension Shares to the aggregate Amount of 150,000*l.*, and by borrowing 50,000*l.*; and the same Railway and Branches were required to be included in the Lease of the Extension Railway; that the whole of the Extensions, Railways, and Works have been completed, and a Contract for the Lease thereof has been entered into with the Lessees; that the aggregate Amount authorized to be raised by London, Tilbury, and Southend Extension Shares is 662,000*l.*, and the Amount authorized to be borrowed on that Undertaking is 190,000*l.*; that on the 1st December 1861 there had been raised by Extension Shares 650,700*l.*, and by Mortgage 143,846*l.* 9*s.* 9*d.*; that the Proprietors of the Extension Shares, although the Parties mainly interested in the Extension Railway, have no Voice or Control in the Management of the Affairs of that Railway, or in the Appointment of the Directors in whom such Management is vested; that it is expedient that the Proprietors of London, Tilbury, and Southend Extension Shares should be incorporated as a separate Company, and that the Undertaking of the London, Tilbury, and Southend Extension Railway should be transferred to and vested in such Company, and that they should be authorized to appoint Directors; and also to alter, amend, and enlarge the Provisions of the recited Acts.

Incorporation of Companies Clauses Act, § 3.

Repeal of Parts of Acts specified in Schedule, § 5.

Incorporation of Company, § 6.

Transfer of Undertaking of London, Tilbury, and Southend Extension Railway to the Company, § 7.

General Saving of Rights under recited Acts, §§ 9 to 18.

Debts on Mortgage or Bond to be a Charge on the Company, § 19.

Defining Capital of Company, § 20.

Proprietors of Tilbury Extension Shares to become Proprietors of Shares in Company, § 21.

First and other Meetings; Directors, &c., §§ 22, 23.

Appointment of Directors by Eastern Counties and London and Blackwall Railway Companies, § 26.

Disqualification of Director appointed by Boards, § 27.

Power to Boards to remove Directors, §§ 28, 29.

Powers of Directors, &c., § 31.

Saving Rights of Eastern Counties and London and Blackwall Railway Companies, § 32.

Division of Profits between Two Companies to remain during Continuance of Lease, § 33.

Lease and Contract not to be prejudiced, § 34.

Cap. ix.

"The Wareham Turnpike Roads Act, 1862."

Recites 11 Geo. 4. & 1 W. 4., intituled "An Act for more effectually repairing and improving several Roads leading from the Market Cross in the Town of Wareham, and in Purbeck, in the County of Dorset," whereby certain former Acts relating to the said Roads were repealed, and Provision was made for the Improvement, Maintenance, and Management of the Roads therein mentioned, and for other Purposes; that the Trustees appointed by the said Act have proceeded to put the same into execution, and have borrowed on the Credit of the Tolls authorized by such Act considerable Sums of Money; that the Term granted by the said Act will shortly expire; that the Roads to which the recited Act applies are divided into Three Branches, known respectively and herein-after referred to as "the South Branch," "the West Branch," and "the North Branch;" that there is now due and owing, on the Credit of the Tolls authorized by the said recited Act to be collected on the whole of the Roads

therein mentioned the Sum of 3,250*l.*; and there is also now due and owing on the Credit of the Tolls so authorized to be collected on the said North Branch and on the said South Branch the Sum of 1,600*l.*, and the Particulars of which Sums are set forth in the Schedule to this Act; proposes that the Mortgages now due and owing upon the Credit of the Tolls arising upon all the said Roads, and upon the North Branch and the South Branch respectively, and any further Sums hereafter to be borrowed, should hereafter be charged upon the Tolls arising upon the whole of the Roads comprised in the Trust, and that the Revenues arising upon the said Branches respectively and the Application of the same should be amalgamated; and to abandon certain of the said Roads.

Repeals recited Act; takes Power to abandon certain Roads; and continues the Trust for 13 Years.

Cap. x.

"The Faringdon Railway (Amendment) Act, 1862."

Recites that in 1860 the Faringdon Railway Company were incorporated for the Purpose of constructing their Railway, and were authorized to raise 22,500*l.* by Shares of 10*l.* each, and 7,500*l.* by borrowing upon Mortgage or Bond; that they have raised 10,000*l.* by Calls on their Share Capital, and there is also due on Calls a further Sum of 160*l.*; that they have expended in the Construction of their Railway, and otherwise in relation thereto, a Sum exceeding 10,000*l.*, but they are unable to raise the Remainder of their Share Capital unless by assigning to the Persons who may subscribe for the same a Priority in the Payment of Dividend; that there are no Preference Shares in the Capital of the Company; that the Time limited by the recited Act for the Completion of the Railway thereby authorized will expire on the 13th August 1863, and it is expedient that the Time so limited should be extended.

Power to attach Preference not exceeding 5*l.* 10*s.* per Cent. to certain Shares or Stock, §§ 3, 4.

Powers to Directors of Company to agree with Holders of certain Shares or Stock for a Surrender thereof instead of forfeiting the same, § 5.

Forfeited Shares or Stock which cannot be sold to merge in the Company, § 6.

How preferential Dividends to be paid, § 7.

Extending Time for Completion of Line for One Year, § 8.

Cap. xi.

"Coventry Poor Act, 1862."

Recites that by 41 Geo. 3. c. lxii. the Ratepayers of the Parishes of Saint Michael and Holy Trinity in the City of Coventry, qualified as provided by the reciting Act, were incorporated by the Name of "The Guardians of the Poor of the several "Parishes of Saint Michael and the Holy Trinity in the "City of Coventry and County of the same City," and such of the Guardians as resided in the Parish of Saint Michael were required to appoint 10 of themselves to be Directors, and such of the Guardians as resided in the Parish of the Holy Trinity were required to appoint Eight of themselves to be Directors, which 18 Persons so appointed should be called "Directors of the Poor of the United Parishes of "Saint Michael and the Holy Trinity in the City and "County of the City of Coventry," and Provision was made for the Retirement of the Directors in rotation, and for the Election of other Directors in their Place, and a Director who served Four Years was disqualified for being a Director during One Year after his Service, and Provision was made for the levying from Time to Time on the Two Parishes of Monies for the Purposes of the Act, and it was provided that the Quota of each Parish for the Relief and Support of the Poor in the Parishes should be Two Third Parts for the Parish of Saint Michael, and One Third Part for the Parish of the Holy Trinity; that the Population of Coventry has much increased, and the Amount expended for the Relief and Support of the Poor of the Parish of the Holy Trinity is nearly as much as the Amount expended for the Relief and Support of the Poor of the Parish of Saint Michael, and the Proportions in which the Two Parishes now contribute to the Relief and Support of the Poor thereof are inequitable; that it is expedient that the Monies required for the Purposes of the recited Act should be raised by an equal Pound Rate on all the assessable Property in the Two Parishes; that the Number of Directors to be elected by the Parish of the Holy Trinity be increased to 10; that a Director who has served Four Years be immediately re-eligible; and that the recited Act be in other respects amended.

Number of Directors increased to 20, § 2.

Annual Meetings of Guardians, § 3.

First Appointment of Two additional Directors for Parish of Holy Trinity, § 4.

Retirement from Office of Directors for Parish of Holy Trinity, § 5.

Yearly Election of Five Directors for Parish of Holy Trinity, § 6.

Recited Act to have effect as if 10 Directors for Parish of Holy Trinity was thereby authorized, § 7.

Retiring Directors immediately re-eligible, § 8.

Repeal of Section 31 of recited Act, § 9.

Costs of Relief of Poor in the Two Parishes to be borne by One Common Fund, § 10.

Directors to order Churchwardens and Overseers of Poor of both Parishes to levy Monies required for recited Act, § 11.

Provisions of recited Act as to Rates on each Parish apply to Rates on both Parishes, § 12.

Saving Powers, &c. of recited Act, § 13.

Recited Act and this Act to have effect as One Act, § 14.

Saving Powers of Poor Law Board, § 15.

Cap. xii.

"The Winchester Road Act, 1862."

Recites 1 & 2 Will. 4., intituled "An Act for more effectually "repairing and improving the Road from Lower Saint "Cross Mill Lane, on the Road from the City of Win-"chester to Southampton, to Park Gate on the Road from "Southampton to Gosport, in the County of Southampton;" that the Term granted by that Act will expire at the End of the Session of Parliament next after the 15th March 1862; that the several Sums specified in the Schedule, amounting together to 5,200*l.*, are now secured by Mortgages of the Tolls by the recited Act authorized, and bear Interest at the Rate of 5*l.* per Centum per Annum, but no Interest thereon has ever been paid, and the Principal Money so secured and the Interest to accrue due thereon cannot be paid, and the Road cannot be repaired and maintained, unless the Term by that Act granted be extended and further Provisions in that Behalf be made.

Repeals recited Act, and continues the Trust for 21 Years.

Schedule (Sums due on Mortgage of Tolls).

Cap. xiii.

"The Cirencester Roads Act, 1862."

Recites 6 Geo. 4. c. cxliii., intituled "An Act for maintaining "and improving certain Roads leading to and from the "Town of Cirencester, in the County of Gloucester;" that

the Term granted by the said Act would have expired in the Year 1847, but the same has been continued from Year to Year by the Annual Turnpike Acts Continuance Act, and the said Term will now expire on the 1st November 1862, unless Parliament shall in the meantime continue the same; that 14,722*l.* have been advanced or secured on the Credit of the Tolls authorized to be taken upon the said Roads, Part of which Sums still remains owing, and such Principal Monies cannot be paid off unless further Powers are granted, and the Term of the said Act further continued.

Repeals recited Act, and continues the Trust for 21 Years.

Cap. xiv.

"Much Wenlock and Severn Junction Railway Act, 1862."

Recites that in 1859 the Much Wenlock and Severn Junction Railway Company was incorporated and authorized to make a Railway from Much Wenlock, in the County of Salop, to the Severn Valley Railway and River Severn; that they have completed the Railway with a single Line of Rails, and the same is open for public Traffic; that they were authorized to raise by Shares 24,000*l.*, and by borrowing on Mortgage or Bond 8,000*l.*; that they have raised the whole of the said Sum of 24,000*l.*, and have borrowed the Sum of 5,600*l.*; that the Expense of the Railway and Works has exceeded the Sums which by the Act of 1859 the Company were authorized to raise; that by "The Wenlock Railway Act, 1861," the Wenlock Railway Company thereby incorporated were authorized to make a Railway in extension of the Railway of the Company into Coalbrookdale, and also a Railway in continuation of the Railway of the Company from Much Wenlock to the Shrewsbury and Hereford Railway in the Parish of Wistanstow, in the County of Salop, and the Company were authorized to subscribe 10,000*l.* towards the Capital of the Wenlock Railway Company, and to raise Money by creating new Shares for such Purpose, and to agree with the Wenlock Railway Company for the Application of that Subscription to the Construction of the Coalbrookdale Extension, and Provision is made in such Act for the Construction of such Extension by the joint Subscriptions of the Company, the Wenlock Railway Company, the Great Western Railway Company, and West Midland Railway Company; that the Company have subscribed the said Sum of 10,000*l.* to the Wenlock Railway Company upon the Condition of its Application to the Coalbrookdale Extension, and such Extension is in progress of Construction; that it is expedient that the Company should be authorized to subscribe a further Sum towards the Capital of the Wenlock Railway Company; that the Coalbrookdale Extension is an Extension of the Railway of the Company, and its Construction will greatly facilitate the Traffic from the Railway of the Company into Coalbrookdale; that Arrangements have been made with the Great Western Railway Company and West Midland Railway Company for the Construction of the Coalbrookdale Extension, and the Company and the Wenlock Railway Company will be entitled to a Portion of the Profits arising on that Extension, or to a Payment by way of Commutation for their Interest in such Profits; that it may become desirable to lay down an additional Line of Rails on the Railway of the Company; proposes to raise further Monies and amend Acts.

4. It shall be lawful for the Company, with the Consent of the Wenlock Railway Company, to contribute towards the Coalbrookdale Extension of the Wenlock Railway Company to any further Extent, not exceeding the Sum of 10,000*l.*; and the Company may, with the Authority of Three Fifths of their Shareholders present, personally or by Proxy, at a General Meeting specially convened for the Purpose, contribute and apply in Payment of such Subscription any Monies which they are by this Act authorized to raise.

5. If the Company and the Wenlock Railway Company agree as to the additional Contribution by the Company to the Coalbrookdale Extension, the same shall be in lieu of the Contribution to be made, under the Provisions of the Act of 1861, by the Wenlock Railway Company to that Extension out of their own proper Funds; and the Company shall raise the Sum of 10,000*l.* authorized to be contributed by them towards that Extension by the Act of 1861, and the Sum of 10,000*l.* authorized to be contributed by this Act, as a separate Capital, and shall charge the same upon the Profits payable or commuted Payments to be made in respect of the Coalbrookdale Extension; and Dividend not exceeding the Rate of 4*l.* 10*s.* per Centum per Annum upon the Amount from Time to Time paid up shall be payable to the Holders of the Shares or Stock issued for raising the said Sums of 10,000*l.* and 10,000*l.* out of the said Profits or commuted Payments, and such Dividend shall be a permanent and First Charge upon the Profits or commuted Payments in respect of Profits to which the Company become entitled by reason of such Contributions.

6. The Company may from Time to Time raise (in addition to the Sum of 24,000*l.* authorized to be raised by Shares under the Powers of the Act of 1859, and the Sum of 10,000*l.* authorized to be raised by the Company under the Powers of "The Wenlock Railway Act, 1861,") any further Sums not exceeding in the whole 34,000*l.*, making the aggregate Share Capital of the Company 68,000*l.*; and such Sum of 34,000*l.* may be raised by the Creation of new Shares in the Undertaking of the Company, of such Amounts as will allow the same to be conveniently apportioned or disposed of according to the Resolution of any Ordinary or Extraordinary Meeting of the Company; and the Company may from Time to Time, but subject to the Provisions of this Act, fix the Amounts and Times of Payment of the Calls on Shares created under the Powers of this Act, and dispose of such Shares on such Terms and Conditions and to such Persons as the Company think fit, not being less than the nominal Amount thereof.

New Shares to be Shares of general Capital, § 7.

8. If the Money for Payment of the Contributions of the Company to the Coalbrookdale Extension be raised by means of a separate Capital charged on the Proportion of the Profits or commuted Payments in respect of Profits of the Coalbrookdale Extension to which the Company become entitled, the Shares or Stock issued for raising such Money shall not confer any Rights of voting or other Qualifications, nor any Right to participate in the Profits of the Undertaking of the Company further or otherwise than is in this Act provided.

9. The Company, on Payment by any Person of the nominal Value, may issue any Shares authorized by "The Wenlock Railway Act, 1861," to be raised by them, and which have not yet been issued, or any Shares authorized to be created by this Act, as fully paid-up Shares.

Power to cancel forfeited Shares, and to re-issue, §§ 10 to 17.
Power to borrow 8,000*l.* more, §§ 18 to 21.

Cap. xv.

"Bridport (Second District) Turnpike Trust Act, 1862."

Recites 11 Geo. 4., intituled "An Act for better repairing the "Second District of Turnpike Roads leading to and from "the Town of Bridport in the County of Dorset, and for "making and maintaining several Branch Roads to com-

"municate with the same;" that the Term granted by the said Act will shortly expire; that 17,244*l.* have been advanced or are now due upon the Credit of the Tolls authorized to be taken by the said Act, as specified in the Schedule, and such Sums cannot be paid off, or the Interest thereof discharged, unless further Powers are granted, and the Term of the said Act be further continued.

Repeals the recited Act and continues the Trust for 21 Years.

Schedule (Sums due on Mortgage of Tolls).

Cap. xvi.

An Act to amend some of the Provisions of the Deed of Settlement of "The British Plate Glass Company," and to confirm a Lease granted by, and to confer further Powers upon that Company.

Recites 13 Geo. 3. c. xxxviii.

Confirmation of Lease of 31st December 1860, § 1.

Power to grant other Leases of Property, § 2.

General Saving, § 3.

Cap. xvii.

An Act for rendering valid certain Letters Patent granted to Thomas Webb, of Tutbury in the County of Derby, Cotton Spinner, and James Craig, of the same Place, Manager.

Power to Commissioners of Patents to stamp Letters Patent, § 1.

Letters Patent confirmed, § 2.

Saving Rights, § 3.

Cap. xviii.

"Bradford Waterworks Act, 1862."

Recites Sale and Transfer of the Bradford Waterworks to the Corporation pursuant to Two Acts of 1854; that the Corporation by their Act of 1854 are authorized to levy a "public Water Rate" and by their Act of 1855 a "separate Water Rate;" proposes to substitute One Rate for the Two above mentioned, and of the same Amount as the aggregate of both, to extend the Limits, to abandon the making of Part of the Aqueduct from the Stubden Reservoir, to extend the Time for the Completion of Works, to borrow further Monies, levy Rates, to remove certain Doubts as to Powers of re-borrowing, and make further Provision with respect to the Supply of Water by the Corporation beyond the Limits of the Borough; and after reciting that the whole of the Borough of Bradford is watched, proposes that instead of the Borough Rate and the Watch Rate for the Borough being both levied, the Watch Rate be no longer levied, but the Amount requisite for the Purposes of the Watch Rate be levied by means of the Borough Rate, and in addition to the other Monies thereby levied.

Repeal of Section 4 of Act of 1858 (*i.e.*, Limits), § 2.

Extension of Limits, § 3.

Extension of Time for Completion (*i.e.*, Five Years more), and Compensation, §§ 4 to 7.

Power to borrow 100,000*l.*, § 8.

Power to borrow Money to pay off Mortgages when called in, § 9.

Provisions of recited Acts as to borrowing apply to Monies borrowed under this Act, § 10.

11. From and after the Expiration of Five Years after the passing of this Act the Amount which the Corporation are by Section 50 of the Act of 1858 required to appropriate and set apart as a Sinking Fund shall be increased by a Sum equal to One Fiftieth Part of the Sums borrowed under this Act, and the Sinking Fund shall be applicable for paying off the Principal Monies borrowed under the recited Acts or any of them and this Act.

12. So long as the Authority conferred by the Acts of 1855 and 1858 respectively to levy a separate Water Rate continues, instead of the public Water Rate by the Corporation's Act of 1854 authorized and the separate Water Rate being both levied, the aggregate Amount from Time to Time required to be levied by both the public Water Rate and the separate Water Rate shall be levied by One general Water Rate, in like Manner as, if this Act were not passed and the separate Water Rate were levied, that Rate would be levied: Provided that the Amount of the general Water Rate so from Time to Time levied shall not exceed by more than Threepence in the Pound what would be the Amount of the separate Water Rate, if that Rate continued to be levied.

13. The Corporation from Time to Time shall apply, for the several Purposes for which by the Corporation's Act of 1854 the public Water Rate thereby authorized is made applicable, so much of the Monies levied by the general Water Rate as is levied thereby instead of by the public Water Rate; and shall apply, for the several Purposes for which by the recited Acts of 1855 and 1858 and this Act respectively the separate Water Rate is made applicable, so much of the Monies levied by the general Water Rate as is levied thereby instead of by the separate Water Rate.

14. All Monies from Time to Time levied by the general Water Rate instead of by the separate Water Rate, or, as the Case may be, the public Water Rate, shall for the Purposes of the recited Acts and this Act respectively, with respect to the Application from Time to Time of Monies levied by the separate Water Rate, or, as the Case may be, the public Water Rate, and Securities from Time to Time affecting the respective Rate, be deemed to have been levied by the separate Water Rate, or, as the Case may be, the public Water Rate; and for those Purposes respectively, and to the Extent of the Money so raised by the general Water Rate, that Rate shall be deemed to be the separate Water Rate, or, as the Case may be, the public Water Rate.

15. The Watch Rate within the Borough shall no longer be levied, but from Time to Time, as Occasion requires, there shall be levied by means of the Borough Rate of the Borough, and in addition to the other Sums thereby authorized to be levied, such Sums as are from Time to Time required for the several Purposes for which the Watch Rate within the Borough is, or, if that Rate continued leviable, would be applicable, and in like Manner in all respects as if the Amount so raised by the Borough Rate instead of by the Watch Rate were Expenses necessarily and properly incurred in carrying into effect, within the Borough, the Provisions of the Act of the Session of the Fifth and Sixth Years of the Reign of King William the Fourth for the Regulation of Municipal Corporations in England and Wales: Provided that the Amount of the Borough Rate so from Time to Time levied shall not exceed by more than Eightpence in the Pound in any One Year, or by more than such other Sum as is from Time to Time limited by Law for Watch Rate Purposes, what would be the Amount of the Borough Rate, if the Money thereby levied for the Purposes for which by Law the Watch Rate is made applicable were levied by the Watch Rate instead of by the Borough Rate.

16. The Corporation from Time to Time shall apply, for the Purposes for which it is so levied, and for no other Purpose, the Amount so levied by means of the Borough Rate for the Purposes of the Watch Rate.

17. Section 52 of the Act of 1858, with respect to a Supply of Water in Bulk, is by this Act repealed: Provided that the Repeal thereof shall not annul, prejudice, or affect any Contract or Agreement already entered into in pursuance of that Section, or any Right, Liability, Claim, or Demand under or with respect to any such Contract or Agreement.

18. The Corporation, if and when they think fit, may agree with any Corporation, local Authority, public or private Company, Body of Persons, or Person within the Limits of this Act for a Supply of Water in Bulk or otherwise, at such Rate or Price, and on such Terms and Conditions, as are from Time to Time mutually agreed on; and the Corporation shall not be bound to supply any Water beyond the Borough except in pursuance of such an Agreement, or of a Deed, Contract, or Agreement executed or entered into by the said Bradford Waterworks Company or the Corporation before the passing of this Act.

19. Where the Corporation agree for a Supply of Water beyond the Borough, they may require that Payment for the Water to be so supplied be made quarterly in advance; and in default of Payment, and so long as the Default continues, may stop the Supply so agreed for.

20. Such of the Powers and Provisions of the recited Acts as are from Time to Time in force, and applicable to any of the Purposes of this Act, shall extend and apply to and may be put in execution for the Purposes of this Act.

21. If William Ferrand, in the Company's Act of 1854 called William Busfeild Ferrand, his Heirs or Assigns, being the Owners in Fee Simple of the Estates mentioned in that Act, by Writing under his or their Hand or Hands delivered to the Corporation consent thereto, then Sections 124 to 127, both inclusive, of that Act, for his and their Protection, shall thereupon and thenceforth wholly cease to have any Operation.

Cap. xix.

"The Heckmondwike Gas Act, 1862."

Recites that in 1844 a Company or Copartnership called "The Heckmondwike Gas Company" was formed for supplying the Township of Heckmondwike and the Neighbourhood thereof with Gas, and constructed Gasworks on certain Land in the Township of Heckmondwike, and supplied Gas therefrom; that in 1850 they purchased other Land in the Township of Liversedge, near the Township of Heckmondwike, and constructed thereon new and larger Gasworks in lieu of their previously existing Gasworks in the Township of Heckmondwike, and by a Deed dated the 28th October 1850 the Rules of the said Company were consolidated, and their Capital was fixed at 3,500*l.*, with Power to increase the same to 7,000*l.*; that since then the Population, Mills, Manufactories, and other Buildings in the Township and Neighbourhood of Heckmondwike have considerably increased, and the Company have not only expended upon their said Undertaking the whole of the said Sum of 7,000*l.*, but have from Time to Time invested large Sums of Money in extending their Works to meet the increased Wants of the said Township and Neighbourhood, and the whole of the Monies expended in the Construction and Extension of the said Works amount to 10,500*l.*, or thereabouts, and the Balance between the said Sum of 10,500*l.* and 7,000*l.*, amounting to 3,500*l.*, has been supplied from the Profits of the Undertaking divisible among the Shareholders; that the Township of Liversedge, or Part thereof adjoining or near to the Township of Heckmondwike, requires to be lighted with Gas, and the Company have partially lighted the same, and are willing to extend their Supply, but require more Capital and further Powers to enable them effectually to carry out their original Undertaking, and to light the said Township of Liversedge; and it is expedient that they should be incorporated and fully empowered to make and supply Gas within the said Townships.

Incorporation of Consolidation Acts, §§ 1 to 4.

Incorporation of Company and Saving of Rights and Liabilities, §§ 5 to 19.

Capital, 7,000*l.* (subject to Augmentation), §§ 20, 21.

Company shall call in and cancel existing Share Certificates, and issue new Certificates in lieu thereof, § 22.

Power to create 700 paid-up Shares limited to Four per Cent. Dividends, to be distributed amongst the old Shareholders, § 23.

24. In further Addition to the said Capital of 7,000*l.*, it shall be lawful for the Company, with the Consent of Three Fifths of the Votes of the Shareholders present, in Person or by Proxy, at any General Meeting or Meetings convened with special Notice of the Purpose, from Time to Time to raise by the Creation of new Shares such further Sum or Sums as they may think proper, not exceeding in the whole 10,500*l.*, but the Amount of Profits which the Company may divide in respect of any such new Shares shall not exceed the Rate of 7*l.* 10*s.* per Centum per Annum upon the Amount for the Time being paid thereon, and no Deficiency in the Profits of the Company for any Year to pay that Amount of Dividend in full shall be made good out of subsequently accruing Profits, except such as shall have accrued within Three Years thereafter.

Disposal of additional Capital, §§ 25 to 29.

Powers to borrow 3,000*l.* altogether, §§ 30, 31.

Meetings; Directors, &c., §§ 32 to 43.

Company empowered to lay down Pipes, &c., § 44.

Power to lay Pipes against Buildings, § 45.

Compelling Company to supply Consumers, § 46.

Limiting the Price of Gas to 4*s.* 6*d.* per 1,000 Cubic Feet, § 47.

Meters; Penalties; testing of Quality of Gas, §§ 48 to 69.

Cap. xx.

"The Queenstown Improvement Act, 1862."

Recites that by the Public Act 6 & 7 Will. 4., intituled "An "Act to consolidate and amend the Laws relating to the "Presentment of Public Money by Grand Juries in Ire- "land," the Grand Jury of the County of Cork at each Assizes are authorized to make Presentment for the making and maintaining of the Roads and Bridges within the several Baronies, including the Barony of Barrymore in the said County, within which Barony the Town of Queenstown is situate; and that "The Towns Improvement (Ireland) Act, 1854," has been duly adopted by the Inhabitants of the said Town; proposes to transfer to the Commissioners elected and acting in pursuance of the Act of 1854 the Powers of the Grand Jury for making, maintaining, and managing the Roads and other Public Works within the said Town, to enable the said Commissioners to make the necessary Rate for that Purpose, and to confer Powers on the Commissioners for the better watching of the said Town, and for carrying out certain needful sanitary Improvements.

This Act and Act of 1854 to be One Act, § 3.

Jurisdiction of Grand Jury over Roads transferred to Commissioners, § 5.

Power of Grand Jury for levying Rates, &c. abolished as regards Town, § 6.

Grand Jury not to present for any Road, &c. within the Town of Queenstown, § 7.
Power to Commissioners to levy Road Rate, § 8.
Road Rate to be levied in same Manner as Rate under Act of 1854, § 9.
Amount of Road Rate, § 10.
Road Rate vested in Commissioners, § 11.
Act not to deprive the Grand Jury of presenting and levying Rates in the Town for its Proportion of Charges leviable for the Purposes of the County at large, § 12.
Application of Road Rate, § 13.
Grand Jury Warrants not to be prejudiced, § 14.
Power to provide Dead House, § 15.
Power to provide public Conveniences, § 16.
Power to appoint Watchmen, § 17.

Cap. xxi.

"Bristol and Exeter and Chard and Taunton Railways Act, 1862."

Recites that in 1861 the Chard and Taunton Railway Company were incorporated and authorized to raise a Share Capital of 120,000*l.*; that the Bristol and Exeter Railway Company were authorized to subscribe 18,000*l.*, and to take and hold Shares in the Capital of the Chard and Taunton Railway Company, and to guarantee the Principal and Interest of the Money borrowed by the Chard and Taunton Railway Company, and to guarantee Interest or Dividend on all or any of the Shares of that Company, so that the total Sum payable in respect of the Shares so guaranteed should not exceed 4,750*l.* in any One Year, and the Bristol and Exeter Railway Company are by the said Act also authorized (subject to Agreement with the Chard and Taunton Railway Company) to work and maintain the Railway of that Company; that the Railway authorized by the said Act is about to be constructed; that the Bristol and Exeter and Chard and Taunton Railway Companies are desirous that certain Alterations should be made in the Terms of the Financial Arrangements between the Two Companies authorized in the said Act, and that the Bristol and Exeter Railway Company should be enabled to subscribe an additional Sum to the Capital of the Chard and Taunton Railway Company.

2. It shall be lawful for the Bristol and Exeter Railway Company, with the Authority of Three Fifths of the Votes of Shareholders present, personally or by Proxy, at a General Meeting of such Company specially convened for the Purpose (in addition to the Sum of 18,000*l.* authorized to be subscribed by them by the said Act), to subscribe towards and become Shareholders in the Undertaking of the Chard and Taunton Railway Company to such further Extent as may be arranged between the Chard and Taunton Railway Company and Bristol and Exeter Railway Company, but such additional Subscription shall not exceed Three Fourths of the Capital of the Chard and Taunton Railway Company not subscribed for at the Time of such Arrangement.

Existing Provisions to extend to additional Subscription, § 3.
Shares not to be sold, § 4.
Powers of Guarantee under recited Act extinguished, § 5.

Cap. xxii.

"East London Waterworks Act, 1862."

Recites several Acts relating to the Company; that by their Act of 1853 their Capital was declared to be the aggregate of the Sum of 675,000*l.* General Stock, and of such further Sums as were from Time to Time raised by the Creation of the additional Shares in that Act mentioned, but not exceeding in the whole 975,000*l.*: that in exercise of the Powers conferred on them by their Acts of 1852 and 1853 respectively they created and issued additional Shares of the aggregate Amount of 300,000*l.*, being the full Amount by those Acts authorized to be created; that the Shares so created have been converted into Stock, and are now represented by 1,025*l.* Stock entitled to a perpetual preferential Dividend at the Rate of 4*l.* per Centum per Annum, and 298,975*l.* General Stock; that the 298,975*l.* General Stock so created, and the 675,000*l.* General Stock referred to in the Act of 1853, constitute together 973,975*l.* General Stock of the Company, the whole of which bears ordinary Dividends; that by the Act of 1853 the Company were authorized to borrow on Mortgage any Sums not exceeding 50,000*l.*, and they have borrowed 50,000*l.* accordingly, and have expended the Sum of 350,000*l.* so raised by them under the Acts of 1852 and 1853, by Shares and by borrowing, in and about the Execution of the Works by the Act of 1853 authorized, and other Works for the Improvement of their Supply of Water, and in and about the Extension of the Mains, Pipes, and Apparatus for the Supply; that the Company are desirous of making under their existing Powers further Works for the Improvement of their Supply of Water, and to raise further Monies.

5. On the passing of this Act, and except only as is by this Act otherwise provided, the Powers of the Company under the recited Acts for raising Money by Shares or Stock or by borrowing are by this Act extinguished, and the Company's preferential Stock and General Stock, and the additional Sums which together are by this Act declared to be the Capital of the Company under this Act, shall, without respect to the original Creation or Issue thereof, constitute the then Capital of the Company.

6. The Capital of the Company under this Act is declared to be 1,200,000*l.*, consisting of the following Particulars; (that is to say,)

	£
The Company's present preferential Stock, bearing 4*l.* per Centum per Annum perpetual preferential Dividend - - -	1,025
The Company's present General Stock or ordinary Capital - - - - -	973,975
	£975,000
The Sums which the Company are by this Act authorized to raise by the Creation and Issue of Shares or Stock - - - -	225,000
	£1,200,000

7. The Company's Capital of 1,200,000*l.* shall from Time to Time be increased by the Amount of the Shares (if any) from Time to Time after the passing of this Act created by the Company for raising Money by Shares instead of by borrowing, or for the Conversion of borrowed Money into Capital.

8. The Company from Time to Time may raise by the Creation and Issue of Shares or Stock any Sums not exceeding 225,000*l.*

Power to create ordinary Stock for Redemption of preferential Stock, § 9.
Company may issue ordinary Stock in substitution for preferential Stock, § 10.
Sanction of Shareholders for Substitution, § 11.
Extinguishment of preferential Stock, § 12.
Ordinary Stock so issued to be held on same Trusts as preferential Stock, § 13.

Certificates of ordinary Stock so issued, § 14.
Certificates of preferential Stock to be cancelled, § 15.
Power to cancel unissued Shares and Stock, § 16.
Power to cancel Shares liable to Forfeiture, § 17.
Power to create Shares or Stock instead of cancelled Shares or Stock, § 18.
Power for Company to issue Shares or Stock as preferential, &c., § 19.
Limit of Dividend on Shares and Stock to 5*l.* per Cent., § 20.
Saving existing preferential Shares, § 21.
Limit of Profits applicable to preferential Dividend, § 22.
If existing ordinary Stock at a Premium, Shares or Stock to be offered to existing ordinary Stockholders, §§ 23 to 31.

32. The Company from Time to Time may borrow on Mortgage for the Purposes of their Undertaking any Sums not exceeding in the whole (inclusive of the Sums already borrowed by them) 200,000*l.*: Provided that the Company may raise all or any Part of that Sum not already borrowed by the Creation and Issue under this Act of Shares or Stock, or both, instead of by borrowing: Provided also, that the Company may raise all or any Part of that Sum, whether already or hereafter borrowed, by the Creation and Issue under this Act of Shares or Stock, or both, instead of by re-borrowing.

Priority of existing Mortgages, § 33.
Receiver for Mortgagees, § 34.
Power to raise Money by Shares or Stock to pay off Money borrowed, § 35.

36. Provided, That the whole Amount to be raised under this and the recited Acts, including the Amount of the Company's present Capital and Mortgage Debt, shall not exceed 1,400,000*l.*

37. The Company from Time to Time, by Agreement with any Mortgagee of the Company, may issue to him any Shares or Stock created under this Act, in satisfaction of all or such Part as is mutually agreed on of his Mortgage Debt, and the Shares or Stock so issued shall be deemed fully paid up, and the Mortgages in respect of which the same are so issued shall thereupon be extinguished: Provided that the Company shall not issue to any Mortgagee any Shares or Stock, or both, of a nominal Amount exceeding the Amount of the Principal Money secured by his Mortgages in respect of which the same are so issued to him.

38. No Person shall be allowed to hold or to transfer any portion of any Stock of the Company being in nominal Amount other than 1*l.* or a Multiple thereof.

Restriction as to Votes and Qualifications for preferential Shares and preferential Stock, § 39.
Votes and Qualifications for Stock and Shares, §§ 40 to 42.

Cap. xxiii.

"The Limerick Markets Act, 1862."

Recites that in 1852 the Limerick Market Trustees were incorporated for the Purpose of providing and governing Markets and Market Places in the Borough of Limerick, and were authorized to borrow any Sum not exceeding 30,000*l.*; that the whole of that Sum has been borrowed by the said Trustees, and is still outstanding on Mortgage; proposes to borrow 10,000*l.*, to alter and amend the recited Act, and to make new or further Provisions with respect to Meetings of Trustees, and with respect to supplying occasional Vacancies in the Class of Trustees appointed by the Grand Jury of the County of Limerick, and with respect to Tolls and Porterage Charges, and enabling the said Trustees to remove to the Markets Cattle or other Live Stock or Commodities which may be illegally exposed for Sale in the Streets of the said Borough.
Power to borrow further Sums not exceeding 10,000*l.* §§ 3, and 5 to 7.
Interest on Money borrowed under Act of 1852 and this Act to be a First Charge on Tolls levied thereunder, and Trustees to pay One Third of their gross Income to Corporation of Limerick, § 4.
Application of 10 & 11 Vict. c. 16. to Mortgages, § 8.
Addresses of Creditors, § 9.
Former Mortgages to have Priority, § 10.
Quorum of Trustees altered to Seven, § 11.
Notices of Meetings of Trustees altered to Three clear Days, § 12.
Mode of supplying occasional Vacancies of Trustees appointed by the Grand Jury altered, § 13.
Repeal of Sections 45 and 47 of Act of 1852, § 14.
Trustees may appoint Persons to measure Corn, &c., § 15.
Corn, &c. to be weighed, § 16.
Weighing and Metage Tolls on Corn brought by Water, § 17.
Standing Tolls on Cattle, Sheep, and Pigs, § 18.
Trustees may make Agreements as to Toll on Pigs, § 19.
Porterage Charges, § 20.
Charges for Weighing Machines, § 21.
Tolls and Charges under this Act to be taken and recovered in same Manner as Tolls under Act of 1852, § 22.
In every Case in which Sellers are liable to Penalties under Section 46 of Act of 1852, Purchasers to be liable to same Penalty, § 23.
Power to remove Cattle, &c. illegally exposed for Sale in Streets, § 24.
This Act not to prejudice the Rights of the Town Council under any Agreement with the Trustees, § 25.
Except as by this Act expressly provided, Act of 1852 not to be altered, § 26.
Schedules (Forms and Tolls).

Cap. xxiv.

"The North Devon Railway and Dock Act, 1862."

Recites 10 & 11 Vict. c. cclxxiii. and 14 & 15 Vict. c. lxxxiii.
Admiralty may direct Repayment to North Devon Railway and Dock Company of certain Money deposited by them, § 2.
Company to erect Beacon on Allen's Rock, § 3.

Cap. xxv.

"Rathmines and Rathgar Improvement Act, 1862."

Recites that by "The Rathmines Improvement Act, 1847," the Parts therein specified of the Barony of Upper Cross, in the Parish of St. Peter and County of Dublin, were formed into a District, and Commissioners were appointed for putting the Act in force within the District for the Improvement thereof; that the Townland of Rathgar, in the Parish of Rathfarnham and Barony of Rathdown, and the Townland of Sallymount, in the Parish of Donnybrook and Barony of Upper Cross, both in the County of Dublin, are adjacent to the old District, and it is expedient that the additional District be added to the old District, to form therewith One District, and that further Provision be made for the Improvement of the District; that the Commissioners have expended large Sums on the Sewerage and Paving of the old District, and large Sums will be required to be expended on the Sewerage and Paving of the additional District; and it is expedient that special Rates be levied on the additional District for the Purposes in that Behalf provided by this Act, and that the recited Act be amended.
Recited Act and this Act to be executed as One Act, § 2.

Limits of Act; Rathmines and Rathgar Improvement District, § 3.
District to be in Two Wards, § 4.
Rathmines and Rathgar Improvement Commissioners, § 5.
Property continued vested in Commissioners, §§ 6 to 14.
Number and Rotation of Commissioners, §§ 15 to 20.
Inspector of Nuisances, &c. may seize unwholesome Food, &c., § 21.
Width of Streets, § 22.
Roads, &c. in the District exempted from Jurisdiction of Grand Jury and placed under Commissioners, § 23.
Commissioners to have same Powers as Grand Jury for making Roads, &c., § 24.
Grand Jury not to present for repairing Roads, &c. within the District, § 25.
No Part of the Salary of County Surveyor to be levied on the District, § 26.
Warrants in force at Commencement of Act to continue, § 27.
Rathmines and Rathgar Improvement Rate, § 28.
Limit of Rathmines and Rathgar Improvement Rate, § 29.
Rathgar Five Years Rate, § 30.
Rathgar Five Years Rate additional, § 31.
Application of Rathgar Five Years Rate, § 32.
Expenses of Act to be borne by additional District, § 33.
Tenants may deduct same from their Rent, § 34.
Rates vested in Commissioners, § 35.
Distress for Rates, § 36.
Application of Rates, § 37.
Power to borrow 20,000*l.*, §§ 38, 39.
Sinking Fund, § 40.
Paying off Mortgages, § 41.
Compensation to Edward Love Alma, Collector of County Rate, § 42.
Byelaws, § 43.
Justice not disqualified as to Rates by being Commissioner, § 44.
Saving Rights of Corporation of Dublin, § 45.

Cap. xxvi.

"The Tranmere Improvement Act, 1862."

Recites that a Local Board for the District of Tranmere, in the County of Chester, has been constituted under "The Local Government Act, 1858," and the Powers of the said Act have, since the Constitution of such Local Board, been put in force within the said District; that it is expedient to authorize the Local Board to make and maintain the new Streets and Sewers herein-after mentioned, and that the further Powers herein-after contained should be granted to them in relation to the Roads, Streets, Sewers, and Drains within the said District, and that the Local Board should be authorized to purchase and acquire the Ferry across the River Mersey known as the Tranmere Ferry, situate within the District of Tranmere and County of Chester, and the Slip, Quays, Wharfs, and other Works and Property connected with the said Ferry, and also to purchase, provide, or hire Steam or other Boats for working the said Ferry; that by an Act of 3 & 4 Will. 4., intituled "An "Act for improving certain Roads within the County "Palatine of Chester, called 'The Chester, Neston, and "Woodside Ferry District of Roads,'" the Trustees were authorized to make and maintain and to levy Tolls upon a certain Road which passes through the Township of Tranmere and also through the District of Higher Bebington, and also a Branch Road leading from and out thereof to the Rock Ferry House in the said District of Higher Bebington; and it is expedient that the said Trustees should be authorized to relinquish so much of the said Roads as aforesaid, and that the same should be vested in the Local Boards of Tranmere and Higher Bebington respectively as herein-after provided; that by the 39th Section of "The Wirral Waterworks Act, 1859," it was enacted that, "if 'The Local "Government Act, 1858,' shall be adopted within the "Township of Tranmere within Nine Months after the "passing of this Act, and within the following Six Months "the Local Board of Health for such Township shall "have determined to construct Waterworks for the Supply "of such Township, the Company" (by the said Act incorporated) "shall be bound within One Year after such "Determination of such Local Board, on being requested "in Writing so to do, to sell and transfer to such Local "Board all such of their Mains and Pipes within the said "Township of Tranmere as shall not be required for "the Supply of Water for the other Parts of the District "within the Limits of this Act, on receiving from such "Local Board, in Payment for the same, such Value as "shall, in case of Difference, be ascertained in manner pro-"vided by 'The Lands Clauses Consolidation Act, 1845,' "in respect of the Settlement of Disputes by Arbitration; "and if such Local Board shall establish Waterworks for "the Supply of the Township of Tranmere as herein-before "provided, and shall purchase such Mains and Pipes as "aforesaid, if the same shall have been previously laid "down in the said Township, the Powers of the Company "to supply Water within the said Township shall cease "and determine;" that "The Local Government Act, 1858," was adopted within the Township of Tranmere, within Nine Months of the passing of "The Wirral Waterworks Act, 1859," and the Local Board within the following Six Months, and upon the 26th March 1860, determined to construct Waterworks for the Supply of such Township; and on the 28th March, gave Notice of such Determination to the Wirral Waterworks Company, and they subsequently required the said Company to sell and transfer to them all such of the said Company's Mains and Pipes within the said Township of Tranmere as should not be required for the Supply of Water for the other Parts of the District within the Limits of the said Act, upon Payment of the Value thereof, such Value, in case of Difference, to be ascertained in manner prescribed by the said Act as aforesaid; that the Local Board have also, in pursuance of the Power to that Effect contained in "The Public Health Act, 1848," and "The Local Government Act, 1858," constructed Waterworks for the Supply of Water within the District of Tranmere, and it is proper and expedient that the Powers of the Wirral Waterworks Company to supply Water within the District of Tranmere should be repealed, and that the Powers herein-after expressed should be granted to the Local Board for the Supply of Water within the said District, and also to and for the Use of Vessels anchoring in the Mersey; and that further Powers should be vested in the Local Board.
Limits of Act, § 3.
Act to be executed by Local Board, § 4.
Incorporation of Lands and Waterworks Clauses Acts, §§ 5, 6.
Power to construct new Roads or Streets and Sewers, §§ 7 to 9.
Local Board may agree with Birkenhead Improvement Commissioners as to Outlet of Sewers, § 10.
Local Board may agree with Owners, Lessees, and Occupiers as to Cost of new Streets or Sewers, § 11.
Local Board to ascertain Expenses of new Roads, and to make Assessment thereof according to Benefits conferred, § 12.
Appeal against Scheme of Assessment, § 13.
Parties may appeal to Local Board, § 14.

Parties may appeal to the Quarter Sessions against the Assessment, §§ 15 to 17.
Assessment to be filed when settled, § 18.
Application of annual Rates, § 19.
Authorizing Agreements as to new Roads or Streets with the Birkenhead Improvement Commissioners, § 20.
Local Board may declare new Roads or Streets to be Highways, § 21.
Five Years for compulsory Purchase of Lands, § 22.
Power to purchase Tranmere Ferry, § 23.
No Agreement for Purchase of Ferry to be valid unless approved of by Ratepayers at a Special Meeting, § 24.
Local Board may provide Steamboats, &c., § 25.
Tolls, Penalties, Byelaws, §§ 26 to 46.
Part of Turnpike Roads in the Chester, Neston, and Woodside District vested in Local Boards of Tranmere and Higher Bebington respectively, § 47.
Incorporation of "Town Police Clauses Act, 1847," § 48.
County Police may exercise Power of District Constables, § 49.
Declaring Cessor of Powers of Wirral Waterworks Company to supply Water in Tranmere, § 50.
Reviving and continuing Arbitration between Local Board and Wirral Waterworks Company, § 51.
Supply of Water, and Rates, §§ 52 to 58.
Incorporation of "Towns Improvement Clauses Act, 1847," § 59.
Purchase of Lands for opening new Streets, § 60.
Board may declare Costs of Sewers and Drains to be wholly or partly private Improvement Expenses, § 61.
Local Board may agree with Owners of projecting Buildings, and of Houses at Corners of Streets to alter and round off the same, § 62.
Vaults under Streets to be repaired by Owner, § 63.
Courts and Passages to be flagged and channelled, § 64.
Incorporating certain Clauses of "The Gasworks Clauses Act, 1847," § 65.
Local Board to put in Branch Drains at the Expense of Owners of Houses, § 66.
Local Board may order Removal and Construction of Urinals by Innkeepers and Beer Sellers, § 67.
Power to enforce Conversion of Privies into Waterclosets, trapping Drains, &c., § 68.
Power to lay down Street Tramways, § 69.
Board may levy District Rate for general Purposes of Act, § 70.
Board may borrow 18,500*l.* for general Purposes of Act, § 71.
Power to borrow Money for Purposes of Tranmere Ferry, § 72.
Reserving Powers of Board to borrow Money under General Act, § 73.
Provisions of "Public Health Act, 1848," to apply to Mortgages to be granted under this Act, § 74.
Saving Priority of existing Mortgages and future Mortgages under Public Health Act, § 75.
Rates for more or less than a Year, § 76.
Borrowed Money shall be paid off within 50 Years, § 77.
Mortgagees in Possession may recover Monies paid by them for sewering, &c. in the same Way as their Principal and Interest, § 78.
Application of Tranmere Ferry Account, § 79.
Proof of Debts in Bankruptcy, § 80.
Authentication of Notices, § 81.
Interest in Contract or Liability to Rates not to disqualify Justices, § 82.
Recovery of Penalties, § 83.
Application of Penalties, § 84.
Saving Rights of Local Board, § 85.
Schedules (Rates).

Cap. xxvii.

"South Molton Markets and Improvement Act, 1862."

Recites that the Borough of South Molton is regulated in part by a Charter granted by Queen Elizabeth and another Charter granted by King Charles the Second; that the Corporation hold in the Borough divers Markets, being respectively the Pannier Market, and the Meat Market, and the Cattle Market, and the Cattle, Sheep, and Pigs Market, and the Corn and Grain Market, and Two Fairs yearly, and are entitled to the Tolls and Payments arising from the Markets and Fairs; that the Meat and Pannier Market, and the Corn and Grain Markets respectively are held in a Square or open Space in the Borough, in which Market Place is an ancient and inconvenient Market House; that the Corporation are desirous, and it is expedient that they be authorized, to build a new Market House, and to remove thereto the Meat and Pannier Market and the Corn and Grain Market; that with a view to the building of the intended new Market House, the Corporation lately purchased the Land specified in the First Schedule to this Act annexed, which adjoins to the present Market Place, and that Land would be a proper Site for the intended Market House; but a Doubt has been raised with respect to the Competency of the Corporation to make that Purchase, and to appropriate and hold that Land for the Purposes of the intended new Market House, and it is expedient that the Doubt be removed; that it is expedient that a Market for Wool and other marketable Commodities be established in the Borough; that further Provision be made with respect to the Regulation of Markets and Fairs in the Borough, and the hawking of marketable Commodities within the Borough, and with respect to the Tolls and other Payments arising from the Markets and Fairs; and with respect to the Improvement of the Borough, and the Preservation of the Health of the Inhabitants thereof, and in order thereto, that the several Acts relating to the Public Health and Local Government be incorporated with this Act, and be carried into effect within the Borough by the Corporation as if they were the Local Board of Health for the District of the Borough; that the Lands specified in the Second Schedule to this Act annexed are Parts of the ancient Corporate Estates of the Corporation, and the legal Estate in Fee Simple therein is vested in Trustees thereof for the Corporation, and the Rents, Issues, and Profits of those Lands are Part of the Corporate Revenues of the Corporation; proposes to dispose of Part of those Lands for the Purposes of this Act, and to raise further Monies.
Incorporation of Lands Clauses Acts, of Markets, Public Health, and Local Government Acts, and of Parts of Towns Improvement Clauses Act, and of Commissioners Clauses Act, §§ 2 to 6.
Execution of Act by Corporation by Council of Borough, § 8.
Power to purchase and rent Lands by Agreement, § 9.
Validity of Purchase by Corporation of Lands specified in First Schedule, § 10.
Lands specified in Second Schedule to be conveyed to Corporation, § 11.
Lands, &c. acquired by Corporation to be Part of their Corporate Estates, § 12.
Power to sell Lands specified in Second Schedule and apply Proceeds for Purposes of Act, § 13.
Act not to prejudice Powers of Corporation for selling, &c. their Corporate Estates, § 14.
Power to make Market House, § 16.
Power to improve Market Houses and Market Places, § 17.
General Power to provide Market Places, § 18.

Discontinuance of Market Houses and Market Places when others provided, § 19.
Power to appoint Streets for Markets and Fairs, § 20.
Removal of Pannier Market to new Market Place, § 21.
Removal of Meat Market to new Market Place, § 22.
Removal of Cattle Market and Cattle, Sheep, and Pig Market to new Market Place, § 23.
Removal of Corn and Grain Market to new Market Place, § 24.
Power to hold Market for Wool, Hay, &c., § 25.
Power to maintain Market Houses and Market Places, § 26.
Offices for Market Officers, § 27.
Weights and Measures, &c., § 28.
Penalty and Damages for Injury to Market House, &c., § 29.
Corporation to maintain and regulate Markets and Fairs, § 30.
Market and Fair Days, § 31.
Days for present Markets and Fairs, § 32.
Public Notice of Removal of Markets, &c., § 33.
Leases of Shops, Stalls, &c. in Market Houses and Market Places, § 34.
Assignment of same, § 35.
Cattle Markets and Fairs Tolls, § 36.
General Market Tolls and Fair Tolls, § 37.
Tolls payable by successive Occupiers of Shops, &c., § 38.
Weighing and Measuring Tolls, § 39.
Weighbridge Tolls, § 40.
Tolls vested in Corporation, § 41.
Toll Collectors, § 42.
Power for Corporation to lease Market, &c. for Seven Years, § 43.
Application of Income from Markets and Fairs, § 44.
Power to borrow 3,000*l.* for Markets and Fairs, and 2,000*l.* for other Improvements, §§ 45 to 49.
Period of Sinking Fund, § 50.
Sinking Fund to be provided, § 51.
Investment and Application of Sinking Fund, § 52.
Application of Monies produced by Lands specified in Second Schedule, § 53.
Application of Monies received by Corporation under Act, § 54.
Expenditure of Corporation under Act, § 55.
Accounts; Penalties, &c., §§ 56 to 65.
Saving Rights of Corporation, § 66.
Schedules (Lands; Forms; Rates and Tolls).

Cap. xxviii.

"The Leeds New Gas Company's Act, 1862."

Recites that in 1854 the then existing Acts relating to the Leeds New Gas Company were repealed, and the Shareholders in the said Company were re-incorporated by the same Name of "The Leeds New Gas Company," and authorized to light with Gas the District of the Borough of Leeds in the West Riding of the County of York; that the authorized Share Capital of the Company consists of the following Stocks and Shares, viz.:—

	£
The original Stock, paid up in full, on which 10*l.* per Cent. Dividend may be paid -	45,000
The new Stock, paid up in full, on which 6*l.* per Cent. may be paid - - -	35,000
8,000 Shares of 6*l.* 5*s.* each, all called up, on which 6*l.* per Cent. may be paid, hereinafter called "A. Shares" - - -	50,000
Total - -	£130,000

that they are authorized to raise by Loans One Third Part of the paid-up Capital of the Company for the Time being, of which Sum so authorized to be raised, the Sum of 32,905*l.* has been raised; that the Demand for Gas within the existing District is greatly increasing, and the Company are desirous of being empowered to create and raise an additional Share Capital, and to raise an additional Sum of Money on Loan; proposes to convert their Loan Capital for the Time being into Debenture Stock, and to raise by the Creation of Debenture Stock, instead of by borrowing, any Sum which they may for the Time being be authorized to borrow, and to confer on such Debenture Stock such Rate of Dividend and such Priority in the Payment thereof as herein-after provided; and that the Limits of the Company for supplying Gas should be extended to and include the adjoining Township of Roundhay, in the Parish of Barwick-in-Elmet in the West Riding of the County of York; and to amend recited Act.
Certain Provisions of "The Companies Clauses Consolidation Act" extended to this Act, § 2.
Limits of recited Act extended, § 3.
Sections 3, 4, 7, 31, 32, 46, 49, 50, 51, 52, and 55 of recited Act, and "The Gasworks Clauses Act, 1847," incorporated with this Act, § 4.
Shares created under recited Act to be called "Class A. Shares," § 5.
Power to raise 65,000*l.* by "Class B. Shares," § 6.
"Class B. Shares" to be of such Amount as Meeting may direct, § 7.
Sale and Distribution of "Class B. Shares," § 8.
Sales by Auction to be advertised, and Premiums on such Sales not to be entitled to Dividend, § 9.
Power to attach Preference not exceeding 5*l.* per Cent. to "Class B. Shares," § 10.
As to Dividend on preferential "Class B. Shares," § 11.
Calls on "Class B. Shares," § 12.
As to Dividends on "Class B. Shares," § 13.
Limiting Rates of Dividend on "Class B. Shares" to 6*l.* per Cent., § 14.
Receipts on behalf of incapacitated Persons, § 15.
Power to borrow 16,000*l.*, § 16.
Application of Money, § 17.
Power to convert Loan Capital into Debenture Stock bearing a fixed Interest, §§ 18 to 29.
Altering Scale of voting, § 30.
To prevent fraudulent Consumption of Gas, § 31.
Removal of Meters, &c. from unoccupied Houses, § 32.
Illuminating Power of Gas, § 33.
Company to provide testing Meter for testing illuminating Power of Gas, § 34.
Power of Corporation of Leeds to test illuminating Power of Gas, § 35.
Penalty for supplying Gas of inferior illuminating Power, § 36.

Cap. xxix.

"Brean Down Harbour Act, 1862."

Proposes to make a Pier and Harbour at Brean Down on the Bristol Channel.
Incorporation of Consolidation Acts, §§ 2 to 4.
Subscribers incorporated, with a Capital of 75,000*l.* in Shares of 10*l.*, and with Power to borrow 25,000*l.*, §§ 5 to 12.
Meetings; Directors, §§ 13 to 19.
Power to make Pier according to Plans as submitted to the Admiralty, §§ 20 to 26.
Any Land reclaimed by the Works not to be taken without the Consent of the Commissioners of Woods, &c., § 27.

Three Years for compulsory Purchase of Land, § 28.
Seven Years for Completion of Works, § 29.
Ten Years for Sale of superfluous Land, § 30.
Company to give Notice before applying for Certificate of Completion, § 31.
Dredge Boats, &c., § 32.
Steam Tugs, &c., § 33.
Company may make Byelaws as to Ballast, § 34.
Company may dispose of Ballast, § 35.
Dredged Stuff, Ballast, &c. not to be cast into the Harbour or Sea within specified Limits, § 36.
Company to be a Pilotage, Local, and Harbour Authority, § 37.
Lights and Beacons, § 38.
Appointment of Harbour-master and other Officers, § 39.
Power of Constables to go on board Vessels, § 40.
Appointment of Pilots, &c., § 41.
Penalty on Persons acting as Pilots without Licence, § 42.
Company not responsible for Damage to Vessels in charge of their Pilots, § 43.
So much of Sect. 9 of 47 Geo. 3. sess. 2. c. 33. as relates to Pilots in Bristol Channel not to apply, § 44.
Clauses of this Act as to Pilotage not to come into operation without Consent of Board of Trade, § 45.
Rates on Vessels, § 46.
Harbour Dues, § 47.
Exemption from Rates and Dues, § 48.
Rates for Steam Tugs, § 49.
Pier Tolls, §§ 51, 52.
Officers of Customs to pass free, § 53.
Pilotage Rates, § 54.
Payment of Pilotage Rates, § 55.
Ballast Rates, § 56.
Saving Rights of Burnham Tidal Harbour Company, § 57.
Company not exempt from Provisions of General Acts relating to Harbours and Shipping, § 58.
Provision as to the Rights of the Crown, § 59.
Schedules (Rates and Dues).

Cap. xxx.

"The Bristol Waterworks Act, 1862."

Recites that in 1846 "The Bristol Waterworks Company" were incorporated, with Power to purchase and take on Lease certain Lands and Streams, and thereon to construct and maintain such Reservoirs, Pipes, and other Works as they should think proper for supplying with Water the Inhabitants of the City and County of Bristol and the Parishes of Bedminster, in the County of Somerset, and St. George and Westbury-upon-Trym, in the County of Gloucester, and for compensating the Owners of Mills and Lands upon the Course of the Streams, the Waters of which were thereby authorized to be taken, and to raise the Sum of 200,000*l.* by the Issue of 8,000 Shares of 25*l.* each, and to borrow on Mortgage or Bond a Sum of 66,000*l.*; that by their Act of 1850 they were empowered to raise the further Sum of 100,000*l.* by the Creation of new Shares of 12*l.* 10*s.* each, bearing Interest at the Rate of Five per Centum per Annum, in preference to any Payment of Dividend on the original Shares of the Company, and such further Interest in certain Events as in the said Act is mentioned; and it was by the said Act provided that the said Preference Shares should, so soon as all the Calls thereon should have been paid up, be consolidated into Stock; that by their Act of 1853 they were empowered to borrow the further Sum of 34,000*l.*, the Interest whereon was to rank after the Interest or Dividend payable on the Preference Shares created under the Act of 1850, and also, with certain Consents therein mentioned, to create a permanent Stock in lieu of any Part of the Mortgage and Bond Debt of the Company, to be called "The Debenture Stock of the Bristol Waterworks Company," with a Dividend not exceeding Four per Centum per Annum, payable in priority of the Interest on the Preference Shares; that they have raised the various Sums aforesaid, and the Share and borrowed Capital of the Company is now constituted as follows; that is to say,

	£
8,000 ordinary Shares of 25*l.* each fully paid up	200,000
Bond and Mortgage Debt under the Act of 1846	63,660
Debenture Stock	2,340
Preference Stock under the Act of 1850	100,000
Bond and Mortgage Debts under the Act of 1853	34,000
	£400,000

that they have constructed a main Reservoir in the Parish of Barrow, and also Three Compensation Reservoirs on the River Chew, and Two Reservoirs for the Supply of Clifton and its Neighbourhood, and also a Reservoir at Bedminster, and Works for the Supply with Water of the Tenants of the late Lord Waldegrave, and have sunk Wells and erected Engines and made Conduits and laid down the necessary Mains and other Pipes for the Supply of Water to the City of Bristol and the District described in the first-recited Act, and the said District has been supplied by them accordingly, and the said Reservoirs, Aqueducts, Wells, Engines, Mains, Pipes, and other Works and Apparatus, and the Land, Buildings, Streams, Easements, and Rights acquired by the Company under the Powers of the recited Acts constitute the present Undertaking of the Company; that it is expedient that the Limits for the Supply of Water by the Company should be extended into the Parishes of Brislington, Ashton (otherwise Long Ashton), and Abbots Leigh, in Somersetshire, and the Parishes of Stapleton and Horfield in Gloucestershire, and that the Company should be authorized to raise further Capital for that Purpose and for their general Purposes, and that further Powers should be conferred on the Company, and that the Provisions of the recited Acts should be consolidated and amended.
Repeal of recited Acts, § 2.
Company to continue incorporated, § 3.
Incorporation of Acts, § 4.
Company to continue seised of their Undertaking, &c., and saving of Rights and Liabilities, §§ 5 to 13.
Limits of the Act, § 14.
Power to Company to raise additional Capital of 80,000*l.* by Shares, with or without a Preference not exceeding 5*l.* per Cent., §§ 15 to 20.
Power to borrow 20,000*l.*, §§ 21 to 23.
Consolidation of Preference Shares, § 24.
Authorizing Creation of Debenture Stock, with Interest not exceeding 4*l.* 10*s.* per Cent., § 25 and §§ 27 to 30.
Saving Mortgages and Bonds and Preference Shares of 1850, § 26.
General Meetings, &c., §§ 32 to 38.
Power to execute Works, § 39.
Company empowered to take certain Springs, &c., § 40.
As to Reservoirs for Supply of Mills, &c. on the River Chew, § 41.
For the Protection of the River Chew, § 42.
The Company may draw off the Water to enable them to repair Reservoirs, § 43.

Supply of Water to be continued to Mills, &c. during Repairs, § 44.
Penalty for withholding Supply from Mills, § 45.
Continuing certain Provisions of the Act of 1846, § 46.
Company to preserve Tanks for Cattle, § 47.
Supply at Barrow, § 48.
Compensation for Elwall and Dundry Streams, § 49.
Providing for certain additional Compensation, § 50.
The Owners to have Access to Works, § 51.
For preventing Accidents from Reservoirs, §§ 52 to 62.
Power to purchase or lease Lands, &c., § 63.
Incorporation of Railways Clauses Act as to temporary Occupation of Land, § 64.
Works to be completed within Five Years, § 65.
Company empowered to maintain and construct and to alter Works, § 66.
Land for additional Purposes, § 67.
Rates at which the Company are to supply Water, § 68.
Increased Rate for High Level, § 69.
Plan to be deposited, § 70.
Definition of domestic Purposes, § 71.
Supply of Water to Shipping, § 72.
Water for other than domestic Purposes to be supplied by Agreement, § 73.
Notices to discontinue Supply, § 74.
Company authorized to fix Meters, §§ 75 to 81.
Justices may grant Warrant to enter Premises of Persons suspected of stealing Water, § 82.
As to Execution of Warrant, § 83.
Recovery of Water Rent, §§ 84 to 87.
Extending Powers of 10 Vict. c. 17. s. 74.,—§ 88.
Regulations may be made by the Company for preventing Waste of Water, § 89.
Persons using Company's Water to provide Ballcocks, &c., § 90.
Company not bound to supply Water except where Apparatus is approved, § 91.
Penalty for Misuse of Water, § 92.
Company may stop Supplies where Injury is committed, § 93.
Penalty for suffering Pipes, &c. to be out of repair, § 94.
Company may repair Pipes, &c., and recover Expenses, § 95.
Surveyor may enter Premises and inspect Apparatus, § 96.
Company not required to supply Water on the Constant Service System excepting for stated Hours, § 97.
For Prevention of Fire, §§ 98 to 100.
Water Pipes to be distinguished from Gas Pipes, § 102.
Preserving Space between Gas and Water Pipes, § 103.
Water Company to give Notice to Gas Companies of their Intention to open Streets, and vice versâ, § 104.
Pipes of the Company not to be moved or injured, § 105.
Engines to burn their own Smoke, § 106.
Recovery of Penalties, § 107.
Saving Rights of Her Majesty and the Duke of Cornwall in right of the Duchy, § 108.
Saving Rights of Corporation of Bristol, § 109.
SCHEDULES:
1. Form of Warrant.
2. 9 & 10 Vict. c. ccxxii. ss. 51, 53, 54, and 55.

Cap. xxxi.

"The Berwick-upon-Tweed Harbour Act, 1862."

Recites that by 48 Geo. 4. c. civ. Commissioners were appointed for executing the said Act, and certain Powers were conferred upon them for erecting a Pier, and for the Improvement of the Harbour, and for borrowing Money for such Purposes, and certain Rates and Duties on Goods and Ballast imported into or exported from the said Harbour, and also certain Rates or Duties of Tonnage, were authorized to be taken; that the Pier therein mentioned has been long since erected, and is now kept in repair, and a Lighthouse, with a Dwelling House attached, and Quays, Wharves, Jetties, and Offices have been erected, and Steam Tugs, Buoys, Moorings, Anchors, and Dolphins have been provided, and the Quays and Wharves already existing have been enlarged and kept in repair; and various Sand Banks and other Obstructions and Annoyances to the Navigation within the Harbour have been removed; that the Resort of Shipping to the Harbour would be increased and the Trade of the Port benefited if the several Rates and Duties on Goods and on Ballast, and the several Rates and Duties on Tonnage, respectively granted and imposed by the said Act were altered, modified, and adjusted; that it is expedient that the Constitution and Mode of Appointment of the Commissioners for executing the said Act should be changed, and that the Commissioners should be incorporated; and that the said Act should be repealed, and that better Provisions should be made for the Management and Improvement of the Harbour.
Repeal of 48 Geo. 3. c. civ.,—§ 4.
Property of Commissioners acting under repealed Act vested in the Commissioners incorporated by this Act, § 5.
Saving of Rights and Liabilities, §§ 6 to 12.
Works, &c. required by the repealed Act to be made or maintained shall be made or maintained by the Commissioners, § 13.
Commissioners to construct and maintain all Works not effected, and may purchase Lands as already authorized, § 14.
Five Years for the compulsory Purchase of Land, § 15.
Approval of Admiralty, §§ 16 to 18.
Incorporation of "The Lands Clauses Consolidation Act," "The Lands Clauses Consolidation Acts Amendment Act," "The Commissioners Clauses Act," and "The Harbours, Works, and Piers Clauses Act," § 19.
Admiralty may require Lifeboats, &c., § 20.
The Limits of the Harbour, § 21.
Commissioners incorporated; and their Qualification, §§ 22 to 26.
List of the Names of the Owners of Vessels registered at Berwick, and to be made out annually, § 27.
Collector of Tonnage Rates to have Facilities for making out the Register of Shipowners, § 28.
Election and Rotation of Commissioners, §§ 29 to 47.
Embankments, Landing Places, &c. may be constructed by Commissioners, § 48.
Removal of Sand, Gravel, &c., § 49.
Removal of Obstructions, § 50.
Any Land reclaimed by the Works not to be taken without the Consent of the Commissioners of Woods, &c., § 51.
Unserviceable Vessels may be sold at the End of Four Months, § 52.
Powers to remove Wrecks, &c., § 53.
Power to license Ferries and Ferry Boats, § 54.
Pilots to continue, § 55.
Commissioners to be a "Pilotage Authority" and a "Local Authority" for Purposes of Act, § 56.
Commissioners to examine and grant Licences to Pilots, § 57.
Pilots to pay for their Licences, § 58.
Rates of Pilotage, § 59.
Reward for Pilots assisting Ships in Distress to be settled by the Commissioners, § 60.
Commissioners may determine Compensation for extra Attendance or Labour, § 61.
No Claim to be made by any Pilot for Salvage Services without the Consent of the Commissioners, § 62.

Distance to which Outward-bound Vessels are to be piloted, § 63.
Masters of Vessels to give Pilots a true Account of the Draught of Water of their Vessel, and Pilot authorized to admeasure, § 64.
The Commissioners not responsible for Damage done by Pilot, § 65.
Commissioners may take Rates, &c. set forth in Schedules A. and B., § 66.
Commissioners may borrow 10,000*l.*, § 67.
Sinking Fund to be established for paying off Money borrowed, § 68.
Application of Money, § 69.
Persons injured by carrying out Power of Commissioners to be recompensed, § 70.
Saving Rights of the Crown, § 71.
Schedules (Rates).

Cap. xxxii.

"The Barnsley Local Board Act, 1862."

Recites that the Local Board of Health of the Township of Barnsley, in the Parish of Silkstone and West Riding of the County of York, under the Powers of "The Public Health Act, 1848," and of "The Local Government Act, 1858," purchased the Waterworks Undertaking of the Barnsley Waterworks Company, authorized by "The Barnsley Waterworks Act, 1853," and from such Waterworks the Inhabitants of the said Township (in this Act called the District) are supplied with Water; that the Source from which the existing Water Supply to the District is now derived has become polluted, and the Supply is inadequate for the Wants of the Inhabitants, and it is expedient that the Local Board should be enabled to provide a better Supply of Water, and to construct further and other Waterworks in pursuance of the Powers herein-after contained, and to abandon such Portion of their existing Waterworks as will be rendered unnecessary by the Construction of the proposed new Works, and to sell and dispose of the same; that the several Townships and Places herein-after described as "Places without the District" are situate on or near to the Line of the proposed Main Pipes and other Waterworks of the Local Board, and could be supplied with Water therefrom with great Advantage to the Inhabitants of those Places and also to the Local Board; that it is expedient that the Local Board should be authorized to make Byelaws for the several Purposes herein-after mentioned, and that additional Powers should be conferred on the County Police, and on Keepers of Public Parks nominated by the Local Board, and acting within the District, and that the other Powers herein-after contained should be vested in the Local Board.
Incorporation of Acts, § 4, 5.
Limits of Act, § 6.
Act to be executed by Local Board, § 7.
Local Board may appoint Water Committee, § 8.
Minute Books of Water Committee to be open to Inspection, § 10.
Streets, &c. under the Control of the Local Board may be broken up without Notice, § 11.
Power for Local Board to supply Water, § 12.
Power to make new Waterworks according to deposited Plans, § 13.
Local Board to purchase Ingbirchworth Mill, § 14.
Limiting compulsory Power to purchase Lands or Easements, § 15.
Protection of Manchester, Sheffield, and Lincolnshire Railway, the Lancashire and Yorkshire Railway, and Barnsley Canal Tramway, §§ 16 to 18.
Certain Persons may grant Leases of Lands, § 19.
Power to take Water and purchase Lands, § 20.
Reserving Power to Local Boards of Dewsbury, &c. to empty and cleanse their Reservoir on the Broadstone Dyke, § 21.
Saving Rights of the Dewsbury, Batley, and Heckmondwike Boards, § 22.
Limits of Deviation, § 23.
Regulations of Railways Clauses Consolidation Act applied to Roads, &c., § 24.
Additional Lands for Waterworks, § 25.
Works to be completed within Four Years, § 26.
Power to lay down Pipes for Water, § 27.
Rates at which Water is to be supplied for domestic Purposes, § 28.
Rates; Supply of Water; Meters, §§ 29 to 41.
Power to abandon Part of present Works, § 42.
Reservoir Provisions, §§ 43 to 53.
Lands and Houses acquired under this Act, &c. to be vested in Local Board as a Body Corporate, § 54.
Improvement Rates for Expenses of executing Act by Local Board, § 55.
Improvement Rates may be collected with General District Rates, § 56.
Incorporation of Sections of the Commissioners Clauses Act respecting Mortgages, § 57.
Power to borrow 49,900*l.*, §§ 58 to 60.
Income of Local Board under Act, § 61.
General District Rates and Estimates to include Sums payable on Mortgage under this Act, § 62.
Expenditure by Local Board under Act, § 63.
Application of Revenue, § 64.
Amount of Rate to include Expenses of recovering it, § 65.
Not to affect Powers of Local Board under Public Health Act, § 66.
Recovery of Monies; Penalties; Byelaws, §§ 67 to 73.
Provision for Diversion of Pipes near Noblethorpe, § 74.
Public Park Keepers may be sworn as Constables, § 75.
County Police may exercise Power of District Constables, § 76.
For Protection of the Millowners on the Ingbirchworth Dyke and River Dun, § 79.
Gauge to be constructed and maintained by Local Board for measuring the Supply of Water to Mills, § 80.
Compensation in Water for Supply of Streams, § 81.
Meter to be fixed limiting Quantity of Water to be taken by Local Board, § 82.
Millowners and their Officers may inspect Gauge and Meter, § 83.
Millowners may repair Gauge and Meter if Local Board fail to do so, § 84.
Penalty in case the Local Board fail to supply the stipulated Quantities of Water, § 85.
Until Gauge completed Local Board not to take any Water which they were not authorized to take before the passing of this Act, § 86.
Superintendence of Gauge and Meter, § 87.
Saving Rights of Millowners and of Local Board, §§ 88, 89.

Cap. xxxiii.

"Falmouth Waterworks Act, 1862."

Recites that by their Act of 1847 the Falmouth Waterworks Company were incorporated and authorized to construct Waterworks for supplying the Inhabitants of the Town of Falmouth and the Parishes of Falmouth and Budock, in the County of Cornwall, with Water; that they have constructed the Reservoirs and Aqueducts authorized, and have

supplied Water to the Town of Falmouth and the Parishes of Falmouth and Budock; that the Water which the Company can impound and make available for the Purposes of such Supply is insufficient for the increasing Wants of the Inhabitants of the District, and it is expedient that they should be authorized to construct additional Reservoirs and other Works and increase their Supply; that the additional Quantity of Water procurable by such Means would enable the Company to supply with Water not only the Limits within which they are now authorized to supply Water, but also the Parish of Saint Gluvias, including the Borough of Penryn and the Parish of Mylor, and it is expedient that the Company be authorized to supply Water within those Parishes; that the Company was authorized to raise 10,000*l.* by the Creation of Shares, and 3,300*l.* by Mortgage or Bond; and they have raised the 10,000*l.* by the Creation and Issue of 2,000 Shares of 5*l.* each, and exercised their Powers of borrowing to the Extent of 3,300*l.* or thereabouts; that they have expended upon their Undertaking the full Amount of Money which they have raised under the recited Act, and have incurred Liabilities chargeable to Capital Account; and it is expedient that they should be authorized to raise more Money, as well for paying off such Liabilities as for the other Purposes by this Act authorized, and to create Debenture Stock, and that the Provisions of the recited Act should be repealed, and further Powers granted instead thereof.

Incorporation of Consolidation Acts, §§ 2, 3.
Repeal of Act, § 4.
Company to continue incorporated; and Saving of Rights and Liabilities, §§ 5 to 15.
Capital 10,000*l.*, and Power to create new Shares to the Extent of 10,000*l.* more, and to attach Preference of 6*l.* per Cent., §§ 16 to 20.
Power to borrow 5,000*l.* in all, §§ 21 to 24.
Power to raise Money by Debenture Stock, with a 4*l.* per Cent. Preference, §§ 25 to 31.
Meetings; Directors, &c., §§ 32 to 37.
Power for Company to make new Works and take Lands for the Purpose, § 38.
Enabling the making of Grants of Lands and Hereditaments on the Part of the Duchy of Cornwall, § 39.
New Works authorized, § 40.
Pipe to be laid down as approved by the Admiralty, §§ 41 to 43.
Power to stop up Roads, &c., §§ 44 to 46.
Limits of Deviation, § 47.
Grants of Easements, § 48.
Three Years for compulsory Purchase of Lands, § 49.
Five Years for Completion of Works, § 50.
Provisions for the Protection of Millowners on College River, § 51.
Reservoir Provisions, §§ 52 to 61.
Limits of Act for Water Supply, § 62.
Company need not supply Water to Top of Houses, or under Pressure in certain Parts of Limits, § 63.
Company may suspend Supply of Water under Pressure for Two Hours daily, § 64.
Rates and Penalties, §§ 65 to 74.
Saving the Rights of the Duchy of Cornwall and of Corporation of Falmouth, §§ 75, 76.

Cap. xxxiv.

"The Tendring Hundred Railway Act, 1862."

Recites that the Tendring Hundred Railway Company were incorporated in 1859 by "An Act to authorize the Construction of a Railway from the Hythe in the Neighbourhood of Colchester to Wivenhoe, in Essex, to be called "the Tendring Hundred Railway;" that it is expedient that the Company should have Power to extend their Railway within the Borough of Colchester, and also to make a Tramway to the Camp at Colchester, and that they should also have Power to enter into Contracts with Her Majesty's Principal Secretary of State for War and with the Eastern Counties Railway Company with respect to the Undertaking by this Act authorized.

Incorporation of Consolidation Acts with this Act, § 1.
Power to construct new Lines of Railway, §§ 2, 3.
Lands to be bought by Compulsion in Two Years, § 4.
Three Years for Completion of Works, §§ 5, 15.
Land for additional Stations, § 6.
Admiralty Provisions as to Bridge over Colne, §§ 7 to 10.
Junctions with Colchester, Stour Valley, Sudbury, and Halstead Railway, §§ 11 to 14.
Tolls upon new Railways, § 16.
Application of Monies, § 17.
Power to Company to raise additional Capital of 25,000*l.*, §§ 18 to 20.
Power to borrow 8,300*l.*, §§ 21, 22.
Incorporation of Part of Companies Clauses Act, § 24.
Power to enter into Traffic Arrangements, § 25.
Company may contract with Secretary for War, § 26.
Saving Rights of Secretary for War, § 27.

Cap. xxxv.

"The Dundee and Perth and Aberdeen Railway Junction Act, 1862."

Recites that by "The Dundee and Perth and Aberdeen Railway Junction (Consolidation) Act, 1855," the Acts therein recited relating to the Company were repealed; and it was enacted, that the Company should by that Name continue to be a Body Corporate, and that the Share Capital of the Company should be 650,000*l.*, of which Share Capital Shares to the Amount of 150,000*l.* had been issued, under Powers to that Effect, with Right to preferential Interest or Dividend at the Rate of 5*l.* per Centum per Annum, in priority to the Dividend on the ordinary Stock or Shares of the Company, and are known and herein-after designated as the Second-class Preference or Quarter Shares of the Company, and of which Share Capital the Directors of the Company were by the said Act authorized to issue Shares to the further Amount of 120,000*l.*, with Right to a preferential or guaranteed Rate of Interest, not exceeding 5*l.* per Centum per Annum, in priority to the Interest or Dividend on all other Stock or Shares in the Company, preferential or ordinary, excepting Mortgage Stock, which were appointed to be called "Dundee and Perth and Aberdeen Railway Junction First-class Preference Shares," and such Shares to the Amount before mentioned have been issued accordingly; that it was by the said Act enacted, that the Amount which the Company might borrow or be owing at any One Time on Mortgage or Bond should not exceed 216,599*l.*, and that it should be lawful for the Company to convert any Portion of their borrowed Capital into Mortgage Stock, bearing a fixed and preferential irredeemable yearly Dividend or Interest at any Rate not exceeding 5*l.* per Centum per Annum, or into Mortgage irredeemable Annuities at the like Rate, which should be termed respectively "Dundee and Perth and Aberdeen Railway Junction Mortgage Stock," and "Dundee and Perth and Aberdeen Railway Junction Mortgage Annuities;" and the said Sum of 216,599*l.* has been borrowed, but no Part thereof has been converted into Mortgage Stock or Mortgage irredeem-

able Annuities; that by a Lease dated the 14th October 1846, made in virtue of Powers contained in "The Dundee and Perth Railway (Amendment) Act, 1846," the Dundee and Newtyle Railway was leased to and became vested in the Company for 999 Years from and after the 1st November 1846, subject to the Rent therein mentioned, and on Condition that the Company should, at their own Expense, execute the Works necessary for widening, altering, and improving the said Dundee and Newtyle Railway, and should regularly work the same; that by "The Dundee and Newtyle Railway Improvement Act, 1859," the Company were authorized for the Purpose of improving the said Dundee and Newtyle Railway, to raise the Sum of 70,000*l.*, by the Creation of new Shares or Stock having Right to Dividend out of the Revenues arising from that Railway; that that Sum has proved insufficient; proposes to raise further Monies.

Power to raise 60,000*l.* by Creation of 5*l.* per Cent. Preference Shares, § 2.

Dividend on new Shares how to be paid, § 3.

Reserving Priority of existing Preference Shares, § 4.

Power to borrow 20,000*l.*, §§ 6, 7.

Power to convert Mortgages into Mortgage Stock or Mortgage Annuities, § 8.

Power to raise 15,000*l.* by Creation of Shares for Purposes of Dundee and Newtyle Railway, § 9.

Power to borrow 4,900*l.* for Purposes of Dundee and Newtyle Railway, § 10.

Monies raised under this Act to be applied only to Purposes hereby authorized, § 11.

Alteration of Periods for holding ordinary General Meetings, § 12.

Incorporation of Portions of Companies Clauses Act, § 13.

Cap. xxxvi.

"The Uxbridge and Rickmansworth Railway Act, 1862."

An Act to enable the Uxbridge and Rickmansworth Railway Company to make a Deviation of their authorized Line of Railway.

Cap. xxxvii.

"Bollington Improvement and Lighting Act, 1862."

Proposes the Improvement and Lighting of a Portion of the Township of Bollington, in the Parish of Prestbury, in the County Palatine of Chester; and that "The Public Health Act, 1848," and "The Local Government Act, 1858," and the Acts amending the same, should (with such Modifications and Alterations as by this Act provided) be applied to such Portion of the said Township.

Act to be executed by Local Board, § 3.

Incorporation of Lands Clauses and Gasworks Clauses Acts, §§ 4, 5.

Defining District, § 6.

Plan of Boundaries to be lodged with Clerk of the Peace for Chester, § 7

Limits of Act, § 8.

Variations of Public Health Acts, § 9.

Provision for Failure of Elections, § 10.

Power to purchase Lands, § 11.

Powers as to Construction of Gasworks, &c., § 12.

Restriction on Erection of new Works, § 13.

Gas to consumed by Meter on Request, § 14.

Provision of Service Pipes, § 15.

Local Board may remove Pipes from unoccupied Premises on giving Notice to Owner, § 16.

Maximum Price of Gas 6*s.* per 1,000 Cubic Feet, § 17.

Quality of Gas, §§ 19 to 22.

Lighting Rate, § 23.

Gasworks Account, § 24.

Power for Local Board to borrow 15,000*l.* on Security of Gas Rents, &c., § 25.

General District Rates and Estimates to include Sums payable thereout under this Act, § 26.

Gas Rents to be primarily, and Lighting Rate secondly, liable, § 27.

Rates not to be reduced under certain Circumstances, § 28.

Application of Receipts of Board, § 32.

Recovery of Rates, Penalties, &c., §§ 34 to 41.

Schedules.

Cap. xxxviii.

"The Dublin Corporation Fire Brigade Act, 1862."

Recites that by "The Dublin Corporation Waterworks Act, 1861," the Right Honourable the Lord Mayor, Aldermen, and Burgesses of Dublin are authorized and required for the Purpose of providing a Supply of Water for better Security against Fire, and other the Purposes therein mentioned, in the Month of December in every Year, by Precept under their Common Seal, to order and direct the Collector General to applot, collect, and levy upon and from the Owners of all rateable Property within the City or Borough of Dublin a Rate called "the Public Water Rate;" that other Powers and Provisions in reference to an efficient Water Supply, and to the Maintenance and Repair of Fire-plugs, are granted to and imposed on the Corporation by the said Act; that the Corporation have for some Time past at considerable Expense established and maintained a Fire Brigade, Fire Engines, and other Appliances in the said City, but on too limited a Scale to afford sufficient Protection to the Lives and Property of the Citizens; and Doubts are entertained whether the Funds under the Control of the Corporation are legally applicable to such Purposes; that it is expedient that such Doubts should be removed, and that, in addition to the Powers already conferred on the Corporation, Provision should be made for the Formation and Maintenance by them of an efficient Fire Brigade, and the Supply of all proper Steam and other Engines, Machinery, and Appliances for the Protection of Life and Property from Fire.

Recited Act and this Act to form One Act, § 2.

3. It shall be lawful for the Corporation to erect and provide, in some convenient Situations in the Borough, such Houses, Lands, and Buildings for the Accommodation of Firemen, and for the Reception and Custody of Fire Engines, Fire Escapes, Water Carts and other Apparatus and Appliances, as the Corporation shall think necessary, and from Time to Time to alter the Situations of the present and all future Fire Engine Stations; and for those Purposes the Provisions of "The Lands Clauses Consolidation Act, 1845," with respect to the Purchase of Lands by Agreement, shall be incorporated with and form Part of this Act.

4. It shall be lawful for the Corporation to purchase or provide Steam and other Engines and Machines, Water Carts, Water Buckets, Pipes, Hose, Fire Escapes, and other Implements and Apparatus for extinguishing Fire, and to purchase, keep, or hire Horses, and generally to employ a Superintendent and Officers to instruct, train, organize, and control a Fire Brigade, and regulate their Operations, and also to employ a proper Number of Persons to act as Firemen, for directing and working the said Engines and Fire Escapes, and as Drivers of the said Engines and Water Carts, and out of the Income arising or to arise from "the Public Water Rate" authorized to be levied by "The Dublin Corporation Water-

works Act, 1861," to take on Lease or purchase all such Houses, Lands, and Buildings, and purchase and provide such Fire Engines, Machines, Water Carts, Water Buckets, Pipes, Hose, Fire Escapes, Horses, and other necessary Apparatus and Appliances, and allow and pay all such Superintendents, Officers, Firemen, and other Persons who may be so employed such Salaries or Wages as the Corporation may think proper, with full Power and Authority to displace and remove such Superintendents, Officers, Firemen, and other Servants from Time to Time, and to appoint others in their Stead, and also to regulate the Expenditure of the said Establishment, and from Time to Time to frame such Rules and Regulations for the Government of the Fire Brigade and for the Government and Control of such Members of other separate or associated Company or Companies, Parish Officers, or other Party or Parties who may be disposed to assist in the Extinction of Fires, and the Preservation of Life and Property therefrom, and, attend for that Purpose; and also to frame Rules and Regulations for the more effectual Prevention of Disorder, Neglect, or Abuse, and the rendering such Superintendents, Officers, Firemen, and other Persons employed in the said Fire Brigade efficient in the Discharge of their Duties, and to impose and recover Fines or Penalties for any Breach or Non-observance of such Rules and Regulations, and generally to do all other Matters and Things which they may deem expedient and necessary to do with a view to the good Government and Utility of the Fire Brigade: Provided always, that any such Rules and Regulations as aforesaid shall be subject, as to Publication, Confirmation, and Evidence, to the Provisions, with respect to Byelaws contained in the 18th, 19th, 20th, 21st, and 22d Sections of "The Dublin Improvement Act, 1849."

5. In all Cases where any Superintendent, Officer, Fireman, or other Person who shall have been employed by the Corporation in any Capacity in the Fire Brigade Establishment, and shall have been discharged therefrom, continues to occupy any of the Houses or Buildings so to be provided as aforesaid, or any Part thereof, after One Week's Notice in Writing from the Corporation signed by the Town Clerk to quit and deliver up the Possession thereof, it shall be lawful for any Divisional Justice, on the Oath of One Witness of such Notice having been so given, by Warrant under his Hand to order and direct any Constable or other authorized Bailiff, or Officer usually employed to execute the Orders of such Justice, to enter into and upon the House or Building occupied by such discharged Superintendent, Officer, Fireman, or other Person as aforesaid, and to remove him and his Family and Servants therefrom, and afterwards to deliver the Possession thereof to the Corporation as effectually to all Intents and Purposes as the Sheriff of the County of the City of Dublin could or might lawfully do under and by virtue of a Writ of Possession or a Judgment at Law.

6. If any Superintendent, Officer, Fireman, or other Person who may from Time to Time be employed by the Corporation, either temporarily or permanently, in extinguishing any Fire, shall happen to suffer or sustain any material Damage or Injury in the Discharge of such Duty, it shall be lawful for the Corporation, if they think fit, to grant him or his Representatives reasonable Compensation, either by a Sum in gross or by Annuity, for such Damage or Injury, out of the said "Public Water Rate;" but no such Superintendent, Officer, Fireman, or other Person, or his Representative, shall be entitled to claim Compensation as a Matter of Right in case the Corporation shall not deem it expedient to grant the same.

7. The Fire Brigade constituted under this Act may, under the special Order and Direction of the Superintendent or other superior Officer present in charge thereof, on the Occasion of a Fire take any Measures that appear expedient for the Protection of Life and Property, and may on any such Occasion shut the Water off from the Mains and Pipes of any District in order to give a greater Supply and Pressure of Water in the District in which the Fire has occurred.

8. It shall be lawful for the Corporation, if they think fit, by or out of the said Public Water Rate, to make and establish, and from Time to Time extend, by means of Telegraphic Wires or other approved Means, such rapid Communication between the Houses and Buildings in which their Fire Engines, Fire Escapes, and Fire Brigade may be stationed and maintained and the more distant Parts or Quarters of the City or Borough, and do all other necessary Acts and Things for the furtherance and facilitating of such Communication as to them may seem expedient.

9. It shall be lawful for the Corporation, as Occasion may require, to permit such Engines, Escapes, Implements, and Apparatus, and every or any Part of the Fire Brigade Establishment, to proceed beyond the Limits of the City or Borough for the Purpose of extinguishing Fire happening to Property in the Neighbourhood thereof; and the Owners of such Property shall in such Case defray the actual Expense that may be thereby incurred, and shall also pay to the Corporation a reasonable Charge for the Use of such Escape or Engines, Implements, and Apparatus, and for the Attendance of such Fire Brigade; and in case of Difference between the Corporation and the Owners of such Property the Amount of the Expenses and Charges, as well as the Propriety of the said Engines, Escapes, Implements, Apparatus, and Fire Brigade having so proceeded as aforesaid for the Purpose of extinguishing such Fire (if the Propriety thereof be disputed), shall be summarily determined by any Divisional Justice, whose Decision shall be final and conclusive on all Parties, and the Amount of the said Expenses and Charges in dispute may be fixed by such Justice, and may be recovered in like Manner as any Penalty imposed by the recited Act is or may be recoverable, and the Amount of all such Expenses and Charges paid or recovered shall be applied in Payment or in aid of the Costs of maintaining such Fire Brigade Establishment.

10. The Owner and Occupier of any House, Building, or Premises, Ship, Goods, or other Property within the Limits of the City or Borough in which a Fire breaks out shall be jointly and severally liable to pay and shall pay to the Corporation, as a Contribution towards the Expenses incurred or to be incurred in extinguishing such Fire, the Sum of Fifteen Pounds Sterling, or whatever lesser Sum is equal to One Half of the said Expenses; and the Amount of such Contribution or Proportion of Expenses shall in case of Difference be determined, and be recoverable and applied in manner provided by the immediately preceding Section of this Act with respect to the Expense of extinguishing Fires beyond the Limits of the City or Borough.

11. The Corporation may receive any Sum or Sums of Money, either by way of Donation or annual Subscription, which Insurance or other Companies, Societies, or Individuals may agree to allocate or contribute towards the Expense of the Establishment and Maintenance of the Fire Brigade, Engines, Implements, and Appliances requisite for the Prevention and Suppression of Fire and the Protection of Life and Property; and the Corporation may, if they think fit, purchase and acquire from any such Company or Society now existing in Dublin any Fire Escapes or other Implements or Machinery they may be possessed of for the Extinction of Fire or the Protection of Life and Property from Fire, for such Consideration as may be mutually agreed on.

12. Provided always, That the Proportion of "the Public Water Rate," which the Corporation may appropriate and apply for the Purposes of this Act, shall not exceed in Amount Three Halfpence in the Pound of the annual Value of the Property in respect of which "the Public Water Rate" shall from Time to Time be applotted and levied for each and every of the First Ten Years, and One Penny in the Pound for each and every succeeding Year.

Cap. xxxix.

"The Dublin and Meath Railway Act, 1862."

Recites their Act of 1858, and proposes to raise further Monies, and to attach a Preference to certain Shares.
Incorporating certain Provisions of Companies Clauses Consolidation Act, § 2.
Power to cancel unissued and forfeited Shares, §§ 3 to 7.
Power to raise additional Capital of 45,000*l.*, and also to create new Shares in lieu of Shares cancelled, § 8.
Dividends of preferential Shares restricted to 6*l.* per Cent. §§ 9 to 11.
Disposition of new Shares, § 12.
Power to cancel unissued new Shares, § 13.
Voting, § 14.
Power to borrow 15,000*l.*, §§ 15 to 17.

Cap. xl.

"The Frosterly and Stanhope Railway Act, 1862."

Proposes to authorize a Deviation of Part of the authorized Line of the Frosterly and Stanhope Railway, to construct a new Branch and other Works, to abandon Portions of authorized Line and Approach to Stanhope, to raise additional Capital of 5,000*l.*, and to borrow 1,000*l.*, and to amend Act of 1861.

Cap. xli.

"The Halifax Improvement Act, 1862."

Recites that "The Halifax Improvement Act, 1853" was passed for the Improvement of the Borough of Halifax, and to be executed by the Mayor, Aldermen, and Burgesses of the Borough, they being the Local Board of Health for the District of the Municipal Borough of Halifax, acting by the Council of the Borough, and to be so executed by them in their respective Capacities of a Municipal Corporation and a Local Board of Health; that by "The Halifax Park and Improvement Act, 1858," further Powers were conferred on them for the Improvement of the Borough, and they are the Burial Board for the Borough; proposes that further Provision be made with respect to the Improvement of Streets in the Borough; recites that under "The Customs Inland Bonding Act, 1860," Halifax has been appointed an Inland Bonding Town, and it is expedient that the Mayor, Aldermen, and Burgesses be authorized to provide and regulate Inland Bonding Warehouses under that Act, and make Communications between their Inland Bonding Warehouses and their Gasworks respectively and the Lancashire and Yorkshire Railway, and to acquire Lands for the Purposes of this Act; that it is expedient that further Provisions be made with respect to the Disposal of Lands by the Mayor, Aldermen, and Burgesses, and that the Mayor, Aldermen, and Burgesses be authorized to raise further Monies.
Incorporation of Consolidation Acts and of Part of Commissioners Clauses Act, §§ 2 to 5.
Acts of 1853 and 1858 and this Act to be executed as One Act, § 6.
Those Acts to apply to the annual Pleasure Fair, &c., § 7.
Acts to be put into execution by Mayor, &c. of the Borough, § 8.
Execution of Acts by Corporation to be pursuant to 5 & 6 Will. 4. c. 76.,—§ 9.
Execution of Acts by Local Board to be pursuant to Public Health Acts, § 10.
Power to take Lands for Purposes of Act, §§ 11 to 13.
Three Years for compulsory Purchase of Land, § 14.
Grants of Easements, &c. by incapacitated Persons in consideration of Rents, §§ 15, 16.
Lands, &c. purchased by Corporation and Local Board to be Part of Corporate Estates, § 17.
Power for Corporation and Local Board to make Works authorized by Act, § 18.
New Street authorized, §§ 19, 20.
Five Years for Completion of new Street, § 21.
Power to close Thoroughfares, § 22.
Highways vested in Local Board, § 23.
Power for Corporation to provide Inland Bonding Warehouses, § 24.
User of Inland Bonding Warehouses, § 25.
Corporation to make Regulations for Use of Bonding Warehouses, § 26.
Power to effect Junctions, &c. with Lancashire and Yorkshire Railway, § 27.
Power to effect other Communications between Railway and Gasworks, and Railway and Warehouses, § 28.
As to User of Tramway, § 29.
Sale and Exchange of Lands by Corporation, § 30.

31. The several Sums which the Corporation from Time to Time under the Authority of the Act of 1858 may borrow at Interest for the Purposes expressed in Sections 107, 108, 112, 113, and 114 of that Act respectively, shall be any Sums not exceeding in the whole, inclusive of the Sums which they are already authorized to borrow for those Purposes, the following Sums; (that is to say,)

For the Purposes of their Waterworks, 240,000*l.*:
For the Purposes of their Gasworks, 150,000*l.*:
For the Purposes of their Town Hall, Exchange, Court House, Police Station, Prison Cells, Buildings, and Approaches thereto, 40,000*l.*:
For the Purposes of their Markets, 20,000*l.*:
For the Purposes of their Cemetery, 20,000*l.*:

And those Acts shall be read and construed as if those respective Sums had been inserted in those Sections respectively.

32. The Corporation shall, out of the Monies by this Act authorized to be raised for the Purposes of their Waterworks, set apart a Sum of 12,000*l.* for the Construction of the Castle Carr Reservoir authorized to be made by the Acts of 1853 and 1858, and such Reservoir shall be commenced within One Year from the passing of this Act, and shall be completed within Four Years from the passing of this Act.

33. Except as is by this Act or otherwise provided, all Monies from Time to Time borrowed by the Corporation under this Act shall be paid to the Treasurer of the Borough, and be carried by him to the Credit of the Borough Fund, and no Money so borrowed shall be applied to any Purposes other than the Purposes for which the Money is by this Act authorized to be borrowed.

34. The several Sums from Time to Time borrowed by the Corporation for the Purposes of their Gasworks or their Cemetery shall be applicable for the Discharge of the Liabilities of the Corporation incurred with respect to any of those Purposes before the Time of borrowing the same respectively, as well as Liabilities thereafter incurred.

35. The Monies from Time to Time received by the Corporation in respect of their Cemetery, or of any Lands acquired

or contracted for by them or on their Behalf for any Purposes of their Cemetery, and afterwards sold or otherwise disposed of, shall be applied to the Discharge of Liabilities from Time to Time incurred by them in their Capacity of the Burial Board for Halifax.

36. All the Costs, Charges, and Expenses of and incidental to the executing by the Corporation of this Act, and all Principal Monies from Time to Time borrowed by the Corporation on Mortgage of the Borough Fund and the Borough Rates, and the Interest thereon, and all other the Expenses and Liabilities of the Corporation under and with respect to this Act and the Purposes and Execution thereof, are by this Act charged on the Borough Rates, and, except as is by this Act otherwise provided, shall be paid out of the Borough Fund accordingly as if the same were Expenses necessarily incurred in executing, with respect to the Borough, the Provisions of the Act for the Regulation of Municipal Corporations.

37. The Local Board from Time to Time, under the Authority of this Act, and in accordance with the Provisions of Sections 107, and 109 to 114, both inclusive, of "The Public Health Act, 1848," so far as those Provisions are consistent with the Provisions of this Act, may borrow at Interest, on Mortgage of their Special or General District Rates, for the Purposes of the Formation and Improvement of Streets by this Act and by the Act of 1858 authorized, including the Discharge of Liabilities already incurred by them in that Behalf, such Sums as they think requisite, not exceeding in the whole 10,000*l.*, in addition to any Sums already borrowed by them under the Provisions of "The Public Health Act, 1848," and the Acts of 1853 and 1858 respectively.

38. All Monies from Time to Time borrowed by the Local Board under this Act, and all Monies from Time to Time received by or for the Use of the Local Board under this Act, or in carrying it into execution, shall from Time to Time forthwith after the Receipt thereof be paid to the Treasurer of the Local Board, and be carried by him to the Credit of their District Fund Account.

39. All the Costs, Charges, and Expenses of and incident to the Execution by the Local Board of this Act, and all Monies from Time to Time borrowed by the Local Board under this Act, and the Interest thereon, and all other the Expenses and Liabilities of the Local Board under and with respect to this Act, and the Purposes and Execution thereof, are by this Act charged on and shall be paid out of the General District Rates, or, as the Case may be, the Special District Rates.

Power for Corporation and Local Board to re-borrow, § 40.

42. Provided, That the recited Acts and this Act shall not restrict the respective Powers of the Lords Commissioners of Her Majesty's Treasury, or One of Her Majesty's Principal Secretaries of State, to authorize the Corporation or Local Board to borrow Monies under the Provisions of any General Act.

Certain Sections of Act of 1853 extended to Act, § 43.
Certain Sections of Act of 1858 extended to Act, § 44.
Corporation may agree for Use of Water for certain Purposes, § 45.
Provisions as to the Conditions of a Supply of Water by the Corporation to the Hamlet of Brighouse, &c., § 46.
Provisions of Act of 1858 for Lancashire and Yorkshire Railway Company and Calder and Hebble Navigation extended to Act, § 47.
Saving Rights of Lancashire and Yorkshire Railway Company; of Company of Proprietors of Calder and Hebble Navigation; of Mortgagees of Waterworks under Public Health Act, 1851; and of Corporation and Local Board, §§ 48 to 51.

Cap. xlii.

"South-western Railway (Additional Powers) Act, 1862."

Proposes to authorize the London and South-western Railway Company to make and maintain the following Works and to acquire and use Lands for the Purposes thereof:

1st. The widening of the Company's Main Line of Railway at and near to their Vauxhall Station between the Western Side of Vauxhall Walk and the Eastern Side of Archer Street, all in the Parish of Saint Mary Lambeth in the County of Surrey:

2dly. The increasing of Station Accommodation at and near to the Company's Nine Elms Station, all in the Parish of Battersea in the County of Surrey:

3dly. The widening of the Company's Main Line of Railway near to their Southampton Station, and the increasing of Station Accommodation there, and in order thereto the laying down of additional Rails accross the Itchen Bridge Road and Marsh Lane there, all in the Parishes of Saint Mary and Saint James, or One of them, in the Town and County of the Town of Southampton:

Recites that in 1857 the Wimbledon and Dorking Railway Company were incorporated, and were authorized to raise by Shares a Capital of 70,000*l.*, and to borrow not exceeding 23,000*l.*, and to make and maintain a Railway commencing by a Junction in the Parishes of Wimbledon and Merton, or One of them, with the Company's Main Line of Railway, and terminating by a Junction in the Parish of Epsom with the Epsom and Leatherhead Railway, and by the reciting Act Provision was made with respect to Traffic Arrangements between the Company and the Wimbledon Company; and recites further as is recited in the Company's Act of 1860,* that by "The Wimbledon and Dorking and Epsom and Leatherhead Railways (Epsom Joint Station) Act, 1859," Provision was made with respect to the making and maintaining by the Wimbledon Company and the Epsom and Leatherhead Railway Company of a Joint Station at Epsom, but no such Joint Station has been made; that by "The Wimbledon and Dorking Railway Act, 1860," the Wimbledon Company were authorized to raise by Shares a further Capital of 24,500*l.*, and to borrow further Sums not exceeding, with the Amount which by their recited Act of 1857 they were authorized to borrow, One Third of their Share Capital; that by "The South-western Railway (General) Act, 1860" the therein recited Agreement was confirmed; proposes a Transfer of the Wimbledon Railway to the Company, and that the Wimbledon Company be dissolved; recites that in 1854 the Salisbury and Yeovil Company were incorporated and were authorized to raise by Shares a Capital of 400,000*l.*, and to borrow not exceeding One Third of that Capital; that by "The London and South-western, Exeter Extension, Act, 1856," the South-western Company were authorized to subscribe for and hold Shares of the Capital of the Yeovil Company not exceeding 100,000*l.*; and by "The Salisbury and Yeovil Railway (Deviation) Act, 1857," to guarantee the Mortgage or Bond Debt of the Yeovil Company; that by the Company's Act of 1858 the Yeovil Company were authorized to make and the Company were authorized to accept a Lease of the Salisbury and Yeovil Railway, and for the Commutation of the yearly Rent payable under the Lease, and for the absolute vesting thereupon of the demised Premises in the Company in perpetuity; that by "The Salisbury and Yeovil

* See Abstract of 23 & 24 Vict. c. clxxxv., and the Schedule thereto.

Railway Act, 1858," Provision was made for the Sale and Transfer of the Salisbury and Yeovil Railway to the Company; that by "The Salisbury and Yeovil Railway (Deviation) Act, 1860," the Yeovil Company were authorized to raise by Shares an additional Capital of 150,000*l.*, and to borrow further Sums not exceeding 49,500*l.*; that the Company are Lessees of the Salisbury and Yeovil Railway at a yearly Rent which has not been commuted, and they hold Shares of the Capital of the Yeovil Company to the Amount of 100,000*l.* of Four per Cent. preferential Capital, created and issued under the Provisions of "The London and South-western, Exeter Extension, Act, 1856," of 132,020*l.* of Five per Cent. preferential Capital created and issued under the Provisions of "The Salisbury and Yeovil Deviation Act, 1860," and of 12,580*l.* of the ordinary Capital of the Yeovil Company created and issued under the Provisions of "The Salisbury and Yeovil Railway Act, 1854," and the Company have guaranteed Mortgage or Bond Debt of the Yeovil Company to the Amount of 130,000*l.*; that by their Act of 1848, Provision was made for the providing and working by the Company of Steam Vessels to navigate between English and French Ports and the Channel Islands, and, by the Company's Act of 1860 those Provisions were made perpetual; that the Company are accordingly Lessees of Steam Vessels which navigate between English and French Ports and the Channel Islands, and the Lease thereof to them expires in the present Year, and they are also Owners of other Steam Vessels so navigating; that by the Company's Act of 1860, after Recitals setting forth the Declaration by their Act of 1858 that the total Amount which they might raise by Stock and Shares and by borrowing was 11,402,326*l.* 13*s.* 4*d.*, and their Authority to create Annuities or Shares for acquiring Shares of the Capital of the Yeovil Company, and the Creation by them under "The London and South-western Railway (Portsmouth Railway Amalgamation) Act, 1859," of 144,000 South-western Railway Portsmouth Annuities of 2*s.* 6*d.* each, and their being authorized by "The South-western Railway Act, 1859," to raise an additional Capital of 100,000*l.*, and to borrow an additional Capital of 33,000*l.*, and the Creation by them of Debenture Stock to the Amount of 259,730*l.* or thereabouts, and the proportionate Reduction of their Debenture Debt and borrowing Powers, and the Creation by them of 47,550*l.* or thereabouts of preferential 4*l.* per Centum Stock, with an Option for the Exchange thereof for ordinary Consolidated Stock of the Company, it was recited that, except as appeared by the therein preceding Recitals, the Capital of the Company on the 31st December 1859 was the same as their Capital was declared to be by the recited Provisions of their Act of 1858; that by "The West London Extension Railway Act, 1859," the Company were authorized and required to contribute towards the Funds of the West London Extension Railway Company 50,000*l.*, and were authorized to raise all or any Part thereof by Shares or Stock, but at the Time of the passing of the Company's Act of 1860 they had not specifically created any Capital for the Purpose; that on the Amalgamation of the Portsmouth Railway with the South-western Railway the Powers of the Portsmouth Direct Railway Company for borrowing Money for the Purposes of their Undertaking were transferred to the South-western Company, and in exercise of those Powers, and for the Purpose of providing for the Debts of the Portsmouth Company, which the South-western Company were required to and accordingly did assume, the South-western Company have borrowed 92,000*l.* on Mortgages or Bonds, which in this Act are referred to as "Portsmouth Debentures;" that by "The Company's Act of 1860" they were authorized, for the Purpose of any Substitution by the reciting Act authorized of Stock for Annuities, or for Stock or Shares, to create preferential or ordinary Stock, the preferential Stock to be denominated "South-western Consolidated Preferential Stock," and to accept in exchange for the Stock Surrenders of any Annuities of the Company, and Surrenders of guaranteed or preferential Stock, and they were authorized to raise by Shares for Works by the reciting Act authorized 50,000*l.*, and for their general Purposes 400,000*l.*, and to raise by Shares for the Purposes of any Lease or Sale, or Transfer to the Company by the reciting Act authorized, the necessary Amount, and to borrow not exceeding for the Works by the reciting Act authorized 16,666*l.*, and for their general Purposes 134,000*l.*, and to borrow for the respective Lease or Sale or Transfer the necessary Amount, and to borrow Monies in advance for the exclusive Purpose of paying off Principal Monies secured by their Mortgages or Bonds, and from Time to Time falling due; that by their Yeovil Station Act, 1860, the Company were authorized, for the Purposes of that Act to raise by Shares 20,000*l.*; that by their South Devon, Exeter, and North Devon Act, 1860, the Company were authorized to raise by Shares 120,000*l.*, and to borrow not exceeding 40,000*l.*; that by "The Epsom and Leatherhead Railway (South-western and Brighton) Act, 1860," the South-western Company were authorized to raise by Shares 30,000*l.*, and to borrow not exceeding 10,000*l.*; that by "The West London Extension Railway Act, 1861," the Company were authorized and required to contribute 17,500*l.* to the additional Capital of the West London Extension Railway Company thereby created, and were authorized to raise all or any Part thereof by Shares or by Stock; that the total Amount which (as appears by preceding Recitals) the Company have been authorized to raise by Shares or Stock and by borrowing is 12,515,826*l.* 13*s.* 4*d.*, exclusive of the Monies of undefined but limited Amount which they are authorized so to raise for the Purposes of Leases or Sales or Transfers to them of the Railways of other Companies, and exclusive also of the Monies which they are authorized so to raise for the Acquisition of Shares of the Capital of the Yeovil Company, and exclusive also of Monies to be borrowed in advance for paying off Principal Monies falling due on their Mortgages or Bonds, and that total Amount consists of the following particulars, that is to say,

	£	s.	d.
Amounts recognized and authorized by the Company's Act of 1858, s. 106. -	11,402,326	13	4
Amounts since authorized as above recited	1,113,166	0	0
	£12,515,492	13	4

that in pursuance of Provisions in that Behalf of the Company's Act of 1855 and subsequent Acts the Company have from Time to Time created Debenture Stock, and thereby their Debenture Debt and borrowing Powers have been proportionately reduced; that the Capital and Debenture Debt of the Company now stand as follows; (that is to say,)

Capital.	£	s.	d.
Preferential 5*l.* per Cent. Stock -	14,400	0	0
Preferential 7*l.* per Cent. Stock -	171,276	13	4
Preferential 4*l.* per Cent. Stock, with Option - - - -	15,900	0	0
Preferential 4*l.* 10*s.* per Cent. Stock -	1,450,000	0	0
Ordinary Stock - - -	7,200,256	0	0
Total Capital - -	£8,851,832	13	4
Debenture Stock - - -	£356,084	0	0

Debenture Debt.

	£	s.	d.
Portsmouth Debentures - -	92,000	0	0
South-western Debentures (inclusive of Exeter Extension Railway Debentures) - - - -	3,379,916	0	0
Total Debenture Debt -	£3,471,916	0	0

	£	s.	d.
Capital - - - -	8,851,832	13	4
Debenture Stock - - -	356,084	0	0
Debenture Debt - - -	3,471,916	0	0
Total - -	£12,679,832	13	4

Proposes that the Company be authorized to raise further Monies for executing the Works by this Act authorized, and for providing and working Steam Vessels and for affording further Station Accommodation and increasing their Rolling Stock, and for other general Purposes of the Company, and that some of the Provisions of the Acts relating to the Company with respect to Monies authorized to be raised by them be consolidated and amended as is by this Act provided.

Incorporation of Lands and Railways Clauses Acts, §§ 2, 3.

Power to take and use Lands shown on Plans, § 4.

Two Years for compulsory Purchase of Lands, § 5.

Lands for extraordinary Purposes, § 6.

Power to make Railway and Works, §§ 7 to 9.

Enabling the making of Grants of Lands and Hereditaments on the Part of the Duchy of Cornwall, § 10.

For Protection of Sewers of Metropolitan and other Boards, § 11.

Company to construct Bridges in Parish of Lambeth, &c., § 12.

Company to restore Streets in Parish of Lambeth, § 13.

The Company to restore Sewers, Drains, &c. in the Parish, § 14.

Drainage Works in the Parish subject to Vestry, and their Rights saved, § 15.

Undertaking of Company declared, § 16.

Agreements between Company and Wimbledon Company for Sale or Transfer, §§ 17 to 29.

Powers of Company for raising Money under their former Acts extinguished, § 30.

31. Provided, That the several Powers of the Company for creating and issuing Annuities and Shares and Stock, and for borrowing for the following Purposes are not extinguished by this Act, but the same and all Powers and Provisions incidental and accessory thereto shall be and continue in full Force; (that is to say,)

First, the Company's Powers under "The South-western Railway (Works and Capital) Act, 1858," for creating and issuing Annuities and Shares for the Acquisition by the Company of Shares of the Capital of the Yeovil Company:

Secondly, the Company's Powers under "The South-western Railway (General) Act, 1860," for creating and issuing South-western Railway Portsmouth Annuities and Stock or Shares in substitution for those Annuities, or for Annuities created and issued under the Provisions of "The London and South-western (Portsmouth Railway Amalgamation) Act, 1859:"

Thirdly, the Company's Powers under "The South-western Railway (General) Act, 1860," for raising Monies by Shares and by borrowing for the Purposes of any Lease or Sale or Transfer to the Company under that Act:

Fourthly, the Powers, if any, of the Stokes Bay Railway and Pier Company, and the Lymington Railway Company, and the Exeter and Exmouth Railway Company respectively, for raising Money by Shares and by borrowing, which by or under that Act are already or hereafter transferred to the Company:

Fifthly, the Company's Powers for creating and issuing Shares for the Conversion of Loan into Capital.

32. The Capital and Debenture Stock of the Company under this Act are by this Act declared to be together 9,707,916*l.* 13*s.* 4*d.*, consisting of the following Particulars; (that is to say,)

	£	s.	d.
The Company's present preferential Stock bearing 5*l.* per Centum per Annum preferential Dividend - -	14,400	0	0
The Company's present preferential Stock bearing 7*l.* per Centum per Annum Dividend - - - - -	171,276	13	4
The Company's present preferential Stock bearing 4*l.* per Centum per Annum Dividend, with an Option for the Holders thereof to exchange it for ordinary Stock of the Company -	15,900	0	0
The Company's present preferential Stock bearing 4*l.* 10*s.* per Centum per Annum Dividend - - - - -	1,450,000	0	0
The Company's present ordinary Stock -	7,200,256	0	0
	8,851,832	13	4
The additional Sums which the Company are by this Act authorized to raise by Shares or Stock - - - -	500,000	0	0
Total Capital - - -	£9,351,832	13	4
The Company's present Debenture Stock - - -	356,084	0	0
Total Capital and Debenture Stock - - -	£9,707,916	13	4

33. The Company's Capital and Debenture Stock of 9,707,916*l.* 13*s.* 4*d.* shall from Time to Time be increased by the Amount of the Shares or Stock from Time to Time after the passing of this Act created by the Company under their several Powers which by this Act are not extinguished but are continued in force, and the Debenture Stock in excess of 356,084*l.* from Time to Time created by them, and the Shares from Time to Time after the passing of this Act created by them for the Conversion of Loan into Capital, and the other Shares or Stock from Time to Time created by or under any other Act or Acts of the present or any future Session of Parliament by way of additional Capital and Debenture Stock of the Company.

34. The Preference and Priority of the various Classes of the Company's Capital, other than their Debenture Stock from Time to Time issued, is by this Act declared to be as follows; (that is to say,)

First, so much of their present preferential 5*l.* per Cent. Stock as from Time to Time is not extinguished:

Secondly, so much of their present preferential 7*l.* per Cent. Stock as from Time to Time is not extinguished:

Thirdly, so much of their present preferential 4*l.* per Cent. Stock with an Option as from Time to Time is not extinguished:

Fourthly, so much of their present preferential 4*l.* 10*s.* per Cent. Stock as from Time to Time is not extinguished,

and as if the whole of that Stock had been created and issued at one and the same Time as One Class of Stock:

Fifthly, the South-western Consolidated preferential Stock from Time to Time issued:

Sixthly, their other preferential Stock or preferential Shares, if any, from Time to Time issued, but with the respective Priorities, if any, to which as between themselves the several Classes, if any, of the same Stock or Shares are from Time to Time entitled:

Seventhly, their ordinary Stock or ordinary Shares from Time to Time issued.

Power for Company to create preferential or ordinary Stock for Substitution thereof for Annuities or Stock or Shares, §. 35.

36. All the preferential Stock created and issued for the Purpose of any Substitution by this Act authorized shall be of One Class only, and shall be called "South-western Consolidated preferential Stock," and shall bear the same Rate of Dividend, and shall entitle the Holders thereof respectively to like proportionate Privileges, and shall have and be subject to like Restrictions and Incidents, and no Portion thereof shall be entitled to any Preference or Priority to or over any other Portion thereof by reason of any Priority in the Creation or Issue thereof or otherwise.

Incidents of ordinary Stock so created, § 37.

Power for Company to accept Surrender of Annuities and issue preferential or ordinary Stock for same, § 38.

Power for Company to accept Surrender of preferential Stock or Shares and issue preferential or ordinary Stock for same, § 39.

Sanction of Shareholders for Acceptance of Surrenders, and issue of preferential or ordinary Stock, § 40.

Surrendered Annuities, Stock, and Shares extinguished, § 41.

Preferential and ordinary Stock so issued to be held on same Trusts as surrendered Annuities, Stock, and Shares, § 42.

Certificates of preferential and ordinary Stock so issued, § 43.

Certificate of surrendered Annuities, Stock, and Shares to be cancelled, § 44.

45. The Company from Time to Time may raise by the Creation and Issue of new Shares or new Stock, and in addition to the several other Sums which by this Act or otherwise they are authorized to raise, and in addition also to any Sums which by any Act or Acts hereafter passed during the present Session of Parliament, they shall be authorized to raise any Sums not exceeding 500,000*l.*, to be applied to the Purposes of this Act.

46. For the Purposes of any Sale and Conveyance or Transfer by the Wimbledon Company to the Company by this Act authorized, the Company from Time to Time may raise by the Creation and Issue of new Shares or new Stock, and in addition to all other Sums which from Time to Time they are otherwise authorized to raise, all such Sums as, subject to and in accordance with the Provisions of this Act, are necessary for those Purposes, and may apply the Money so raised accordingly, and shall not apply for any other Purpose any Money so raised.

47. The new Shares or new Stock which the Company from Time to Time issue under this Act may, with the Sanction of Three Fifths at least of the Votes of the Shareholders present, in Person or by Proxy, at a General Meeting of the Company specially convened for the Purpose, be issued as the Company from Time to Time think fit, either of One Class and with like Privileges, or of several Classes and with different Privileges, and of the same or different Amounts, and respectively with any fixed, fluctuating, contingent, preferential, perpetual, terminable, or other Dividend, and with or without any other special Privileges; and the Company, as they from Time to Time think fit, may fix the Amounts and Times of Payment of Calls on the new Shares: Provided that the South-western Consolidated preferential Stock shall be issued only as One Class of Stock, and with the same Dividend and like proportionate Privileges.

Saving of existing preferential Shares and Stock, § 48.

Power to issue preferential Shares or Stock with Condition of future Shares or Stock being admitted to like Preference, § 49.

Power to issue preferential Shares or Stock with Condition of future Shares or Stock being issued with Priority thereto, § 50.

Preferential Dividend on new Shares or Stock, § 51.

Conditions affecting preferential Shares and Stock to be stated on Certificates thereof, § 52.

Unissued Shares and Stock may be cancelled and extinguished, § 53.

Company may cancel forfeited Shares, § 54.

Evidence for Cancellation, § 55.

Shareholders liable to pay Calls, &c., notwithstanding Cancellation, § 56.

Value of Share to be deducted, § 57.

Company may cancel forfeited Shares with Consent of Holders, § 58.

Company may issue new Shares or Stock in lieu of cancelled Shares or Stock, § 59.

New Shares and Debenture and other Stock under Act to be Part of general Capital of Company, § 60.

If ordinary Stock or Shares at a Premium, new Shares or Stock to be offered to existing ordinary Shareholders, § 61.

Unless the new Shares or Stock if apportioned would be less than 10*l.* each, § 62.

Offer to be made by Letter, § 63.

New Shares or Stock to vest in accepting Shareholders, § 64.

Disposal of new Shares or Stock to others, § 65.

Power to enlarge Time for accepting new Shares or Stock, § 66.

General Power to dispose of unappropriated new Shares and Stock, § 67.

Votes or Qualification not conferred by Debenture Stock, § 68.

Votes and Qualification for ordinary Stock and ordinary Shares, § 69.

Voting, § 70.

Power for Company to create Debenture Stock, § 71.

Limit of Dividend on Shares and Debenture and other Stock to 5*l.* per Cent., § 72.

Debenture Stock to be applied in reduction of Mortgage and Bond Debt, &c., § 73.

Restriction as to Application of Debenture Stock, § 74.

Account of Application of Debenture Stock, § 75.

Preferential Dividends on Debenture Stock, § 76.

Guarantee and Priority of Dividends on Debenture Stock, § 77.

Holders of Debenture Stock to be Mortgagees in respect of Dividends due, § 78.

Priority and Privileges of Debenture Stock already disposed of, § 79.

80. The Company's present Debenture Debt and their present Debenture Stock of 356,084*l.* are by this Act declared to be the Sum of 3,828,000*l.*, being the aggregate of the following Sums; (that is to say,)

	£
The Amount now secured by the Portsmouth Debentures	92,000
The further Amount now secured by Mortgages or Bonds of the Company, inclusive of Mortgages or Bonds granted for the Purposes of the Exeter Extension Railway	3,379,916
	£3,471,916
Debenture Stock	356,084
	£3,828,000

81. The Company from Time to Time may, for the Purposes of this Act, borrow on Mortgage, and in addition to the Sums which they are now authorized to borrow, any Sums not exceeding 166,000*l.*

Restriction on borrowing, § 82.

83. Provided, That the total Amount which the Company may from Time to Time, under the Authority of this or of any other Act or Acts relating to the Company, raise by new Shares and Debenture and other Stock, and by borrowing respectively, and apply for the Purpose of providing and working Steam Vessels or otherwise in connexion therewith, shall not exceed the Sum of 200,000*l.*

84. For the Purposes of any Sale and Conveyance or Transfer by the Wimbledon Company to the Company by this Act authorized, the Company from Time to Time may borrow on Mortgage, and in addition to the other Sums which they from Time to Time are authorized to borrow, any Sums not exceeding in the whole One Third of the Amount which they are by this Act authorized to raise by new Shares or new Stock for those Purposes, and may apply the Money so borrowed accordingly, and shall not apply for any other Purpose any Money so borrowed.

Amount to be raised by Company for Sale or Transfer to them by Wimbledon Company shall not exceed the total Amount of the Capital and Debt of that Company, § 85.

Company to keep separate Accounts of Shares, &c. created, &c. for the Sale or Transfer and Application thereof, § 86.

Power for Company to re-borrow, § 87.

88. Provided, That the Amount which the Company from Time to Time may borrow and re-borrow under this Act shall from Time to Time be reduced by the Amount of Debenture Stock after the passing of this Act created by them for the Redemption of Debenture Debt or for raising Money by that Stock, instead of by borrowing, and shall also from Time to Time be reduced by the Amount of Shares after the passing of this Act created by them for the Conversion of Loan into Capital.

Receiver for Mortgagees, § 89.

Priority of now existing Mortgages, § 90.

Saving Rights of Companies and of the Duchy of Cornwall, §§ 93, 94.

Cap. xliii.

"The Dundee Waterworks Act, 1862."

Recites that in 1845 the Dundee Water Company were incorporated for the Purpose of supplying the Royal Burgh of Dundee and Suburbs thereof with Water, and were authorized to make and maintain Works for that Purpose, and to raise by the Issue of Shares the Sum of 95,000*l.*, and by borrowing on Mortgage or Bond the Sum of 31,666*l.* 13*s.* 4*d.*; and in 1853 to raise by the Issue of additional Shares a further Sum of 21,000*l.*, and by borrowing on Mortgage or Bond a further Sum of 7,000*l.*; proposes to extend the Works and to raise further Monies.

Incorporation of Lands Clauses Acts and Portions of Companies Clauses Act, § 2.

Power to raise 30,000*l.* by Creation of Shares on the same Terms as the Shares issued under their Act of 1853, § 3.

Power to borrow 7,500*l.*, §§ 4 to 6.

Power to lay down additional Main Pipe, § 7.

Owners of Lands may grant Easements, § 8.

Power to deviate, § 9.

Limiting Time for compulsory Purchase to Two Years, § 10.

Limiting Time for Completion of Works to Four Years, § 11.

Cap. xliv.

"Kent Waterworks Act, 1862."

Recites that in 1809 the Company of Proprietors of the Kent Waterworks were incorporated, and authorized to make and maintain Waterworks and other Works connected therewith in divers Places in the Counties of Kent and Surrey therein specified, and by means thereof to supply Water within those Places, and to raise 100,000*l.* by Shares, and 50,000*l.* in addition by Shares, or all or any Part thereof by Mortgage; that by their Act of 1811 the Company were authorized to extend their Works into divers other Places in the Counties of Kent and Surrey therein specified, and to raise a further Sum of 100,000*l.* by Shares, or partly by Shares and partly by Mortgage; that by their Act of 1850 the Company were authorized to raise by Shares a further Sum of 100,000*l.*, or not exceeding 33,000*l.*, Part thereof, by Mortgage; that the aggregate Amount which by the recited Acts the Company were authorized to raise was 350,000*l.*, and 183,000*l.*, Part thereof, might be raised either by Shares or by Mortgage; that the Shares which the Company issued under the Acts of 1809 and 1811 were Shares to the aggregate nominal Amount of 250,000*l.*, consisting of the following Particulars, and whereby the aggregate Amount of 196,334*l.* 13*s.* 6*d.* was raised as follows; (that is to say,)

	£	s.	d.
1,929 Shares of 100*l.* each, which produced	156,030	0	0
70 Shares of 100*l.* each, which produced	4,780	2	6
312 Shares of 100*l.* each, which produced	22,294	11	0
756 Quarter Shares of 25*l.* each, which produced	13,230	0	0
	£196,334	13	6

and the Shares which the Company issued under their Act of 1850 were Shares to the aggregate nominal Amount of 101,150*l.*, consisting of the following Particulars, and whereby the aggregate Amount of 79,530*l.* 7*s.* 9*d.* was raised as follows; (that is to say,)

	£	s.	d.
1,237 Quarter Shares of 25*l.* each, which produced	21,647	10	0
1,848 Quarter Shares of 25*l.* each, which produced	34,650	0	0
961 Quarter Shares of 25*l.* each, which produced	23,232	17	9
	£79,530	7	9

and the aggregate nominal Amount of the Shares so issued by the Company is 351,150*l.*, being 1,150*l.* in excess of their authorized nominal Capital, and the aggregate Amount thereby raised is 275,865*l.* 1*s.* 3*d.*, being 74,134*l.* 18*s.* 9*d.* less than the Amount of Money which they were authorized to raise, and their Mortgage Debt is 37,000*l.*, being less by 37,134*l.* 18*s.* 9*d.* than that Sum of 74,134*l.* 18*s.* 9*d.*; that the Population of the District supplied with Water by the Company has much increased and is still increasing, and in order to enable the Company to make Extensions of their Works which are now required and to meet the expected Wants of the District it is expedient that they be authorized to raise further Monies, and that the Capital and borrowing Powers of the Company be regulated.

Incorporation of Parts of Companies Clauses Consolidation Act, 1845, as to Capital and borrowing, §§ 2, 3.

4. The several Powers and Provisions of the recited Acts with respect to the raising of Capital and the borrowing of Money by the Company are by this Act repealed.

General Saving of Rights under recited Acts, § 5.

Shares of present Capital, being 351,150*l.*, to continue vested in Shareholders, § 6.

Company may require present Certificates to be exchanged for new Certificates, § 7.

Present Certificates of Shares to be available till new Certificates issued, § 8.

9. From and after the passing of this Act the Share Capital of the Company shall be 420,000*l.*, being the aggregate of the following Amounts; (that is to say,) first, the Company's herein-before recited Capital of 351,150*l.*; secondly, the additional Capital of 68,850*l.* created by this Act.

10. All the Capital of the Company shall be ordinary Capital, and the several Shares of their Capital of 351,150*l.*, according to the nominal Amounts of those Shares, and the several Shares of their additional Capital of 68,850*l.*, according to the Amounts from Time to Time paid up on those Shares, shall confer on the several Holders thereof proportionate Qualifications, Rights of voting, and other Privileges.

Power for Company to issue new Shares, §§ 11 to 19.

Restriction as to Transfers of Stock, § 20.

Votes of joint Holders of Shares and Stock, § 21.

Votes for Shares and Stock, § 22.

Power to borrow 105,000*l.* in all, § 23.

Company's present Mortgage Debt to be Part of Mortgage Debt under the Act, § 24.

Restrictions on borrowing till additional Capital taken, § 25.

Priority of existing Mortgages not affected, § 26.

Cap. xlv.

"The Carlisle and Silloth Bay Railway and Dock Act, 1862."

Recites that in 1855 the Carlisle and Silloth Bay Railway and Dock Company was incorporated and authorized to construct a Railway from the Port Carlisle Railway, in the Township of Drumburgh, to or near to the Coat Lighthouse in Silloth Bay, in the Parish of Holme Cultram in the County of Cumberland, and also a Dock and Jetty at Silloth Bay, and to raise a Share Capital of 75,000*l.*, and to borrow on Mortgage or Bond a Sum of 25,000*l.* for the Purposes of the Railway Undertaking of the Company, and to raise a Share Capital of 90,000*l.*, and to borrow on Mortgage or Bond the Sum of 30,000*l.*, for the Purposes of the Dock Undertaking of the Company, making a total Share Capital of 165,000*l.*; that the said Railway, Dock, and Jetty have been constructed under the Powers of the said Act, and are now open to the Public; that the Capitals by the recited Act authorized to be raised for the Purposes of the existing Railway and Dock Undertakings of the Company have been raised and have proved insufficient for the Works already executed by the Company, and the Company have incurred large Liabilities on account of each Undertaking, for the Purpose of discharging which, and for the general Purposes of the Company, it is necessary that the Company should be enabled to raise additional Capital as herein-after provided; that there are no existing Shares in the Capital of the Company entitling the Proprietors thereof to any Preference or Priority of Interest or Dividend.

Certain Provisions of the Companies Clauses Consolidation Act extended to this Act, § 3.

Power to raise 75,000*l.* by preferential Shares at not exceeding 6*l.* per Cent., §§ 4 to 7.

Capital not to be increased beyond authorized Amount, § 8.

Power to borrow 25,000*l.*, § 9.

Power to purchase Lands for extraordinary Purposes connected with the Dock, § 13.

Cap. xlvi.

"The Edgware, Highgate, and London Railway Act, 1862."

Proposes to authorize the Construction of a Railway in the County of Middlesex, from the Great Northern Railway, through Highgate, Finchley, and Hendon, to Edgware, and to authorize the Great Northern Railway Company to aid in the Promotion of the said Railway, and to subscribe thereto, and to enter into the Arrangements herein-after contained with respect to the Working and Management of the Railway.

Incorporation of Consolidation Acts, §§ 1, 2.

Subscribers incorporated, with a Capital of 220,000*l.*, and Power to borrow 73,300*l.*, §§ 3 to 7.

Power to Great Northern Railway Company to subscribe 73,300*l.*, and to apply their Funds for that Purpose, § 8.

Power to Great Northern Railway Company to raise Money by the Creation of Shares or Stock, with or without a Preference not exceeding 5*l.* per Cent., § 9.

Application of Monies raised by the Great Northern Railway, § 10.

Meetings; Directors, §§ 11 to 18.

Power to make Railway and to alter Engineering Works, §§ 19 to 21.

Works affecting Great Northern Railway to be made under the Direction of the Engineer of that Railway, § 22.

As to Expense of Signals, Watchmen, &c., § 23.

Regulating the crossing under the Marylebone and Finchley Turnpike Roads, § 24.

Notice of Works to be given to General Surveyor, who may require a temporary Road, § 25.

For Protection of the Metropolis Roads, §§ 26 to 31.

Provision as to Payment of Rates in the Parish of Saint Mary Islington, § 32.

For Protection of Sewers of Metropolitan and other Boards, § 33.

Bridges over Roads to be Water-tight, § 34.

As to Construction of Railway through certain Lands in Hornsey and Saint Mary Islington, § 35.

Regulating Interference with Miss Stanton's Property in Hendon, § 36.

For the Protection of Property of Mr. Magniac, and Mr. Matthews, §§ 37, 38.

Lands for additional Stations, § 39.

Lands to be bought by Compulsion in Three Years, § 40.

Five Years for Completion of Railway, § 41.
Tolls, §§ 43 to 50.
Power to enter into Traffic Arrangements with Great Northern Railway Company, §§ 51 to 59.
Company may contract with Burial Boards, § 60.

Cap. xlvii.

"The North British Railway, Silloth Railway and Dock (Lease) Act, 1862."

Recites that in 1858 the Acts relating to the North British Railway Company were consolidated and amended, and that by several other Acts further Powers were conferred upon the Company; that in 1855 the Carlisle and Silloth Bay Railway and Dock Company were incorporated, and in 1860 further Powers were conferred upon them; that the Capital of the Silloth Company consists of 165,000*l.*, and they have borrowed on Mortgage 55,000*l.*; that the Railway of the Silloth Company and Parts of the Port Carlisle Railway and North British Railway respectively form a continuous Line of Railway Communication between Edinburgh and Silloth Bay, and Application has been made to Parliament in the present Session for an Act to authorize a Lease of the Undertaking of the Port Carlisle Railway and Dock Company to the North British Railway Company; proposes to authorize a Lease of the Undertaking of the Silloth Company to the North British Railway Company.
Silloth Company to lease their Undertaking, § 1.
Personal Property of Silloth Company to vest in North British Company, § 2.
Mortgage Debts of Silloth Company to be Debts of North British Company, § 3.
Rent of 2,000*l.* per Annum, subject to Increase, § 4.
Toll for short Distances in respect of Traffic conveyed on Two Lines, § 5.
Settlement of Disputes by Arbitration, § 6.
Certain Provisions of Silloth Acts to apply to North British Railway Company, § 7.

Cap. xlviii.

"The North British Railway, Port Carlisle Railway and Dock (Lease) Act, 1862."

Recites that in 1858 the Acts relating to the North British Railway Company were consolidated and amended; that by several Acts since passed further Powers were conferred upon the Company; that in 1853 the Port Carlisle Dock and Railway Company were incorporated, and in 1860 further Powers were conferred upon the Port Carlisle Dock and Railway Company; that the Capital of the Port Carlisle Dock and Railway Company (exclusive of the Five and a Half per Cent. Preference Stock herein-after mentioned) consists of 70,600*l.* ordinary Stock, and 35,000*l.* Five per Cent. Preference Stock, redeemable at Par; that by the Act of 1860 the Port Carlisle Dock and Railway Company were authorized to create 40,000*l.* Five and a Half per Cent. Preference Shares or Stock, redeemable at Par at the Expiration of Seven Years from the Creation thereof, and they have partially exercised such Power by the Creation and Issue of Stock to the Amount of 7,380*l.*; that they have Power to create Preference Shares or Stock at a lower Rate of Interest than the said existing Preference Stocks for the Redemption thereof respectively; that their Mortgage Debts amount to 73,537*l.* 10*s.* or thereabouts, and the Dividends on the said Preference Stocks have Priority as a Charge upon the Undertaking to the Interest upon the said Mortgage Debts, and there are Arrears of Interest upon the said Mortgage Debts amounting to 44,804*l.* or thereabouts; that the Border Union Line of the North British Railway Company forms a Junction with the Port Carlisle Railway near Carlisle, and the Two Railways, together with other Parts of the North British Railway, form a continuous Line of Railway Communication between Edinburgh and Port Carlisle, and by an Agreement between the Two Companies, confirmed by "The Border Union North British Railway Act, 1859," the North British Railway Company are entitled to the Use of the Carlisle Station of the Port Carlisle Dock and Railway Company, and the Port Carlisle Dock and Railway Company have expended Sums of Money and incurred Liabilities to provide extra Accommodation at the said Station for the Traffic of the North British Railway Company; that the Undertaking of the Port Carlisle Dock and Railway Company might be worked with greater Economy and Convenience to the Public if it were entirely under the Management and Control of the North British Railway Company, and the said Companies have agreed, subject to the Approval of Parliament, that such Undertaking should be leased to the North British Railway Company for a Term of 999 Years, upon certain Terms and Conditions, and it is expedient that Provision should be made for carrying such Agreement into effect, and that the Provisions of the said Acts of 1853 and 1860 respectively should in some respects be amended or repealed; that the Port Carlisle Dock and Railway Company have certain Powers, Rights, and Privileges with respect to Lights and Buoys in the Solway Frith, and also certain Property connected with such Lights and Buoys; that the Carlisle and Silloth Bay Railway and Dock Company are interested in the proper lighting and buoying of the said Frith, and it has been agreed between the last-mentioned Two Companies, subject to the Approval of Parliament, that in the event of the Undertaking of the Port Carlisle Dock and Railway Company being leased to the North British Railway Company, all such Powers, Rights, Privileges, and Property should, during the Lease, be transferred to the Carlisle and Silloth Bay Railway and Dock Company.
Port Carlisle Railway Company to lease their Undertaking, § 1.
Personal Property of Port Carlisle Company to vest in North British Company, § 2.
Debts and Liabilities of Port Carlisle Company to vest in North British Company, § 3.
Preference Stocks of Port Carlisle Company to become Preference Stock of North British Company, § 4.
Certain Powers of the Acts of 1853 and 1860 as to the Preference Stocks repealed, § 5.
North British Company empowered to call in Preference Stock, § 6.
Order in which Stock shall be called in, and Notice thereof, § 7.
Notice to be sent by Post, § 8.
Company may create Preference Shares bearing a low Rate of Interest to pay off Preference Shares bearing a higher Rate of Interest, § 9.
New Shares to be offered to the existing Shareholders, § 10.
Shares to vest in the Parties accepting, otherwise to be disposed of by the Company, § 11.
As to Division of Preference Shares created to pay off Preference Shares bearing a higher Rate of Interest, § 12.
Five and a Half per Cent. Shares not to be redeemed till the Expiration of Seven Years from their Creation, except with Consent, § 13.

Power for Company to raise 40,000*l.* by Preference Shares, and to attach Preference not exceeding 5*l.* per Cent. to Shares created under this Act, § 14.
Saving Rights of existing Preference Shareholders, § 15.
If Year's Revenue insufficient for Dividend, subsequent Revenue not charged, § 16.
Terms of Preference to be stated on Certificate, § 17.
Amount and issuing of Shares, § 18.
Shares to form Part of Company's general Capital, § 19.
Rent, 3,100*l.* per Annum, subject to Increase, § 23.
Short Distance Toll for Traffic conveyed on both Lines, § 24.
Settlement of Disputes by Arbitration, § 25.
Arrears of Interest on Mortgages of Port Carlisle Company extinguished, § 26.
Mortgage Debt of 73,537*l.* 10*s.* converted into Debenture Stock, § 27.
Holders of Mortgages to become entitled to a like Amount of Debenture Stock, § 28.
Debenture Stock to be subject to the same Trusts as Mortgage Debts, § 29.
Mortgages, &c. to be delivered up, and Stock Certificates obtained in lieu thereof, § 30.
Transfer of Debenture Stock, § 31.
Register of Holders of Debenture Stock to be kept, § 32.
Holders of Debenture Stock not to vote at Meetings of the Company, § 33.
Certain Provisions of Companies Clauses Act incorporated, § 34.
Application of Rent, § 35.
Receiver may be appointed, § 36.
As to Appointment and Duties of Receiver, § 37.
Receiver not to be appointed except upon the Application of Stockholders whose Dividends in arrear amount to 50*l.*, § 38.
Ordinary Meetings to be held and Dividends declared half-yearly, § 39.
Powers of Port Carlisle Company in reference to Lights and Buoys transferred to Silloth Bay Railway and Dock Company, § 40.
Certain Provisions of Port Carlisle Acts to apply to North British Railway Company, § 41.

Cap. xlix.

"The North British Railway (Branches) Act, 1862."

Recites that by "The North British Railway Consolidation Act, 1858" the Acts relating to the North British Railway Company were consolidated and amended, and that by various Local Acts since passed further Powers were conferred upon the Company; that a Railway in the Parish of Inveresk from the North British Railway to the Farm Steading of Smeaton, and Two Railways therefrom, One to near Macmerry, in the Parish of Gladsmuir, in the County of Haddington, and the other to the Hawick Line of the North British Railway at Hardengreen, in the Parish of Dalkeith, in the County of Haddington, would be of public Advantage; and the North British Railway Company, are willing, if authorized by Parliament, to make such Railways; proposes to raise more Capital, to increase their Rolling Stock, and for Station Accommodation, and for other general Purposes of their Undertaking.
Incorporation of Consolidation Acts, § 1.
Power to make Works, §§ 2 to 4.
Power to purchase Duke of Buccleuch's Tramway, and not to deviate through his Property, § 5.
Power to alter Engineering Work, § 6.
Power to cross certain Roads on the Level, § 7 to 10.
Power to alter certain Levels of Roads, § 11.
Certain Road may be stopped up, § 12.
Three Years for compulsory Purchase, § 13.
Four Years for Completion of Works, § 15.
As to Tonnage Duties and Wayleaves of Messrs. Wauchope, § 17.
Railway Tolls, § 18.
Power to raise 220,000*l.* (*i.e.*, 100,000*l.* for Construction of Railway and 120,000*l.* for general Purposes) and to attach a Preference not exceeding 5*l.* per Cent., §§ 19 to 27.
Power to borrow 73,300*l.*, (*i.e.*, 33,300*l.* for the Railway and 40,000*l.* for general Purposes), §§ 28 to 30.

Cap. l.

"The Asylum for the Deaf and Dumb Poor Act, 1862."

Recites that in or about the Year 1792, an Institution was formed called the Asylum for the Education of the Deaf and Dumb Children of the Poor for the Purpose of providing an Asylum where Deaf and Dumb Children of poor Persons in Great Britain might be clothed and maintained, and might be educated and instructed in religious and useful Knowledge agreeably to the Formalities of the Church of England, and in particular might be instructed in Articulation, artificial Speaking, Reading, Writing from Dictation by Signs, and in such other special Knowledge as would be beneficial and useful to Deaf and Dumb Persons of both Sexes, and the Objects and Purposes of the said Institution have been subsequently extended to the Education and Instruction in the same Manner of Deaf and Dumb Children whose Friends are able to pay for their Board, and also to providing out of the said Institution Apprentice Fees or Premiums for the Purpose of apprenticing Pupils to some useful Trade upon their leaving the Asylum, and in some Parts of the Country auxiliary Associations have also been formed in connexion with the said Institution; that the said Institution has been and is supported by the Donations, Legacies, and annual voluntary Subscriptions of benevolent Persons, and since its Establishment upwards of 3,000 Children have been admitted into it; that by an Indenture of Lease bearing Date the 11th June 1807, a Piece of Ground situate on the West Side of that Part of the Turnpike Road leading from Kent Street to Deptford, which lay in the Parish of Saint George the Martyr in Southwark, in the County of Surrey, containing Five Acres, together with all Rights belonging thereto, free from Land Tax, was leased to certain Trustees, to hold the same from the 25th December 1805 for the Term of 999 Years, at the yearly Rent of 200*l.*, and subject thereto and to a Trust for the raising, paying, and discharging the said yearly Rent thereby reserved, upon trust to permit the said Ground and Premises thereby demised, and every Part thereof, to be held, used, and applied for the charitable Purposes of the said Institution called the "Asylum for the Education of the Deaf and Dumb "Children of the Poor," in such Manner as the Committee of Subscribers for the Management of that Institution should from Time to Time in Writing direct, and to permit and suffer the Treasurer of the said Charity for the Time being to receive and take the Rents, Issues, and Profits of the said Trust Premises, and every Part thereof, and after Payment of the yearly Rent thereby reserved to pay and apply the Residue of such Rents and Profits for the general Purposes of the said Institution in such Manner as the Committee should from Time to Time direct, and upon further trust to make and execute such Lease and Leases of the said

Trust Ground and Premises, or any Part thereof, unto such Person or Persons for such Term and Terms of Years and at such Rent or Rents as the Committee for the Time being for the Conduct of the said charitable Institution, or any Thirteen of them, at any Meeting thereof to be duly held for that Purpose should direct or appoint; that the said Indenture was duly enrolled; that an Asylum was shortly afterwards built out of the Funds of the said Institution upon Part of the said Piece of Ground, and the same has thenceforth been and still is used for the Reception of the Children educated by the said Institution, and divers other Houses have also been erected on other Parts of the said Piece of Ground, which other Houses are now on Lease at Rentals amounting to the yearly Sum of 242*l.*, or thereabouts; that the several Persons in the Indenture named as Trustees have by reason of Death or from other Causes ceased to be Trustees of the said Institution, and in pursuance of a Provision in that Behalf therein contained new Trustees have from Time to Time been appointed, and the said Premises at Old Kent Road have been from Time to Time vested in such new Trustees; that in addition to the said Premises in the Old Kent Road, and the Household Goods and Furniture and other Personal Property in and about the said Asylum, the Property now belonging to the said Institution consists of the several Sums of 82,985*l.* 10*s.* 1*d.* Bank Three per Centum Consolidated Annuities, 57,330*l.* Bank Three per Centum Reduced Annuities, 27,607*l.* 11*s.* 11*d.* Bank New 3*l.* per Centum Annuities, and 2,000*l.* East India 5*l.* per Centum Stock, all standing in the Name of Trustees, of One Half of the clear Proceeds of a Sale directed (but which has not yet been made) of certain Leasehold Property near the Hampstead Road, Middlesex, and of the Rents and Profits thereof until such Sale, (such Rents and Profits after deducting a Ground Rent amounting to 69*l.* or thereabouts), and of a Sum of Cash; that the Institution has been of great public Advantage, and it would tend greatly to promote the beneficial Designs thereof if the same were more permanently established than it is at present by the President, Vice-Presidents, Treasurer, and Governors of the same being incorporated by the Authority of Parliament, and empowered to hold in Mortmain not only the said Hereditaments and Premises in the Old Kent Road, but other Hereditaments herein-after provided for, with sufficient Power to sell the same respectively, and also to hold, retain, and dispose of their said present Property, and any Monies and Property which the said Institution may hereafter acquire.

Incorporation of Institution, § 2.
Custody of Common Seal, § 3.

4. The said President, Vice-Presidents, Treasurer, and Governors shall by their Corporate Name be able and capable, without incurring any Penalties or Forfeitures, to hold and retain for the Purposes of the Institution the said Hereditaments and Premises in the Old Kent Road for the Residue of the Term expressed to be created by the said Indenture of the 11th Day of March 1807, and all other the present Property of the Institution, and to purchase, take, or receive, and hold and enjoy other Lands of any Nature or Kind, either in Fee or for Terms for Life or Years or otherwise, for the Purpose of building thereon another Asylum and other Buildings connected therewith, for carrying out the Objects of the said Institution, and so as such Lands as are of Freehold Tenure or for Terms of Years or for Lives be held by them in their Corporate Name, and so as such Lands as may be of Copyhold Tenure be surrendered to and held by One or more Person or Persons as a Trustee or Trustees for the Institution, and also to obtain, acquire, hold, and retain for the Purposes of the Institution any Monies and other Personal Estate and Property, including Monies secured by Mortgage of or charged upon or to arise from the Sale of any Hereditaments, and also to grant, sell, alien, demise, convey, assign, surrender, and dispose of the said Hereditaments and Premises in the Old Kent Road, and also any other Hereditaments, Monies, and other Estate and Property, as well Real as Personal, for the Time being belonging to the Institution, and to do and execute all such Acts, Deeds, Matters, and Things as may be necessary for the effecting and completing of any such Grant, Sale, Alienation, Demise, Conveyance, Assignment, Surrender, or Disposition: Provided nevertheless, that nothing in this Act contained shall make valid or confer any Validity on any Grant or Purchase which would be void or impeachable under the Enactments contained in an Act of Parliament passed in the 9th Year of the Reign of His late Majesty King George the Second, intituled "An Act to restrain the Dispositions of Lands," whereby the same became inalienable: Provided also, that no Monies for the Time being belonging to the Institution shall be invested in the Purchase of any Hereditaments excepting Lands for a new Asylum and for a Garden thereto, and for the Purposes of Exercise and Recreation for the Inhabitants of the Asylum, such last-mentioned Lands not to exceed in Quantity 15 Acres: Provided always, that such last-mentioned Lands shall be always holden for the Purposes herein-before mentioned.

Copyhold Messuages, &c. held in trust for the Asylum to be surrendered to the President, &c., § 5.
Stock and Dividends when transferred to President, &c. to be held for the Purposes of the Institution, § 6.
Monies may be invested, § 7.
Hereditaments mortgaged to Institution when foreclosed to be held by President, &c. for the Purposes of the Institution until Sale, § 8.
Liabilities continued, § 9.
Receipt of Treasurer a sufficient Discharge, § 10.
Service of Notices, &c. on Secretary, § 11.
President and Vice-Presidents, § 12.
Officers continued, § 13.
Laws, Rules, &c. continued, § 14.
For preserving the Responsibilities of Members of the Corporation as Trustees, § 15.
New Laws, Rules, &c. may be made, § 16.

Cap. li.

"The Leadburn, Linton, and Dolphinton Railway Act, 1862."

Proposes to make a Railway from the Peebles Railway at the Leadburn Station to the Parish of Linton, in the County of Peebles, and to authorize the Company and the North British Railway Company to enter into Agreements with respect to the Maintenance, Management, and Use of the proposed Railway, the Working of the Traffic thereon, and otherwise in relation thereto.
Incorporation of Consolidation Acts, § 1.
Company incorporated; with Capital of 40,000*l.* in Shares of 10*l.*, and with Power to borrow 13,300*l.*, §§ 2 to 9.
Meetings; Directors, §§ 10 to 17.
Power to make Railway, §§ 18, 19.
Power to alter Engineering Work, § 20.
Level Crossing Provisions, §§ 21 to 24.
Power to alter certain Level of Road, § 25.
Power to make certain Arches of Bridges of specified Dimensions, § 26.
Power to stop up a Footpath, § 27.
As to Junction with Peebles Railway, §§ 28 to 31.
Three Years for compulsory Purchase, § 32.
Four Years for Completion of Works, §§ 34, 35.
Tolls, §§ 36 to 45.
Power for Company and the North British Railway Company to enter into Agreements, §§ 46 to 54.

Cap. lii.

"Leeds Waterworks Act, 1862."

Proposes to grant a further Supply of Water to the Town and Neighbourhood of Leeds from the River Wharfe, and for other Purposes.

2. The Corporation from Time to Time, by means of their now existing Waterworks, or other the Waterworks from Time to Time made and maintained by them, under the Authority of the several Acts relating to their Waterworks or any of them, may take from the River Wharfe, for the Purposes of all or any of those Acts with respect to the Supply of the Inhabitants of the Town of Leeds and its Neighbourhood, any Quantity of Water not exceeding 6,000,000 Gallons in any One Day, inclusive of the 2,500,000 Gallons which they are now authorized to take.

3. The Corporation shall make to the Owners and Occupiers of and all Parties in any way interested in the Waters of the River Wharfe taken or used under the Authority of this Act full Compensation for all Damage, Injury, or Deterioration whatever (if any) to such Owners, Occupiers, and other Parties or their Property, by reason or in consequence of the Abstraction by the Corporation under the Authority of this Act from the River Wharfe of any Quantity of Water exceeding 2,500,000 Gallons a Day; and the Amount and Nature of the Compensation shall be such as the Corporation and the Parties interested agree upon, or if they do not agree, the Amount of the Compensation shall be ascertained and determined in the Manner provided by "The Lands Clauses Consolidation Act, 1845," for determining by Arbitration Questions of disputed Compensation, and all the Provisions of that Act shall be applicable to determining the Amount of the Compensation, and to enforcing the Payment or other Satisfaction thereof.

4. Nothing in this Act contained shall take away, alter, prejudice, or affect any Right to Compensation granted by the recited Acts, or either of them, to the Owners and Occupiers of and other Parties interested in the Waters of the River Wharfe, or any Powers in the same Acts or either of them contained in reference to the ascertaining the Amount of such Compensation, or with respect to the Recovery thereof.

5. Nothing in this Act contained shall in any Case in which the Corporation for any of the Purposes of the several Acts relating to their Waterworks and this Act, or any of them, enter upon any of the Lands in which any of their Pipes or Conduits now exist, and make any Alteration of the same, or exercise any other Right, Liberty, Easement, or Privilege with respect to the repairing, renewing, upholding, or maintaining of the same, or the examining of the State and Condition thereof, take away, lessen, prejudice, or alter any Right of any of the Owners or Occupiers of those Lands to reasonable Compensation, to be made and paid by the Corporation for all Damage and Injury done by the Corporation, their Agents and Servants, to those Lands or any Part thereof.

6. The Corporation shall erect and construct and for ever maintain a suitable measuring Gauge at or near the Extremity of the Main Pipe leading from the Works of the Corporation at or near Arthington Mills to the Stubhouse Conduit, over or through which the Water abstracted by the Corporation from the River Wharfe shall flow or be discharged; and the said Gauge shall be open to the Inspection and Examination of the Owners and Occupiers of Mills on and all Parties in any way interested in the Waters of the said River below Arthington Mills aforesaid.

7. Nothing in this Act contained shall take away, lessen, prejudice, or alter any of the Rights and Privileges of the Owners, Lessees, and Occupiers of Lands, Houses, Mills, Mines, and Works in the Valley of Wharfe, or lying within the Watershed of the River above the Works at Arthington, to the User of the River and of the Waters thereof, and of the tributary Springs and Streams flowing into the same, or shall subject any of those Owners, Lessees, and Occupiers to any of the Penalties imposed by "The Waterworks Clauses Act, 1847," nor shall anything in this or in the said recited Acts, or in any Act incorporated therewith respectively contained, in anywise affect the Powers and Privileges of the Mayor, Aldermen, and Burgesses of the Borough of Bradford under "The Bradford Waterworks Act, 1854," "The Bradford Corporation Waterworks Act, 1854," "The Bradford Corporation Waterworks Act, 1858," and "The Bradford Waterworks Act, 1862," and the Acts therewith incorporated; provided that the Corporation may proceed in Equity or by Indictment or Action in the Superior Courts of Law against any Person disturbing or injuring the Waters of the River Wharfe, or of the tributary Springs or Streams flowing into the same, other than and except by the User of any of those Rights and Privileges: Provided also, that nothing herein contained shall prejudice or affect the Rights of either of the said Corporations to oppose any Application or Applications which may hereafter be made to Parliament by the other of the said Corporations for any Powers or take or appropriate the Waters of the River Wharfe, or the tributary Springs or Streams flowing into the same, other than those already granted and conferred by this or the herein-before mentioned Acts, some or one of them.

Cap. liii.

"The Edinburgh Roads and Streets Act, 1862."

Recites 5 & 6 Will. 4. c. lxii.; 5 & 6 Will. 4. c. lxviii.; 9 & 10 Vict. c. cclxv.; 17 & 18 Vict. c. cxxxiv., and 19 & 20 Vict. c. xxxii.; that it is expedient that the first-recited Act should in certain Particulars be amended, and that the other recited Acts, in so far as they relate to the Roads, Streets, and Bridges within the Middle District of the County or the District of the City of Edinburgh, should be repealed, and the Provisions thereof be re-enacted, consolidated, and amended, and that the Assessments and Duties leviable for the Repair and Maintenance of the said Roads, Streets, and Bridges should be altered and re-adjusted, and new Duties imposed, and that Powers should be taken for the Disposal of a Fund set apart and invested under Authority of the third-recited Act, and other Provisions be made in regard to the said Roads, Streets, and Bridges, and in regard to Matters connected therewith.

Repeal of Acts, § 2.
Constitution of Trust; Trustees to continue, § 4.
Election by Conveners, &c., § 5.
Election by Wards, &c., § 6.
Meetings of Trust, § 7.
Trustees to continue possessed of their Property, and Saving of Rights and Liabilities, §§ 8 to 17.
Separation of Offices of Clerk and Treasurer, § 18.
Security to be taken, § 19.
Officers to account on Demand, § 20.
No Proceeding to discharge Sureties, § 21.
No Officer or Trustee to be a Contractor, § 22.

23. The District shall be called the City of Edinburgh District of Roads, and shall include all Roads and Streets and all Lands and Heritages situated within the Boundaries of the City of Edinburgh, as defined by an Act of the 2d and 3d Year of the Reign of His late Majesty King William the Fourth, intituled "An Act to amend the Representation of the People of Scotland;" and also such Roads and Streets and Lands and Heritages as are situated within the Toll Bars next adjacent to the said City, as the said Toll Bars shall be placed for the Time being by Authority of any General Meeting of

the Trustees for the Turnpike Roads of the County of Edinburgh, that is to say, within straight Lines drawn from Toll Bar to Toll Bar, but which straight Lines shall not have the Effect of excluding from the District any Portion of the Area described in the Act last mentioned; and also all such Lands and Heritages as consist of Dwelling Houses or Tenements having a Horse Road or Access to the said City, the Inhabitants of which Dwelling Houses or Tenements in coming into the City may enter the same without passing through or making Payment of Tolls at any Toll Bar or Check Bar erected by Authority of the said Trustees for the County; and also such Roads and Streets presently upheld by the Trustees of the said Middle District as are situated within the Parliamentary Boundaries of the Burgh of Leith, as defined by the last-mentioned Act, namely, that Portion of Leith Walk from and including Pilrig Street to Constitution Street, the Street called Duke Street, leading thence to the Road called the Easter Road, and the said Easter Road: And for the Purposes of Assessment by the Trustees in respect of Lands and Heritages, the District shall, subject to the Provisions of this Act, mean and include all Lands and Heritages within the said District, with the Exception of Lands and Heritages within the Parliamentary Boundaries of the Burgh of Leith: And for the Purposes of Charge and Superintendence by the Trustees, the District shall mean and include the Carriageway of all Roads and Streets which are situated within the said District, whether maintained and upheld by the Trustees or by Owners of Lands and Heritages within the said District or by others, with the Exception of such of the said Roads and Streets as are or may be maintained by the said Road Trustees for the County: And for the Purposes of Maintenance and Repair by the Trustees, the District shall mean and include only the Carriageway of the Roads and Streets specified in Schedule (A.) hereunto annexed, and of such other Roads and Streets within the District the Maintenance of the Carriageway of which the Trustees may hereafter undertake or assume, and only the Foot Pavements specified in Schedule (B.) hereunto annexed.

Definition of Carriageway, § 24.
Reservation as to Foot Pavement on Leith Walk and Easter Road, § 25.
Power to erect Toll Bars and levy Statute Service within District not to be applicable, § 26.
Power to Cramond District Trustees, § 27.
Toll Bars on Accesses to public Park to be removed, § 28.
Owners in private Streets exempted may put such Streets under Trust, § 29.
Trustees may compel Repair of exempted Streets, &c., § 30.
Trustees to assume Maintenance of exempted Streets on Expiry of Three Years, § 31.
Trustees to assume other private Streets when made up, § 32.
Power as to causewaying of private Streets, § 33.
Expenses on private Streets, how to be assessed, § 34.
Private Streets when assumed to be open to the Public, § 35.
Streets may be repaired and Levels altered, § 36.
To provide for Repair of Openings and Drains, § 37.
Trustees to maintain and repair only, § 38.
Regulating Water Cocks, Gas Plugs, and others, § 39.
Gas and Water Companies to lodge Acts and Plans, §40.
Other Operations on Streets, § 41.
Parties upon Completion of Works to repair Causeway, § 42.
Power to Gas and Water Companies in Cases of Accident or Danger, § 43.
Gas and Water Companies not to lay Main Pipes without Intimation, § 44.
Power to Magistrates to make Openings, § 45.
Provisions as to making Openings for Drains, &c., § 46.
In the event of Neglect, Trustees to causeway, § 47.
Excavations, &c. not to be made without Consent, § 48.
Warrants for Operations, § 49.
Powers of Gas and Water Companies reserved, § 50.
Trustees may be compelled to repair Streets, &c., § 51.

52. From and after the Term of Whitsunday in the Year 1862 the Trustees shall and may, in place of the Assessment in respect of the Conversion of Statute Labour which was by the recited Acts authorized, assess and levy yearly from the Tenants or Occupiers of Lands and Heritages situated within the District an Assessment for the Maintenance and Repair of Roads and Streets and Side Pavements which are or may be upheld by the Trustees, not exceeding the Sum of 5*d.* on each Pound of the yearly Rent or Value of the said Lands and Heritages, as the said yearly Rent or Value shall appear in the Valuation Rolls of the Burgh and County of Edinburgh appointed to be made up under the Act of the 17th and 18th Year of the Reign of Her present Majesty, "for the Valuation of Lands and Heritages in Scotland;" which Assessment shall be calculated from Whitsunday to Whitsunday, and shall be payable at Martinmas yearly, and shall be levied upon and paid by the Persons liable therefor at or after the Term of Martinmas, notwithstanding any Change during the Year in the Occupation of such Lands or Heritages; and no new or amended Assessment shall be required to be made in consequence of any such Changes in the Occupation of such Lands or Heritages: Provided always, that for Five Years from and after the said Term of Whitsunday 1862 the Rate of the said Assessment shall be restricted to 4*d.* on each Pound of the yearly Rent or Value aforesaid, and that during the said Five Years the Tenants or Occupiers of such of the said Lands and Heritages as, prior to the passing of this Act, were exempted, shall be entitled to an Abatement of One Half from the said restricted Rate of Assessment; and provided also, that the Tenants or Occupiers of any Lands or Heritages the yearly Rent or Value of which shall not amount to 5*l.*, shall be exempt in respect of such Lands or Heritages from Payment of the said Assessment; and provided further, that the said Assessment shall not be assessed and levied in respect of any Building occupied exclusively for the Purposes of Public Worship or Public Charity, or as an Hospital, or of any Building occupied by Scientific or Literary Societies, or for the Purposes of the Fine Arts, which shall have been or may be exempted from Rates, in Terms of an Act passed in the 6th and 7th Year of the Reign of Her present Majesty, intituled "An Act to exempt from County, Borough, Parochial, and "other Local Rates, Land and Buildings occupied by Scien-"tific or Literary Societies," or of the Royal Palace of Holyrood, or of Houses or Buildings in the Castle of Edinburgh, or of any Buildings used as Government Offices, or of the Courts of Justice, General Register House, City Chambers, and Offices connected therewith, so far as such Offices are occupied exclusively for public Purposes, Police Buildings, County Buildings, Prison of Edinburgh, or of the Public Markets, or of the Public Slaughter-houses, or of the University of Edinburgh, and Buildings connected therewith, except those Parts which are used as Dwelling Houses, or of the Assembly Hall of the Church of Scotland, and Buildings connected therewith, except those Parts which are used as Dwelling Houses, or of the Free Church College and Buildings connected therewith, except those Parts which are used as Dwelling Houses, or of the Buildings in Queen Street belonging to the United Presbyterian Church, except those Parts which are used as Dwelling Houses, or of the Museums of the Royal Colleges of Physicians and Surgeons, so long as they respectively shall remain open gratuitously to Persons pursuing the Study or Practice of Medicine, or of the Veterinary College, or of the High School of Edinburgh, Edinburgh Academy, Sessional, Parochial, or Charity Schools, or Dr. Bell's Schools, or in respect of any Gas

or Water Pipes or underground Works of any Gas or Water Company, or in respect of those Portions of any Canal or Railway which are not Stations, Basins, or Buildings, or in respect of any Lands or Heritages within the Parliamentary Boundaries of the Burgh of Leith.

Assessors to furnish necessary Information, § 53.
Assessment, how to be imposed, § 54.
Tenants for less than a Year, § 55.
When Owners to be taken as Occupiers, § 56.
Fractions of a Pound not to be entered in Assessment Books, § 57.
Assessment to be paid at Martinmas to the Collector, § 58.
Assessment, how to be recovered, § 59.
Alternative Mode of Recovery of Assessment, § 60.
Misnomers, &c. not to affect Proceedings, § 61.
Proceedings not to lapse by Death of Collector, § 62.
Summary Warrant to be applied for within Six Months, § 63.
How Penalties, &c. are to be recovered, § 64.
Trustees to levy Causeway Mail, § 65.
Trustees may relieve indigent Persons from Assessment, &c., § 66.
Power to expend Principal and Income of special Fund, § 67.
Power to borrow Money on the Credit of this Act, § 68.
Forms of Assignation, Transfer, and Register, § 69.
Repayment of Loans, § 70.
Convener appointed to County Road Trust, § 71.
Proceeds of Portion of Assessment to be paid to District Trustees, § 72.
Trustees may agree to retain Assessment and maintain Roads, § 73.
Differences as to Boundaries and Assessment to be referred to Sheriff, § 74.
Trustees and County Trustees may make Arrangements, § 75.
Trustees may arrange with County Trustees for farther Removal of Toll Bars, § 76.
The Trustees and Magistrates of Leith may make Arrangements, 77.
Turnpike Trustees may adopt Statute Labour Roads, § 78.
Accounts to be kept, § 79.
Proceedings to be entered in Books, and to be Evidence, § 80.
Former Books to be Evidence, § 81.
Accounts to be annually prepared, § 82.
Appointment of Auditor, § 83.
Accounts to be open for Inspection, § 84.
Accounts to be settled and examined annually, § 85.
Abstract of Accounts to be printed and circulated, § 86.
Powers of General Turnpike Act in part extended, § 87.
Exemption from Statute Labour Act, § 88.
Rights of Magistrates, &c. reserved, § 89.
Sheriff's Judgment to be final, § 90.
Schedules,—
(A.) Roads and Streets to be maintained by the Trustees.
(B.) Foot Pavements and Footpaths to be maintained by the Trustees.
(C.) Streets eventually to be maintained by the Trustees.
(D.) Forms.
(E.) Table of Causeway Mail.
(F.) Forms.
(G.) Roads and Streets within the District maintained by County Road Trustees.

Cap. liv.

"The Stockton and Darlington Railway (Towlaw and Crook) Act, 1862."

Proposes to authorize the Stockton and Darlington Railway Company to make a Railway from their Railway near the Towlaw Passenger Station thereon to their Railway near the Crook Station thereon, with a Branch therefrom to join the West Durham Railway near the Stationary Engine on the Roddymoor Incline Plane of the Company's Railway: to construct Two new Roads in the Township of Whessoe, in the Parish of Haughton-le-Skerne, in substitution for Portions of the existing Highway called Patch's Lane, and the Highway leading from Darlington to Burtree Toll Bar, called Burtree Lane, and to discontinue as Thoroughfares and appropriate the Sites of the Portions of the existing Highways for which such new Roads will be substituted.
Incorporation of Lands and Railways Clauses Acts, §§ 2, 3.
Power to take and use Lands, § 4.
Power to construct Railway and execute other Works, &c., § 5.
Company not to interfere with the West Durham Railway or Works except for Junction, §§ 6 to 9.
Power to alter Engineering Works, § 10.
Power to make new Roads in the Township of Whessoe in substitution for Portions of existing Highways, § 11.
Lands for extraordinary Purposes, § 12.
Two Years for compulsory Purchase of Lands, § 13.
Four Year for Completion of Works, §§ 14, 15.
Company may apply Corporate Funds to Purposes of Act, § 16.
Power to convert borrowed Money, &c. into Debenture Stock, §§ 17 to 22.
Provision as to level Crossing of Road leading from Redworth to Eldon, § 23.

Cap. lv.

"The Daventry Railway Act, 1862."

Proposes to authorize a Railway from Daventry in the County of Northampton to the London and North-western Railway near Weedon in the same County.
Incorporation of Companies, Lands, and Railways Clauses Acts, §§ 2, 3.
Daventry Railway Company incorporated, with a Capital of 30,000*l.*, and with Power to borrow 10,000*l.*, §§ 4 to 10.
Meetings; Directors, §§ 11 to 18.
Power to make Railway and take Lands for the Purpose, § 19.
Two Years for compulsory Purchase of Lands, § 20.
Lands for extraordinary Purposes, § 21.
Railways authorized, § 22.
Junction with London and North-western Railway, §§ 23 to 26.
Three Years for Completion of Works, § 27.
Tolls, §§ 29 to 38.
Saving Rights of London and North-western Railway Company, § 39.
Power to contract with the London and North-western Railway Company, §§ 40 to 45.

Cap. lvi.

"The Tewkesbury and Malvern Railway Act, 1862."

Recites that by 23 & 24 Vict. c. lxxii. the Company were incorporated; that the Railway by the recited Act authorized to be made is in course of Construction, and in the Execution of the Works of a Portion of the Railway it has been found necessary to deviate from the Levels of the Railway as referred to the common Datum Line described on the Section referred to in the same Act to a greater Extent than is permitted by the Provisions of "The Railways Clauses Consolidation Act, 1845," incorporated with the said Act, and it is expedient that the Company should be enabled to maintain their Railway according to the deviated Levels herein-after mentioned; that the Company have been authorized to raise by Shares any Sum or Sums of Money not exceeding the Sum of 145,000*l.*, and to borrow

not exceeding 48,000*l.*; that they require further Sums of Money for the Purposes of their Undertaking.
Company to maintain Railway as constructed, § 3.
Provision as to Road for Sir E. A. H. Lechmere, § 4.
Power to raise additional Capital of 120,000*l.*, §§ 5 to 7.
Power to borrow 40,000*l.*, §§ 8 to 10.

Cap. lvii.

"The London Railway Depôt and Storehouses Act, 1862."

Recites that in 1860 the London Railway Depôt and Storehouses Company were empowered to form a new Street or Approach, with a Railway or Tramway under the Surface thereof, and to acquire Lands and to enter into certain Arrangements with the Mayor and Commonalty and Citizens of the City of London (in this Act called "the Corporation of London") and with the Metropolitan Railway Company; that the Object of such Street and Railway was to connect the Metropolitan Railway with the Metropolitan Meat and Poultry Market at Smithfield authorized to be established by the Corporation of London by their Act of 1860, and in such Act the Corporation of London are restricted from opening the Market until a Street should have been formed between the Market House and Victoria Street; that by Two Acts passed in 1861 the Metropolitan Railway Company are authorized to make an improved Railway Communication with the Meat and Poultry Market at Smithfield, and to extend their Railway to Finsbury Circus; that the Corporation of London are desirous of themselves constructing the Street which is to be formed before the opening of the Meat and Poultry Market in a different Manner to the Street authorized to be formed by the Company, and have made Application to Parliament for a Bill for that Purpose under the Short Title of "The Metropolitan Meat and Poultry Market (Western Approach) Bill;" that in that Case the Powers granted to the Company of forming the Street and Railway will become unnecessary, and those Objects of the Act of 1860 will be accomplished by the Construction of the improved Railway Communication by the Metropolitan Railway Company, and by the Formation of the Street under the Bill applied for by the Corporation of London; that the Company have consented to abandon all their Powers which will interfere with the Powers sought or acquired by the Metropolitan Railway Company and the said Corporation, and that the Company have not acquired any Lands or entered into Contracts with reference thereto, and it is expedient that the compulsory Powers of purchasing Lands and constructing the Street and Railway should be repealed, and the Company dissolved, and that Provision should be made for Repayment of any Monies deposited in the Court of Chancery.

2. The Company may and shall abandon the making of the Street and Railway by the Act of 1860 authorized to be made.

Compensation to be made where Contracts have been entered into or Notice given, § 3.
Company to be still liable for Damage occasioned by their Entry on Lands for taking Levels, &c., § 4.

5. The 23d Section of the Act of 1860 is hereby repealed.

6. And whereas pursuant to the Standing Orders of both Houses of Parliament and to an Act of the 9th Year of the Reign of Her present Majesty, Chapter 20, a Sum of 2,800*l.* was deposited in the Court of Chancery in England, and 1,600*l.*, Part thereof, is the Sum referred to in the 23d Section of the Act of 1860, and it is reasonable that the Money so deposited should be transferred and paid to the Company: Therefore, notwithstanding anything in the Act of 1860 or in any other Act, the High Court of Chancery may and shall, on the Application by the Company or on their Behalf, by Petition or Motion in a summary Way, order that the Sum which remains so deposited in the said Court shall be paid to the Company or to such Persons as the Company appoint, and on such Order being made the said Sum shall be paid accordingly.

7. The Directors of the Company shall apply the Monies so paid in discharging or providing for the Debts and Liabilities of the Company, and when all the Debts and Liabilities of the Company shall have been discharged the Company shall be dissolved, and "The London Railway Depôt and Storehouses Act, 1860," shall be repealed.

Cap. lviii.

"The Metropolitan Railway Act, 1862."

Recites that the Metropolitan Railway Company are, under the Authority of their Act of 1854 and of other Acts subsequently passed, constructing a Railway from the Great Western Railway at Paddington to Victoria Street, and by their Act of 1861 they are authorized to construct a Line of Railway to improve the Means of Communication with the intended Meat and Poultry Market at Smithfield, and by their Finsbury Circus Extension Act, 1861, to extend their Railway to Finsbury Circus, and to raise for such Purpose a separate Capital; that the Company require additional Lands for the Purposes of their Undertaking in the City of London and in Clerkenwell; that by the Amendment Act of 1861 the Company are authorized to raise a further Sum of 300,000*l.* by new Shares and 100,000*l.* by borrowing; that it is expedient for the Purpose of raising such Sum of 300,000*l.* that the Company should be authorized to create Preference Shares; that they have not heretofore created or issued any Preference Shares; and it is expedient to authorize Working Arrangements between the Company and the Great Western Railway Company, and that further Powers should be given for Arrangements with other Companies and with the Corporation of London.
Incorporation of Consolidation Acts, §§ 2, 4.
Power to make Works, §§ 5, 6.
Three Years for compulsory Purchases, § 7.

8. The following Sections of the Metropolitan Railway Acts shall extend and apply to this Act in as full and ample a Manner as if they were re-incorporated in this Act; (that is to say,)

Of the Act of 1854, Sections 106, 107, and 108, relating to Gas and Water Pipes:
Of the Act of 1855, Section 16, with respect to Questions of disputed Compensation in the City of London:
Of the Amendment Act of 1861, Section 27, for Protection of Sewers of Metropolitan and other Boards, and Section 28, for Protection of Sewers in the City of London, and Section 29, Company to restore Streets, and Section 24, as to certain Local Rates.

9. The Company shall not be authorized to enter upon the Clerkenwell Workhouse, or to require the Possession thereof to be given up to them until the Expiration of 18 Months (or if an Application to Parliament be needful with reference to the Removal of the Workhouse, then Two Years) from the Time when Notice to treat and agree shall have been given by the Company in respect of such Workhouse, in pursuance of the Provisions of "The Lands Clauses Consolidation Act, 1845," nor shall the Company be at liberty to exercise the compulsory Powers of this Act with regard to the Purchase of the said Workhouse, unless they give such Notice within 12 Months after the passing of this Act.

10. The Company shall not build, erect, or make, or cause or permit or suffer to be built, erected, or made, any Factory

for the Make or Vend of Articles of a noxious or offensive Nature, or Pigstye, on the Land which they may purchase and take in the said Parish of Saint James and Saint John, Clerkenwell under this Act, but shall lay out and use the said Land so that whatever may be erected thereon shall not be a Nuisance to the Neighbourhood.

11. The Provisions of the Metropolitan Railway Acts with reference to the breaking up of Streets in the Holborn District shall apply to Streets in the Parish of Saint James and Saint John, Clerkenwell.

12. During the Progress of the Works authorized by this Act Cobham Row shall be kept open for Traffic either by leaving the Surface thereof untouched, or by providing a Bridge of sufficient Width to carry the same Traffic as now passes along or over such Street.

13. The Company and the Corporation of London may enter into and carry into effect Agreements with reference to the Formation of the intended new Street from Victoria Street to the intended Metropolitan Meat and Poultry Market, for Powers to construct which Application is made in the present Session by the said Corporation, and the Use for Railway Purposes of the Under-surface thereof, and with reference to the Sale or Lease of any Lands to the Company by the Corporation of London, and the Payments to be made in respect thereof.

14. And whereas the Company have in the Construction of the Railway been compelled to purchase and pull down various Houses and Buildings, and the Sites thereof have not been wholly used or will not be required for the Purposes of the Railway, and inasmuch as the Railway is wholly within the Metropolis it is expedient that the Company should be enabled to grant Building Leases of Lands which they have purchased but not used for the Purposes of the Railway, but without Prejudice to the Provisions of "The Lands Clauses Consolidation Act, 1845," requiring within the prescribed Period the Sale of superfluous Lands: Therefore the Company may grant Leases of any superfluous Lands for such Terms of Years, at such Rents, and subject to such Covenants, Conditions, and Stipulations, as the said Company shall deem expedient with reference to the special Circumstances of each Demise, but every such Lease shall be granted within the Period prescribed by "The Lands Clauses Consolidation Act, 1845," for the Sale of superfluous Lands; and any Lands comprised in any such Lease shall (subject to such Lease) be sold within the Period prescribed, and, in default of Sale, shall vest as provided by the Lands Clauses Consolidation Act with reference to superfluous Lands: Provided always, that whenever, by vesting in various Owners, or otherwise, the Reversion upon any such Lease shall be severed, the Rent may be apportioned by Agreement between such Owners, and if such Apportionment be not so settled, the same shall be settled by an Arbitrator appointed by the Board of Trade, and after such Apportionment the Owner of each Part of the Reversion shall, in respect of the apportioned Rent allotted or belonging to him, have the Benefit of all Conditions or Powers of Re-entry for Nonpayment of the original Rent, in like Manner as if such Conditions or Powers had been reserved to him as incident to his Part of the Reversion in respect of the apportioned Rent allotted or belonging to him.

15. The Company may from Time to Time, with the Consent of Three Fifths at least of the Votes of the Shareholders present, personally or by Proxy, at any Extraordinary Meeting convened with Notice of this Purpose, attach to all or any new Shares or any Class of new Shares to be created under the Powers of the Amendment Act of 1861, for the Purpose of raising all or any Part of the Sum of 300,000*l.* authorized to be raised by that Act, any preferential, fixed, fluctuating, contingent, perpetual, or terminable Dividend, and such other Privileges as the Company think fit, and also (if the Company so think fit) any total or partial, permanent or temporary, Restriction of the Rights of voting, and other Qualifications of the Holders thereof: Provided that any such fixed or preferential Dividend shall not exceed the Rate of 5*l.* per Centum per Annum on the Amount of the Shares or Stock, or on the Amount for the Time being paid up on the Shares to which the same is attached, and that all Shares or Stock of the same Class shall be of like Amount, and shall confer like Privileges, and shall bear like Dividends or Interest, and be subject to like Restrictions (if any).

Limit of Preference Share Capital to 300,000*l.*, § 16.
Preferential Dividends not to carry Arrears beyond One Year, § 17.
Qualification, &c. for new Shares, § 18.
Company may cancel unissued new Shares and issue others instead, § 19.
Company may settle by Resolution Terms of Issue of the Extension Shares, § 20.

21. The 35th and 36th Sections of the Extension Act of 1861 are by this Act repealed.

Company may raise the Money raised or authorized to be raised on Mortgage or Bond by the Issue of Debenture Stock at 4*l.* 10*s.* per Cent., §§ 22 to 32.
Power to enter into Working, &c. Arrangements with the Great Western and Great Northern Railway Companies, §§ 33 to 39.
Saving Right to contract under other Acts, § 40.

Cap. lix.

"The New Chappel, Lindfield, and Brighton Road Act, 1862."

Repeals 11 Geo. 4. & 1 Will. 4. c. xviii. relating to the New Chappel, Lindfield, and Brighton, and Ditcheling and Clayton Roads; and extends the Trust for 21 Years.

Cap. lx.

"The Denbigh, Ruthin, and Corwen Railway Act, 1862."

Recites that in 1860 the Denbigh, Ruthin, and Corwen Railway Company were incorporated for the Purpose of making a Railway from the Town of Denbigh in the County of Denbigh, to Corwen in the County of Merioneth, and were empowered to raise a Capital of 150,000*l.* in 15,000 Shares of 10*l.* each, and to borrow on Mortgage any Sum not exceeding in the whole 50,000*l.*; and that there are no Shares or Stock in the Company to which any Preference or Priority in the Payment of Interest or Dividends has been attached.
Incorporation of Consolidation Acts, §§ 2, 3.
Shares forfeited may in certain Cases be cancelled and new Shares issued in lieu thereof, § 4.
Company may attach a Preference Dividend not exceeding 5*l.* per Cent. on certain Shares, § 5.
Dividends of preferential Shares restricted to Profits of a limited Period, and to be so stated on Certificate, § 6.

Cap. lxi.

"Shard Bridge Act, 1862."

Proposes the making and maintaining of a Bridge over the River Wyre (to be called "Shard Bridge"), with Roads thereto.
Incorporation of Consolidation Acts, §§ 2, 3.
The Shard Bridge Company incorporated, with a Capital of 10,000*l.*, and Power to borrow 2,000*l.*, §§ 4 to 9.
Meetings; Directors, §§ 10 to 17.
Power to take Lands, §§ 18 to 20.
Three Years for compulsory Purchase of Lands, § 21.
Power to make Works authorized by Act, § 22.

Authorizing Sale of Lands belonging to the Duchy of Lancaster, and providing for Application of Purchase Money, § 23.
For Enrolment of all Deeds of Conveyance of Land belonging to the Duchy of Lancaster, § 24.
Entry on Lands for Surveys and Works, § 25.
Power to get Materials, &c., § 26.
Temporary Occupation of Lands near to the Works, § 27.
Company not to enter upon Lands of Thomas John Gaskell, § 28.
Works authorized by Act, § 29.
Incidental Works, Deviations, &c., §§ 30 to 36.
Three Years for Completion of Works, § 37.
Mode of Construction of Shard Bridge, § 38.
Admiralty Provisions, §§ 39 to 45.
Company to provide Ferry Boats in case of Accident to Bridge, § 46.
Bridge to be public, but not to be County Bridge, § 47.
Power to provide Toll Gates and Toll Houses, 48.
Tolls; Leasing of Tolls; Collectors, §§ 49 to 65.
Penalties, §§ 66 to 74.
Saving Rights of Crown and Duchy of Lancaster, § 75.
Schedule (Form of Conveyance).

Cap. lxii.

"The Great North of Scotland Railway Amendment Act, 1862."

Recites that by their Act of 1859 the several Acts relating to the Great North of Scotland Railway Company were repealed and consolidated; that the Share Capital of the Company is by the said Act declared to be 1,050,000*l.*, consisting of 27,686 Shares of 10*l.* each, called "original Shares," 29,109 Shares of 10*l.* each, called "Preference Shares," and of 48,205 Shares of 10*l.* each, called "new Shares;" that the "Preference Shares" are by the said Act entitled in perpetuity to a preferential Dividend at the Rate of 5*l.* per Centum per Annum, with a Right to participate with the Holders of original Shares in any Dividend which may be paid to them in excess of 5*l.* per Centum per Annum, after Payment of the preferential Dividend which may be attached to the "new Shares;" that the whole of the original Shares, representing 276,860*l.*, and of the Preference Shares, representing 291,090*l.*, have been fully paid up, and 475,880*l.* out of 482,050*l.* have been received upon and in respect of the "new Shares," which said new Shares are entitled to a preferential Dividend of Four and a Half per Centum per Annum, to be paid before any Dividend is paid on the "original Shares," and ranking to the Extent of the said Four and a Half per Centum pari passu with the Dividends on the "Preference Shares;" that they have Power by the said Act to borrow in the whole 350,000*l.*, namely, 50,000*l.* in addition to what they had borrowed at the Time of the passing of the said Act, and they have borrowed and now owe nearly the whole of the said Sum of 350,000*l.*; that by their Act of 1861 the Company are empowered to alter and improve their Dock Branch, and to enlarge their Kittybrewster and Waterloo Stations, but that Act does not give them any Power to raise additional Capital; that by the several Acts after mentioned they are empowered to subscribe out of their Corporate Funds the several Sums following, towards the respective Undertakings by those Acts authorized, namely, by "The Aberdeen and Turriff Railway Act, 1855," 40,000*l.*; by "The Alford Valley Railway Act, 1856," 15,000*l.*; by "The Formartine and Buchan Railway Act, 1858," 50,000*l.*; by "The Keith and Dufftown Railway Acts, 1857 and 1860," 26,000*l.*; and they have accordingly subscribed the whole of these Sums, excepting 18,000*l.* out of the 26,000*l.* to the Keith and Dufftown Railway; that in pursuance of the Powers of the before-mentioned respective Acts, each of the before-mentioned Undertakings (excepting the Keith and Dufftown Railway) is now worked by the Company, and they will also work that Railway when it is made; that it would greatly facilitate the borrowing of Money in respect of the said Alford Valley, Aberdeen and Turriff, and Keith and Dufftown Railways, if the Company were authorized to guarantee the Payment thereof and of the Interest thereon; that it is expedient that the Company should be empowered to subscribe a further Sum of Money to the said Alford Valley and Formartine and Buchan Railways, and to raise further Monies for the Purpose of the said increased Subscriptions, and of enabling them to lay down additional Lines of Rails and provide additional Rolling Stock, Sidings, Stations, and other Conveniences in connexion with their Undertaking, and for the general Purposes thereof.

Incorporation of Parts of Companies Clauses Act, § 1.

2. The Company, with the Sanction of Three Fifths of the Votes of their Shareholders present, personally or by Proxy, at any Meeting convened with Notice of the Object, may from Time to Time exercise the following Powers; (that is to say,)

They may for any Period not exceeding 10 Years from the passing of this Act guarantee and secure to any Persons lending to the Alford Valley Railway Company, or to the Aberdeen and Turriff Railway Company, or to the Keith and Dufftown Railway Company, the Money or any Portion of the Money which those respective Companies may borrow; the Repayment of any Money so lent, or any Part thereof, with or without the Interest thereon or any Part thereof; or the Payment of such Interest alone, or any Part thereof; or the Payment for any specified Period of such Interest or any Part thereof:

They may from Time to Time out of their Income applicable to Dividend on their ordinary Shares and Stock (but not out of any other Fund) discharge any Monies which they may be called upon to pay upon or in respect of any such Guarantee, and to the Extent of the Sum so paid they shall be Creditors of the borrowing Company instead of the Persons to whom such Sums shall be so paid, and shall be entitled to the Benefit of, and may enforce the Mortgages for securing the same held by such Persons, as fully and effectually as such Persons themselves or their Representatives might do, if not paid off:

Provided always, that every such Guarantee shall be subject and without Prejudice to any Mortgages or Bonds then charged or attaching upon the Undertaking of the Company, and to any Preference or Priority in Payment of Interest or Dividend on any Shares or Stock theretofore granted by the Company by or in pursuance of or confirmed by any Act of Parliament, or then otherwise lawfully subsisting.

Company may subscribe 48,000*l.* towards the Alford Valley Railway, § 3.
And 100,000*l.* to the Formartine and Buchan Railway, § 4.
Company may apply their Funds to such Subscriptions, § 5.
Power to Company to raise additional Capital not exceeding 360,000*l.*, by new Shares, with or without a Preference not exceeding 5*l.* per Cent., §§ 6 to 15.

16. The Company may from Time to Time, under the Powers of this Act, borrow on Mortgage any additional Sum of Money not exceeding One Third of the additional Capital which the Company may from Time to Time raise under this Act, for any Purposes other than the subscribing, as by this Act authorized, to the Alford Valley and Formartine and Buchan Railways.

Cap. lxiii.

"Bradford, Wakefield, and Leeds Railway Amendment Act, 1862."

Proposes to amend "The Bradford, Wakefield, and Leeds Railway Act, 1860," and to make further Provision as to Purchase of Land and Completion of Works on Ossett Branch.

2. The 5th, 11th, and 12th Sections of the recited Act are hereby repealed.

3. The Powers by the recited Act given to the Company for the compulsory Purchase of Lands for the Purposes of that Act may be exercised within Three Years, but shall not be exercised after the Expiration of Three Years from the passing of that Act.

4. The Powers by the recited Act given to the Company for making the said Railway and Works may be exercised within Three Years, but shall not be exercised after the Expiration of Three Years from the passing of the recited Act, and the 13th Section of that Act shall be read and construed as if the Period by that Act limited for the Completion of the said Railway were the same as the Period by this Act limited for that Purpose.

Compensation, &c., §§ 5, 6.

Cap. lxiv.

"The Scottish North-eastern Railway Amendment Act, 1862."

Recites that the several Acts enumerated in the Schedule (A.) to this Act annexed have been passed in relation to the Aberdeen Railway Company and the Undertakings thereof, and to the Scottish Midland Junction Railway Company and the Undertakings thereof, and the said Two Companies and Undertakings are now united by "The Scottish North-eastern Railway Company's Act, 1856," the Midland Company having been thereby dissolved, and the Proprietors of Shares or Stock therein incorporated with the Proprietors of Shares or Stock in the Aberdeen Company, under the Name of "The Scottish North-eastern Railway Company;" that it was by the Amalgamation Act provided, that the Capital of the Scottish North-eastern Railway Company should consist of the Capital of the Aberdeen Company and the Capital of the Midland Company as the same respectively might be existing at the passing of the said Act, with such Additions as might be made thereto by the united Company under any of the Acts relating to the said Companies or either of them, or under the Amalgamation Act, but that such Capitals should be kept wholly separate and distinct, and should respectively be designated and distinguished as "the Aberdeen Capital Stock" and "the Scottish Midland Capital Stock," and it was further provided that certain Monies and Properties therein specified should be the peculiar Properties, and certain Liabilities, also therein specified, should be the peculiar Liabilities of the Proprietors of the said Capital Stocks respectively, but that in other respects the clear Revenue of the Company, after the 1st August 1855, should be divided into 100 Parts or Shares, of which 70 should be appropriated to the Proprietors of "Aberdeen Capital Stock," and 30 to the Proprietors of "Scottish Midland Capital Stock," as their respective Shares of the Earnings of the united Company; that the Aberdeen Company and the Midland Company were respectively authorized by the said Acts relating to them and their respective Undertakings to issue and create the several Shares or Capital Stocks, and raise the several Sums of Money specified in the Schedule (B.) to this Act annexed, to the Amount in all of 1,996,492*l.* 6*s.* 3*d.* (including therein the Sum of 136,825*l.* 12*s.* 11*d.* of Arrears of Dividend on Preference Stocks converted into a Capital Stock, as specified in the said Schedule), and Shares were issued by the said Companies respectively, as also specified in the said Schedule, to the Amount of 1,993,492*l.* 6*s.* 3*d.*, including the aforesaid Arrears of Dividend converted as aforesaid; that by "The Perth and Almond Valley and Methven Railway Act, 1856," the Midland Company were authorized to raise by the Creation of additional Shares a further Sum of 7,000*l.* for the Purpose of paying a Subscription of that Amount thereby authorized to be made by the said Company to the Undertaking by the said Act authorized, but no Part of such Capital has been created; that by the Acts enumerated in the First Part of the said Schedule (A.), the said Companies were respectively authorized to raise, by borrowing on Mortgage or Bond, and by the Issue of Debenture Stock bearing a guaranteed Rate of Interest not exceeding 4*l.* per Centum per Annum, certain further Sums of Money also specified in the said Schedule (B.), not exceeding in the whole the Sum of 743,000*l.*; that the Aberdeen Company, the Midland Company, and the Scottish North-eastern Railway Company have received on Capital Account the several Sums also specified in the said Schedule (B.) to this Act, and have expended on Capital Account the Sum of 2,821,073*l.* 12*s.* 1*d.*, including the aforesaid Arrears of Preference Dividend, and the further Sum of 7,000*l.*, which by the Methven Act they were authorized to subscribe to the Undertaking thereby authorized; that the Scottish North-eastern Railway Company have, under the Powers of the said Acts, issued Debenture Stock to the Amount of 76,128*l.*, and no more, as also specified in the said Schedule (B.) to this Act, in lieu of a corresponding Amount of Debenture Stock issued by the Aberdeen Company, or of Money previously borrowed on Mortgage or Bond by the Aberdeen Company, and Midland Company, and the Scottish North-eastern Railway Company respectively, and they have also raised by other Loans the Sum of 41,893*l.* 6*s.* 9*d.*; that on the 31st January 1862 the Liabilities of the Company incurred for the Purposes of the Railway, exclusive of the above-mentioned Sum of 41,893*l.* 6*s.* 9*d.*, raised by Loans, amounted to the Sum of 91,249*l.* 1*s.* 9*d.*; that for the greater Convenience in working of the Traffic and the Accommodation of the Public, it is expedient that a Portion of the Main Line of the Company's Railway at Forfar should be diverted, so as to enable the Company to enlarge their Station Accommodation there; that the Station and other Accommodation of the Scottish North-eastern Railway Company at the Places herein-after mentioned is inadequate to the Requirements of the Traffic at these Places respectively, and it is expedient that such Accommodation should be increased, and that the said Company should be authorized to hold and acquire additional Lands for extraordinary Purposes; that it is expedient that Power should be given to the Scottish North-eastern Railway Company to raise by the Creation of new Shares an additional Sum of 350,000*l.*, and a further Sum by way of Loan for Payment of the said existing Debts of the Company, the Construction of the aforesaid additional Works, and other Purposes of the Company as herein-after authorized; that certain Agreements relating to the General Station at Perth, and Access thereto, should be sanctioned and confirmed; and that some of the Powers and Provisions of the several Acts should be repealed, altered, and amended.

Incorporation of Consolidation Acts, §§ 2 to 4.

5. It shall be lawful for the Company, for the Purpose of discharging the existing Liabilities of the Company, and for executing the Works by this Act authorized, and for executing any Works, or raising and paying any Subscriptions or Expenditure to be authorized by any other Act relating to the Company, or giving to the Company Power to subscribe to other Railways, which may be passed in the present Session of Par-

liament, and for the general Purposes of the Company, from Time to Time to raise, in addition to the Sums of Money already raised by virtue of the Acts specified in the Schedule (A.) to this Act annexed, any further Sum or Sums of Money, not exceeding in the whole the Sum of 350,000*l.*, by the Creation of new Shares bearing a Rate of Interest or Dividend not to exceed 5*l.* per Centum per Annum, and that either in One Sum of 350,000*l.*, or in Three several Sums of 160,000*l.*, 100,000*l.*, and 90,000*l.*

Additional Capital to be divided into new Shares or Stock, § 6.

Preference on new Shares over original Stocks not to be created without the Consent of Three Fifths of original Proprietors at Special Meetings of each Class, § 7.

Dividends to be declared to Aberdeen Shareholders out of Share of Revenues appropriated to Aberdeen Capital Stock; Dividend to be declared to Holders of Scottish Midland Capital Stock, § 8.

Sums set apart for Dividends on new Preference Shares to be applied accordingly, § 9.

Limiting Preference Dividends, § 10.

Saving existing Preferences, § 11.

Rights of new Shareholders to be in proportion to the Value of new Shares, § 12.

Calls, § 13.

Power to borrow additional Sum when and as new Capital subscribed for and Half paid up, but not exceeding 50,000*l.* in all, §§ 16 to 19.

Mode of voting, §§ 20, 21.

Purchase of Lands at Perth Station confirmed, § 22.

Description of Railway and Road Alterations, § 23.

Lands may be taken for new Works, § 24.

Description of additional Station Accommodation, § 25.

Power to purchase Lands for Station Improvements, § 26.

Three Years for compulsory Powers of Purchase, § 27.

Five Years for Completion of new Works, § 28.

Roads at Stations rendered unnecessary by new Roads may be abandoned, § 29.

Power to exchange Lands with incapacitated Persons, § 30.

New Portion of Railway at Forfar to be Part of Scottish Midland Junction Railway, and the Tolls of that Railway may be taken thereon, § 31.

Extending Period for Sale of Lands and Feu Duties to the North of Guild Street, § 32.

Confirming Agreements as to the General Station and the Access thereto by the Company over the Line of the Scottish Central Railway Company, § 33.

Power to pay gross Sum in lieu of annual Sum, § 34.

Saving of Provisions of "The Scottish Central Company's Act of 1859," § 35.

Confirmation of Award of Referees apportioning Costs relative to the General Station and Access thereto, § 36.

Saving Jurisdiction of Sheriffs, § 37.

Schedule A.—Acts relating to the Scottish North-eastern Railway Company or their Railways.

SCHEDULE B.—Existing Share and Loan Capital of the Scottish North-eastern Railway Company.

Company.	Acts.	Date of Creation.	Rate of Dividend and Conditions.	Amount authorized.	Amount issued.	Amount paid up.
			ABERDEEN CAPITAL STOCK.			
			I. Ordinary Stock.	£ s. d.	£ s. d.	£ s. d.
The Aberdeen Railway Company	8 & 9 Vic. Cap. 153. (31 July 1845) -	- - - -	- - - - - -	830,000 0 0	830,000 0 0	829,849 19 6
	10 & 11 Vic. Cap. 142. (9 July 1847) -	- - - -	- - - - - -	3,000 0 0	Nil.	Nil.
			II. Preference Stock.			
	11 & 12 Vic. Cap. 67. (22 July 1848) -	- - - -	No. (1.) 6 per Centum per Annum -	276,666 13 4	276,666 13 4	276,238 13 4
	13 & 14 Vic. Cap. 78. (29 July 1850) -	- - - -	No. (2.) 7 per Centum per Annum -	150,000 0 0	150,000 0 0	150,000 0 0
	16 & 17 Vic. Cap. 101. (8 July 1853) -	- - - -	No. (3A.) 3½ per Centum per Annum Arrears of Dividend on 6 per Cent. Preference Stock	73,174 13 7	73,174 13 7	73,174 13 7
	16 & 17 Vic. Cap. 101. (8 July 1853) -	- - - -	No. (3B.) 3½ per Centum per Annum Arrears of Dividend on 7 per Cent. Preference Stock	63,650 19 4	63,650 19 4	63,650 19 4
				£1,396,492 6 3	£1,393,492 6 3	£1,392,914 5 9
			III. Scotch Midland Capital Stock.			
The Scottish Midland Junction Railway Company - -	8 & 9 Vic. Cap. 170. (31 July 1845) -	- - - -	Ordinary Stock - - - -	300,000 0 0	600,000 0 0	600,000 0 0
	9 & 10 Vic. Cap. 75. (26 June 1846) -	- - - -	Ordinary Stock - - - -	300,000 0 0		
				£1,996,492 6 3	£1,993,492 6 3	£1,992,914 5 9
			IV. Mortgage and Bond Debts.	£ s. d.		
The Aberdeen Railway Company	8 & 9 Vic. Cap. 153.	- - - -		276,666 13 4		
	10 & 11 Vic. Cap. 142.	- - - -		1,000 0 0		
	11 & 12 Vic. Cap. 67.	- - - -		92,222 4 6		
	13 & 14 Vic. Cap. 78.	- - - -		50,000 0 0		
The Scottish Midland Junction Railway Company - -	8 & 9 Vic. Cap. 170.	- - - -		100,000 0 0		
	9 & 10 Vic. Cap. 75.	- - - -		100,000 0 0		
				£619,888 17 10		
		From which deduct	Sum authorized by 10 and 11 Vic. Cap. 142.; the Shares authorized by that Act were not issued -	1,000 0 0		
				£618,888 17 10		
The Scottish North-eastern Railway Company - - -	19 & 20 Vic. Cap. 134. (29 July 1856) -	- - - -	- - - - - -	£618,888 17 10	£618,888 17 10	£618,888 17 10
			V. Debenture Stock.			
The Scottish North-eastern Railway Company - - -	19 & 20 Vic. Cap. 134. (29 July 1856) -	- - - -	Four per Centum per Annum irredeemable. The whole Amount of the Mortgage and Bond Debt may be converted into this Stock; but the Amount in Mortgage and Bond and in Debenture Stock in no Case to exceed - - - -	£743,000 0 0	£76,128 0 0	£76,128 0 0
						£2,687,931 3 7

Cap. lxv.

"Bolton and Blackburn Road Act, 1862."

Preamble recites 11 Geo. 4. & Will. 4. c. xxx.; that the several Sums of Money specified in the First Schedule to this Act (viz. 19,228*l.* 2*s.* 10*d.*) are now due and owing on the Credit of the Tolls authorized by the recited Act to be taken on the Road from Bolton-le-Moors to Blackburn; and the several Sums of Money specified in the Second Schedule to this Act (viz., 293*l.* 10*s.* 6*d.*) are now due and owing on the Credit of the Tolls authorized by the recited Act to be taken on the Branch Road from Mather Fold to Hardman's in the Township of Turton; that it is expedient that the recited Act, so far as the same relates to the Road from Bolton-le-Moors to Blackburn, and the Branch Road from Mather Fold to Hardman's, in the Township of Turton, should be repealed, and that further and more effectual Powers should be granted instead thereof for the Maintenance and Repair of the Roads herein-after described, and for discharging the existing Debts in respect of those Roads.

Recited Act repealed so far as relates to the Road from Bolton to Blackburn, and the Branch Road from Mather Fold to Hardman's, and this Act to be put in force, § 2.

Tolls, §§ 10 to 24.

Trust continued for 21 Years, § 32.

Cap. lxvi.

"Cromford and High Peak Railway (Lease) Act, 1862."

Recites that in 1855 the Cromford and High Peak Railway Company was dissolved, and the Shareholders in the same were again incorporated by the same Name; that in 1858 further Powers were conferred on the Company; that the Cromford and High Peak Railway unites with the Stockport, Disley, and Whaley Bridge Railway, near Whaley Bridge, and such last-mentioned Railway is, under Agreement sanctioned by Parliament, worked by the London and North-western Railway Company; that it is expedient that the Cromford Company should be authorized to grant, and the North-western Company to accept, a Lease of the Undertaking of the Cromford Company; and that such Provisions should be made as are in this Act contained with reference to the working of the Cromford and High Peak Railway in connexion with the Railways of the Stockport, Disley, and Whaley Bridge Railway Company; that the Share and Loan Capital of the Cromford Company consists of the Stocks and Shares herein-after specified, and ranking as follows; (that is to say,) 31,910*l.* Debenture Stock Class (A.), bearing Dividend or Interest at 3*l.* 10*s.* per Centum per Annum; 6,000*l.* borrowed on Mortgage or Bond; 19,630*l.* in Preference Shares, entitled to a preferential Dividend of 6*l.* per Centum per Annum; 46,915*l.* Debenture Stock Class (B.), entitled to Dividend or Interest at the Rate of 2*l.* 10*s.* per Centum per Annum; 127,700*l.* ordinary Capital, entitled to Dividend after the Rate of 2*l.* 10*s.* per Centum per Annum, and to any Residue of Profits rateably with the Holders of the Debenture Stock Class (A.) and Class (B.); that the Company, after the passing of the Act of 1855, raised the said Sum of 19,630*l.*, Part of the Sum of 20,000*l.* by that Act authorized to be raised, and expended the same in the Improvement of their Railway, and in adapting a Portion of the same to Locomotive Engines, and have incurred a Debt to their Bankers to the Amount of 14,000*l.*, or thereabouts; that by their Act of 1858 the Cromford Company are authorized to raise 60,000*l.* by additional Preference Shares, ranking pari passu with the existing Preference Shares, and to borrow 20,000*l.* on Mortgage or Bond, but none of such Powers have been exercised; that at an Extraordinary Meeting of Stock and Share Holders of the Cromford Company, held on the 11th October 1861, it was unanimously resolved as follows:—1st. That the Sums of 14,000*l.* and 6,000*l.* be raised at a Rate not exceeding 4*l.* 10*s.* per Centum per Annum; 2d. That Class (A.) Shares, 31,910*l.*, shall receive Interest at the Rate of 3*l.* per Centum per Annum; 3d. That the Preference Shares, 19,630*l.*, shall receive Interest at the Rate of 3*l.* 10*s.* per Centum per Annum; 4th. That Class (B.) Shares, 46,915*l.*, shall receive Interest at the Rate of 1*l.* 15*s.* per Centum per Annum; 5th. That the original Shares shall take any Remainder that may be forthcoming; that the Parties severally interested have consented that such Provisions should be made for carrying out the Objects of the Resolution as are in this Act contained, except Harry Byam Shelley, whose Rights are expressly reserved in this Act, and certain other Persons interested in 400*l.* Debenture Stock Class (A.), whose Consent from Absence and other Causes could not be obtained, but such Persons are also Holders of original Shares to the Amount of 2,000*l.*, and will be therefore benefited by the Arrangements in this Act contained.

Company to lease Undertaking to London and North-western Company, §§ 2 to 10.

11. The following Provisions of the Act of 1855 are by this Act repealed; (that is to say,)

Section 24. Preference Shares to bear a preferential Dividend of 6*l.* per Centum:

Section 25. The Dividend on Preference Shares to be a Charge on the Company, after Debenture Stock Class (A.):

Section 40. Interest on Class (A.) Debenture Stock, such Stock to constitute a permanent Charge:

Section 41. Debenture Stock Class (B.) to be a permanent Charge:

Section 43. Division of the Profits of the Undertaking.

Arrears of Interest extinguished, § 12.

Power to raise 20,000*l.* by Preference Shares, § 13.

Company may agree with Creditors for their Acceptance of Shares, § 14.

Preference Shares to bear a preferential Dividend not exceeding 4*l.* 10*s.* per Cent., § 15.

Dividend on Preference Shares to be a First Charge on the Company, § 16.

Distribution of First Preference Shares, § 17.

New Shares to be subject to Provisions of Companies Clauses Act, § 18.

19. The Debenture Stock Class A. shall be a permanent Charge on the Undertaking of the Cromford Company, and the Second Charge on the Rent received by the Cromford Company from the North-western Company, and the Rate of Interest or Dividend payable on such Debenture Stock shall be the Sum of 3*l.* per Centum per Annum.

20. The Interest or Dividend for the Time being payable on the Preference Shares created under the Authority of the Act of 1855, shall be a Charge on the Rent received by the Cromford Company from the North-western Company after the Debenture Stock Class A., and the Rate of Interest or Dividend shall be 3*l.* 10*s.* per Centum per Annum.

21. The Debenture Stock Class B. shall be a permanent Charge upon the Undertaking of the Cromford Company, and upon the Rent received by the Cromford Company from the North-western Company, and shall rank next in priority after the Preference Shares of 3*l.* 10*s.* per Centum per Annum, and there shall be paid thereon, when and as the Revenues of the Cromford Company will allow thereof, Interest after the

Rate of 1*l.* 15*s.* per Centum per Annum, in preference to any Dividend upon the original Shares.

22. All Monies received by the Cromford Company from the North-western Company by way of Rent, and whether the same shall have been received previous to or shall be received at any Time after the passing of this Act, shall, after discharging the Expenses of Management and incidental thereto, be applied in manner following; (that is to say,)

First. In Payment to the Proprietors of First Preference Shares of Interest or Dividend after the Rate at which the same are issued, not exceeding the Rate of 4*l.* 10*s.* per Centum per Annum:

Second. In Payment to the Proprietors of Debenture Stock Class A. of Interest or Dividend after the Rate of 3*l.* per Centum per Annum, such Interest or Dividend to be computed from the 25th Day of March 1862:

Third. In Payment to the Holders for the Time being of Preference Shares created under the Provisions of the Act of 1855 of Dividends at the Rate of 3*l.* 10*s.* per Centum per Annum, such Dividends to be computed from the 25th Day of March 1862:

Fourth. In Payment of Dividend to the Proprietors for the Time being of the Debenture Stock Class B. at and after the Rate of 1*l.* 15*s.* per Centum per Annum, such Dividend to be computed from the 25th Day of March 1862:

Fifth. Any Residue from Time to Time of the said Rent shall be divided amongst the Proprietors for the Time being of the original Shares in proportion to the Number of Shares held by them respectively.

23. Until the said Sum of 6,000*l.* borrowed by the Cromford Company shall have been paid off or converted into First Preference Shares, the Persons to whom such Money shall be due shall be entitled to be paid Interest at the Rate of 4*l.* 10*s.* per Centum per Annum, to be computed from the 25th Day of March 1862, in the same Manner as they would have been entitled if they had accepted First Preference Shares in discharge of the Sums of Money due to them: Provided always, that if Interest has been paid to any Person on such Sums of Money, or any Part thereof, for the whole or any Part of the Period between the 25th Day of March 1862 and the Declarations of the First Dividend after the passing of this Act, a Deduction shall be made in respect thereof from the Interest payable to such Person in pursuance of this Enactment.

24. Until the said Sum of 14,000*l.* or thereabouts due by the Cromford Company shall have been paid off or converted into First Preference Shares, nothing in this Act contained shall take away the Rights and Powers of the Persons to whom such Sum of Money or any Part thereof is due of enforcing against the Cromford Company the Payment of the Principal of and Interest (at the Rate of 5*l.* per Centum per Annum) upon such Sum of Money or any Part thereof; and if the Directors of the Cromford Company shall, out of the Rent received from the North-western Company, pay off such Sum of 14,000*l.* or thereabouts, or any Part thereof, and by reason thereof be unable to pay Interest or Dividend as before prescribed on the Debenture Stock Class A., and the Preference Shares created under the Act of 1855, and the Debenture Stock Class B., or any of them, or any Part thereof, any Deficiency in Interest or Dividend upon such Debenture Stocks or Preference Shares which may from Time to Time so arise shall be made good to the Holders thereof according to the respective Priorities of such Debenture Stocks and Preference Shares respectively before any Dividend is paid upon the original Shares, and so from Time to Time until Interest or Dividend on all the Stocks and Shares (except the original Shares), after the Rate in this Act prescribed, computed from the 25th Day of March 1862, shall have been fully paid and satisfied: Provided always, that this Enactment shall not in any way prejudice or affect the Lease of the Undertaking of the Cromford Company, or the Rights of the Lessees thereunder, nor the Right of the Holders of the First Preference Shares to Interest or Dividend after the Rate at which such First Preference Shares may be issued.

25. If there be any Surplus in hand of the Rent paid by the North-western Company for the Half Year ending the 25th Day of March 1862, the same may be retained by the Directors of the Cromford Company, and applied by them in reducing the Debts of the Cromford Company in such Manner as the Directors from Time to Time think proper.

26. The Cromford Company shall not create or issue any Shares under the Powers and Provisions of the Act of 1858, or raise any Money upon Mortgage or Bond under the Authority of that Act, except with the Consent and at the Request of the North-western Company, and upon such Terms and Conditions as the Companies may mutually agree, not exceeding the Rate authorized by that Act: Provided always, that the Cromford Company shall not be required nor shall it be lawful for the Directors of the Cromford Company to apply any Part of the Rent of 4,000*l.* to be reserved by the Lease to be granted in pursuance of this Act, in Payment of Interest or Dividend upon any Money raised under the Provisions of the Act of 1858, or in any Manner to charge such Money upon such Rent, but such Interest or Dividend shall be paid by way of additional Rent by the North-western Company.

27. And whereas Harry Byam Shelley, the registered Owner of 600*l.* Debenture Stock Class (A.) is in Burmah, and his Consent to this Act has not been obtained: Therefore the Right of the said Harry Byam Shelley to receive in respect of the said 600*l.* Debenture Stock Class (A.) belonging to him Interest or Dividend after the Rate prescribed by the Act of 1855 shall not be altered until the Consent of the said Harry Byam Shelley or the Owner for the Time being of the said 600*l.* Debenture Stock Class (A.) shall have been given to this Act; and any such Consent may be in the following Form; that is to say, "I consent to the financial Arrangements "contained in The Cromford and High Peak Railway (Lease) "Act, 1862."

Cap. lxvii.

"The Kington and Eardisley Railway Act, 1862."

Proposes to make a Railway from the Tramway of the Kington Railway Company in the Parish of Kington, in the County of Hereford, to the Hereford, Hay, and Brecon Railway in the Parish of Eardisley, in the same County, and a Branch therefrom to join the Leominster and Kington Railway; recites that it is expedient that the Hereford, Hay, and Brecon Railway Company and the Company should be authorized and enabled to enter into Working Arrangements, and that the Leominster and Kington Railway Company, and the Hereford, Hay, and Brecon Railway Company, and the Company should be authorized and enabled to enter into Traffic Arrangements; that by 58 Geo. 3. c. lxiii. (Local) the Kington Railway Company were incorporated, and authorized to make a Railway or Tramroad, to be called "the Kington Railway," from the Hay Railway at or near Eardisley to or near certain Limeworks at or near to the Village of Burlinjob; that the said Company made the Railway, in this Act called "the Tramroad," and the Capital of the Company consists of 18,000*l.*, divided into 180 fully paid-up Shares of 100*l.* each; that a considerable Portion of the Tramroad is required for the Purposes of the Railway by this Act authorized to be made, and the taking of such Portion would be prejudicial to the Tramroad Company; that

if the Tramroad and the Lands and Property of the Tramroad Company were the Property of the Company incorporated by this Act a considerable Portion thereof might with Advantage be made use of for the Purposes of this Act; and that it is expedient that the Tramroad and all the Lands and Property of the Tramroad Company should be vested in the Company.

Incorporation of Consolidation Acts, §§ 2, 3.
Subscribers incorporated, with a Capital of 100,000*l.*, and with Power to borrow 33,000*l.*, §§ 4 to 11.
Meetings; Directors, §§ 12 to 19.
Power to make Railways, §§ 20, 21.
Power to alter and adapt Tramroad between Kington and Eardisley, § 22.
Dimensions of Arches of certain Bridges, § 23.
Lands for extraordinary Purposes, § 24.
Lands to be purchased by Compulsion within Three Years, § 25.
Five Years for Completion of Railways, §§ 26, 27.
Junction with other Railways to be made in manner most approved, §§ 28 to 31.
Tolls, §§ 32 to 41.
Power to make Working Agreements with the Hereford, Hay, and Brecon Railway Company, and Traffic Arrangements with that Company and the Leominster and Kington Railway Company, §§ 42 to 50.
Scheduled Agreement confirmed, § 51.
Tramroad and Property of Tramroad Company vested in the Company, §§ 52 to 63.
Discontinuance of User of Parts of Tramroad, § 64.
Maintenance and Working of Tramroad, § 65.
Clauses 127 to 131 of "Lands Clauses Consolidation Act, 1845," not to apply to Sale by Company of Parts of Tramroad not appropriated, § 66.
Sale of Parts of Property of Tramroad Company by the Company, §§ 67 to 74.
Purchasers to be under the same Obligation as to Fences and otherwise as the Tramroad Company, § 76.
Rights of crossing Tramroad by Owners and Occupiers of adjoining Land preserved, § 77.
Compensation in respect of Wharves, § 78.
Provision as to Roads, § 79.
Application of Compensation, § 80.
General Saving of Rights and Liabilities, §§ 81 to 88.
Schedule (Agreement).

Cap. lxviii.

"The London, Brighton, and South Coast Railway (Stations, &c.) Act, 1862."

Recites that it is expedient that the Station of the London, Brighton, and South Coast Railway Company at London Bridge, and the Station of the Company at or near the Bricklayers Arms, in the Parish of Saint Mary Bermondsey, and the Accommodation and Conveniences of the Company in connexion, with their East Croydon Station be altered and enlarged; that in order to effect the Objects aforesaid, or some of them, that a Portion of Saint Thomas Street East and Webb Street in the Borough of Southwark, and of certain Roads called Gloucester Road and Saint James's Road in the Parish of Croydon, and the Level of a certain Road called Grange Road in the Parish of Bermondsey, should be altered or diverted; that it would also enable the Railways of the Company to be worked with greater Safety and Convenience if certain Bridges belonging to the Company, situate in the Parishes of Streatham, Battersea, and Croydon respectively, were altered and improved; that it is expedient that the Company should be authorized to build, charter, hire, maintain, and work Steamboats and other Vessels in communication with the Railways of the Company, for the Conveyance of Traffic between the Ports of Newhaven and Dieppe; and that the Company be empowered to raise a further Sum of Money, and that some of the Powers of their Acts should be amended.

Provisions of Consolidation Acts incorporated, §§ 2 to 5.
Power to enlarge Stations and make Works, §§ 6, 7.
Power to cross and interfere with Roads, Streets, &c., §§ 8, 9.
Size and Dimensions of Bridge, § 10.
Precaution during Works, § 11.
Traffic on the Road not to be stopped during Works, § 12.
Works connected with Surrey and Sussex Roads to be made under the Superintendence of the Road Surveyor, § 13.
The Bridge for crossing the said Turnpike Road to be completed in Six Months, § 14.
Company to make good Damage to Roads, § 15.
Alterations with Consent of Road Trustees, § 16.
As to Repair of substituted Streets, § 17.
Not to stop up or divert certain Streets, and to regulate the Construction and Height of Bridges or Arches, § 18.
As to Width of certain Streets in Southwark, § 19.
As to lighting Arches, § 20.
Company to fence off and enclose Arches, § 21.
Saving Rights, § 22.
For Protection of Sewers of Metropolitan and other Boards, § 23.
Works in connexion with Southwark and Vauxhall Water Company to be executed by that Company, § 24.
In default of Southwark Company, the Company may execute the necessary Works, § 25.
The Company not to take the Lands of Mr. West without his Consent, § 26.
Three Years for compulsory Purchase of Lands, § 27.
Works to be Part of Undertaking of Company, § 28.
Extending to all Company's Lines Provision of General Act as to Gates, § 29.
Company may run Steam Vessels between Newhaven and Dieppe, § 30.
Rates for Steamers, § 31.
Provisions of 17 & 18 Vict. c. 31. extended to Steamboats, § 32.
Provisions of former Acts to apply to Rates authorized to be taken, § 33.
Company empowered to make Byelaws, § 34.

35. Provided always, that in the Month of August or of September 1875, and in the Month of August or September in the Years 1881 and 1889, and of each Seventh Year thereafter, or in any of those Months, the Board of Trade may, if they shall be of opinion that the public Interests are injuriously affected by the Exercise of the Powers and Provisions of this Act with respect to Steam Vessels, give to the Company Notice in Writing thereof, and of the Reasons on which that Opinion is founded, and if the Company shall not before the Beginning of the then next Session of Parliament make Provision to the Satisfaction of the Board of Trade for remedying the Injury to the public Interests, or if the same are incapable of being remedied by the Company, then the Board of Trade at the Beginning of the Session of Parliament then next following shall report to Parliament such their Opinion, and the Reasons on which that Opinion is founded, and at the Expiration of Twelve Calendar Months after the Presentation to Parliament of any such Report, those Powers and Provisions, or such of them as are specified in such Report, shall (unless Parliament in the meantime otherwise provide) cease to be exercised.

Application of Funds, § 36.
Power to raise 350,500*l.* by new Shares, with or without Preference Dividend of not more than 5*l.* per Cent., §§ 37 to 39.
Preferential Dividends not to carry Arrears beyond One Year, § 40.
Disposal of Shares, §§ 41 to 48.
Power to borrow 116,500*l.*, §§ 49 to 51.

52. The Powers of the Company for the Conversion of Shares into Stock shall extend to all Shares when the nominal Value thereof is or shall be fully paid up, whether paid up in pursuance of Calls or wholly or partly in anticipation of Calls.

53. Subject and without Prejudice to any Mortgages or Bonds granted by the Company under any Act of Parliament, and for the Time being in force, the Powers and Provisions of "The London, Brighton, and South Coast Railway Act, 1853," "The London, Brighton, and South Coast Railway Act, 1854," and "The London, Brighton, and South Coast Railway Company's Act, 1859," respectively, with respect to the Conversion of borrowed Capital into Debenture Stock and perpetual Annuities, the Creation and Issue of Debenture Stock, and the Grant and Sale of Debenture Stock, and of perpetual Annuities in lieu of or in substitution for borrowing or re-borrowing and providing Funds for paying off Mortgages or Bonds, and otherwise relating to such Debenture Stock and Annuities, and the Application and Investment of the Money to arise from the Grant, Sale, and Issue of any Debenture Stock and perpetual Annuities, shall extend and apply to all Money which the Company are by this Act authorized to borrow, as fully and effectually as if all those Monies had been at the Date of the passing of "The London, Brighton, and South Coast Railway Act, 1853," authorized to be borrowed.

Separate Accounts of the Application of Debenture Stock and Annuities to be kept, § 54.
Closing of Registers of Transfers of Debenture Stock and Annuities, § 55.

Cap. lxix.

"The Lostwithiel and Fowey Railway Act, 1862."

Proposes to make a Railway from the Cornwall Railway near Lostwithiel to Fowey.
Incorporation of Consolidation Acts, §§ 2, 3.
Subscribers incorporated, with a Capital of 30,000*l.*, and with Power to borrow 10,000*l.*, §§ 4 to 10.
Meetings; Directors, §§ 11 to 20.
Power to take Lands, § 21.
Power to make Railway, § 22.
Agreements with relation to Cornwall Railway Bridge over the River Fowey, § 23.
As to Junction with Cornwall Railway, §§ 24 to 26.
Admiralty Provisions, §§ 27 to 32.
Lands for extraordinary Purposes, § 33.
Two Years for compulsory Purchase of Lands, § 34.
Four Years for Completion of Works, §§ 35, 37.
Enabling the making of Grants of Land and Hereditaments on the Part of the Duchy of Cornwall, § 36.
Tolls, §§ 38 to 46.
Working Arrangements between Company and Cornwall Railway Company, §§ 47 to 53.
Saving the Rights of the Duchy of Cornwall, § 54.

Cap. lxx.

"Saint Giles in the Fields Glebe Act, 1862."

Recites that by 43 Geo. 3. c. xx., intituled "An Act to provide a new Burial Ground and erect a Chapel thereon, for the Parish of Saint Giles in the Fields in the County of Middlesex," the Rector and Churchwardens of the Parish and other Persons were appointed Trustees for putting the Act into execution, and were authorized to purchase Land not exceeding Five Acres in the whole in any Parish in the County of Middlesex adjacent to the Parish of Saint Giles in the Fields, for the Purposes of a Burial Ground for that Parish, and Provision was therein made for the Inclosure thereof, or of such Part thereof as the Trustees should judge necessary, and for the Consecration of the same and the Erection of a Chapel thereon, and the Trustees, or any Five or more of them, were authorized with the Privity and Consent of the Vestry, but not otherwise, to agree for, sell, dispose of, and convey, or let or demise so much (if any) of the Ground, Hereditaments, and Premises so purchased as should not be deemed necessary for the Burial Ground, and Provision was also made for the raising by the Trustees of Money by Annuities chargeable on the Rates; that under the Act of 1803 the Trustees purchased Lands and Hereditaments in the Parish of Saint Pancras in the County of Middlesex, Part of which were inclosed and consecrated for the Purposes of a Burial Ground for the Parish of Saint Giles in the Fields, and a Chapel erected thereon, and the Remainder thereof were, on the 23d November 1803 demised by the Trustees for a Term of 61 Years; that by Order of Her Majesty in Council, under the Authority of the Public General Acts amending the Laws concerning the Burial of the Dead in the Metropolis, the Burial Ground has been closed as a Burial Ground, subject as therein mentioned; that all Annuities and Principal Monies and Interest chargeable in accordance with the Act of 1803 for any of the Purposes thereof on any of the Rates by that Act authorized have long since been fully paid off or satisfied and discharged, and the Trustees have no Debenture or other Debt whatsoever; that the several Provisions of the Act of 1803 with respect to the Trustees are either superseded or have become unnecessary; that the Trustees are desirous and it is expedient that the Lands and Hereditaments now vested in them should (subject to all now subsisting Charges under or by virtue of the Act of 1803, and to the decent Maintenance of the disused Burial Ground) be transferred to and vested in the Rector of the Parish of Saint Giles in the Fields and his Successors for ever.
Repeal of recited Act, § 2.
Saving Section of repealed Act set forth in Schedule to Act, § 3.
Re-enactment of Provisions of repealed Act granting Compensations to the Vicar and Parishioners of Saint Pancras, § 4.
Lands and Hereditaments vested in Rector as his Glebe, § 5.
Other Property of Trustees to vest in Rector, § 6.
Saving of Rights under repealed Act, §§ 7 to 9.
Rector to represent Trustees, § 10, 11.
Rector to keep in order disused Burial Ground, § 12.
Power for Rector to borrow 2,000*l.* on Mortgage of the Glebe, § 13.
Application of borrowed Monies, § 14.
Account to be rendered by the Rector, § 15.
Sinking Fund by be provided to pay off Monies secured by Mortgage of Glebe, § 16.
Investment of Sinking Fund, § 17.
Names in which Investment is to be made, § 18.
Rectors from Time to Time to pay Interest on Mortgages or Charges and Amount for Sinking Fund, § 19.
Power to reborrow, but not any Sum paid off by Sinking Fund, § 20.
Receipt of Rector to be a sufficient Discharge, § 21.

Saving Rights of Bishop of London and of Vicar, Churchwardens, Overseers, and Parishioners of Saint Pancras, §§ 22, 23.

SCHEDULE.

Section 12 of Act of the 43d Year of George the Third, Chapter 20, intituled "An Act to provide a new Burial Ground and "erect a Chapel thereon for the Parish of Saint Giles in the "Fields, in the County of Middlesex," saved by the foregoing Act, and to continue in force:

"And be it further enacted, That the said Ground, Hereditaments and Premises so to be vested in the said Trustees and their Successors, together with all Buildings erected or hereafter to be erected thereon or on any Part thereof, shall, from and after the same shall be vested in the said Trustees by virtue of this Act, be deemed and taken to be within and Part of the said Parish of Saint Giles in the Fields, and shall for ever thereafter be freed, exempted, and discharged of and from the Payment of all and all Manner of Parliamentary and Parochial Taxes, Rates, and Assessments to any other Parish or Place whatsoever, and also of and from the Payment of all Tithes, Funeral Rates, and other Dues and Duties whatsoever to the Rector or Vicar of any such Parish or Place, other than and except as herein-before mentioned, any Law, Custom, or Usage to the contrary thereof notwithstanding."

Cap. lxxi.

"The Weymouth and Portland Railway Act, 1862."

Proposes to authorize the Construction of a Railway from Weymouth to the Isle of Portland, and to extend the Wilts, Somerset, and Weymouth Railway to the Harbour, and to authorize Agreements with the Great Western and the London and South-western Railway Companies.
Incorporation of Consolidation Acts, §§ 1, 2.
Subscribers incorporated, with a Capital of 75,000*l.*, and with Power to borrow 25,000*l.*, §§ 3 to 8.
Meetings; Directors, §§ 9 to 14.
Power to make Railways, §§ 15, 16.
Power to alter Engineering Works, § 17.
Level Crossing, §§ 18 to 21.
As to Bridge over public Road in Wyke Regis, § 22.
As to Communications with Wilts, Somerset, and Weymouth Railway, § 24.
Not to take Lands or interfere with Works of Great Western Railway Company without Consent, § 25.
Saving the Rights of Great Western and London and South-western Railway Companies, § 27.
Admiralty Provisions, §§ 28 to 33.
Lands to be bought by Compulsion within Three Years, § 35.
Four Years for Completion of Works, §§ 36, 37.
Tolls in respect of Railways, 38 to 41.
Tolls may be taken by other Companies, subject to Working Agreement, § 42.
Power to enter into Traffic Arrangements with Great Western and London and South-western Railway Companies, §§ 43 to 49.
Heads of Agreement in Schedule confirmed, § 50.
Appointment of Joint Committee for carrying Agreements into effect, § 51.
Saving Rights of the Crown, § 55.
Schedule (Heads of Agreement).

Cap. lxxii.

"The Stretford Gas Act, 1862."

Recites Deed of Settlement of 9th Nov. 1852; that the Company was duly registered on the 30th Oct. 1856; that of their authorized Capital of 15,000*l.* there is about 10,100*l.* paid up; that they have not borrowed any Monies; and that they have expended about 10,000*l.*; proposes to extend their Limits, and to incorporate the Company.
Incorporation of Consolidation Acts, §§ 2, 3.
Limits of Act, § 4.
Incorporation of Company, and Saving of Rights and Liabilities, §§ 5 to 15.
Capital to be 39,000*l.*, § 16.
Appropriation of Shares, § 17.
Power to issue Preference Shares with Dividend of 6*l.* per Cent., § 18.
Terms of Preference Shares to be stated on Certificate, § 19.
Registration of Shares, § 20.
Creation and Issue of new Shares, § 21.
Deficiency of Interest not to be paid out of Profits subsequent to Three Years after Deficiency, § 22.
Power to cancel unissued Shares, §§ 23 to 30.
Power to borrow on Mortgage a Sum equal to One Fourth of the paid-up Capital, §§ 31 to 33.
Directors; Meetings, §§ 34 to 42.
Power to purchase Lands, §§ 43, 44.
Gas not to be manufactured on any other Lands, § 45.
Powers as to Construction of Gasworks, § 46.
Supply of Gas; Meters; Penalties; testing of Gas, §§ 47 to 58.
Company not to construct Works, &c. over Duke of Bridgewater's Canal without Consent of the Trustees of the Will of the Duke of Bridgewater or the Mersey and Irwell Navigation Company, § 60.

Cap. lxxiii.

"The Windermere District Gas Act, 1862."

Proposes to supply with Gas the Townships of Undermillbeck, Applethwaite, and Troutbeck, in the Parish of Windermere, in the County of Westmoreland.
Incorporation of Consolidation Acts, §§ 2, 3.
Limits of Act, § 4.
Incorporation of Company, with a Capital of 10,000*l.*, and with Power to borrow 1,500*l.* in all, §§ 5 to 11.
Meetings; Directors, §§ 12 to 19.
Power to purchase Lands, § 20.
Company may make and maintain Gasworks and manufacture Gas, &c., § 21.
Gas, Price, Supply, and testing of, §§ 22 to 36.
Schedule (Lands to be taken).

Cap. lxxiv.

"The Great Britain Mutual Life Assurance Society Act, 1862."

Proposes to enable the Great Britain Mutual Life Assurance Society to sue and be sued, and to confer further Powers on the Society.
Company may sue and be sued in the Name of the Society, the Secretary, or a Director, §§ 3, 4.
Suits not to abate by Death, &c. of Secretary or Director, § 5.
Members may sue and be sued by the Company, § 6.
No Set-off of Demands against the Company allowed to Members sued by the Company, § 7.
Plea of former Suit in bar of fresh Suit in respect of the same Matter, § 8.
Judgments, &c. to be enforced against the Company and the Members thereof, § 9.
Execution against former Members, § 10.
Reimbursement of individual Members, § 11.
Individuals paying under Execution to recover against the Company, § 12.

Contribution to be recovered from other Member, § 13.
Further Remedy in case of Bankruptcy of Members, § 14.
Remedy for Members who may be sued otherwise than under the Powers of this Act, § 15.
Criminal Proceedings to be in the Name of the Company or any Director or Secretary for the Time being, § 16.
Members and Policy Holders may inspect List of Members to be kept at the Office of the Company, § 17.
Memorial of the Names of Secretary, Trustees, and Directors to be enrolled in Chancery, § 18.
Actions, &c. not to be brought until Memorial enrolled, § 19.
Examined Copy of Enrolment to be Evidence, § 20.
Three Directors may issue Power of Attorney to sue for Foreign Debts, § 21.
Duty to be paid on Enrolment of Memorial of Trustees, § 22.
Duties under this Act to be deemed Stamp Duties, § 23.
Property vested in the Trustees of the Society for the Time being, § 24.
Trustees not to be personally liable on Covenants, § 25.
Receipts of Trustees to be good Discharge, § 26.
Names of Trustees to be entered on Court Rolls on every Change of Trustees, and the Lord of the Manor to be entitled to Fines, &c., § 27.
Company not to be incorporated by this Act, § 29.
Schedule (Forms).

Cap. lxxv.

"The Newry and Armagh Railway Amendment Act, 1862."

Recites that 20 & 21 Vict. c. clvi. and 22 & 23 Vict. c. xxxviii. are the Two Acts now in force immediately relating to the Newry and Armagh Railway Company, by the first whereof the former Acts of the Company (who had been theretofore known as the Newry and Enniskillen Railway Company) were repealed and consolidated, and the Company were authorized to construct their Railway to Armagh, and were re-incorporated under the Name of the Newry and Armagh Railway Company; that the Time conferred by that Act for the compulsory Purchase of Lands expired on the 17th August 1860, and the Time for making the said Extension will expire on the 17th August 1862; that the Company have made great Progress with the said Extension, but they have not bought all the Land which is required, and it is expedient that the Powers of compulsory Purchase should be revived in respect of certain Lands, and also that a further Time should be given for making the said Extension; that by the Act of 1859 the Company were authorized to divert a Portion of the said Extension and their Line to the Albert Basin at Newry, and to make a Branch Railway in the said Town; that the Time for the Purchase of Lands by Compulsion under the said Act of 1859 expired on the 1st August 1861, and the Time for making the Works by the said Act authorized will expire on the 1st August 1862; and it is expedient that the Powers for the Purchase of Lands should be revived in respect of the Deviation of the said Extension and for the said Branch Railway, and that a further Time should be given for making such Deviation and Branch Railway; that it is expedient that the Company should for the Purposes of their Undertaking have Power to divert Carlingford Road in the said Town of Newry, and to purchase certain Properties in the Vicinity of their Station at Newry; that by the said Act of 1857 the Share Capital of the Company was altered and re-arranged, and it was enacted that "from and after the "passing of the Act every Person holding Three Shares in "the Series A. of the dissolved Company" (meaning the Newry and Enniskillen Railway Company), "upon which "all the Calls have been paid, shall in the Stead thereof be "deemed to hold a Share of 10*l.* in the Newry and Armagh "Railway Company, to be called a Deferred Share, upon "which a Call of 1*l.* may still be made, and shall be entitled "to receive, and shall within One Month after the passing "of this Act, on Demand thereof, receive a Certificate for "such Deferred Share of 10*l.*, upon presenting at the prin-"cipal Office of the Company, or at such other Place as "the Directors shall appoint, the Certificates of his Three "original Shares of 20*l.* to be cancelled;" and the said Act further provides that the Call of 1*l.* shall not be made upon the "Deferred Shares of 10*l.* each until 9*l.* per Share has "been called and paid up on the new Shares to be created "by the Company;" that many of the said Series A. Shares have not been sent in to the Company for the Purpose of being exchanged, and great Confusion is thereby caused in keeping the Books of the Company; and it is expedient that Provision should be made for making it obligatory upon the Holders of these Shares to register the same; and also that the Company should have Power to convert their Mortgage Debt from Time to Time into an irredeemable Debenture Stock.
Incorporation of Consolidation Acts, § 1.
Reviving Powers for the Purchase of certain Lands until the 1st January 1864, and extending Time for the Construction of Works until the 1st August 1865, §§ 2 to 5.
Power to alter Carlingford Road, § 6.
Power to purchase other Lands, § 7.
Company not to have any Right over certain Properties, § 8.
Application of Monies, § 9.
Providing for Exchange of Series A. Shares, § 10.
Authorizing Creation of Debenture Stock at not exceeding 5*l.* per Cent., §§ 11 to 16.
Reciprocal Facilities and Interchange of certain Traffic with the Newry, Warrenpoint, and Rostrevor Railway Company, § 17.
Provision for Settlement of Disputes by Arbitration, § 18.
Schedules A. and B. (Lands referred to).

Cap. lxxvi.

"Tyne General Ferry Act, 1862."

Recites that the Population of Newcastle-upon-Tyne, Gateshead, North and South Shields, and other Places adjacent or near to the River Tyne, and the Trade and Commerce of the Ports of Newcastle-upon-Tyne and Shields, within the said River, have greatly increased, and there are large Manufactories and Works established on both Banks of the River, and Docks have been made on the North Side and also on the South Side thereof, and the Means of conveying Traffic on, along, and across the River now provided are insufficient, and additional Means are much needed, and it is expedient that Provision be made for the Purpose; that by the Act 10 Geo. 4. c. xcviii. (Local) the North and South Shields Ferry Company were incorporated, and authorized to establish and maintain a Ferry across the River Tyne between North Shields and South Shields, and to make and maintain Ferry Houses, Offices, Roads, and other Works, and to take Tolls for the User of the Ferry; and it was enacted that after the Ferry was made fit for Carriages, Horses, Cattle, and Foot Passengers no other Ferry should be set up across the River Tyne within the Limits of the Parish of Tynemouth, in the County of Northumberland, and of the Townships of South Shields and Westoe, otherwise Wivestoe, in the Parish of Jarrow, in the County of Durham; that the North and South Shields Ferry Company accordingly

established the Ferry so authorized; that the Population of North and South Shields and other Places near to the River Tyne having increased, and further Accommodation for the Conveyance of Passengers across the River Tyne having become requisite, "The Tyne Direct Ferry Company Act, 1848," was passed, and thereby the Tyne Direct Ferry Company were incorporated, and authorized to establish and maintain Steam and other Boats for the Conveyance of Foot Passengers and other Traffic across the River Tyne, between Stations at Willington Quay and Jarrow, and at Whitehill Point and Penny Pie Stairs, and, in the event therein expressed, at Comical Corner, and to make and maintain Stations, Landing Places, and other Works in the Parishes of Tynemouth and Wallsend in the County of Northumberland, Jarrow, and the Parochial Chapelry of St. Hilda in the Parish of Jarrow, in the County of Durham, and St. Nicholas in the Town and County of the Town of Newcastle-upon-Tyne, and to take Tolls for the User of the Ferries so established, and Provision was made for the Purchase by and Transfer to the North and South Shields Ferry Company of the Undertaking authorized by the reciting Act; but if they failed to make the Purchase for 12 Months after the passing of the reciting Act, the Tyne Direct Ferry Company were authorized to proceed in the Execution of the Undertaking without being subject to the Restrictions of the first-recited Act; that the North and South Shields Ferry Company accordingly purchased the Undertaking of the Tyne Direct Ferry Company; that the Provisions of the first-recited Act restricting the Establishment of Ferries or Passages across the River Tyne prevent the Establishment of those Means of Communication across the River which the increasing Population of the Districts on its Banks and the Trade of the Ports require, and it is expedient that those Provisions should be modified; that by "The Tyne Improvement Act, 1861," the Tyne Improvement Commissioners were authorized to provide or license the making of public Landing Places on the River Tyne, and to purchase and maintain any Ferries established in and over the River; that it is expedient to incorporate a Company, with Powers to carry Passengers, Animals, and Things from any one Landing Place on the River Tyne to any other Landing Place thereon, and to authorize Arrangements between the Company by this Act to be incorporated, and the Tyne Improvement Commissioners and other Persons interested in Ferries across the River Tyne, or having Landing Places on the River.

Incorporation of Consolidation Acts, §§ 2, 3.
Limits of Act, § 4.
Tyne General Ferry Company incorporated, with a Capital of 70,000*l.* in Shares of 10*l.*, and Power to borrow 10,000*l.*, §§ 5 to 10.
Meetings; Directors, §§ 11 to 18.
Section 85 of first-recited Act, restricting User of Ferries, &c., not to apply to Company, § 19.
Regulations as to Purchase of the North and South Shields Ferry by the Tyne Commissioners, § 20.
Contracts of North and South Shields Ferry Company to remain in force, § 21.
Actions not to abate, § 22.
Receipts of Three Directors to be sufficient Discharge, § 23.
Application of Purchase and other Monies by Company, § 24.
Proof of Proprietorship in Company, § 25.
When North and South Shields Ferry Company shall cease, § 26.
Power for Company to acquire Ferry Rights, § 27.
Power for the Company to provide Steam Vessels for conveying Passengers, &c. on Tyne, § 28.
Power for Company to acquire existing Landing Places specified, § 29.
Power for Company to provide other Landing Places, § 30.
Power for Company to provide Moorings in and near Tyne, § 31.
Company to remove or alter Gears and Platforms upon Request of Commissioners, § 32.
Power for Tyne Improvement Commissioners to make Landing Places for Company, § 33.
Admiralty Provisions, §§ 34 to 37.
Tolls; Collectors; leasing of Tolls, §§ 38 to 50.
Damage to Company's Property to be made good, § 51.
Saving Rights of the Mayor, Aldermen, and Burgesses of the Borough of South Shields, of Tyne Improvement Commissioners, of Mayor, Aldermen, and Burgesses of Newcastle-upon-Tyne, of the Crown, and of Duke of Northumberland, §§ 52 to 56.
Act not to create exclusive Right of Ferry, § 57.
Provision for future Revision of Rates, § 58.
Schedule (Rates).

Cap. lxxvii.

"Hull South Bridge Act, 1862."

Recites that the Erection of a Bridge across the River Hull or Old Harbour, near its Confluence with the River Humber, with Approaches thereto, would open an improved Communication between the Portions of the Town, Docks, and Railways Westward of the River Hull or Old Harbour and the Docks, Tramways, and Citadel Lands Eastward of such River, and would be of public and local Advantage; that Her Majesty in right of Her Crown is or claims to be the Owner of such Citadel Lands and the Foreshore adjacent thereto, and that the Construction of the Bridge will materially improve the Value of such Lands, and facilitate their letting or Disposal for building, shipbuilding, manufacturing, and other Purposes.
Incorporation of Consolidation Acts, §§ 2, 3.
Proprietors incorporated, with a Capital of 30,000*l.*, §§ 4 to 7.
Directors, §§ 8 to 11.
Power for North-eastern Railway Company and the Hull Dock Company to subscribe to Undertaking, §§ 12 to 14.
Meetings of Shareholders, §§ 15 to 17.
Power to make Bridge and Approaches, §§ 18, 22.
Describing Works, § 19.
Power for Company to lay down Tramway along Bridge and Approaches, § 20.
Powers of Local Boards with regard to Tramways, § 21.
Ninety-second Section of Lands Clauses Act not to extend to certain Premises, § 23.
Rights of Owners not to be affected, § 24.
Deviation from Lines on Plans, § 25.
Deviation from Levels, § 26.
Three Years for compulsory Purchase of Lands, § 27.
Five Years for completing the Bridge, § 28.
Admiralty Provisions, §§ 29 to 33.
Bridge and Approaches to be deemed Part of the Streets of the Borough, § 34.
Regulations as to opening Bridge, § 35.
Penalty for detaining Vessels, § 36.
Incorporation of Parts of Harbours, Docks, &c. Act, § 37.
Local Board not to be relieved from Liability to repair Streets, &c., § 38.
Articles of Agreement in Schedule confirmed, § 39.
Agreements with Dock Company and others for Use of Tramways, § 40.

Power to erect Toll Gates and collect Tolls; Tolls, §§ 41 to 53.
Power to lease the Tolls, §§ 54 to 57.
Limiting the Weight to be carried over the Bridge, § 58.
Power to erect Weighing Machines, § 59.
Toll Keeper may weigh Carriages, &c., § 60.
Annual Account to be made up and transmitted to the Clerk of the Peace, § 61.
Bridge to be public, but not a County Bridge, § 62.
Limitation of Dividend to 5*l.* per Cent., § 63.
Reserve Fund to be formed out of Surplus, §§ 64 to 66.
As to the Mode of discharging Capital, § 67.
Persons registered in Books to be entitled primâ facie, § 68.
Trustees not to be bound by Trusts, § 69.
Trustees Receipts to be good Discharges, § 70.
Providing for unclaimed Money, § 71.
Shares paid off vested in Trustees, § 72.
Expenses of Trustees, § 73.
When Capital of Company paid off, Powers of Company to cease, and certain Powers transferred to Local Board, § 74.
When Tolls are to cease, § 76.
Accumulation Fund to be under the Control of the Local Board, § 77.
Power to levy further Tolls, §§ 78, 79.
Agreements between Company and Corporation, and Local Board, § 80.
Power to lease the Bridge, § 81.
Power to sell Bridge, &c., § 82.
Transfer of Undertaking, § 83.
Powers to Corporation to apply Borough Fund, § 84.
Company not to acquire Right to oppose future Bridge at or above Scale Lane, § 85.
Saving Rights of Dock Company and of Kingston-upon-Hull Gaslight Company, §§ 86, 87.
Schedule (Agreement with Commissioners of Woods and Forests).

Cap. lxxviii.

"The London, Brighton, and South Coast Railway (New Lines) Act, 1862."

Proposes to make Railways from the London, Brighton, and South Coast Railway in the Parish of Saint Paul Deptford, to join the London, Chatham, and Dover Railway, in the Parish of Saint Mary Lambeth, all in the County of Surrey; recites that a Bill is now pending in Parliament for the Incorporation of a Company for making a Railway from the Metropolitan Extensions of the London, Chatham, and Dover Railway Company to the Crystal Palace at Sydenham; that a Provision has been inserted in that Bill, restraining that Company from making so much of the Railway shown upon the Plans referred to in such Bill as is situate between the Points herein-after mentioned, in the event of the passing of this Act, and of the Construction by the Company, within Three Years of that Portion of the Railway in this Act called Railway No. 4, between the same Points; that it is expedient to provide with respect to the Use of such Portion of the said Railway No. 4, and the Stations, Works, and Conveniences connected therewith, by the Crystal Palace Junction Company, or any Company lawfully working or using their Railway; that it is also expedient to provide with respect to the Use of the Lines of the Dover Company between the Point of Junction at Barrington Road herein-after mentioned, and the Junction between such Lines and the Lines of the Company at Stewart's Lane in the Parish of St. Mary Battersea, in the County of Surrey, and the Stations, Works, and Conveniences connected therewith; and also for the Use as herein-after mentioned by the Dover Company of Portions of the Railways numbered 1 and 2, and the whole of the Railway No. 3 by this Act authorized, as well as of the Branch Railway of the Company, from the Termination of the said Railway No. 3 to the Wharf of the Company at Deptford, so far as the Railways numbered 1 and 2 and 3, and that Branch Railway make One continuous Line of Railway from the Railway No. 4 to that Wharf, and the Stations, Works, and Conveniences on that continuous Line, together with the said Wharf; proposes to make a Railway from the Newhaven Branch of the London, Brighton, and South Coast Railway to Seaford, in the County of Sussex.
Incorporation of Consolidation Acts, §§ 2 to 4.

5. In this Act the Expression "The Crystal Palace Junction Company," shall mean the Crystal Palace and South London Junction Railway Company, and shall include the Dover Company when lawfully working and using the Railway of that Company.

Power to make Railways, § 7.

8. The Railways and Works by this Act authorized comprise the following; (that is to say,)

A Railway (No. 1) commencing in the Parish of St. Paul Deptford, in the County of Surrey, by a Junction with the Main Line of the London, Brighton, and South Coast Railway, at or near to a certain Bridge which carries that Railway over the Grand Surrey Canal, and terminating in the Parish of St. Giles Camberwell, in the said County of Surrey, on the Southern Side of the Queen's Road, Peckham, at or near the Point where Bath Road joins the Queen's Road:

A Railway (No. 2) wholly in the Parish of St. Paul Deptford, in the County of Surrey, commencing by a Junction with the Main Line of the London, Brighton, and South Coast Railway at or near the Bridge which carries that Railway over the Grand Surrey Canal, and terminating by a Junction with the intended Railway (No. 1) at or near the Junction of White Post Lane with the Old Kent Road:

A Railway (No. 3) wholly in the Parish of Saint Paul Deptford, in the County of Surrey, commencing by a Junction with the Branch to Deptford of the London, Brighton, and South Coast Railway at or near to the Bridge carrying that Branch Railway under the Main Line of the London, Brighton, and South Coast Railway, and terminating by a Junction with the intended Railway No. 2 at or near the Junction of White Post Lane with the Old Kent Road:

A Railway (No. 4) commencing in the Parish of St. Giles Camberwell, in the County of Surrey, by a Junction with the intended Railway No. 1 on the Southern Side of the Queen's Road, Peckham, at or near the Termination thereof on the Southern Side of the Queen's Road, Peckham, as herein-before described, and terminating in the Parish of St. Mary Lambeth, in the County of Surrey, by a Junction with the Railway authorized by "The London, Chatham, and Dover Railway (Metropolitan Extensions) Act, 1860," and therein designated the West End Section, on the East Side of Barrington Road:

A Railway (No. 5) wholly in the Parish of St. Mary Lambeth, in the County of Surrey, commencing by a Junction with the intended Railway No. 4 in a Field on the South Side of a certain new Road called Vaughan Road or Avenue Road, and terminating by a Junction with the Railway authorized by "The London, Chatham, and Dover Railway (Metropolitan Extensions) Act, 1860,"

and therein designated "the City Section," in a Field on the West Side of and adjoining Poplar Walk:

A Railway (No. 7) from Newhaven to Seaford, in the County of Sussex, commencing by a Junction with the Newhaven Branch of the London, Brighton, and South Coast Railway, near the Newhaven Wharf Station, and terminating at Seaford, in the same County, adjoining a Road leading from Seaford to East Blatchington.

Railway No. 5 not to be made without Consent of Dover Company, § 9.

As to Communication of Railway No. 4 with another Railway of Dover Company, §§ 10 to 12.

13. Whereas the Traffic between the Railways of the Company and the London Bridge Terminus of the Company is now carried over that Portion of the London and Greenwich Railway, herein-after called the Greenwich Railway of the South-eastern Railway Company, herein-after called the South-eastern Company, which lies between the Junction thereof with the Railway of the Company and the said London Bridge Terminus under the Provisions of an Agreement dated the 10th Day of July 1848 made between the Company and the South-eastern Company which also provides for the Carriage of the Traffic of the South-eastern Company over a Portion of the Railway of the Company: And whereas the Traffic over the said Portion of the Greenwich Railway and of the Railway of the Company has increased since the Date of the said Agreement and the Traffic over the said Portion of the Greenwich Railway may be further increased by reason of the passing of this Act so as to render expedient the Enlargement of the said Portion of the Greenwich Railway: Therefore, at any Time within Three Years after the opening of the Railways by this Act authorized, either the South-eastern Company or the Company may give to the other of them Notice in Writing under their respective Common Seals of their Desire to refer to Arbitration the several Questions and Matters herein-after specified, and thereupon all such Questions and Matters shall stand referred to and shall be determined by Arbitration in manner provided by the Railway Companies Arbitration Act, 1859, and as if the Two Companies had agreed to refer the same in accordance with that Act, and the said Companies respectively shall be bound by the Award to be made on such Arbitration, and to give effect thereto in such Manner as such Award may prescribe.

14. The Questions and Matters which may be referred to Arbitration by such Notices aforesaid are as follows:

1st. Whether the additional Traffic to be conveyed over the said Portion of the Greenwich Railway can be accommodated by the existing Lines on that Portion of the said Greenwich Railway:

2dly. If not, then to what Extent and in what Manner and by whom the said Portion of the said Greenwich Railway ought to be widened or enlarged or additional Accommodation thereon provided:

3dly. Whether the Cost of such Widening or Enlargement or of such additional Accommodation, and of any Application to Parliament for Powers to execute it, shall be defrayed by the South-eastern Company and the Company, and in what Proportion or wholly by One and which of the Two Companies:

4thly. All Questions and Matters incident to or consequent upon the before-mentioned Questions and Matters:

Provided always, that the Arbitrator or, as the Case may be, Arbitrators and Umpire, shall in making their or his Award have regard to the Principles and Provisions of the said Agreement of the 10th Day of July 1848, and to the relative and reciprocal Rights and Obligations of both Companies under the said Agreement, and that nothing in this Act contained shall be held to affect the Rights of the said Companies under such Agreement.

Power to alter Engineering Works, § 15.

16. The Crystal Palace Junction Company and the Dover Company may use and run over with their Engines and Carriages of every Description belonging to or employed by them respectively, and for the Purposes of Through and Local Traffic of all Kinds, such Portion of the Railway in this Act called Railway No. 4 as is situate between a Point 40 Chains, measured from the Commencement of that Railway on the Plans of that Railway deposited for the Purposes of this Act, and the Termination of such Railway at or near to Barrington Road, as well as that Portion of the Railway No. 1 by this Act authorized situate between the proposed Junction thereof with the said Railway No. 4 and the Junction thereof with the said Railway No. 2 by this Act authorized, and also such Portion of the said Railway No. 2 as lies between the Junction thereof with the said Railway No. 1 and the Junction thereof with the Railway No. 3 by this Act authorized, and the whole of the said Railway No. 3 and the Deptford Branch Railway of the Company, from the Junction therewith of the said Railway No. 3 to the Company's Wharf at Deptford, and which Portions of the Railways Nos. 1 and 2 and Railway No. 3 and Branch Railway, form together One continuous Line of Railway from the Railway No. 4 to that Wharf, together with all Stations, Sidings, Watering Places, Watering Engines, Turn-tables, Signals, Signal Posts, Telegraph Posts, and other Engines and Machinery, Platforms, Booking and other Offices, Buildings, Approach Roads, and other Works, Conveniences, and Accommodations belonging to or connected with such several Railways and Portions of Railways respectively, forming together that continuous Line, and also the Station now called the Battersea Station on the Company's Line, subject to such Regulations as regards such User of the said Railways and Portions of Railways forming together that continuous Line as may be agreed upon between the Crystal Palace Junction Company or the Dover Company and the Company, or in default of Agreement as shall be determined by an Arbitrator to be appointed by the Board of Trade on the Application of either of the Companies, and the Costs of the Arbitration shall be in his Discretion, and the Decisions of such Arbitrator shall be final and binding on both Parties; and the Company shall make and they are hereby required to make all Arrangements requisite for such User, and for giving effect to such Regulations: Provided that neither the Crystal Palace Junction Company nor the Dover Company shall, after the Expiration of Four Years from the passing of this Act, be entitled to run over any Part of that continuous Line of Railway unless and until at least Four Lines of Rails are laid down and opened for public Traffic on that Portion of the Dover Company's Metropolitan Extension Railway between the Junction therewith, at or near to Barrington Road, of the Railway No. 4 by this Act authorized, and the Junction of that Extension Railway at Stewart's Lane with the West End of London and Crystal Palace Railway, with proper and sufficient Stations, Works, and Conveniences in connexion therewith.

17. The Crystal Palace Junction Company and the Dover Company shall fix the Fares, Rates, and Charges for all Traffic carried by them over the said Railways and Portions of Railways respectively, forming together that continuous Line, and the Amount to be paid to the Company in respect of such Traffic shall be 80 per Cent. of the actual Mileage Proportion of the gross Fares, Rates, and Charges so fixed as aforesaid, due to the whole or any Part of the said Railways or Portions of Railways respectively, forming together that continuous Line, after deducting Government Duty, such Per-centage to include the Cost of maintaining and signalling Junctions and

Lines, and all Services connected with the manning of the said Lines, Use of Stations thereon, and Conveniences connected with such Stations, and all Services of Station Clerks and Station Staff necessary for the Despatch of Business connected with such Traffic at such Stations, and proper Accounts and Vouchers relating to such Traffic shall be kept by the Companies respectively interested and rendered to each other, and settled monthly, and the Companies interested shall respectively be entitled to inspect and verify the Accounts and Vouchers kept by each other.

18. The Company may use and run over with their Engines and Carriages of every Description belonging to or employed by them, and for the Purposes of Through and Local Traffic of all Kinds, such Portions of the authorized Railways forming the Metropolitan Extension of the Dover Company as are situate between the Point of Junction with that Extension of the Railway No. 4 by this Act authorized, and the Junction at Stewart's Lane between that Extension and the Company's West End of London and Crystal Palace Railway, and also, if the same be authorized and the Company find it available for their Traffic, the Junction Railway at Battersea with the West London Extension Railway proposed to be authorized by a Bill promoted by the Dover Company and now pending in Parliament, together with all Stations, Sidings, Watering Places, Watering Engines, Turn-tables, Signals, Signal Posts, Telegraph Posts, and other Engines and Machinery, Platforms, Booking and other Offices, Buildings, Approach Roads, and other Works, Conveniences, and Accommodations belonging to or connected with such Portions of the said Railways of the Dover Company, subject to such Regulations as regards such User of the said Portions of Railways as may be agreed upon between the Dover Company and the Company, or in default of Agreement as shall be determined by an Arbitrator to be appointed by the Board of Trade on the Application of either of the said Companies, and the Costs of the Arbitration shall be in his Discretion, and the Decision of such Arbitrator shall be binding on both Parties; and the Company shall make and they are hereby required to make all Arrangements requisite for such User and for giving Effect to such Regulations.

19. The Company shall fix the Fares, Rates, and Charges for all Traffic carried by them over the said Portions of Railway of the Dover Company; and the Amount to be paid to the Dover Company in respect of such Traffic shall be 80 per Cent. of the actual Mileage Proportion of the gross Fares, Rates, and Charges so fixed as aforesaid, due to the whole or any Part of the said Portions of Railways of the Dover Company, less Government Duty, such Per-centage to include the Cost of maintaining and signalling Junctions and Lines, and all Services connected with the manning of the Lines, Use of Stations thereon, and Conveniences connected with such Stations, and all Services of Station Clerks and Station Staff necessary for the Despatch of Business connected with such Traffic at such Stations, and proper Accounts and Vouchers relating to such Traffic shall be kept by the Companies respectively interested and rendered to each other, and settled monthly; and the Companies interested shall respectively be entitled to inspect and verify the Accounts and Vouchers kept by each other.

20. The Dover Company shall have the User of the Company's Wharf at Deptford for Goods Traffic of all Descriptions, and shall pay to the Company such Wharfage Charges only as from Time to Time shall be demanded and received by the Company from any other Company or Person using the said Wharf under like Circumstances.

21. On the opening for public Traffic of the Metropolitan Extensions of the Dover Company from Beckenham to Stewart's Lane Junction, and also to the South Side of the Thames at Blackfriars, the 16th Section of the East Kent Railway (Western Extension) Act, 1858, (so far as it relates to the West End of London and Crystal Palace Railway,) shall be and the same is hereby repealed, and the Agreement of the 12th Day of April 1858, referred to in such Section, and also the Agreement of the 2d Day of April 1859, made between the said Dover Company, by their then Name of the East Kent Railway Company, and the said West End of London and Crystal Palace Railway Company, set forth in the Schedule to the West End and Crystal Palace Railway (Transfer of Farnborough Extension and Dissolution of Company) Act, 1860, respectively, so far as those Agreements respectively relate to the running over and using of the West End of London and Crystal Palace Railway and the Stations and Works connected therewith, and the providing of Accommodation and all Matters relating thereto, but not further or otherwise, shall be, as to all then future Operation thereof, null and void, but without prejudice to all then existing Claims and Demands of the Company and the Dover Company respectively against each other, and to the Settlement of all Accounts between them then unsettled, and also without Prejudice to all Matters relating to any Part of the Farnborough Extension Railway, or any Accounts, Payments, Claims, or Demands connected therewith, and also without Prejudice to the Agreements of July 15th, 1854, January 1st, 1857, and June 23d, 1857, referred to in that Agreement of the 2d of April 1859, and all Matters connected therewith.

22. In order to secure the Convenience of the Public and the fair and impartial working of the several Lines of Railway between the Point of Junction at Stewart's Lane of the Dover Company's Metropolitan Extension Railway with the West End of London and Crystal Palace Railway, and the Point at or near to Cow Lane, Peckham, at which it is proposed that an intended Line of Railway of the Crystal Palace Junction Company shall form a Junction with the Railway No. 4 by this Act authorized, and over which several Lines between those Two Points, the Company, the Crystal Palace Junction Company, and the Dover Company are by virtue of this Act to have Rights of User; and also, in order to secure the impartial Booking and Conduct of the Traffic of the said Three Companies thereon between those Two Points, all the Arrangements for the Order and Precedence of Trains on those Lines of Railway between those Two Points, including the Question, if the same shall arise, of separate Appropriation to the Dover Company and the Company respectively of Lines of Rails on the Railways between those Two Points, shall from Time to Time be agreed upon between the General Manager for the Time being of the Dover Company, and the Traffic Manager for the Time being of the Company, and in default of such Agreement the Arrangements shall be from Time to Time submitted by such Managers, and may be submitted by either of them, to and be determined by an Arbitrator to be agreed upon between them, or in default of Agreement by an Arbitrator, to be, on their or either of their Application, appointed by the Board of Trade.

23. From and after the opening for public Traffic of the Metropolitan Extensions of the Dover Company from Beckenham to Stewart's Lane Junction and also to the South Side of the Thames at Blackfriars, the Dover Company may use and run over with their Engines and Carriages of every Description belonging to or employed by them, and for the Purposes of Traffic of all Kinds passing between the present Station at Beckenham and the Crystal Palace Main Line Station on the West End of London and Crystal Palace Railway, such Portion of the West End of London and Crystal Palace Railway of the Company as lies between the Junction therewith of the Farnborough Extension Line of the Dover Company and the Crystal Palace Main Line Station on the said West End of London

and Crystal Palace Railway, together with the said Station and the Sidings, Watering Places, Watering Engines, Turn-tables, Signals, Signal Posts, Telegraph Posts, and other Engines and Machinery, Platforms, Booking and other Offices, Buildings, Approach Roads, and other Works, Conveniences, and Accommodations belonging to or connected with that Portion of the said West End of London and Crystal Palace Railway.

24. The Dover Company shall fix the Fares, Rates, and Charges for Traffic of all Descriptions carried by them over the said Portion of the West End of London and Crystal Palace Railway, and the Amount to be paid to the Company in respect of such Traffic shall be 80 per Centum of the actual Mileage Proportion of the gross Fares, Rates, and Charges so fixed as aforesaid due to the whole of that Portion of Railway, after deducting Government Duty, such Per-centage to include the Cost of maintaining and signalling the said Portion of Railway, and all Services connected with the manning thereof, and Use of the said Station thereon, and Conveniences connected with such Station, and all Services of Station Clerks and Station Staff necessary for the Despatch of Business connected with such Traffic at such Station, and proper Accounts and Vouchers relating to such Traffic shall be kept by the Dover Company and the Company respectively and rendered to each other, and settled monthly; and those Companies shall respectively be entitled to inspect and verify the Accounts and Vouchers kept by each other.

25. Nothing in this Act contained shall authorize the Crystal Palace Junction Company, the Dover Company, or the Company to demand or take any Rates, Tolls, Fares, or Charges exceeding the maximum Rates, Tolls, Fares, and Charges which the respective Companies are authorized by their respective Acts to demand and take.

26. The Dover Company shall at all Times hereafter run between Beckenham and the Norwood Junction Station of the Company such a Number of Trains as, having regard to the Convenience of the Public, shall be reasonable for the Interchange of Traffic between Stations on the Railways of the Dover Company and the Mid Kent Railway Company respectively, and the Norwood Junction Station of the Company, and Stations on the Company's Railways Southward of their Norwood Junction Station, and the Number of such Trains, and a System of Through Booking for all Traffic to be so interchanged shall from Time to Time be agreed upon between the General Manager for the Time being of the Dover Company and the Traffic Manager for the Time being of the Company; and for the Purpose of such Interchange of Traffic the Dover Company shall have the Right to use and run over, with Engines and Carriages of every Description belonging to or employed by them, the existing Branch or Spur Line of Railway of the Company between the Farnborough Extension Line of the Dover Company, and so much of the said Norwood Junction Station as is appropriated for the Purposes of that Branch or Spur Line, and the Sidings, Watering Places, Booking Offices, and all other Conveniences connected with the same respectively; and the Terms of Payment for such User for the Traffic passing between the System of Railways of the Dover Company East of Beckenham and the Norwood Junction Station, and the Rates and Charges for Through Booking of Traffic between the said System of the Dover Company and of the Company as aforesaid shall be agreed upon between the said Managers for the Time being; and all Profits made or Losses incurred in working the Trains between Beckenham and the said Norwood Junction Station for the Local Traffic shall be borne in equal Shares by the Company and the Dover Company, and proper Accounts and Vouchers relating to those several Matters shall be kept by the Company and the Dover Company respectively and rendered to each other, and settled monthly; and those Companies shall respectively be entitled to inspect and verify the Accounts and Vouchers kept by each other.

Protection of Grand Surrey Docks and Canal Company, §§ 27 to 39.
Protection of the Surrey and Sussex Roads, §§ 40 to 47.
Protection of New Cross Turnpike Road, §§ 48 to 55.
Works in connexion with Southwark and Vauxhall Water Company to be executed by that Company, § 56.
In default of Southwark Company, the Company may execute the necessary Works, § 57.
Regulations as to certain Bridges and Streets in Lambeth, §§ 58 to 62.
As to crossing Roads in Camberwell, § 63.
Dimensions of Bridges at Camberwell, § 64.
Station to be made at Peckham, § 65.
For Protection of Sewers of Metropolitan and other Boards, § 66.
Company not to acquire certain Properties without Consent of Lessee, § 67.
Land for additional Stations, &c., § 68.
Three Years for compulsory Purchase of Lands, § 69.
Three Years for Completion of Works, § 70 and § 76.
Saving Rights of the Dover Company, § 71.
Admiralty Provisions, §§ 72 to 75.
Application of Funds, § 78.
Power to raise 340,000*l.* by Shares, with a Preference not exceeding 5*l.* per Cent., §§ 79 to 90.
Power to borrow 113,000*l.*, §§ 91 to 93.
Extending Powers for Conversion of Shares into Stock, § 94.
Extending to Money borrowed under this Act certain Powers of the Company under other Acts for Conversion of Debts into Debenture Stock and Annuities, § 95.
Separate Accounts of Application of Debenture Stock and Annuities to be kept, § 96.
Tolls, § 97.
Power to enter into Traffic Arrangements with the London and North-western Railway Company, the Great Western Railway Company, the London and South-western Railway Company, the West London Extension Railway Company, the London, Chatham, and Dover Railway Company, and the South-eastern Railway Company, §§ 98 to 103.
Saving Rights of the Crown and of Her Majesty's Secretary of State for War, §§ 107, 108.

Cap. lxxix.

"The Scottish Northern Junction Railway Act, 1862."

Proposes to incorporate a Company for making a Railway from the Scottish North-eastern Railway near Limpet Mill, to the Great North of Scotland Railway at Kintore, with Branches to the Deeside Railway at Peterculter, and to authorize Agreements with and Contribution by the Scottish North-eastern Company.
Incorporation of Consolidation Acts, §§ 2 to 4.
Subscribers incorporated, with a Capital of 150,000*l.*, and with Power to borrow 50,000*l.*, §§ 5 to 12.
Power to the Scottish North-eastern Railway Company to subscribe 90,000*l.*, §§ 13, 14.
Meetings; Directors, §§ 15 to 26.
Power to make Railways, §§ 27, 28.
Regulating the Inclination of certain Roads, § 29:
As to Height and Span of certain Bridges, § 30.
If Roads widened Bridges to be made wider, § 31.
Regulating Communications with the Scottish North-eastern Railway, Deeside Railway, and Great North of Scotland Railway respectively, §§ 32 to 35.

Lands for extraordinary Purposes, § 36.
Four Years for purchasing Lands by Compulsion, § 37.
Five Years for Completion of Works, §§ 38, 39.

40. The Construction of the Railways shall be suspended until the 1st Day of January next, and if the Great North of Scotland Railway Company shall then have given the proper Notices and deposited Plans and a Bill for constructing and completing within Three Years, at their own Expense, a Junction Railway between their Railway at a Point not more than 200 Yards from the Kittybrewster Station, and a Point not more than 700 Yards South of the South End of the Passenger Station at Guild Street on the Scottish North-eastern Railway, through or in the Vicinity of the City of Aberdeen, the Construction of the Railways shall be further suspended until such Bill is either passed, rejected, or withdrawn, and neither the Scottish North-eastern Railway Company nor the Company shall directly or indirectly oppose such Bill, so far as the same relates to the Construction of such Railway, but shall be at liberty to oppose any of the Clauses thereof, and to propose any Clauses for the Protection of their Railways and the Accommodation of their Traffic or the forwarding of Traffic between the Great North of Scotland Railway and the Scottish North-eastern Railway; and in case such Bill shall be passed before the 1st Day of September 1863, then the Railways hereby authorized shall not be constructed nor the Powers hereby conferred be exercised, and in that Case all the Costs, Charges, and Expenses of and incidental to the applying for and obtaining of this Act, and preparatory thereto, and all other the Expenses of the Company subsequent to the passing of this Act in relation thereto, shall be paid by the Scottish North-eastern Railway Company, and in the meantime all such Costs, Charges, and Expenses shall be advanced to the Company by the Scottish North-eastern Railway Company.

Tolls, §§ 41 to 51.
Power for the Scottish North-eastern Railway Company and the Company to enter into Traffic Arrangements, §§ 52 to 57.
Power to enter into Arrangements for Joint Stations at Junctions, § 58.
The Scottish North-eastern, Deeside, and Great North Companies to book through, &c., § 59.
Power to run over and use Portion of Scottish North-eastern Railway, § 60.
Power to run over and use Portion of Great North Railway, § 61.
Power to carry on other Railways and to charge Tolls, § 62.

Cap. lxxx.

"The Maryport and Carlisle Railway Act, 1862."

Recites that in 1855 the Acts relating to the Maryport and Carlisle Railway Company were repealed, and were with other Provisions consolidated into One Act, and by that Act the Share Capital of the Company was fixed at 420,000*l.* and they had Power to borrow 135,000*l.*, all which Monies have been raised and expended; that it is expedient that the Company be empowered to make and maintain a Branch Railway from their Main Line of Railway at Aspatria to a Point at or near Bolton, to be called "the Bolton Branch Railway," and another Branch Railway from a Junction with the Bolton Branch Railway at or near Mealsgate to a Junction with the Main Line of Railway at or near Aikbank, to be called "the Wigton Branch Railway," and also to enable the Company to acquire additional Land at Wigton and Aikbank for Station Accommodation as well as to enlarge and widen their existing Railway, Stations, and Works; and that they should be empowered to raise additional Capital by Shares and by borrowing, and to create and issue "Debenture Shares" or "Debenture Stock" in lieu of all or any Part of their Mortgage or Bond Debt, and that Provision be made for Consolidation into Stock of the Preference Shares of the Company.
Incorporation of Consolidation Acts, §§ 2 to 4.
Branch Railways and Works to be made according to deposited Plans, § 5.
Branch Railways and Works authorized, § 6.
Level Crossing, §§ 7 to 9.
Three Years for compulsory Purchase of Lands, § 11.
Four Years for Completion of Works, §§ 12, 13.
Tolls, § 14.
Power to raise additional Capital of 75,000*l.* by Creation of new Shares, with or without a Preference not exceeding 5*l.* per Cent., §§ 15 to 20.
Power to borrow 20,000*l.*, §§ 21 to 23.
Power to create Debenture Stock at 4*l.* per Cent., §§ 24 to 29.
Power to consolidate Preference Shares into Stock, § 30.

Cap. lxxxi.

"The Midland Railway (Additional Powers) Act, 1862."

Recites that it is expedient that the Midland Railway Company should be empowered to construct the Railways hereinafter mentioned; (that is to say,) a Railway to commence by a Junction with the Midland Railway in the Parish of Duffield, in the County of Derby, and to terminate by a Junction with the Manchester, Buxton, Matlock, and Midlands Junction Railway in the Parish of Crich, in the same County; a Railway to commence by a Junction with the Bristol and Birmingham Line of the Midland Railway in the Hamlet of Bordesley, in the Parish of Aston-juxta-Birmingham, in the County of Warwick, and to terminate by a Junction with the Birmingham Extension Line of the Midland Railway in the Hamlet of Duddeston-cum-Nechells, in the same Parish; also to substitute a Bridge for a level Crossing over the Bedford, Ampthill, and Woburn Turnpike Road; that it is also expedient that the Company be empowered to purchase by Compulsion or Agreement certain additional Lands and Houses and to raise further Monies.
Incorporation of Consolidation Acts, §§ 2, 3.
Power to take Lands, § 4.

5. It shall not be lawful for the Company to stop up and discontinue as a Thoroughfare any Part of Cambridge Street to the South of the Junction therewith of the new Street defined upon the deposited Plans, as proposed to be made through the Lands in the Parish of Saint Pancras, which the Company are by this Act empowered to acquire; and it shall not be lawful for the Company to stop up and discontinue as Thoroughfares or appropriate Oxford Street, Salisbury Street, Upper Cambridge Street, or any Part thereof respectively, or any Part of Cambridge Street to the North of such Junction, until they shall have constructed and opened for Public Use within the said Parish of Saint Pancras, and upon the Lands so proposed to be acquired by them in that Parish, a new Street as defined upon those Plans between King's Road and Cambridge Street, commencing in King's Road at the North-west Corner of the Boundary Wall of the Parish Workhouse and terminating in Cambridge Street at or near the North Entrance into Cambridge Crescent, and until the said new Streets shall have been made and opened to the Public, the present Use of the temporary Road leased to the Directors of the Poor of the Parish of Saint Pancras shall not be interfered with otherwise than may be requisite for constructing the said new Streets.

6. No Buildings shall be erected by the Company in front of or abutting upon the intended Streets referred to in Section

Five of this Act until Sewers have been made at the Expense of the Company in and under the said Streets, and which Sewers shall be made under the Direction, Superintendence, and Control and to the Satisfaction of the Chief Surveyor of the said Vestry: Provided always, that any Difference which shall at any Time arise between the Company and the said Surveyor with respect to such Sewers shall be referred at the Expense of the Company to the Metropolitan Board of Works, and after the said Sewers are completed they shall be as fully under the Direction, Jurisdiction, and Control of the said Vestry as any other Sewers or Works in the said Parish of Saint Pancras now are or hereafter may be.

7. And whereas during the Construction of the Works of the Company in the Parish of Saint Pancras, the Vestry of that Parish will be put to additional Expense in the Repair of the Streets and Roads in the Neighbourhood of the said Works: Therefore the additional Expenses which the said Vestry may so incur shall be ascertained and an Account thereof shall be rendered to the Company on the First Day of January in every Year, and unless the Company and the Vestry agree an Arbitrator shall be appointed in manner provided by "The Common Law Procedure Act, 1854," who shall investigate, in case of Dispute, the Correctness of the Expenses comprised in such Account, and determine the Amount thereof to be paid by the Company, which shall forthwith be paid by them accordingly, and the Costs of the Reference shall be regulated by the said last-mentioned Act.

Local Rates to be made good, § 8.
Saving the Rights of the Regent's Canal Company, § 9.
Power to make Railways, § 10.
For the Protection of the Birmingham and Warwick Junction Canal, § 11.
Execution of Works for London and North-western Railway at Birmingham, § 12.
Power to alter Engineering Works, § 13.
Company to carry Bedford, Ampthill, and Woburn Turnpike Road over Leicester and Hitchin Railway by a Bridge in lieu of present level Crossing, § 14.
Works at Bedford affecting the London and North-western Railway Company, § 15.
Mode of executing Works affecting the London and North-western Railway Company, § 16.
Lands for extraordinary Purposes, § 17.
Two Years for compulsory Purchase of Lands, § 18.
Four Years for Completion of Railways, §§ 19, 20.
Confirming Agreement with London and North-western Railway Company, § 21.
Saving Rights of the London and North-western Railway Company, §§ 22, 23.
Power to carry Railway authorized by "The Midland Railway and Burton-upon-Trent Bridge Act," over Anderstaff Lane on the Level, §§ 24 to 26.
Parts of Companies Clauses Act incorporated, § 27.
Power to create new Capital of 120,000*l.* with or without a Preference not exceeding 5*l.* per Cent., §§ 28 to 39.
Power to borrow 40,000*l.* on Mortgage, §§ 40 to 42.
Company may apply Corporate Funds to Purposes of Act, § 43.
Schedule (Agreement with London and North-western Railway Company).

Cap. lxxxii.

"The Ventnor Harbour Act, 1862."

Proposes the making and maintaining of a Harbour, Piers, and other Works at Ventnor, in the Isle of Wight.
Incorporation of Companies, Lands, and Harbour, Docks, and Piers Clauses Acts, §§ 1, 2.
Subscribers incorporated, with a Capital of 20,000*l.* in Shares of 10*l.*, and with Power to borrow 6,600*l.*, §§ 4 to 9.
Meetings; Directors, §§ 10 to 18.
Company empowered to construct Dock and Works according to Plans and Sections, § 19.
Company may deviate, § 20.
Company to make Slipway, § 21.
Company to maintain Sewage Works, § 22.
Saving Rights of Ventnor Improvement Commissioners, § 23.
Three Years for Completion of Works, § 24.
No other Entrance to be made into the Harbour than shown on deposited Plans without Consent, § 25.
Admiralty Provisions, §§ 26 to 29.
The Land reclaimed by the Works not to be taken without the Consent of the Commissioners of Woods, &c., § 30.
Harbour Rates payable on Ships, § 31.
A Portion of the Rates may be remitted in certain Cases, § 32.
Additional Harbour Rates on Ships, § 33.
Additional Rates for Vessels remaining more than Four Weeks, § 34.
Not to be payable for Vessels retained by Embargo or Stress of Weather, § 35.
Rates on Goods, Passengers, and Luggage, §§ 36, 37.
As to Recovery of Rates, § 38.
Rates for Use of Cranes, Weighing Machines, &c., § 39.
Limits within which Harbour-master may exercise his Authority, § 40.
Officers of Customs to have free Access to Harbour, § 41.
Company may provide Engines and appoint Meters and Weighers, §§ 42, 43.
Saving Rights of the Crown, § 44.
Schedule (Rates).

Cap. lxxxiii.

"The Caterham Spring Water Company's Act, 1862."

Incorporation of Consolidation Acts, §§ 1, 2.
Incorporation of Company, with a Capital of 28,000*l.*, §§ 3 to 7.
Meetings; Directors, §§ 8 to 16.
Power to borrow 7,500*l.*, §§ 17, 18.
Power to take Lands for Works, § 19.
Land for extraordinary Purposes, § 20.
Powers of Deviation, § 21.
Five Years for Completion of Works, § 22.
Traffic on the Surrey and Sussex Roads not to be stopped during Works, § 23.
Regulating the Payment to be made for Damage done to the Surrey and Sussex Roads, § 24.
Water to be softened, § 25.
Supply of Water; Rates; and Penalties, §§ 26 to 39.

Cap. lxxxiv.

"Reading Gas Act, 1862."

Recites that by an Act of 6 Will. 4. the Reading Union Gas Company were incorporated for the Purpose of supplying Gas within the Borough of Reading and Hamlet of Whitley, and were authorized to raise a Capital of 10,000*l.* in Shares of 20*l.* each, and to borrow on Mortgage not exceeding 5,000*l.*; that by another Act of 6 Will. 4. the Reading Gaslight Company were incorporated for the Purpose of supplying Gas in the several Parishes or Places of St. Mary Reading, St. Lawrence Reading, St. Giles Reading, Whitley, Sonning, Early, and Tilehurst, in the County of Berks, and were authorized to raise a total Capital of 20,000*l.* in Shares of 10*l.* each, and to borrow on Mortgage

not exceeding 10,000*l.*, and to make and maintain Gasworks and to supply Gas accordingly; that the Two Companies have accordingly provided Gasworks, and respectively supply Gas within the Limits of their respective Acts; that the Union Company have raised their whole Capital of 10,000*l.* by Shares, and their Mortgage Debt is 2,000*l.*, and they have invested out of their divisible Profits upwards of 2,500*l.* in permanent Works; that the Gas Company raised a Capital of 10,190*l.* by Shares, but they have lately bought and cancelled Shares thereof to the nominal Amount of 190*l.*, thereby reducing the nominal Amount of their Capital to 10,000*l.*, and their Mortgage Debt is 6,000*l.*, and they have invested out of their divisible Profits upwards of 2,500*l.* in permanent Works; that the Two Companies are desirous and it is expedient that they be amalgamated into One; also that the Limits within which the Company formed by the Amalgamation may supply Gas be extended; and that the recited Acts be repealed, and Parts thereof be re-enacted with Amendments.

Incorporation of Consolidation Acts, §§ 2, 3.
Local Board, § 4.
Limits of Act, § 5.
Commencement of Act, § 6.
Repeal of recited Acts, § 7.
The Reading Gas Company incorporated, § 8.
Gasworks and Property of Union Company and Gas Company vested in Company, § 9.
Company to represent the present Companies, §§ 10, 11.
Saving of Rights and Liabilities under recited Acts, §§ 12 to 21.
Meetings; Directors, &c., §§ 22 to 30.

31. The Capital of the Company shall be 40,000*l.*, consisting of the following Particulars; (that is to say,)

	£
Stock created by this Act to bear not exceeding 8*l.* per Centum per Annum Dividend	20,000
Stock created by this Act to bear not exceeding 5*l.* per Centum per Annum Dividend	5,000
Shares to be created under this Act to bear not exceeding 7*l.* per Centum per Annum Dividend	15,000
	£40,000

32. The prescribed Rates of Profits under the Provisions "with respect to the Amount of Profit to be received by the "Undertakers when the Gasworks are carried on for their "Benefit," of "The Gasworks Clauses Act, 1847," are as follows:

On the 20,000*l.* Stock, 8*l.* per Centum per Annum:
On the 5,000*l.* Stock, 5*l.* per Centum per Annum:
On the Amount from Time to Time paid up in respect of the 15,000*l.* Capital, 7*l.* per Centum per Annum:

And if a larger Dividend shall be at any Time necessary to make up the Deficiency of any previous Dividend which shall have fallen short of the prescribed Rate, such Deficiency shall not be made up at any Time after the Expiration of Two Years from the Period when the same occurred.

33. Ten thousand Pounds Stock, Part of the 20,000*l.* Stock by this Act created, and 2,500*l.* Stock, Part of the 5,000*l.* Stock by this Act created, are by this Act respectively appropriated to and vested in the several Persons who immediately before the Commencement of this Act were the registered Holders of the 500 Shares of 20*l.* each of the Union Company's Capital of 10,000*l.*, and each of those Sums of 10,000*l.* Stock and 2,500*l.* Stock is so appropriated to and vested in them respectively in rateable Proportion to their respective Shares of the Union Company's Capital.

34. Ten thousand Pounds Stock, Residue of the 20,000*l.* Stock by this Act created, and 2,500*l.* Stock, Residue of the 5,000*l.* Stock by this Act created, are by this Act respectively appropriated to and vested in the several Persons who immediately before the Commencement of this Act were the registered Holders of the 1,000 Shares of 10*l.* each of the Gas Company's Capital of 10,000*l.*, and each of those Sums of 10,000*l.* Stock and 2,500*l.* Stock is so appropriated to and vested in them respectively in rateable Proportion to their respective Shares of the Gas Company's Capital.

Stock vested to be deemed fully paid up, § 35.
Stock so vested to be subject to same Trusts as present Shares, § 36.
Company to issue new Certificates of Stock, §§ 37 to 40.
Power to raise 15,000*l.* by preferential Shares at 6*l.* per Cent., §§ 41 to 44.
Power to cancel unissued Shares, §§ 45 to 51.
Shares to be offered by Public Auction, § 52.
Monies received to be applied to Purposes of Company, § 54.
When Shares not sold to be offered to Shareholders, § 55 to 59.
Disposal of Shares for Extinction of Debt, § 60.
General Power to dispose of new Shares, § 61.
Incidents of Capital, § 62.
Dividends on Stock and Shares, § 63.
Power to borrow 10,000*l.*, §§ 66 to 70.
Power for Company to maintain and improve Gasworks of present Companies, §§ 71, 72.
Power for Company to lay down Gas Mains, &c. § 73.
To contract with Public Bodies, &c. for Supply of Gas, § 74.
As to lighting public Lamps, §§ 75 to 80.
Company to supply Gas in certain Event on Request of Owners or Occupiers, § 81.
Security for Payment of Rate, §§ 82 to 85.
Limit of Price of Gas, § 86.
Illuminating Power of Gas, § 87.
Experimental Meter, § 88 to 92.
Pipes to be kept charged, § 93.
Mode of consuming Gas supplied to public Lamps, § 94.
For Settlement of Disputes between Local Board and Company, § 95.
Meters, § 96 to 102.
Cutting off Gas, § 103.
Removal of Meters and Fittings, § 105.
Penalties, &c., §§ 106 to 111.
Saving Rights of Mortgagees and Creditors of present Companies, § 112.
Provision as to General Acts relating to Gasworks and Public Health, § 113.
Saving Rights of Local Board, § 114.
As to fouling Water, § 115.
Local Board may require Company to raise, &c. Mains, &c. § 116.

Cap. lxxxv.

"The North-eastern Railway Company's (Beverley Branch) Act, 1862."

Proposes to enable the North-eastern Railway Company to construct Branch Railways from Market Weighton to Beverley and at Hull, to raise additional Capital, and for other Purposes.
Consolidation Acts incorporated, §§ 2, 3.
Power to make Railways and Works, § 4.
Power to cross Road on a Level, §§ 5 to 7.
Power to alter the Rate of Inclination of Road, § 8.
Power to purchase Land for extraordinary Purposes, § 9.
Lands not to be purchased compulsorily after Three Years, § 10.

Works to be completed within Five Years, §§ 11, 12.
Communications with the Railways of the Hull and Selby and Hull and Holderness Companies to be made to their Satisfaction, §§ 13 to 16.
Power to raise additional Capital of 88,000*l.*, §§ 17, 18.
Power to borrow 29,300*l.*, §§ 19 to 21.
Rights of new Shareholders to be in proportion to the Value of new Shares or Stock, § 22.
Power to assign Preference, not exceeding 5*l.* per Cent. to new Shares or Stock, § 23.
Dividends to be a Charge against joint Revenue, § 24.
Saving Rights of Holders of existing Preference Shares, § 25.
Calls, § 26.
Tolls of "The North-eastern Railway Company's Act, 1854," to be taken, § 27.
Power to apply Monies raised under other Acts to the Purposes of this Act, § 28.
Saving Rights of the Hull and Selby Railway Company, § 33.

Cap. lxxxvi.

"The Hatfield and Saint Albans Railway Act, 1862."

Proposes the making of a Railway from the Great Northern Railway at Hatfield to the London and North-western Railway at Saint Albans; and for other Purposes.
Incorporation of Consolidation Acts, § 2.
Company incorporated, with Capital of 70,000*l.* in 10*l.* Shares and Power to borrow 23,000*l.*, §§ 3 to 9.
Meetings; Directors, &c., §§ 11 to 20.
Power to make Railway, §§ 21, 22.
Substitution of Bridge for level Crossing at Hatfield, § 23.
Agreement of the 16th April 1862 confirmed, § 24.
Level Crossing, §§ 25 to 29.
Three Years for compulsory Purchase of Lands, § 30.
Four Years for Completion of Works, §§ 31, 32.
Tolls, §§ 33 to 40.
Communications and Arrangements with Great Northern Railway Company, §§ 41 to 44.
Power to enter into Working Agreements with Great Northern Railway, §§ 45 to 51.
User of Portion of Great Northern and of London and North-western Railways, §§ 52 to 55.
Power to Great Northern Company to subscribe Funds, §§ 56, 57.
And to raise Money for that Purpose with preferential Dividend at 5*l.* per Cent., §§ 58, 59.

Cap. lxxxvii.

"The Alford Valley Railway Amendment Act, 1862."

Recites that in 1856 a Company was incorporated for "the making of a Railway from the Great North of Scotland Railway to Alford, in the County of Aberdeen;" that the said Railway has been for some Time past made and opened to the Public; but in constructing the Railway it has been made to terminate more immediately in the Village of Alford than is authorized by the said Act, involving a Deviation for One Mile and a Half or thereby beyond the Limits of Deviation shown upon the deposited Plans of the said Railway; that the Deviation was made with the Concurrence of the Landowners affected thereby, and it affords better Accommodation to Alford than the authorized Line would have done, and it is expedient that the Company should be authorized to maintain their Railway as it has been constructed; that the estimated Cost of the Alford Valley Railway was 85,000*l.*, and the Company were empowered by the said Act to raise 85,000*l.* by the Creation of 8,500 Shares of 10*l.* each, and 28,000*l.* by borrowing that the whole of the said Share Capital was subscribed for and the Company have borrowed and now owe on Mortgage 27,962*l.* 3*s.*; but only 3,195 out of the said 8,500 Shares have been paid in full; and the Company have only received 12,779*l.* 5*s.*, instead of 53,050*l.*, upon or in respect of the remaining Shares, and these Shares are liable to be forfeited; but if sold, they would not realize the Arrears of Calls with Interest due thereon; that the Company in the Construction of their Railway have incurred Debts and Liabilities, for the Liquidation of which the whole of the unpaid Share Capital of the Company will be required, and it is expedient that further Powers should be conferred upon the Company with respect to the Forfeiture of Shares, and that they should be authorized to attach a Preference to their unissued Shares and to issue Preference Shares in the Place of those to be forfeited or cancelled; and that none of the existing Shares of the Company are Preference Shares.
Incorporation of Consolidation Acts, § 1.
Power to maintain the Railway as same has been constructed § 2.
Deviation to be Part of Company's Undertaking, § 3.
Company to abandon certain Portion of authorized Railway, § 4.
Compensation to be made where Contracts have been entered into or Notice given, § 5.
Shares forfeited may be cancelled, § 6.
Company may accept Surrenders of Shares, § 7.
Merger of such Shares, and Power to issue new Shares instead of those cancelled or surrendered, § 8.
Preference not exceeding 6*l.* per Cent. may be attached to new and unissued Shares, §§ 9 to 13.

Cap. lxxxviii.

"The Deeside Railway Act, 1862."

Recites that in 1846 the Deeside Railway Company were incorporated, and authorized to make a Railway commencing by a Junction with the Line of the Aberdeen (now Scottish North-eastern Railway) at or near Ferry Hill, in the County of Aberdeen, and passing by or near Banchory Ternan, in the County of Kincardine, and Kincardine O'Neil, in the County of Aberdeen, and terminating at or near Aboyne, in the last-mentioned County, and by the said Act the said Company were empowered to raise a Share Capital of 220,000*l.*, and to borrow 73,333*l.* 6*s.* 8*d.*; that by their Act of 1852 the recited Act was repealed, and the Shareholders in the said Company were re-incorporated by the same Name of the Deeside Railway Company, and a Portion of the then authorized Line between Banchory Ternan and Aboyne was abandoned, and the other Portion of the Line, with some Alterations, was authorized to be constructed according to certain Plans and Sections deposited as referred to in the original Act, and the Share Capital of the Company was reduced to 106,250*l.*, divided into Shares of 10*l.* each, and the Borrowing Power of the Company was also reduced to 35,400*l.*; that the original Railway to Banchory, as authorized by the Act of 1852, has long been open to the Public; that by their Extension Act, 1857, the Company were authorized to extend the Railway as originally contemplated from Banchory to Aboyne, but by a different Route, and for that Purpose to raise an additional Share Capital of 80,000*l.*, and to borrow on Mortgage or Bond the additional Sum of 26,600*l.*, which Share and borrowed Capital was to be kept distinct from the original Share and borrowed Capital of the Company for all Purposes of Expenditure and Dividend, and the Holders of such Extension Share Capital constitute a separate and distinct Class of Shareholders of the Com-

pany, and in like Manner the Holders of the Extension Loan Capital constitute a separate Class of Creditors of the Company; that the Extension Railway has been constructed, but it was found necessary to construct the Aboyne Terminus thereof, including the Portion of Line within the Station at that Terminus, about Half a Mile in Length beyond the Limits of the Line as laid down on the Plans thereof deposited, as referred to in the Extension Act, and it was also found necessary to construct a Portion, about 1 Mile 2 Furlongs and 8 Chains in Length, of the said Extension Railway in the Parish of Kincardine O'Neil, beyond the Limits of Deviation laid down on the said deposited Plans of the Extension Railway; that the said Extension Railway is now open to the Public, and has proved of great local and public Advantage; that the Company, under Powers for that Purpose contained in the Extension Act, subscribed out of the original Capital the Sum of 5,000*l.* towards the Extension Capital, and also provided additional Rolling Stock and Plant for working the Extension Railway, and in consequence of the Increase of Traffic on both the original and Extension Railways the Company have been obliged to provide additional Station Accommodation, and to construct a Goods Station in Aberdeen, not originally contemplated, and other Works; that the Company have received the Sum of 101,526*l.*, Part of the original Share Capital of 106,250*l.*, and the Sum of 4,724*l.*, the Residue thereof, remains to be paid up for the Purposes of the original Undertaking; that they have raised the whole of the original Loan Capital of 35,400*l.* authorized by the original Act, and have expended the whole of the Sums so raised for the Purposes of the original Act, and, including the Sum of 5,000*l.* subscribed to the Extension Railway, they have expended a further Sum of 19,000*l.* and upwards for Purposes in connexion with the original Railway; that an additional Sum of 10,350*l.* will be required to provide additional Rolling Stock and Workshops, and other Accommodation for the Business of the Company; that there are no Preference Shares in the original Capital of the Company, and to meet the before-mentioned Expenditure it is expedient that the Capital for the Purposes of the original Act should be increased by the Creation of Preference Shares to the Amount of 24,000*l.*, and that further Monies should be raised by borrowing on the Credit of the Revenue of the original Railway; that it is expedient that the Company should be authorized to raise by the Creation of Debenture Stock a Sum sufficient to pay off the original Debt of the Company and to make the Dividend on such Debenture Stock rank pari passu with the unpaid Portion of such original Debt, and prior to the Dividends on the Preference and original Shares in the original Capital; that the Company have raised the Sum of 24,300*l.*, Part of the Sum of 26,600*l.* by the Extension Act authorized to be raised by Loans, the Sum of 2,300*l.*, the Residue thereof, being represented by the Value of Feu Duties granted by the Company on the Purchase of Lands for the Extension Railway; that it is also expedient that the Company should be enabled to raise by the Creation of Debenture Stock a Sum sufficient to pay off the Extension Debt of the Company for the Time being, and to make the Dividend on such Debenture Stock rank pari passu with the unpaid Portion of such Extension Debt, and prior to the Dividends on the original Shares in the Extension Capital, and that the Acts should be amended.

Incorporation of certain Provisions of the Companies Clauses (Scotland) Act, § 2.

Power to raise 24,000*l.* by Preference Shares for original Railway, § 3.

Provision as to Preference Shares in original Capital, § 4.

Dividends on Preference Shares of original Undertaking, how to be paid, § 5.

Votes in respect of Preference Shares, § 6.

Original Capital not to be increased beyond authorized Amount of 130,250*l.*, § 7.

Power to borrow 8,000*l.* more on original Undertaking, § 8, 9.

Power to create Debenture Stock at 5*l.* per Cent. to pay off original Debt and Extension Debt, §§ 10 to 20.

Provisions of Extension Act and of Railways Clauses (Scotland) Act incorporated, § 23.

Power to maintain Portions of Railway beyond Limits according to deposited Plans, § 24.

Describing Portions of Railway, § 25.

Tolls of Extension Railway to be taken on Portions authorized by this Act, § 26.

Ordinary Meetings to be held and Dividends declared half-yearly, § 27.

Cap. lxxxix.

"The Furness Railway Act, 1862."

Recites that by 33 Geo. 3. c. 105. a Body Corporate was created by the Name of "The Company of Proprietors of the Ulverstone Canal Navigation;" that an Act was passed in 1855 to repeal and consolidate the several Acts relating to the Furness Railway Company, to enable the said Company to raise a further Sum of Money, and to give further Powers to the said Company; that it is expedient that the said Furness Railway Company should be enabled to make a Branch Railway from their Line in the Township of Hawcoat, in the County of Lancaster, to a certain Stone Quarry called "Hawcoat Quarry," and to raise additional Capital for the Purpose, and that the Undertaking of the said Company of Proprietors of the Ulverstone Canal Navigation should be transferred to and vested in the Company, and that Powers should be given to the Company to enable them to purchase and hold Steam Vessels in the Manner and for the Purposes herein-after mentioned; that the Company require further Sums of Money for the general Purposes of their Undertaking and for other the Purposes herein-after mentioned; that in 1857 the Coniston Railway Company were incorporated, and authorized to make a Railway from Broughton, in the Parish of Kirkby Ireleth, in the County Palatine of Lancaster, to Coniston, in the Parish of Ulverstone, in the same County; that by a Bill now pending in Parliament it is proposed that the Company and the Coniston Company should be united so as to form One Company; and in the event of such Union taking place it is expedient that the Company should be empowered to raise 30,000*l.* in order to discharge certain Liabilities of the Coniston Company.

Incorporation of Consolidation Acts, § 2.

Description of new Branch, § 3.

One Year for compulsory Purchase of Lands, § 4.

Description of Railway, § 5.

Admiralty Provisions, §§ 6 to 8.

Two Years for Completion of Works, §§ 9, 10.

Tolls, § 11.

Transfer of Ulverstone Canal to Furness Railway Company, § 12.

Saving Monies due to Canal Company, § 13.

Powers of Canal Company to be exercised accordingly, § 14.

Payment by Furness Railway Company to Canal Company, § 15.

Canal Company to be wound up and dissolved, § 16.

Distribution of Assets, §§ 17 to 25.

Furness Railway Company to represent Canal Company, § 26.

Saving of Rights under Canal Act, §§ 28 to 35.

36. It shall be lawful for the Directors of the Company from Time to Time or at any One Time, with the Authority of any General or Special General Meeting of the Company, to lay out any Portion of the Capital herein-after authorized to be raised or any Funds for the Time being belonging to the Company, not exceeding in the whole the Capital Sum of 25,000*l.*, in the Purchase of One or more Steam Vessel or Steam Vessels, and also from Time to Time to expend and apply out of the general Revenues of the Company such annual Sum as may be necessary for the Expenses of the Maintenance of the Steam Vessels now belonging to the Company or which shall be so purchased, and from Time to Time, with such Authority as aforesaid, to sell such Steam Vessels and purchase others in the Place of the Vessels which may be so sold, and also from Time to Time to expend and apply out of the general Revenues of the Company any Sum which may be authorized to be expended and applied by any General or Special General Meeting in chartering or hiring any Steam Vessel or Steam Vessels: Provided always, that such Steam Vessel or Steam Vessels shall not be employed by the Company in plying between any other Ports or Places than between Barrow, Piel Pier, and Fleetwood.

37. The 57th, 58th, 59th, 60th, 61st, 62d, and 63d Sections of "The Furness Railway Act, 1855," (except so much of the 61st Section as relates to the Profits accruing in respect of Piel Pier,) shall be and the same are hereby repealed.

Powers of Directors as to Steam Vessels, § 38.
Extending Provisions of 17 & 18 Vict. c. 31. to Steam Boats of Company, § 39.
For securing Equality of Payment by Passengers, § 40.
Provision for Cessor of Powers as to Steam Ships on Report from Board of Trade, § 41.
As to Profits of Steam Vessels, § 42.
The Company empowered to make Byelaws, § 43.
Rates and Byelaws to be published, § 44.

45. For the Purposes of this Act the Company from Time to Time may raise, by the Creation and Issue of new Shares in their Undertaking any additional Capital not exceeding 160,000*l.*: Provided always, that 30,000*l.* (Parcel of the said Sum of 160,000*l.*) shall not be raised by the Company unless the Coniston Company shall by an Act passed in the present Session of Parliament be amalgamated with and form Part of the Undertaking of the Company, and it shall not be lawful for the Company to raise such Sum of 30,000*l.*, or any Part thereof, except by the Creation and Issue of new Shares having a fixed or preferential Dividend not exceeding the Rate herein-after mentioned, and such Sum of 30,000*l.*, or so much thereof as shall be raised under the Provisions of this Act, may and shall be applied exclusively for the Purposes of liquidating or otherwise satisfying the Debts and Liabilities of the Coniston Company.

Power to attach a Preference to new Shares not exceeding 5*l.* per Cent., §§ 46 to 50.
Cancelling and re-issuing of Shares, §§ 51 to 60.
Power to borrow 40,000*l.*, §§ 61 to 64.

Cap. xc.

"The Keighley and Worth Valley Railway Act, 1862."

Proposes the making of a Railway from the Midland Railway in the Township and Parish of Keighley to the Township of Haworth, in the Parish of Bradford, in the West Riding of the County of York; and to authorize Agreement with the Midland Railway Company.
Incorporation of Consolidation Acts, §§ 2, 3.
Company incorporated, with a Capital of 36,000*l.*, and with Power to borrow 12,000*l.*, §§ 4 to 11.
Meetings; Directors, §§ 12 to 19.
Power to take Lands, § 20.
Power to make Railway, § 21.
Regulating Inclination of a certain Road, § 22.
As to Span and Height of Arch, § 23.
Power to alter Engineering Works, § 24.
Purchase of Lands for additional Stations, &c., § 25.
Three Years for compulsory Purchase of Lands, § 26.
Four Years for Completion of Works, §§ 27, 28.
Tolls, §§ 29 to 38.
Confirmation of Agreement with Midland Railway Company, §§ 39 to 41.
Schedule (Agreement).

Cap. xci.

"The Midland Railway (Rowsley and Buxton Extension) Act, 1862."

Recites that it is expedient that the Midland Railway Company should be empowered to construct a Railway to connect the Rowsley and Buxton Line of their Railway with the Marple, New Mills, and Hayfield Junction Railway with Two Branches from such intended Railway; that by "The Manchester, Sheffield, and Lincolnshire Railway (Additional Works) Act, 1861," the Manchester and Sheffield Company were empowered to construct, among others, a new Line of Railway to commence in the Parish of Glossop, in the County of Derby, by a Junction with the Line of Railway authorized by "The Marple, New Mills, and Hayfield Junction Railway Act, 1860," at or near New Mills, and to terminate in the Parish of Chapel-en-le-Frith, in the same County; that the Construction of the Railways by this Act authorized, with Power for the Sheffield Company to work over and use the Portions thereof herein-after mentioned, will render unnecessary the Construction of Part of the Railway authorized by the said first-mentioned Act; and it is expedient that so much of the said first-mentioned Act as empowers or requires the Sheffield Company to construct such Portion of Railway should be repealed, and that the Sheffield Company should be empowered to work over and use the Portions herein-after mentioned of the Railways by this Act authorized; and that the Company should be empowered to raise a further Sum of Money for the Purposes of this Act.
Incorporation of Lands and Railways Clauses Acts, § 2, 3.
Power to take Lands, § 4.
Power to make Railways; as to Junction with the Marple, New Mills, and Hayfield Junction Railway, §§ 5 to 11.
Regulating Inclination and Diversions of Roads, §§ 12, 13.
Power to alter Engineering Works, § 14.
Provision for Construction of certain Lines at Junction, and Acquisition of Lands, § 15.
Company not to proceed for Six Months to acquire certain Lands authorized to be taken for Buxton Extension, § 16.
Company not to take Lands required for Buxton Extension, § 17.
Regulations as Crossings, Bridges, &c., §§ 18 to 22.
Company to acquire only Easements in Lands of Stockport Company, § 23.
Regulations as to Bridge under Disley and Hayfield Railway, §§ 24, 25.
Company to acquire Easements only in Lands of Disley and Hayfield Railway Company, § 26.
Lands for extraordinary Purposes, § 27.

29. The Railway by this Act thirdly authorized, and the Portion of the Railway by this Act first authorized, between its Junction with the Marple, New Mills, and Hayfield Junc-

tion Railway and its Junction with the Railway by this Act thirdly authorized, shall be completed within Five Years from the 28th Day of June 1861 (being the Period limited for the Completion of the Railways authorized by "The Manchester, Sheffield, and Lincolnshire Railway (Additional Works) Act, 1861)," and on the Expiration of that Period the Powers by this Act granted for making the same, or otherwise in relation thereto, shall cease, except as to so much thereof respectively as shall then be completed.

30. The Residue of the Railways by this Act authorized shall be completed within Five Years after the passing of this Act, and on the Expiration of that Period the Powers by this Act granted for making the same or otherwise in relation thereto shall cease, except as to so much thereof respectively as shall then be completed.

Suspension of Dividend, if Railways not completed within Time limited, § 31.
Parts of Companies Clauses Act incorporated, § 32.
Power to raise 380,000*l.* by new Shares, with or without a Preference not exceeding 5*l.* per Cent., §§ 33 to 44.
Power to borrow 126,000*l.*, §§ 44 to 48.
Repeal of Provisions of "The Manchester, Sheffield, and Lincolnshire Railway (Additional Works) Act, 1861," as to Construction of a Portion of the Line of Railway first therein described, §§ 49, 50.
Power for Sheffield Company to work over and use Portions of the intended Railways, § 51.
Power for Company, Sheffield Company, and Marple, New Mills, and Hayfield Junction Railway Company to enter into Agreements, §§ 52 to 57.
Saving Rights of Crown and of Duchy of Lancaster, § 60.

Cap. xcii.

"The Leeds, Bradford, and Halifax Junction Railway Act, 1862."

Recites that the Company were incorporated in 1852 for constructing a Railway from Bowling near Bradford to Wortley near Leeds in the West Riding of the County of York, and for other Purposes; that in 1853 they were authorized to construct a Branch Railway from the Main Line at Laister Dyke to Gildersome Street, and another Branch Railway from Laister Dyke to the Town of Bradford; that in 1854 they were empowered to construct a Railway (in extension of the Gildersome Branch) to East Ardsley; that in 1855 they were authorized to raise additional Capital, and in 1859 to convert their Mortgage or Bond Debt into Debenture Shares or Debenture Stock; that in 1861 the Company were authorized to construct a Railway (to be called "the Batley Branch") from the Gildersome Branch to join the Birstal Branch of the London and North-western Railway, and to pass over and use with their respective Engines and Carriages of every Description so much of the London and North-western Railway as lay between the Point of Junction therewith of the Railway by the Act now in recital authorized and the Station at Batley of the London and North-western Railway, and the Stations, Watering Places, Sidings, Platforms, Booking and other Offices, Warehouses, Buildings, Conveniences, and Accommodations upon the said Portion of Railway, or connected therewith, including the said Station at Batley, upon such Terms and Conditions, and on Payment of such Tolls, Charges, Rent, or other Consideration as might from Time to Time be agreed upon, or (failing Agreement) as should be determined by Arbitration; that it is expedient that the Company be authorized to construct the Railway herein-after described in substitution for Part of the Batley Branch, and to raise further Money for that Purpose; that the proposed Railway is intended to join the London and North-western Railway, and it is expedient that Provision should be made for the User of the Railway of the London and North-western Railway Company from the Point of Junction up to the Station at Batley of that Company, and of the Works and Conveniences connected therewith, including the Batley Station of that Company; that it is expedient that the Periods limited for the Sale of the superfluous Lands of the Company should be extended; and to sanction and give effect to Contracts between the Company and the Bradford, Wakefield, and Leeds Railway Company with respect to the User by each of those Companies of certain of the Railways of the other of them, and the Construction, Maintenance, Ownership, Arrangement, Management, and Use of a Joint Station or Stations at Batley, and the adjoining Portions of their respective Railways.
Incorporation of Consolidation Acts, §§ 2, 3.
Power to construct Railway according to deposited Plans, § 4.
Arrangements for Railway to communicate with London and North-western Railway, §§ 5 to 9.
Communications with the Bradford, Wakefield, and Leeds Railway, §§ 10 to 13.
Power to alter Engineering Works, § 14.
Two Years for compulsory Purchase, § 15.
Three Years for Completion of Works, § 16.
Tolls, § 18.
Abandonment of Part of authorized Works and Compensation, §§ 19, 20.
Company may apply Corporate Funds for Purposes of this Act, § 21.
Power to raise additional Capital of 15,000*l.*, §§ 22 to 27.
Power to borrow 5,000*l.*, §§ 28 to 31.
Power to use London and North-western Railway from Junction to Batley and Batley Station, § 32.
Terms of User, § 33.
Provision for Arbitration, § 34.
Repealing Powers to use the London and North-western Railway from the abandoned Point of Junction, § 35.
Power to enter into Traffic Arrangements, §§ 36 to 42.
Extending Time for Sale of superfluous Lands to 1870, § 43.
Saving Rights, &c. of Lancashire and Yorkshire Railway Company, § 44.

Cap. xciii.

"The Vale of Clwyd Railway Act, 1862."

Proposes to enable the Vale of Clwyd Railway Company to extend their Railway to the North-west Shore of the River Clwyd at Foryd; to divert a Portion of the Line of their present Railway, and to raise further Capital.
Incorporation of Consolidation Acts, §§ 3, 4.
Power to execute Works as described, §§ 5 to 8.
Protection of Chester and Holyhead Railway, §§ 10, 11.
Irish Mail not to be delayed; Penalties, § 12.
Admiralty Provisions, §§ 13 to 16.
Provisions as to Minerals belonging to the Crown, §§ 17, 18.
One Year for compulsory Purchase of Lands, § 19.
Two Years for Completion of Works, §§ 21, 22.
Tolls and Pier Charges, §§ 23, 24.
Power to raise 10,000*l.* by new Preference Shares at 5*l.* per Cent., §§ 25 to 31.
Power to borrow 3,300*l.*, §§ 32, 33.

Cap. xciv.

"The Burton-upon-Trent Railways Act, 1862."

Recites that by "The Midland Railway and Burton-upon-Trent Bridge Act, 1859," the Midland Railway Company were empowered to construct certain Railways therein mentioned within the Town of Burton-upon-Trent, and by "The Midland Railway (Burton Branches) Act, 1860," certain Alterations in those Railways and other Railways were authorized, and Messrs. Samuel Allsopp and Sons were empowered to construct certain Railways in that Act mentioned, and therein described as "Connexion Railway No. 1," and "Connexion Railway No. 2," for affording more convenient Access between their Breweries and Works and the Railways of the Midland Railway Company, and also for facilitating the Transmission of Traffic between their Breweries and Premises in one Part of the said Town and their Breweries and Premises in other Parts thereof; that the said Connexion Railways have been completed and are in use by Messrs. Samuel Allsopp and Sons, and by means of the Facilities thereby afforded in the Transmission of Goods to and from their Breweries and Premises a considerable Diminution in the Passage of Traffic along the Streets of the said Town has been effected, and such Traffic will be further decreased when the Railways of the Midland Railway Company authorized by the recited Acts, with which the said Connexion Railways will communicate, have been completed and opened for Traffic; that a still greater Diminution of the Traffic along the Streets of the said Town would result from the Construction of other Railways within the said Town in connexion with the said Railways of the Midland Railway Company and with other Breweries and Premises; and it is expedient that Powers should be conferred upon Messrs. Bass and Company and Messrs. Worthington and Robinson respectively to make and maintain such Railways.

Incorporation of Consolidation Acts, § 2.
Power to Messrs. Bass to make certain Railways, § 3.
Power to Messrs. Worthington and Robinson to do the like, § 4.
Junctions with Midland Railway, §§ 5 to 9.
Level Crossings, §§ 10 to 13.
One Year for Purchase of Lands, § 14.
Three Years for Completion of Works, § 15.
The Railways to be private Property, § 16.

Cap. xcv.

"The Hereford, Hay, and Brecon Railway Act, 1862."

Proposes to enable the Hereford, Hay, and Brecon Railway Company to make and maintain Deviations in the Line and Levels of their Railway.

Consolidation Acts incorporated, § 1.
Description of Works and Alterations; Compensation, §§ 3 to 11.
Compulsory Purchase of Lands limited to One Year, § 12.
Completion of Works by 6th August 1864, § 13.
Provision with respect to Bridge at Hay, § 14.

Cap. xcvi.

"The South-eastern Railway (Tunbridge and Dartford Lines, &c.) Act, 1862."

Proposes to enable the South-eastern Railway Company to make Railways to Tunbridge and Dartford respectively, and to widen a Portion of their North Kent Line of Railway, and to purchase additional Lands for the Purposes of their Undertaking.

Incorporation of Consolidation Acts, § 2.
Powers to make new Railway, § 3.
To alter and widen North Kent Railway, § 4.
To alter Engineering Works, § 6.
Protection of Land of J. R. West and J. E. W. Rolls, Esquires, § 7.
Three Years for compulsory Purchase of Lands, § 9.
Five Years for Completion of Works, §§ 10, 11.
Protection of New Cross Turnpike Roads, §§ 13, 14.
As to Mottingham Lane, §§ 15, 16.
Saving Rights of Metropolitan Board of Works, § 17.
Protection of Estate of S. Scott, Esq., §§ 18, 19.
Of Lands of N. W. J. Strode, Esq., §§ 20 to 22.
Tolls, §§ 23, 24.
Power to raise further Capital of 1,200,000*l.* by new Shares, with Preference Dividend at 5*l.* per Cent., §§ 25 to 30.
Power to borrow 400,000*l.* on Mortgage, §§ 31, 32.
Saving Rights of the Crown, § 36.

Cap. xcvii.

"The Lancashire and Yorkshire Railway (Additional Powers) Act, 1862."

Proposes to enable the Lancashire and Yorkshire Railway Company to construct a Branch Railway to Shawforth, and other Works; to purchase additional Lands, and to raise further Capital.

Incorporation of Consolidation Acts, § 3.
Power to make Railways and alter Works, §§ 5 to 7.
Protection of Rochdale and Burnley Turnpike Road, § 8.
Of Works of Rochdale Water Company, § 9.
Supply of Water to Wardleworth Wells, § 10.
Bridge over Yorkshire Street, § 11.
Power to stop up Streets in Rochdale, § 13.
To alter and widen Sowerby Viaduct, § 15.
Three Years for compulsory Purchase of Lands, § 16.
Five Years for Completion of Works, §§ 17, 18.
Tolls, § 19.
Power to raise 187,750*l.* by new Shares, with Preference Dividend of 5*l.* per Cent., §§ 20 to 26.
Power to borrow 62,500*l.*, §§ 27, 28.
Certain Parts of Companies Clauses Act incorporated, § 29.
Regulation as to Use of Proxies, § 30.

Cap. xcviii.

"The Oldham, Ashton, and Guide Bridge Junction Railway Leasing Act, 1862."

Recites that by an Act of 1857 the Oldham, Ashton-under-Lyne, and Guide Bridge Junction Railway Company were incorporated, and were authorized to raise a Capital of 140,000*l.* by Shares, and to borrow not exceeding 46,600*l.* on Mortgage or Bond, and to make and maintain certain Railways; and that by such Act the Manchester, Sheffield, and Lincolnshire Railway Company were authorized to subscribe towards the Undertaking of the Oldham Company to any Extent not exceeding 50,000*l.* and to enter into and carry into effect Contracts or Arrangements with respect to the Working and Use by the Sheffield Company of the Undertaking of the Oldham Company; that by "The London and North-western Railway (New Works) Act, 1859," the London and North-western Railway Company were authorized to subscribe towards and to take and hold Shares in the Undertaking of the Oldham Company to any Extent not exceeding 50,000*l.*, and to enter into Agreements in reference to the Working, Management, Maintenance, and Use by the North-western Company of the Railway of the

Oldham Company; that the Sheffield Company and the North-western Company have respectively subscribed towards the Undertaking of the Oldham Company to the Extent of 50,000*l.* each, and are Holders of Shares therein to that Amount, and are, as to the User of the Oldham Line, entitled to equal Powers, Rights, and Privileges in all respects; that the Residue of the Capital in Shares of the Oldham Company, amounting to 40,000*l.* is held by divers Shareholders and has been fully called up; that it is expedient that the Undertaking of the Oldham Company should be vested by Lease in the Sheffield and North-western Companies jointly for the Term and upon the Conditions hereinafter mentioned, and that Powers should be granted to them for the Purchase absolutely of the said Undertaking.
Vesting Railway in the Two Companies, § 3.
Lease of Oldham Railway not to affect Third Parties, § 4.
As to Rent, § 5.
Payment of Rent, § 6.
Contributions by Two Companies respectively; Remedies for Nonpayment, § 7.
Saving Preference in Capital of the Two Companies, § 8.
As to Disputes between Oldham Company and Two Companies, § 9.
The Joint Committee to keep Registers of Oldham Holders of Stock, and pay Dividends to them, § 10.
Power to sell, § 11.
Form and Effect of Conveyance, § 12.
Provision for Cession of Powers of Oldham Company upon Execution of Conveyance, § 13.
Tolls to be taken by the Two Companies, § 14.
Providing for Dissolution of Oldham Company, §§ 15 to 18.
Provisions of other Acts continued; Saving of Rights and Liabilities, §§ 19 to 25.
As to Management of Railway, § 26.
As to Vacancies in Committee, § 27.
Meetings of Committee, § 28.
Books of Account to be kept by Committee, § 29.
Receipts upon Oldham Railway to be carried to a Common Fund, § 30.
As to Expenses of managing Railway, § 31.
Arbitrator to be appointed, § 32.
As to Settlement of Disputes between Sheffield and North-western Companies, § 33.
Either of the Two Companies paying more than their rateable Share of joint Liabilities may recover from the other of the Two Companies, § 34.
As to Station Accommodation, § 35.
User of Oldham Railway by the Two Companies, § 36.
Power to the Two Companies to apply Corporate Funds to the Purposes of this Act, § 37.
Power for Sheffield Company to raise additional Capital, § 38.
Shares so created may be Preference Shares, § 39.
New Shares to be subject to same Incidents as ordinary Shares, § 41.
Dividends on new Shares, § 42.
Votes and Qualifications in respect of new Shares, § 43.
Power for Sheffield Company to raise Capital under any other Act of this Session and this Act by new Shares of One Class, § 44.
Calls on new Shares, § 45.
Saving existing Preference Shares of Sheffield Company, § 46.
Power for North-western Company to raise additional Capital, § 47.
Calls on new Shares, § 48.
New Capital to be subject to same Incidents as ordinary Capital, § 49.
Dividends on new Shares, § 50.
Votes and Qualifications, § 51.
Aggregate of Capital of the Three Companies not to be increased, § 52.
Saving Rights of Lancashire and Yorkshire Railway Company, § 55.
Saving Rights of Great Northern Railway Company, § 56.

Cap. xcix.

"The Wakefield Waterworks Act, 1862."

Recites that by an Act of 7 Will. 4. the Wakefield Waterworks Company were incorporated and authorized to construct Waterworks for supplying the Inhabitants of the Town and Township of Wakefield, and the Townships of Alverthorpe-with-Thornes, Stanley-cum-Wrenthorpe, and Sandal Magna with Water; that by that Act and an Act of 4 & 5 Vict. the Company were authorized to raise 25,000*l.* by the Creation of Shares and 10,000*l.* more by Mortgage or by Shares, with Power to convert their Loans into Share Capital; that they raised 21,000*l.* by the Creation and Issue of 840 Shares of 25*l.* each, and 7,500*l.* by the Creation and Issue of 600 Shares of 12*l.* 10*s.* each, entitled to preferential Dividends at the Rate of 4*l.* per Centum per Annum, and have borrowed on Mortgage Sums amounting together to 6,409*l.* or thereabouts; that they have expended upon their Undertaking, and chargeable to Capital Account, the said Sums of 21,000*l.*, 7,500*l.*, and 6,409*l.*, making together the Sum of 34,909*l.*, and have moreover incurred Liabilities chargeable to Capital Account and not secured by Mortgage amounting to more than 1,500*l.*, and it is expedient that they should be authorized to raise more Money, as well for paying off such Liabilities as for improving their Undertaking, and that they should be empowered to create Debenture Stock and that the Provisions of the said Acts should be consolidated and amended.
Incorporation of Consolidation Acts, §§ 1, 2.
Repeal of Acts, § 3.
Company incorporated, § 4.
Continuance of Rights and Liabilities, §§ 5 to 12.
Present Capital 28,500*l.*, § 13.
Saving Rights, &c. in respect of old Shares, § 14.
Power to create new Shares to the Amount of 26,500*l.*, and to attach Preference of 5*l.* per Cent., §§ 15 to 19.
Power to borrow 13,700*l.*, §§ 20 to 22.
Power to raise Money by Debenture Stock at 4*l.* 10*s.* per Cent., §§ 23 to 29.
Meetings; Directors, §§ 30 to 37.
Company may maintain and improve their existing Waterworks, § 39.
Power of Justices to order Inquiry into State of Reservoirs, §§ 40 to 49.
Limits of Act for Water Supply, § 50.
Rents for Domestic Supply, § 51.
Rate to be according to the Rackrent, § 52.
Definition of domestic Purposes, § 53.
Charge for Waterclosets, &c., § 54.
For preventing the fouling of Water, § 55.
Supply of Water; Penalties, § 56 to 67.
Gas Pipes to be laid Four Feet from Water Pipe in a particular Manner, § 69.
Penalty on permitting the Escape of Gas, § 70.
Protection of Wakefield Gaslight Company, §§ 71, 72.
Saving the Right of the Lord of the Manor to work Mines, &c. and saving Manorial Rights, § 75.
Saving Right of Aire and Calder Navigation Company, § 76.

Cap. c.

"The Hull and Hornsea Railway Act, 1862."

Incorporation of Consolidation Acts, § 1.
Subscribers incorporated, with a Capital of 70,000*l.*, and with Power to borrow 23,000*l.*, §§ 3 to 9.
Meetings; Directors, §§ 10 to 17.
Power to make Works according to deposited Plans, § 18.
Power to alter Engineering Works, § 20.
Lands for extraordinary Purposes, § 21.
Lands to be purchased by Compulsion within Three Years, § 22.
Four Years for Completion of Railway, § 23 and § 42.
Level Crossings, §§ 24 to 27.
Power to use Portion of the Line and Hull Station of the North-eastern Railway Company, § 28.
Until the Company exercise their running Power, the North-eastern Company to work their Traffic, § 29.
Lands of North-eastern Company not to be taken, nor their Railway to be interfered with except for forming a Junction therewith, § 30.
Mode of effecting Communication with the North-eastern Railway, §§ 31 to 34.
Regulating Works affecting Sutton and Main Lowland Drains, § 35.
Regulating Works affecting Old Lambwith, Sutton Cross, and Swine-Church Drains, § 36.
Free Passage of Water not to be interfered with, § 37.
Plans to be submitted to Commissioners of Sewers before Drains, &c. interfered with, § 39.
Commissioners to certify as to Construction of Works affecting Drains, &c.; and if Company dissatisfied, Board of Trade to decide, § 40.
Act not to affect Jurisdiction of Powers of Commissioners of Sewers, § 41.
Tolls, §§ 43 to 49.
Power to enter into Agreements with the North-eastern Railway Company, §§ 50 to 58.

Cap. ci.

"The Ceylon Railway Company's Dissolution Act, 1862."

Preamble recites Incorporation of the Company under 19 & 20 Vict. c. ci., and a provisional Contract made between the Government of Ceylon and the Company for the Construction of the authorized Railway under a Guarantee of Interest on the Capital from the Government, but that the Government and the Company had subsequently come to an Agreement that the Undertaking should be abandoned, and the Contract between them rescinded.
The Company to pay the undistributed Residue of its Capital into the Court of Chancery, § 1.
Payment to be made to the Shareholders on summary Application, § 2.
On the Payment into Court the Company to be dissolved, and in the meantime to be incapable of contracting new Liabilities, § 3.
Dissolution not to invalidate the Titles and Rights acquired by the Ceylon Government, § 4.
Schedule (Names and Addresses of Shareholders).

Cap. cii.

"North British and Mercantile Insurance Company's Act, 1862."

Recites that the North British Insurance Company were established as a Fire and Life Insurance Company by Articles of Copartnery dated the 2d November 1809 and subsequent Dates, and incorporated by Royal Charter the 6th February 1824; that by a supplementary Contract of Copartnery or Deed of Accession and Agreement dated the 4th May 1824 and subsequent Dates, the Purchasers of new Stock of the Corporation became Shareholders or Members of the Corporation; that 8 & 9 Vict. c. xxviii. was afterwards passed with respect to the Corporation, but was repealed by the Act next herein-after recited; that by "The North British Insurance Company's Act, 1860," the Object and Business of the Corporation as a Fire and Life Insurance, Reversion, and Trust Company were declared, and they were authorized to transact their Business in the United Kingdom of Great Britain and Ireland, in the East Indies, in Her Majesty's Colonies and Dependencies abroad, and in Foreign Countries and States, and their principal Office or Place of Business was required to be within the City of Edinburgh or the Parliamentary Boundaries thereof; and it was enacted that the then Capital Stock of the Corporation being 1,000,000*l.* Sterling in 5,000 Shares of 200*l.* each, upon each of which 25*l.* had been paid, should thereafter be held to consist of and to be divided into 10,000 Shares of 100*l.* each, upon each of which 12*l.* 10*s.* should be held to have been paid; and various Provisions were made with respect to the Appointment, Retirement, and Re-election of Directors, the holding of General Meetings, and Appointment of Boards of Management and Agents of the Company in the Colonies or in Foreign Parts, and also for the Corporation suing and being sued by the Name of "The North British Insurance Company," and for the Acquisition by the Corporation of the whole or any Part of the Business of any other Fire or Life Insurance Corporation, Company, or Society desirous of being dissolved or of relinquishing the whole or any Part of their Business; that the whole of the Capital Stock of the Corporation of 1,000,000*l.* in 10,000 Shares of 100*l.* each, is held by registered Shareholders, and those Shares are held as being paid up to the Extent of 12*l.* 10*s.* a Share, the aggregate of 125,000*l.* having been actually paid up on that Capital Stock, leaving 875,000*l.* residue thereof unpaid; that the Corporation having regard to the actual and expected Increase of their Business became desirous of increasing their Capital Stock; that in consequence of an extensive Fire which happened in London in the Summer of the Year 1861 the principal Fire Insurance Companies simultaneously united in raising to a large Amount the Premiums on London Mercantile Fire Risks; that divers Merchants and others who were largely engaged in Mercantile Transactions in London, being of opinion that the raising of the Premiums was not justified by the Circumstances, thought it desirable that a new Fire Insurance Company should be established in London, and they with others accordingly established a new Fire Insurance Company under the Name "The Mercantile Fire Insurance Company," with a large subscribed Capital, the Shares of which were taken to a great Extent by London Merchants; that the new Company established special Rates of Fire Insurance Premiums for London Mercantile Risks considerably below the Rates so increased by the principal Insurance Companies, whereby the Public were greatly benefited; that the Corporation and the new Company agreed on a Union of their respective Interests, and the new Company have agreed to transfer their Business to the Corporation, and have made Arrangements for their own Dissolution and the winding up of their Affairs, and for taking Shares in the Corporation; that it is expedient that the Name of the Corporation should be changed from their original Name of Incorporation to the Name "The North British and Mer-

cantile Insurance Company;" that it is expedient that the Capital Stock of the Corporation be increased, and the nominal Amount of every Share of the Capital Stock of the Corporation be 50*l.*; that for some Time after the passing of the Act of 1860, the Business of the Corporation in England was conducted by a Local Board of Management in London, acting under the Authority of that Act, but the Corporation are desirous and it is expedient that the Number of Directors forming their General Board be increased to 24, One Half of them to act as a Board to meet in Edinburgh, and the other Half of them to act as a Board to meet in London, and that Provision be made for the Regulation of the General Board and those Boards respectively; and also for holding General Meetings of their Shareholders in London as well as in Edinburgh.

Name of Corporation changed to "The North British and Mercantile Insurance Company," § 3.

General Saving of Rights, notwithstanding Change of Name of Corporation, § 4.

Present Capital in 100*l.* Shares divided into 50*l.* Shares, § 5.

Corporation to issue Certificates of Shares divided, § 6.

Corporation may require present Certificates to be exchanged for new Certificates, § 7.

Present Certificates available till new Certificates issued, § 8.

Capital to be 2,000,000*l.* in 40,000 Shares of 50*l.* each, consisting of present Capital and additional Capital created by Act, § 9.

Corporation Stock and Shares to be Personal Estate, § 10.

Holders of Shares of Capital of 2,000,000*l.* to be Shareholders of Corporation, § 11.

Power to issue Shares of additional Capital of 1,000,000*l.*, § 12.

Calls on Shares of additional Capital, § 13.

Limit of Calls on Shares of present Capital, § 14.

Number of Shares to be held for Corporation, § 15.

Provisions of Act of 1860 apply to Capital of 2,000,000*l.*; &c., § 16.

Directors; General Board; Edinburgh Board; London Board, §§ 17 to 22.

Superintending Powers of General Court, § 23.

Powers of General Court as to Conduct of Business, § 24.

Ordinary Powers of General Court, § 25.

Meetings of General Court, §§ 26 to 29.

Powers of Edinburgh Board and London Board, § 30.

Power to appoint Officers, § 31.

Meetings of Edinburgh and London Boards, § 32.

Committees of Directors, § 33.

Remuneration for Directors, § 34.

Special General Meetings in Edinburgh and in London, § 35.

Voting Proxies to be used at Special General Meetings in London, § 36.

Contracts of Copartnery and Royal Charter to remain in force, § 37.

Cap. ciii.

"Ashborne and Belper Turnpike Trust Act, 1862."

Recites 11 Geo. 4. c. cxxx. that considerable Sums of Money, amounting in the whole to 5,399*l.* 11*s.* 8*d.*, or thereabouts, have been borrowed and are now due on the Credit of the Tolls arising on the Road comprised in the recited Act, or are otherwise owing on account of the said Road.

Repeal of recited Act, § 1.

Tolls, §§ 11 to 21.

Trust continued for 25 Years, § 30.

Cap. civ.

"The London and North-western Railway Company's (Capital) Act, 1862."

Preamble recites that it is expedient to define in One Act the Powers of the London and North-western and Chester and Holyhead Railway Companies respectively, for raising Money by Shares or Stock, and by borrowing; that by "The London and North-western Railway (Additional Powers) Act, 1861," the Capital in Shares and Stock of the London and North-western Railway Company (including the Buckinghamshire Railway Company's Capital), prior to the Commencement of the last Session of Parliament was fixed and determined as follows:

	£
London and North-western ordinary Stock -	25,710,666
Huddersfield and Manchester Shares entitled to Seven Tenths of the ordinary Dividend	1,041,570
Leeds, Dewsbury, and Manchester Shares entitled to Seven Tenths of the ordinary Dividend - - - -	600,000
Coventry and Nuneaton Shares entitled to a fixed Dividend of Five Pounds per Centum per Annum - - - -	270,000
	27,622,236
Buckingham Shares - - -	1,245,000
	28,867,236
Permanent London and North-western Debenture Stock - - - -	1,719,526
	£30,586,762

That by the same Act the Powers of the London and North-western Railway Company for raising Money by borrowing, including Debenture Stock and Debenture Bonds, and Money raised for the Purposes of the Buckinghamshire Railway, was fixed at the aggregate of the Sums of 1,719,526*l.* and 10,488,324*l.*; that the London and North-western Railway Company were authorized by the following Acts passed in the last Session of Parliament to raise by Shares and by Loan the several Sums following;

	Shares. £	Loan. £
By "The London and North-western Railway (Cheshire Lines) Act, 1861" - - - -	133,500	44,500
By "The London and North-western Railway (Lines near Liverpool) Act, 1861" - - -	1,000,000	333,000
By "The London and North-western Railway (Eccles, Tyldesley and Wigan) Act, 1861" - - -	350,000	115,000
By "The London and North-western Railway (Additional Powers) Act, 1861" - - - -	100,000	33,000
By "The Saint George's Harbour Act, 1861" - - - -	70,000	—
By "The Oswestry, Ellesmere, and Whitchurch Railway Act, 1861" - - - -	30,000	—
By "The North London Railway (Widening) Act, 1861" an additional Capital for the Purposes of that Act, not exceeding - -	66,666	—

	Shares.	Loan.
	£	£
By "The North London Railway (City Branch) Act, 1861" an additional Capital for the Purposes of that Act, which Power has been exercised to the full Extent, amounting to - -	766,667	—
And by "The West London Extension Railway Act, 1861" -	35,000	—
	£2,551,833	

That the Capital in Shares or Stock of the Chester and Holyhead Railway Company now consists of the following:

	£
Preferential Stock entitled to 5*l.* per Cent. Dividend - - - - -	725,000
Preferential Stock entitled to 5*l.* 10*s.* per Cent. Dividend - - - -	630,000
Ordinary Stock - - - -	2,100,000
Total Capital in Stock - - -	£3,455,000
And the Mortgage or Debenture Debt of the Chester and Holyhead Railway Company amounts to - - - -	£1,084,332

That by "The Chester and Holyhead Railway Act, 1858," the London and North-western Railway Company and the Chester and Holyhead Railway Company were empowered to enter into Agreements for the Conversion of all or any of the Shares or Stock of the Chester and Holyhead Railway Company into ordinary Stock of the London and North-western Railway Company; and that it is expedient that further Provision should be made with reference to the Capital of the Chester and Holyhead Railway Company, and to the Debenture Stock of the London and North-western Railway Company.

2. Subject to the Provisions of this Act and of any Act which may be passed in the present or any future Session of Parliament, the Capital of the London and North-western Railway Company in Shares or Stock (including the Coventry and Nuneaton Shares and the Buckinghamshire Shares), shall be the Sum of 31,419,069*l.*, being the aggregate of their Capital in Shares and Stock as defined by "The London and North-western Railway (Additional Powers) Act, 1861," and of the Sums which by the several Acts of the last Session of Parliament set forth in the Preamble to this Act they were authorized to raise: Provided that nothing in this Act contained shall affect any of the Powers of the London and North-western Railway Company for the Conversion of the Shares or Stock of the Chester and Holyhead Railway Company or of their own borrowed Money into Shares or Stock of the London and North-western Railway Company or shall authorize the Conversion into Shares or Stock of any Part of the Debenture Stock for the Time being of the Chester and Holyhead Railway Company.

3. Subject to the Provisions of any Act which may be passed in the present or any future Session of Parliament the Mortgage or Bond Debt of the London and North-western Railway Company shall not exceed the Sum of 12,733,350*l.*, including their permanent Debenture Stock for the Time being, such Sum being the aggregate of the Amount of their Debenture Debt and permanent Debenture Stock as defined by "The London and North-western Railway (Additional Powers) Act, 1861," and of the Sums which by the several Acts of the last Session of Parliament set forth in the Preamble to this Act they were authorized to borrow.

4. Subject to the Provisions of this and of any Act which may hereafter be passed, the Capital of the Chester and Holyhead Railway Company in Shares or Stock and by borrowing shall be the following Amounts; (that is to say,)

	£
By Stock - - - -	3,455,000
By borrowing - - -	1,084,332

but the nominal Amount of such Capital in Shares or Stock may be reduced as by this Act provided.

5. Whereas by "The Chester and Holyhead Railway Act, 1858," the London and North-western Railway Company were empowered from Time to Time, with the Consent of the Shareholders of that Company as therein mentioned, to guarantee out of the Profits of their own Undertaking the Payment of Interest on all or any Part of the Mortgage Debt and the Payment of Dividends on all or any of the Shares of the Chester and Holyhead Railway Company after such Rate or Amount as they might think fit; provided that every such Guarantee should be in aid and not in lieu of the Receipts and Profits of the Chester and Holyhead Railway Company: And whereas under the Provisions of the same Act the Undertaking of the Chester and Holyhead Railway Company has been transferred to and is now vested in the London and North-western Railway Company, who under the Provisions of the same Act have guaranteed Dividends of various Amounts upon the Capital in Shares and Stock of the Chester and Holyhead Railway Company, and it is expedient that the whole of such Capital in Shares and Stock should be consolidated into One Stock, bearing One uniform Rate of Dividend: Therefore the Chester and Holyhead Railway Company, with the Consent of the London and North-western Railway Company, may from Time to Time agree with the Holders of any Share or Stock of the Chester and Holyhead Railway Company for the Surrender of the same in exchange for Stock bearing a fixed guaranteed Interest at the Rate of 5*l.* per Centum per Annum, such Exchange to be effected on the following Terms; (that is to say,) for and in lieu of every 100*l.* of Shares or Stock of the Chester and Holyhead Railway Company entitled to Dividend at the Rate of 5*l.* per Centum per Annum there may be issued guaranteed Stock to the Amount of 100*l.*; for and in lieu of every 100*l.* of Shares or Stock of the Chester and Holyhead Railway Company entitled to Dividend at the Rate of 5*l.* 10*s.* per Centum per Annum, there may be issued guaranteed Stock to the Amount of 110*l.*; and for and in lieu of every 100*l.* of the ordinary Shares or Stock of the Chester and Holyhead Railway Company there may be issued guaranteed Stock to the Amount of 50*l.*

6. The Chester and Holyhead Railway Company may create Stock bearing a preferential Dividend at the Rate of 5*l.* per Centum per Annum, to be called "Chester and Holyhead (London and North-western guaranteed) 5*l.* per Centum Stock" to an Extent not exceeding in the whole 2,468,000*l.*, and such Stock shall be applied exclusively in substitution for surrendered Shares or Stock of the Chester and Holyhead Railway Company in the Proportions herein-before mentioned, and the London and North-western Railway Company shall guarantee the Dividends on such Stock: Provided that the Rights and Interests of the Holders of any Shares or Stock of the Chester and Holyhead Railway Company which shall not be so converted shall not be prejudiced or injuriously affected by the Conversion of any other of those Shares or Stock.

Saving Rights of all existing Preference Shares of the London and North-western Company, § 7.

Debenture Stockholders in London and North-western Company to have all the Rights of Mortgagees, § 8.

Cap. cv.

"The Red House and Weeland Roads Act, 1862."

Recites 1 Will. 4. c. xliv.; that 3,200*l.* as specified in Schedule 1 are now secured by Bonds of certain of the Trustees as Trustees of the Weeland Road or by Mortgages of the Tolls

of that Road, and the several Sums specified in Schedule 2, amounting to the Sum of 3,590*l.* are now secured by the like Bonds or Mortgages of the Tolls on the Red House Road.
Act to continue for 21 Years, § 3.
Trustees appointed, § 5.
Recited Act repealed; Saving of Rights, §§ 7 to 16.
Meetings, &c., §§ 17, 18.
Bridge over Aire and Calder Canal, § 22.
Tolls, §§ 23 to 37.
When Mortgage Debts paid off both Roads to form One Trust, §§ 40, 41.

Cap. cvi.

"The Stockton and Darlington Railway Amalgamation Act, 1862."

Preamble recites that by Act 1 & 2 Geo. 4. c. xliv., the Stockton and Darlington Company were incorporated, and were authorized to make and maintain the Stockton and Darlington Railway, and other Acts were afterwards passed with respect to that Company; that by "The Stockton and Darlington Railway (Amalgamation) Act, 1858," several Acts relating to the Stockton and Darlington Company were repealed, the Company were re-incorporated as from the 13th July 1849 by their original Name of Incorporation, and the respective Shareholders of the Wear Valley Railway Company, the Middlesbrough and Redcar Railway Company, the Middlesbrough and Guisbrough Railway Company, the Darlington and Barnard Castle Railway Company, and the Stockton and Darlington Company, were made Members of the Stockton and Darlington Company; and the several Railways, Docks, Works, and Property of the Five Companies respectively were vested in the Stockton and Darlington Company, as their original Undertaking; that by "The Stockton and Darlington Railway (Capital) Act, 1861," the authorized Capital of that Company was stated to have been, on the 1st December 1860, as follows:

	£
Class A. Preferential Share Capital - -	450,000
Class B. Preferential Share Capital - -	850,000
Class C. Preferential Share Capital - -	200,000
Total -	1,500,000
Ordinary Capital - - - -	1,713,000
And by that Act the Stockton and Darlington Company were empowered to raise further ordinary Capital to the Amount of -	220,000
Making their total authorized Capital in Shares - - - - -	3,433,000
That by the same Act the Debenture Debt of the Stockton and Darlington Company was stated to have been, on the 1st December 1860 - -	572,346
And by that Act they were empowered to borrow to the Extent of - - -	67,000
Making a total authorized Borrowing Power of	639,346

that by "The South Durham and Lancashire Union Railway Act, 1857," the South Durham and Lancashire Union Railway Company were incorporated, and were authorized to raise a Capital of 400,000*l.* by Shares, and to borrow not exceeding 133,000*l.*, and were authorized to make a Railway from a Junction with the Stockton and Darlington Railway to a Junction with the Lancaster and Carlisle Railway; that by "The South Durham and Lancashire Union Railway (Deviation) Act, 1859," the South Durham Company were authorized to make a Deviation of their Line of Railway, and to raise Part of their authorized Share Capital to the Extent of 80,000*l.* by preferential Shares, and to create Debenture Stock, but such Powers have not been exercised; that the said Company have issued Shares to the Amount of 400,000*l.*, and their Debenture Debt amounts to 133,000*l.*, and they have no Debenture Stock; that by "The Eden Valley Railway Act, 1858," the Eden Valley Railway Company were incorporated, and were authorized to raise a Capital of 135,000*l.* by Shares, and to borrow not exceeding 45,000*l.*, and to make and maintain a Railway commencing by a Junction with the Lancaster and Carlisle Railway, and terminating by a Junction with the South Durham Railway; that the Eden Valley Company have issued Shares to the Amount of 135,000*l.*, and their Debenture Debt amounts to 45,000*l.*; that it is expedient that an Amalgamation of the South Durham Company and the Eden Valley Company with the Stockton and Darlington Company be effected, and that the South Durham Company and the Eden Valley Company be dissolved, and their respective Undertakings be by this Act vested in the Stockton and Darlington Company; that by "The Frosterly and Stanhope Railway Act, 1861," the Frosterly and Stanhope Railway Company were incorporated, and were authorized to raise a Capital of 10,000*l.* in Shares, and to borrow not exceeding 3,300*l.*, and were authorized to make and maintain a Railway from near the Frosterly Station on the Wear Valley Railway of the Stockton and Darlington Company to near the Town of Stanhope, and other Works in the same Act mentioned; and by the same Act the Stockton and Darlington Company were empowered to subscribe towards the Undertaking of the Frosterly Company, and to become Shareholders in the Capital of that Company to any Extent not exceeding 2,500*l.*, and they have become Shareholders to that Extent accordingly; that the Frosterly Company are soliciting a Bill in the present Session for authorizing a Deviation of Part of the authorized Line of their Railway, for constructing a new Branch and other Works, for abandoning Portions of their authorized Line and Approach to Stanhope, and for raising an additional Capital of 5,000*l.* in Shares and 1,000*l.* on Mortgage; that it is expedient that the Frosterly Company be dissolved, and that their Undertaking be transferred to the Stockton and Darlington Company; and also that the Stockton and Darlington Company be empowered to create additional Share Capital for the Purposes of this Act.
Dissolution of South Durham and Eden Valley and Frosterly Companies, § 2.
Effects of Three Companies vested in Stockton and Darlington Company, § 3.
Stockton and Darlington Company to represent the Three Companies, §§ 4 to 6.
General Saving of Rights under Acts, § 7.
Provisions of other Acts continued, § 8.
Provisions of Acts relating to the Three Companies not to apply to Stockton and Darlington Railway, and vice versâ, § 9.
Saving of Contracts, Debts, and Liabilities, §§ 10 to 21.
Stockton and Darlington Company to create new Capital in substitution for Capital of South Durham and Eden Valley Companies, § 22.
Arrangements as to Issue of new Shares, §§ 23 to 25.
Dividends of Class D. preferential Shares, § 26.
Saving Rights of existing Preference Shares, § 27.
Debenture Debts of Three Companies added to Debenture Debt of Stockton and Darlington Company, § 28.
Providing for Payment to the Frosterly Company for their Undertaking, § 29.

Confirming scheduled Agreement with London and North-western Railway Company, § 30.
Schedule (Agreement between the Company and the London and North-western Company).

Cap. cvii.

"The Liverpool Corporation Waterworks Act, 1862."

Preamble recites that it is expedient to empower the Mayor, Aldermen, and Burgesses of the Borough of Liverpool to construct additional Reservoirs and other Works, to alter the Charges for the Supply of Water within the Limits of their District, and to make other Rates and Charges in respect of such Supply; also to raise further Monies and to amend the Acts relating to the Waterworks.
Interpretation Clause, "Lock-up Premises," "Compound Premises," "Dwelling House," "Owner," § 2.
Incorporation of Lands Clauses Consolidation Acts and Waterworks Clauses Act, § 4.
Power to make Waterworks according to deposited Plans, § 5.
Limits of Deviation from Line and Levels, § 6.
Three Years for compulsory Purchase of Lands, § 7.
Five Years for Completion of the Works, § 8.
For compensating the Trustees of the Liverpool, Prescot, and Ashton-in-Mackerfield Turnpike Road, § 9.
Restrictions in constructing Works upon the Roads, §§ 10 to 12.
Provision in "Waterworks Clauses Act, 1847," as to breaking up Streets to extend to the Turnpike Road from Liverpool to Prescot and Ashton-in-Mackerfield, § 13.
Power for Justices to order Inquiry into State of Reservoir and to order Repairs, §§ 14 to 23.
Exceptions to constant Supply and High Pressure, § 25.
Repeal of Provisions of Act of 1846 with respect to Rates, § 26.
Power for Corporation to levy Water Rate, § 27.
Certain Property not to be rated to more than One Fourth of net annual Value, § 28.
Poor Rate may be inspected and copied, § 29.
Power to levy Rates in respect of Property not included in the Poor's Rate, § 30.
Rates may be prospective or retrospective, § 31.
Regulations as to making and recovering of Rates, §§ 32 to 47.
Rents for Water, § 48.
Appeal in case of compound Premises, § 49.
Corporation to appoint Valuers, § 50.
Domestic Supply not to include Supply for Trade, § 51.
Power to let for Hire Meters, § 52.
Powers to Corporation for ascertaining Quantity consumed by Meter, and for removing Meters, &c., § 53.
Power to supply Ships with Water, § 54.
Water for other Purposes to be supplied by Agreement, § 55.
Payment in respect of Water for Public Baths, § 56.
Recovery and Application of Rents and Charges, § 57.
Agreements with Landowners as to Drainage, § 58.
Council to estimate probable Expenses, § 59.
Provision as to Rate of domestic Charge when Money owing to Corporate Estate, § 60.
Power to borrow 49,000*l.* in addition to present Powers, §§ 61 to 64.
Penalties for Waste, Misuse of Water, &c., §§ 65 to 69.
As to Appointment of Treasurer, § 70.

Cap. cviii.

"The Banbridge, Lisburn, and Belfast Railway (Leasing) Act, 1862."

Proposes to authorize the Leasing of the Banbridge, Lisburn, and Belfast Railway to the Ulster Railway Company.
Lease to be for Term of 21 Years with Power of Renewal, § 3.

Cap. cix.

"The Bala and Dolgelly Railway Act, 1862."

Proposes to authorize the Construction of a Railway from Bala to Dolgelly, in Merionethshire, and Working Arrangements with the Great Western and West Midland Company.
Incorporation of Consolidation Acts, § 1.
Subscribers incorporated, with Capital of 112,000*l.*, and Power to borrow 37,000*l.*, §§ 3 to 6.
Meetings; Directors, &c., §§ 9 to 14.
Power to make Railways, §§ 15 to 17.
Lands to be bought by Compulsion in Three Years, § 18.
Period for Completion of Works, § 19.
Company not to interfere with Sluices at Bala Pool, § 20.
Powers of Shropshire Union Railways and Canal Company as to pounding and taking Water in and from Bala Pool not to be interfered with, § 21.
For the Protection of R. M. Richards, Esq., § 22.
As to certain Lands belonging to Anne Hartley and T. H. Williams, § 23.
As to Junction with Aberystwith and Welsh Coast Railway, § 24.
Mode of constructing Junction Line through Lands of Anne Hartley and T. H. Williams, § 25.
Company not to take any Part of Bala Green without providing an equal adjacent Area of Land, § 26.
For the Protection of the Rhiwlas Estate, § 27.
Level Crossings, §§ 29 to 33.
Tolls, §§ 34 to 44.
Power to Denbigh Company to use certain Railways, §§ 45 to 47.
Power to enter into Traffic Arrangements with Great Western and West Midland Railway Companies, §§ 48 to 54.
Saving Rights of the Crown, § 58.

Cap. cx.

"The Corwen and Bala Railway Act, 1862."

Recites that the Construction of a Railway in continuation of the Llangollen and Corwen Railway from Corwen, in the County of Merioneth, to Bala, in the same County, with Lines to connect the same near Corwen with the Denbigh, Ruthin, and Corwen Railway, would be of great local and public Advantage; that it is expedient that the Great Western Railway Company and the Vale of Llangollen Railway Company, or either of them, should be authorized to contribute to the Undertaking; and that the Company and the Llangollen and Corwen Railway Company should be authorized to make and carry into effect Agreements for the joint Construction, Use, and Management of a Station at Corwen, with all suitable Works, Approaches, and Conveniences for the Accommodation of the Traffic of the said respective Companies; that Provision should be made for enabling the Company and the Great Western Railway Company, the Vale of Llangollen Railway Company, and the Llangollen and Corwen Railway Company, or the Company and any of the said Companies, to make and enter into Agreements with respect to the Working and Use of the Lines of Railway belonging to the said Companies re-

spectively, and the Regulation and Management of the Traffic thereon, and the Division and Apportionment of the Profits arising therefrom; and also that Provision should be made for facilitating the Interchange and Transmission of Traffic from, to, and over the said intended Railways and the Railways belonging to the Companies herein-after mentioned.
Incorporation of Consolidation Acts, § 1.
Subscribers incorporated, with a Capital of 120,000*l.*, and Power to borrow 40,000*l.*, §§ 3 to 8.
Meetings; Directors, &c., §§ 11 to 18.
Lines of Railway, §§ 19, 20.
For the Protection of the Rhiwlas Estate, § 21.
Level Crossing, §§ 22 to 25.
Company not to take any Part of Bala Green without providing an equal adjacent Area of Land, § 27.
Communications with Llangollen and Corwen and Denbigh, Ruthin, and Corwen Railways, §§ 28 to 32.
Three Years for the compulsory Purchase of Lands, § 34.
Five Years for Completion of Works, § 35.
Tolls, §§ 36 to 45.
Power to agree with Llangollen and Corwen and Denbigh, Ruthin, and Corwen Railway Companies as to Joint Station at Corwen, § 46.
Arbitration in regard to Corwen Station, § 47.
Power to make Working and Traffic Arrangements with the Great Western and other Companies, §§ 48 to 59.
For facilitating Traffic between Railways and Llangollen and Corwen and other Railways, § 60.
Differences to be determined by Arbitration, § 61.
Power to the Denbigh, Ruthin, and Corwen Railway Company to use certain Railways, §§ 62 to 64.
Power for Great Western Railway Company to contribute towards Funds of Company, § 65.
Power for Vale of Llangollen Company to contribute towards Funds of Company, § 66.
Power for contributing Companies to raise and apply Monies for Contribution towards Funds of Company, § 67.
Payment of preferential Dividend by contributing Companies, § 68.
Saving Rights of the Crown, § 73.

Cap. cxi.

"The Launceston and South Devon Railway Act, 1862."

Proposes to incorporate a Company for making a Railway in the Counties of Devon and Cornwall, to be called the Launceston and South Devon Railway; and recites that as the proposed Railway will communicate with the South Devon and Tavistock Railway, which is connected with the Railway of and is under Lease for a Term of 999 Years to the South Devon Railway Company, and the proposed Railway might be conveniently worked in connexion with the Undertaking of that Company, it is expedient that certain Heads of Arrangement set forth in the Schedule to this Act, which have been entered into between that Company and the Company intended to be hereby incorporated with respect to such working, and also between the last-mentioned Company and the South Devon Railway Company, and the Great Western Railway Company, the Bristol and Exeter Railway Company, and the Cornwall Railway Company respectively, with respect to the Traffic of the Companies Parties thereto, and the Division and Apportionment of the Tolls and Charges arising therefrom, should be confirmed.
Incorporation of Consolidation Acts, §§ 2 to 4.
Company incorporated, with a Capital of 180,000*l.*, and Power to borrow 60,000*l.*, §§ 5 to 11.
Directors, Meetings, &c., §§ 12 to 19.
Power to take Lands, § 20.
Power to make Railway, § 21.
Power to cross certain Roads on the Level, §§ 22 to 25.
Power to alter Engineering Works, § 28.
Three Years for compulsory Purchase of Lands, § 30.
Five Years for Completion of Works, § 31 and § 35.
Communications with South Devon and Tavistock Railway to be made to the Satisfaction of the Engineer of the South Devon Company, § 32.
Railway to be constructed on Broad Gauge, § 33.
Narrow Gauge to be laid down if required by Board of Trade, &c., § 34.
Tolls, §§ 36 to 44.
Heads of Arrangement (in Schedule) between Company and South Devon Company and the Great Western, Bristol and Exeter, and Cornwall Railway Companies confirmed, § 45.
Payment by South Devon Company of guaranteed Interest on Debenture Debt of Company, § 46.
Protection of J. Tremayne, Esq., § 48.
Saving the Rights of the Duchy of Cornwall, § 49.
Schedule (Heads of Agreement).

Cap. cxii.

"The Manchester, Sheffield, and Lincolnshire Railway Act, 1862."

Proposes to enable the Manchester, Sheffield, and Lincolnshire Railway Company to make a new Railway in the County of Chester, to be called "The Manchester, Sheffield, and Lincolnshire (Godley and Woodley Branch) Railway."
Incorporation of Consolidation Acts, § 2.
Power to take Lands and to make Railway, §§ 4 to 9.
Power to alter Engineering Works, § 10.
Two Years for compulsory Purchase of Lands, § 12.
Four Years for Completion of Railway, § 13.
Power for Company to raise additional Capital of 56,000*l.* by Preference Shares, §§ 15 to 20.
Power to borrow on Mortgage 18,600*l.*, § 24.

Cap. cxiii.

"The Inverness and Aberdeen Junction Railway Act, 1862."

Recites the Acts incorporating the Inverness and Ross-shire and the Inverness and Aberdeen Junction Railway Companies, and that by "The Inverness and Aberdeen Junction Railway Act, 1861," the Undertakings of the latter Company and of the Inverness and Nairn Railway Company were consolidated, and the Company and the Inverness and Nairn Railway Company were united and amalgamated into One Company; that the Main Line of Railway of the said united Company extends from Keith to Inverness, and forms a Junction there with the Inverness and Ross-shire Railway; that the Undertakings of the Inverness and Aberdeen Junction and the Inverness and Ross-shire Railway Companies may be more conveniently and economically and with more Advantage to the Public worked together as One Undertaking than separately, and it is therefore expedient that they should be united and placed under One Control and Management as One Undertaking; that the said Companies have provisionally agreed upon certain Terms and Conditions for such Amalgamation, and for the Application and Apportionment of the Revenues of the united Undertaking to and between the several Classes of Shareholders in the said Undertakings respectively, and it is expedient that such Amalgamation should be sanctioned and carried into effect; that the Share Capital of the Ross-shire Com-

pany, as authorized by "The Inverness and Ross-shire Railway Act, 1860," is 215,000*l.*, divided into 21,500 Shares of 10*l.* each, all of which Shares have been created and issued; and that the said Company have Power under the last-recited Act to raise 71,600*l.* upon Mortgage of their Undertaking; that the Share Capital of the other Company, as authorized by "The Inverness and Aberdeen Junction Railway Act, 1861," is 605,000*l.*, divided into 60,500 Shares of 10*l.* each, of the Nature and Denominations following respectively; (that is to say,) first, 4,500 Shares, called "Class A Shares," with an irredeemable Preference attached thereto of 5*l.* per Centum per Annum; second, 5,908 Shares, called "Class B Shares," with an irredeemable Preference attached thereto of 6*l.* per Centum per Annum; third, 15,000 Shares, called "Class C Shares," with an irredeemable Preference attached thereto of 4*l.* 10*s.* per Centum per Annum; and fourth, 35,092 Shares, being the remaining Shares of the Junction Company; that the last-named Company have Power under the last-recited Act to raise 193,330*l.* upon Mortgage of their Undertaking; that the said Company were authorized by "The Inverness and Aberdeen Junction Railway (Branch) Act, 1861," to raise for the Purposes of the said Act, by the Creation of Shares with or without a Preference and Priority in the Payment of Interest or Dividend attached thereto, as the Company might determine, the further Sum of 20,000*l.*, and also to borrow upon Mortgage of their Undertaking the Sum of 6,650*l.*; that by "The Inverness and Perth Junction Railway Act, 1861," the Ross-shire Company were authorized to subscribe 30,000*l.*, and the Junction Company were authorized to subscribe 50,000*l.*, to the Undertaking by the said Act authorized, and for that Purpose to raise the said respective Sums of 30,000*l.* and 50,000*l.* by the Creation of new Shares, in addition to the Sums which they were by their respective Acts authorized to raise, and with such special Advantages with respect to Priority or Amount of Dividend payable thereon (not exceeding 5*l.* per Centum per Annum) as might be determined by the said Companies respectively; and the said Companies have agreed to subscribe and now hold Shares in the said Undertaking to the Extent so authorized.

Defining Undertakings of amalgamated Companies, § 3.
Dissolution of Ross-shire Company, and vesting their Undertaking in the Junction Company, § 4.
Proprietors of the Two Companies united, § 5.
Amalgamation not to affect Actions, § 6.
Acts relating to Ross-shire and Junction Companies to apply to United Company, § 7.
Debts and Claims of Ross-shire and Junction Companies reserved, § 8.
Conveyances, Contracts, Actions, Submissions, and Awards relating to said Companies not to be affected, §§ 9 to 12.
Unexecuted Works of Ross-shire Company may be completed by United Company, § 13.
Contracts for Land entered into by Ross-shire Company to be completed by United Company, § 14.
Monies paid into Bank or to Trustees under Acts of said Companies to be applied pursuant to those Acts, § 15.
Officers of Ross-shire Company to be Officers of United Company, §§ 16, 17.
Resolutions of Ross-shire Company, Registers, Books and Certificates, and Byelaws to remain in force, §§ 19 to 21.
General Saving of Rights and Claims, § 22.
Defining Share Capital of the Company, § 23.
Division of Capital into Shares, § 24.
Defining Loan Capital of the Company, § 25.
Powers of existing Companies to raise further Share and Loan Capital vested in United Company, § 26.
Shareholders in Ross-shire Company to be Shareholders in united Company, § 27.
Preferential Dividend to be paid on Ross-shire Shares, § 28.
Extending to "Ross-shire Shares" the Provisions of the 30th Section of "Inverness and Aberdeen Junction Railway Act, 1861," § 29.
Certificates of Stock to be exchanged, § 30.
Shares to remain subject to same Trusts, § 31.
Mortgages and Bonds of separate Companies to be a Charge on united Undertaking, § 32.
Creation and Issue of Debenture Stock to be regulated by Junction Act of 1860, § 33.
Appropriation of Profits and ranking of Parties entitled to participate therein, § 34.
Quorum of General Meetings and Rights of voting, &c. to be regulated by Junction Railway Acts, § 35.
Number and Qualification of Directors, §§ 36 to 38.
Place of General Meetings and Domicile of the Company, § 39.
Tolls of amalgamated Railways, §§ 41, 42.

Cap. cxiv.

"The Enniskillen, Bundoran, and Sligo Railway Act, 1862."

Proposes to authorize the Enniskillen and Bundoran Railway Company to extend their Railway to the Midland Great Western Railway of Ireland at Sligo, and to change the Name of the Company.
Incorporation of Consolidation Acts, § 1.
Change of Name of Company, § 3.
General Saving of Rights under recited Act, §§ 5, 6.
Power to make Railway and to acquire Lands, § 7.
Provision as to crossing River Gill and Streets in Town of Sligo, § 9.
Regulations as to Construction of Bridge across Sligo Harbour, §§ 10 to 16.
Power to alter Engineering Works, § 18.
Junctions with the Midland Great Western Railway of Ireland, §§ 20 to 22.
Three Years for compulsory Purchase of Land, § 24.
Five Years for Completion of Railway, § 25.
Tolls, § 27.
Power to create 150,000*l.* in new Shares, §§ 29 to 33.
Power to borrow 50,000*l.*, §§ 34 to 35.

Cap. cxv.

"The Llynvi Valley Railway Act, 1862."

Proposes to enable the Llynvi Valley Railway Company to increase their Capital.
Incorporation of Parts of Companies Clauses Act, § 2.
Powers to raise additional Capital of 40,000*l.* by Creation of new Shares, with or without a Preference of 5*l.* per Cent., §§ 4 to 7.
Saving of existing Preference Shares, § 8.
Power to borrow 13,300*l.*, §§ 10, 11.
Power to convert Debt into Debenture Stock bearing 4*l.* per Cent. Interest, §§ 13 to 18.
Power to consolidate Preference Shares into separate Classes of Stock, § 19.

Cap. cxvi.

"The Wilford Bridge Act, 1862."

Proposes to authorize the making and maintaining of a Bridge over the River Trent near to the Town of Nottingham (to

be called "Wilford Bridge"), with Roads thereto, and the discontinuing of Wilford Ferry across the River.
Incorporation of Lands Clauses Acts, § 2.
Power to take Lands, § 5.
Power to purchase Wilford Ferry, § 6.
For ascertaining Compensation for settled Lands, § 7.
Two Years for compulsory Purchase of Lands, § 8.
Power to make and maintain Works, § 9.
Power to enter on Lands for Surveys and Works, § 12.
Power to get Materials, § 13.
Temporary Occupation of Lands near to the Works, § 14.
Works authorized by Act, § 15.
Incidental Works, § 16.
Power to cross Roads, &c., § 17.
Power to deviate, §§ 18 to 20.
Inclination of Road over Bridge, § 21.
Plans of Bridge to be approved by County Surveyor, §§ 22 to 26.
Construction of Bridge, Toll Gates, Roads, &c., § 27.
For preventing Obstruction to the River Trent, § 28.
Plans to be delivered to Commissioners of the River Trent Navigation, § 29.
Providing Remedy in case of Obstruction to the River Trent, § 30.
Fence or Railing to be erected adjoining Towing-path, if required by the Quarter Sessions, § 31.
Penalty if Undertakers fail to erect Fence, § 32.
Admiralty Provisions, §§ 33 to 38.
Five Years for Completion of Works, § 39.
Bridge to be public, but not County Bridge, § 40.
Fords to be disused, § 41.
Roads to Fords to be stopped up, § 42.
Ferry Boats in case of Accident to Bridge, § 43.
Power to provide Toll Gates and Toll Houses, § 44.
Power to take Tolls for passing over the Bridge and Roads, § 45.
Regulations as to Tolls, §§ 46 to 55.
Power to lease the Tolls, §§ 56 to 57.
Appointment and Removal of Toll Collector, §§ 58 to 62.
Penalties for damaging Bridge, &c., and other Offences, §§ 64 to 72.
Power to borrow on Mortgage, §§ 75 to 91.
Saving Rights of Trent Navigation Company, § 92.

Cap. cxvii.

"Leeds and Birstal Road Act, 1862."

Preamble recites Act of 1 Will. 4. for maintaining the Leeds and Birstal Road; that divers Monies specified in the Schedule, amounting to 11,085*l.*, are due on Mortgage of the Tolls; and that it is expedient to renew the Act for a Term.
Act to continue in force for 25 Years, § 31.

Cap. cxviii.

"The Eden Valley Railway Act, 1862."

Proposes to enable the Eden Valley Railway Company to construct certain Extension and Branch Railways, to use Portions of other Railways, and to raise additional Capital.
Incorporation of Consolidation Acts, § 2.
Power to make Railways, §§ 4, 5.
Diversion to be made through the Lands of the Earl of Lonsdale, § 6.
If diverted Line made, then a Passenger Station to be made thereon, § 7.
Three Years for Completion of Works, § 9.
Mode of effecting Communication with the Lancaster and Carlisle Railway, §§ 12 to 15.
Tolls of the "Eden Valley Railway Act, 1858," to be taken, § 16.
Power to raise additional Capital of 16,000*l.*, with a Preference Dividend of 5*l.* per Cent., §§ 17 to 20.
Power to borrow 5,300*l.*, §§ 21 to 23.
Power to apply Monies raised under existing Act to the Purposes of this Act, § 24.
Power to lay down Electric Telegraph, § 30.
Powers by recited Act given to Stockton and Darlington Railway Company to work the Eden Valley Railway extended to Railways to be made or used under this Act, § 31.
Confirming Agreement set out in Schedule, § 32.
Power to enter into Arrangements as to Joint Stations, § 33.
If Company amalgamated with any other Company, then Powers and Liabilities to attach to the amalgamated Company, § 34.
Schedule (Agreement).

Cap. cxix.

"The Rotherham and Wortley Road Act, 1862."

Recites 11 Geo. 4. & 1 Will. 4. c. lxxxiv.; that the Sums specified in the Schedule, amounting to 2,200*l.*, are owing on Mortgage of the Tolls; that it is expedient to renew the Act, and to authorize the Substitution of a new Portion of Road for a Portion proposed to be abandoned.
Act continued for 21 Years, § 3.
Deviation of Road authorized, §§ 15 to 26.

Cap. cxx.

"The North-eastern Railway Company's (Hull and Holderness Amalgamation) Act, 1862."

Recites that by the 16 & 17 Vict. c. xciii. the Hull and Holderness Railway Company were incorporated and authorized to make and maintain a Railway from Hull to Withernsea, with a Branch to the Victoria Dock Branch of the York and North Midland Railway Company, and to raise a Share Capital of 120,000*l.* in 6,000 Shares of 20*l.* each, and to borrow any Sum not exceeding 33,000*l.*; and by that Act the Holderness Company and the York Company were empowered to enter into such Contracts and Agreements as should be deemed expedient with reference to the Use by those Companies of the Holderness Railway, and certain Portions of the York and North Midland and Hull and Selby Railways, and of the Stations, Offices, and Works thereof respectively, and with reference to the working by the York Company of the Holderness Railway, and the Regulation and Management by them of the Traffic upon or over the same, and the Rates, Tolls, and Charges to be charged or taken by both or either of the said Companies in respect of Traffic carried by the said Railways, and the Division and Apportionment thereof between them; and it was further enacted that the several Powers and Provisions of that Act applicable to the York Company should, in the event of that Company being amalgamated with any other Company, or of its Undertaking being amalgamated with the Undertaking of any other Company, apply to the Company formed by or in consequence of such Amalgamation, and from and after any such Amalgamation the Expression the York and North Midland Railway Company in that Act should extend to or include the Company so formed; that by "The North-eastern Railway Company's Act, 1854," the York Company and the Leeds Northern Railway Company were dissolved, and their Undertakings vested in the York, Newcastle, and Berwick

Railway Company, which Company was in that Act and it was thereby enacted should thenceforth be styled and designated as "The North-eastern Railway Company"; and it was provided that the Capital of the Company should consist of the Capital of each of those Three Companies existing at the passing of that Act, with such Additions thereto as might thereafter be made under the Authority of any of the Acts relating to those Three Companies or that Act, but should, nevertheless, be kept wholly separate and distinct for all Purposes of Charge, Benefits, and Dividends upon or to the same respectively; that by "The North-eastern Railway Company's Capital Act, 1857," the Capital of the Company as then existing was defined, and further Provisions were made with reference to the Creation and Issue of new Shares or Stock by the Company in order to raise the Capital in that Act mentioned, and the Company were empowered to create and issue the new Shares or Stock by that Act authorized, either of one Class and with like Privileges, or of several Classes and with different Privileges, and respectively with any preferential Dividend not exceeding the Rate of 5*l.* per Centum per Annum, as they might think fit, and also to create One general preferential Stock to bear a preferential Dividend not exceeding 4*l.* per Centum per Annum, and to be called their Consolidated Preferential Stock, which, with the Assent of the Holder of any of the preferential Shares or other preferential Stock of the Company, might be allotted to him by the Company in lieu of any of his preferential Shares or other preferential Stock; and by that Act the Balance of the joint Revenue of the Company applicable to the Payment of Dividend to their own Shareholders in every Half Year was directed to be applied, first, in Payment to the Extent therein mentioned of the Dividends or Interest which the Holders of existing guaranteed or preferential Shares or Stock were respectively entitled to receive; secondly, in Payment of the Dividends or Interest on the Shares or Stock created under the Authority of that Act, and the Residue to be carried to the Credit of such of the separate Revenue Accounts respectively therein mentioned as were entitled thereto under "The North-eastern Railway Company's Act, 1854;" that an Extraordinary General Meeting of the Shareholders of the Company, held on the 25th June 1858, sanctioned the Creation and Issue by the Directors of the Company, from Time to Time when and as they thought proper, of new Stock in the Company to the Extent, if so thought fit, authorized by the said Capital Act of 1857, and to be entitled to a permanent guaranteed preferential Dividend at the Rate of 4*l.* per Annum for every 100*l.* of such Stock, payable half-yearly out of the joint net Revenues of the Company, such Stock to rank pari passu with any other Stock which the Company might thereafter issue under the said Act, and to complete the Purchase of the North Yorkshire and Cleveland Railway, and to effect the Amalgamation of the Bedale and Leyburn Railway Company with the Company; and that Meeting also sanctioned the Creation of One general preferential Four per Cent. Stock of the Company (to be called North-eastern Consolidated Four per Cent. Preferential Stock), and the Allotment thereof to the Holders of any of the different preferential Shares or Stock of the Company in exchange for such Shares or Stock in accordance with the Provisions of the Capital Act of 1857; that the Holderness Railway was some Time since opened for public Traffic, and is now and for some Time past has been worked by the Company in connexion with their Railways under Arrangements made between them and the Holderness Company, as authorized by the Holderness Act, and which received the Sanction of the Company at a Meeting of their Shareholders on the 14th February 1860, and of the Holderness Company on the 16th February in that Year, and under which it was agreed that the Holderness Railway should be thereafter worked by the Company, and that the Holderness Company should receive in perpetuity, as their net Share of the Rates, Tolls, and Charges in respect of the Traffic by the said Railway, such a Sum, payable half-yearly, as would, after giving Credit for any Income they should from Time to Time receive from or in respect of any of their Property, real or personal, be sufficient to discharge the Interest of their Debts and Liabilities, and secure to their Shareholders, on the Amount paid up in respect of their Share Capital, Dividends at the Rate of 3*l.* 10*s.* per Centum per Annum for the Years 1860 and 1861, and 4*l.* per Centum per Annum for the Year 1862 and every Year thereafter, with a Provision that Power should be applied for by the Company for Authority to exchange the Capital Stock of the Holderness Company for an equal Amount of North-eastern Consolidated Preferential Four per Cent. Stock;

	£	s.	d.
That the total Amount expended by the Holderness Company on Capital Account up to the 31st December 1861 was - - - -	150,024	11	6
And there are other outstanding Liabilities on Capital Account, estimated at upwards of - - -	15,000	0	0
	165,024	11	6
And the total Share Capital of the Holderness Company is - - -	120,000	0	0
	£45,024	11	6

so that their Excess of Expenditure and Liabilities on Capital Account exceed the Sum of 40,000*l.*, or One Third of their total Share Capital, by the Sum of 5,000*l.* and upwards; that for all practical Purposes the Railways of the said Two Companies have been worked as the Railway of One Company since the making of the said Arrangement in February 1860, and to the Convenience and Advantage of the Public, and the Existence of the Two as separate Companies and Undertakings is unnecessary and inconvenient, and it is therefore expedient that they should be permanently united, and that the Holderness Company should be dissolved.

Hull and Holderness Railway Company dissolved, and their Undertaking vested in the North-eastern Railway Company; Chattels and Choses in Action, Debts, and Liabilities transferred to the North-eastern Company, § 2 to 11.

Powers in Holderness Act to be exercised by the Company, § 13.

Holderness Capital added to the Capital of the Company as Part of their Four per Cent. Stock, § 14.

Proprietors of Shares in the Holderness Company to become Proprietors of an equal Amount of North-eastern Four per Cent. Stock, § 15.

Surplus of the additional Stock may be issued by the Company or cancelled and re-issued, § 16.

Income of Holderness Company in hand to be divided amongst their Proprietors after satisfying its Liabilities, § 17.

Company empowered to borrow in lieu of Holderness Company, § 18.

Priority for existing Mortgages, § 19.

Cap. cxxi.

"The Bridge of Weir Railway Act, 1862."

Proposes to authorize the making of a Railway from Johnstone to Bridge of Weir in the County of Renfrew, with Branches, to be worked by the Glasgow and South-western Railway Company.
Incorporation of Consolidation Acts, § 1.
Subscribers incorporated, with a Capital of 25,000*l.* and Power to borrow Money on Mortgage, 8,300*l.*, §§ 3 to 7.
Glasgow and South-western Railway Company may contribute Funds and hold Shares, § 11.
Power to Glasgow and South-western Railway Company to raise Money for that Purpose by the Creation of Shares, § 12.
Dividends on such Shares, how to be paid, § 13.
Meetings; Directors, &c., §§ 15 to 23.
Power to make Railways, § 24.
Power to alter Engineering Works, § 25.
As to Junction with Glasgow and South-western Railway, §§ 26 to 29.
Railway to be carried across Glasgow, Paisley, and Ardrossan Canal by a fixed Bridge, § 30.
Penalty on Company for obstructing or injuring Canal, § 31.
Saving Rights of Canal Company, § 32.
Level Crossings, §§ 33 to 36.
Two Years for compulsory Purchase of Lands, § 40.
Four Years for Completion of Works, § 41.
Tolls, § 42 to 49.
Confirming Working Agreement with the Glasgow and South-western Railway Company, §§ 50 to 55.
Authorizing Contracts as to Interchange of Traffic between the Company and the Glasgow and South-western Railway Company, § 56.
Saving Rights of the Crown, § 59.
Schedule (Agreement with Glasgow and South-western Railway Company).

Cap. cxxii.

"The Wexford Harbour Commissioners Act, 1862."

Recites the 6 & 7 Vict. c. xli. for improving, maintaining, and regulating the Harbour of Wexford, constituting the Wexford Harbour Commissioners, and conferring on them certain Powers for the Regulation of the Harbour; that such Commissioners are too numerous for the efficient Management of the said Harbour, and it is expedient that another Body of Commissioners should be appointed, and that further Powers should be conferred upon the Commissioners to be elected under this Act, and that the Powers for the Management of the Pipe Water of the Borough of Wexford should be transferred to the Corporation of the said Borough.
Repeal of Part of Act of 1843, § 4.
Commissioners incorporated, § 5.
All Arrears of Rates and Monies due under Act of 1843 vested in new Commissioners, § 6.
Continuance of Rights and Liabilities of former Commissioners, §§ 7 to 12.
Incorporation of Commissioners Clauses Act, § 13.
Commissioners to be elected and appointed under this Act, § 14.
Admiralty to appoint Commissioners, § 15.
Qualification of Commissioners, § 16.
Qualification of Electors, § 17.
As to Votes of registered Shipowners being Partners, § 18.
Notice of Candidates to be given, § 19.
Collector of Rates to make a yearly List of registered Shipowners Vessels and Tonnage, and to certify its Accuracy, § 20.
Certified List to be deposited for public Inspection, § 21.
Registered Shipowners on annual certified List to be the Electors, § 22.
Annual Election of Commissioners by registered Shipowners, § 23.
Rotation and Retirement from Office of Commissioners, §§ 24, 25.
Period of Elections of Commissioners, § 26.
Meetings for Election and Procedure thereat, §§ 27 to 29.
Mode of supplying Vacancies in Commissioners, §§ 30 to 32.
First and other Meetings of Commissioners, § 33.
Quorum, § 34.
Election of Chairman and Vice-Chairman, §§ 35, 36.
Accounts of Pilotage and Ballasting Departments to be made up, § 37.
Waterworks, &c. to be transferred to Corporation of Wexford, § 38.
Admiralty Provisions, §§ 39 to 41.
Saving Rights of the Crown, § 42.
Saving Rights of Admiralty, § 43.

Cap. cxxiii.

"The Cardiff Borough Act, 1862."

Recites the Expediency of conferring further Powers for the good Government of the Borough of Cardiff.
Provision of 10 & 11 Vict. c. 89., Town Police, to be in force within 10 Miles from Town Hall, § 3.
Provision for regulating Places for Dancing, Music, and other public Entertainments, § 4.
Power to make Byelaws, § 5.
Regulations with respect to internal Communications with Beershops, &c., § 6.
Penalties on Brothel Keepers and Persons resorting to Brothels, § 7.

Cap. cxxiv.

"The Garston and Liverpool Railway Amendment Act, 1862."

Proposes to authorize the Abandonment of a Portion of the Garston and Liverpool Railway.
Lands Clauses Act incorporated, § 1.
Power to abandon certain Portion of authorized Railway, § 3.
Compensation to be made where Contracts have been entered into or Notice given, § 4.
Power to purchase additional Lands, § 5.
Garston and Liverpool Railway Committee and London and North-western Railway Company may agree as to Lands in Wavertree, § 6.
Company not to take Lands belonging to the London and North-western Railway Company without Consent, § 7.

Cap. cxxv.

"The Water Supply to Kent County Gaol and Lunatic Asylum Act, 1862."

Recites 13 Geo. 2. c. xxvi., for making the River Medway navigable in the Counties of Kent and Sussex, which incorporated certain Persons by the Name of "The Company of Proprietors of the Navigation of the River Medway"; that the said Company have claimed, as they now claim, certain Powers, Rights, and Interests over and in the Medway in and above Maidstone; that the Asylum for the Pauper Lunatics of the County of Kent, situate at Barming Heath, in that County, stands about a Mile from and at an Elevation of about 250 Feet above a Lock constructed by the Medway Navigation Company

near East Farleigh, on the Medway, about Two Miles above Maidstone, herein-after called "Farleigh Lock"; that in 1856 the Committee of Visitors of the Asylum, having occasion to obtain a Supply of Water for the Use of the Asylum, agreed with the Medway Navigation Company to pay them the Sum of 5*l.* a Year for their Permission to take from the Medway above Farleigh Lock a sufficient Supply of Water for the Use of the Asylum, and for working Machinery necessary for raising the Supply to the Asylum; that in order to effect the Object of taking such Supply of Water from the Medway as aforesaid the Committee of Visitors agreed with the South-eastern Railway Company to purchase Land and Easements requisite in that Behalf, and erected a Water Wheel and Pumps, and laid down a Pipe into the Medway through which Water flowed from the Medway into a Cistern, whence a sufficient Portion thereof was pumped up by means of the said Water Wheel and Pumps and other Machinery (worked by Part of the Water which flowed from the Medway), and was conveyed by a Pipe to a Reservoir at the Asylum, the Residue thereof being returned into the Medway below the Lock along or through a Culvert or Channel constructed for that Purpose, all which Works were constructed with the Knowledge of the General Manager employed by the Medway Navigation Company, and according to a Plan approved of by him on the Part of that Company; that the Gaol and the House of Correction for the County of Kent are situated together in Maidstone, about Three Miles from Farleigh Lock, and the Visiting Justices of the Gaol, by Order of the Court of General Sessions, with the Concurrence of the Committee of Visitors of the Asylum, have laid down Pipes from the Asylum to the Gaol; that the supplying of Water to the Asylum and Gaol in manner aforesaid was and would be of great public Advantage, and it is expedient that such Supply should be renewed and continued, and if need be increased, and that for those Purposes the Visiting Justices of the Gaol for the Time being and the Committee of Visitors of the Asylum for the Time being should be empowered, subject to the Control of the Justices for the County of Kent at their Court of General Sessions, to maintain the said existing Works, and to construct and maintain other Works for conveying Water from the Reservoir at the Asylum to the Gaol, with necessary and proper Powers relative thereto, on Payment to the Medway Navigation Company of such Compensation as herein-after mentioned; that the Agreement made by the Committee of Visitors of the Asylum with the South-eastern Railway Company has not been completed, nor has the Money agreed to be paid for the Purchase been paid, and it may be questionable whether the said Agreement for Purchase is a valid and binding Contract; that it is also expedient that for the Purposes aforesaid the Joint Committee should be empowered to take, compulsorily or by Agreement, the Lands on which the said existing Works have been constructed, and to take other Lands for the said intended new Works.

Power to Joint Committee to take Lands and Easements, §§ 2, 3.
Incorporation of Lands Clauses Consolidation Acts, § 4.
Lands to be conveyed to Trustees, § 5.
Appointment of new Trustees, § 6.

7. Subject and according to the Provisions of this Act, and subject to the Control of the Justices for the said County in General Sessions assembled, the Joint Committee may, on any Lands described in the said Plan and Book of Reference, make, maintain, and from Time to Time alter, improve, or amend the following Works; namely,

(1.) A Culvert Pipe or Aqueduct commencing from the Medway about 100 Feet above Farleigh Lock, passing into and through Lands belonging to the South-eastern Railway Company, for conveying, taking, and using Water from the Medway upon or over a Water Wheel for working Pumps for conveying Water taken from the Medway or elsewhere to the Asylum into a Reservoir there; and a Culvert or Channel from the said Wheel and Works into the Medway, for returning the Water after having passed upon or over the said Wheel into the Course of the Medway at a Point about 100 Feet below the said Lock; and Wheels, Pumps, Pipes, and other Machinery, Wells, Drains, and other Works for the Purposes aforesaid:

(2.) A Pipe or Pipes commencing from and connected with the said Pumps and Works, passing through and out of Lands belonging to the South-eastern Railway Company to and along the Highway or Road leading from Farleigh Bridge to the Asylum into a Reservoir there:

(3.) A Reservoir in the Land of the Asylum:

(4.) A Pipe or Pipes commencing at the said Reservoir, passing thence into and along the Turnpike Road leading from Tunbridge to Maidstone, passing over the Bridge over the Medway in Maidstone, and along the Streets there called the High Street and Week Street unto and into the Gaol:

(5.) A Pipe or Pipes commencing from the Reservoir at the Asylum, and passing to and crossing the Turnpike Road from Maidstone to London, near the Turnpike Gate there called the Buckland Gate, and thence to and across the Medway, and thence to and across Week Street aforesaid unto and into the Gaol:

With all Outlets and Embankments necessary or proper for the convenient Use of the same respectively, and with all necessary and proper Approaches thereto respectively.

Incorporation of Parts of Waterworks Clauses Act, 1847, § 8.
Lateral and Vertical Deviations, §§ 9, 10.
Five Years for Completion of Works, § 11.
Before commencing Works interfering with the Medway, Plans, &c. to be deposited with Admiralty, § 12.
Admiralty may order local Survey, § 13.
If Works abandoned or fall into Decay, Admiralty may remove them, § 14.

15. The Justices of the Peace for the said County of Kent shall, by and out of the General County Rate, pay to the Medway Company the annual Sum of 25*l.*, as and for Compensation for and in Satisfaction of such Rights and Interest as the Medway Company have or may claim in respect of the said River and the Navigation thereof or otherwise, and which may be prejudiced or interfered with by Acts of the said Justices done in pursuance of the Authority hereby given, the said annual Sum of 25*l.* to commence from the 24th June 1862, and to be payable on that Day in every subsequent Year.

16. The said Justices shall pay to the Medway Company the Sum of 220*l.* in full Satisfaction of their Costs, Charges, and Expenses relating to the Introduction of this Act into Parliament and to their Opposition to the passing of this Act or otherwise in relation thereto.

17. If any Payment of the said annual Sum shall be in arrear for Three Months after the same shall become due, or if the said Sum of 220*l.*, or any Part thereof, shall be unpaid for the Space of Three Months after the passing of this Act, it shall be lawful for the Medway Company from Time to Time, and as often as Occasion shall require, to distrain all such Goods, Chattels, and Effects whatsoever as shall be in or about the said County Gaol or County Lunatic Asylum, or in or

about any of the Works by this Act authorized to be maintained, altered, improved, or amended, and such Goods, Chattels, and Effects to take, lead, and carry away, and to sell and dispose of the same, in like Manner and as fully as in case of Distresses for Rent reserved on Leases for Years, and out of the Money arising by such Sale or Disposition (if any) to retain and take the Sum or Sums due, whether for Compensation or Costs or otherwise, and also the Costs and Charges of making and keeping such Distress or Distresses and the Sale thereof, rendering the Overplus (if any) to the Treasurer of the said County, to be applied by him as Part of the County Rate.

18. If the said annual Payment, or any Part thereof, shall be in arrear for the Space of Six Calendar Months after the Time of Payment thereof, it shall be lawful for the said Medway Company, on the Expiration of Twenty-one Days after they shall have given Notice in Writing to the Clerk of the Peace for the said County requiring Payment, to cut off the Supply of Water from the said River to the said Works: Provided, that the Power of Distress herein-before given to the said Medway Company shall be in nowise restricted or abridged thereby.

19. For the supplying of Water to the Asylum and the Gaol the Joint Committee may, by means of the said existing Works and of the said intended new Works, to the Extent and in manner following, take and use from the Medway the Water thereof; namely,

(1.) So much of the Water as may be requisite for working the said Water Wheel, Pumps, and Machinery at Farleigh Lock, the Water so taken and used being returned into the Medway below the Lock:

(2.) So much of the Water as may from Time to Time be needed for the Use of the Asylum:

(3.) So much of the Water as may from Time to Time be needed for the Use of the Gaol.

20. Neither the said Justices nor the Joint Committee shall at any Time alter the Level or Dimensions of the Culvert already constructed for conveying Water to the said Works, nor shall they take any Water from the said River except for the Purpose of the said Works and supplying Water for the Use of the Inmates for the Time being and other Purposes of the said Asylum and Gaol; if the Justices or the Joint Committee shall at any Time after the passing of this Act in any way alter the Level or Dimensions of the Culvert already constructed for conveying Water to the said Works without the Permission in Writing of the Medway Company under their Common Seal first for that Purpose obtained, it shall be lawful for the Medway Company forthwith to cut off the Supply of Water from the said River to the said Works.

21. In case it shall at any Time occur that there shall be a Deficiency of Water in the said River for the Purposes of the said Navigation, (of which Deficiency the Fact that no Water shall be running over the Weir at Farleigh Lock shall be conclusive Evidence,) such Deficiency not being caused by the said Lock or the Gates or the Sluices thereof not being in fair ordinary working Repair and Condition, nor by the wilful Act or Default of the Medway Company, their Servants or Agents, then and in every such Case it shall not be lawful for the said Justices or the Joint Committee to use the said Works or draw any Water from the said River so long as such Deficiency shall continue.

22. The Justices of the Peace for the said County of Kent in General Sessions assembled shall from Time to Time make Provision for the Payment of all Expenses incurred in the Execution of this Act by and out of the General County Rates, and shall charge to the Asylum such Proportion of the annual working Expenses as shall appear to them to be from Time to Time properly chargeable thereto.

23. The Expenses of and attending the passing of this Act, and incidental thereto, shall be paid out of the General County Rates.

Cap. cxxvi.

"The Liverpool Fire Prevention Acts Amendment Act, 1862."

Recites that by 6 & 7 Vict., intituled "An Act for the better "Protection of Property in the Borough of Liverpool from "Fire," which Act was in the subsequent Session of Parliament amended by an Act intituled "An Act to alter and "amend an Act of the Sixth and Seventh Years of the "Reign of Her present Majesty, for the better Protection "of Property in the Borough of Liverpool from Fire," Provision was made, amongst other things, for the safe and proper Storage and warehousing of divers Articles therein specified, comprising Turpentine, Resin, Tar, Pitch, Naphtha, Varnish, Fireworks, Matches, Sulphuric and other Mineral Acids, Chemicals of an inflammable Nature, ardent Spirits and Preparations thereof, Oil of all Kinds (except Palm and Cocoa-nut Oil), and Brimstone; that there has recently been discovered a Fluid which is commonly called Petroleum or Rock Oil, which with its Products is being imported in large and increasing Quantities into the Port of Liverpool; that the Articles so imported are of a highly dangerous Character, and emit Gases and Vapour of an extremely inflammable and in some Cases of an explosive Nature, but no sufficient Provision is made in the said Acts for the safe Storage thereof; that by reason of the Liability of Petroleum and its Products to Ignition and Explosion, and of their other dangerous Properties, it is expedient that special Provision be made with reference to the storing and warehousing thereof within the Borough of Liverpool.

3. The Corporation may from Time to Time make Byelaws for fixing and determining the Sort and Description of Places, and the Sort, Description, and Construction of Buildings in which Petroleum and its Products may from Time to Time be deposited, stored, warehoused, and kept within the Borough of Liverpool, and for providing that such Articles respectively shall be deposited, stored, warehoused, and kept separate and apart from all other Merchandise not excepted by such Byelaws, and generally with respect to the depositing, storing, warehousing, and keeping of such Articles respectively, so as to provide as far as may be against Accidents by Fire and the Consequences resulting therefrom; and may ascertain and set down in such Byelaws such pecuniary and other Penalties and Forfeitures as shall be incurred by Persons offending against any such Byelaw, not exceeding 10*l.* for the First Offence, and 20*l.* for the Second and every subsequent Offence, and every Day's Neglect to comply with the Provisions of any such Byelaw, after a Conviction thereunder, shall be a subsequent Offence: Provided, that such Byelaws shall not extend to prevent the keeping of a limited Quantity (to be prescribed by such Byelaws) of such Articles respectively, or any of them, in the Warehouse, Building, or Place of a Retail Dealer therein for the Purpose of his Trade, nor the keeping of Samples of any of such Articles of a limited Quantity (prescribed as aforesaid) in the Warehouse, Building, Counting-house, Office, or Sample Room of any Merchant, Dealer, Broker, or Salesman in the Way of his Trade, nor to any of such Articles being received into a Manufactory or any Place or Yard immediately adjoining thereto and in the same Occupation, such Articles being bonâ fide received and held therein for the Purpose of manufacturing in the said Manufactory, Place, or Yard, or (having been manufactured therein) held therein for Sale or for Delivery after Sale thereof; provided also, that

so much of Section 16 of the secondly-recited Act as provides that it shall not be lawful for any Person to carry on in any Place other than a Building detached by 75 Feet from any other Building, the Trade, Business, or Employment of the boiling of Oil, Blubber, or Tar, or the distilling of Turpentine, or the manufacturing of Vegetable or Mineral Naphtha, or of Varnish, under the Penalty therein provided, shall extend and apply to the boiling, distilling, or manufacturing of Petroleum and its Products.

4. The Corporation may from Time to Time as they shall think fit repeal any Byelaws which may be made in pursuance of this Act, and make others in their Stead.

5. No Byelaw made under the Provisions of this Act shall be of any Force until the Expiration of 40 Days after the same or a Copy thereof shall have been sent, sealed with the Seal of the Corporation, to One of Her Majesty's Principal Secretaries of State, and shall have been published once in Two of the Liverpool Newspapers; and if at any Time within the said Period of 40 Days Her Majesty, with the Advice of Her Privy Council, shall disallow the same Byelaw or any Part thereof, such Byelaw, or the Part thereof disallowed, shall not come into operation: Provided also, that it shall be lawful for Her Majesty, if She shall think fit, at any Time within the said Period of 40 Days, to enlarge the Time within which such Byelaw (if allowed) shall not come into force, and no such Byelaw shall in that Case come into force until after the Expiration of such enlarged Time; provided that a Copy of any such Byelaw under the Seal of the Corporation, with a Declaration thereon signed by the Mayor of the Borough, that the same has been sent, sealed as aforesaid, to One of Her Majesty's Principal Secretaries of State, and published in Two of the Liverpool Newspapers as aforesaid, shall be received as Evidence of any such Byelaw, and of the sending and publishing thereof as aforesaid, in all Courts of Law and Equity and before all Justices.

6. All Byelaws made in pursuance of this Act shall be printed, and a Copy thereof shall be affixed and continued in the Police Office of the Borough of Liverpool, and Copies thereof shall be delivered by the Town Clerk to any Person who may apply for the same, on the Payment of such Sum as the Corporation shall think fit.

7. If the Town Clerk of the Borough shall not, upon the Payment or Tender of such Sum as the Corporation shall direct to be paid for the same, deliver to any Person applying for the same at the Office of the Town Clerk a printed Copy of all or any Byelaws made in pursuance of this Act, such Clerk shall for every such Offence be liable to a Penalty not exceeding 10*l.*; and if the Person for the Time being having the Care of the Police Office of the Borough shall not permit the printed Copy of any Byelaws affixed in the said Office to be inspected at all reasonable Times by any Person who may require to be permitted to inspect the same, the Person so offending shall for every such Offence be liable to a Penalty not exceeding 5*l.*

8. All the Provisions of the recited Act of the Sixth and Seventh Years of the Reign of Her present Majesty, which are contained in Sections 93 to 113, both inclusive, of that Act, shall extend and apply to any Byelaw made in pursuance of this Act.

9. Nothing herein contained shall in any Manner alter, abridge, or interfere with the Erection, Construction, or Management of the Warehouses and Transit Sheds authorized to be erected by the Mersey Docks and Harbour Board, or with the Employment by the said Board of any Person to act as Warehouseman, Porter, Lumper, or Stevedore.

Costs of Act to be paid by the Corporation, § 10.

Cap. cxxvii.

"The Great Western Railway (Additional Powers) Act, 1862."

Proposes to authorize the Great Western Railway Company to construct Railways and to acquire additional Lands in the Counties of Stafford and Warwick.
Incorporation of Lands and Railways Clauses Acts, § 2.
Power to take Lands and to make Railways, §§ 5, 6.
Smethwick Branch not to be opened till Junction made with Birmingham, Wolverhampton, and Stour Valley Railway, § 7.
As to Bridge over the Birmingham, Wolverhampton, and Stour Valley Railway, § 8.
In Construction of Bridge Traffic not to be interrupted, § 9.
Company not to take Lands belonging to London and North-western Railway Company without Consent, § 10.
Saving Rights of London and North-western Railway Company, § 11.
Company to make Bridges or Viaducts over the Birmingham Canal in prescribed Manner, § 12.
Company to keep Bridges, &c. in repair, § 13.
Company not to alter the Course or obstruct the Navigation of the Birmingham Canals, § 14.
In case of Obstruction to Canals Railway Company liable to Damages for same, § 15.
For the Protection of the Rotten Park Feeder, §§ 16 to 18.
The Springs, &c. of the Birmingham Canal Company to be preserved, §§ 19 to 21.
As to Construction of Bridge for carrying Roebuck Lane over Railway, § 22.
Power to alter Engineering Works, § 23.
Two Years for compulsory Purchase of Lands, § 25.
Three Years for Completion of Railways, § 26.
Power to raise additional Capital of 70,000*l.*, § 28.
Additional Capital may be raised by Preference Shares, §§ 29 to 34.
Saving Rights of existing Preference Shares, § 35.
Power to borrow on Mortgage 23,000*l.*, §§ 37, 38.

Cap. cxxviii.

"The Moretonhampstead and South Devon Railway Act, 1862."

Recites the Expediency of making a Railway from the South Devon Railway near the Newton Station and Moretonhampstead in the same County, to be worked pursuant to an Agreement by the South Devon Company.
Incorporation of Consolidation Acts, § 2.
Company incorporated, with a Capital of 105,000*l.* and Power to borrow 35,000*l.*, §§ 5 to 8.
Directors; Meetings, &c., §§ 12 to 19.
Power to take Lands and to make Railway, §§ 20, 21.
Admiralty Provisions, §§ 22 to 27.
Level Crossings, §§ 28 to 31.
Power to alter Engineering Works, § 35.
Three Years for compulsory Purchase of Lands, § 37.
Five Years for Completion of Works, § 38.
Communications with South Devon Railway to be made to the Satisfaction of the Engineer of the South Devon Company, § 39.
Tolls, §§ 41 to 49.
Heads of Arrangement (in Schedule) between Company and South Devon Company and the Great Western, Bristol and Exeter, and Cornwall Railway Companies confirmed, § 50.
Payment by South Devon Company of guaranteed Interest on Debenture Debt of Company, § 51.

As to Tolls while Railway worked by South Devon Railway Company, § 52.
Saving Rights of the Crown, § 53.
Schedule (Heads of Arrangement with South Devon and Bristol and Exeter Railway Companies).

Cap. cxxix.

"The Trent, Ancholme, and Grimsby Railway Act, 1862."

Recites that the Trent, Ancholme, and Grimsby Railway Act, 1861, authorized the Construction in Lincolnshire of a Railway forming an Extension Eastward of the South Yorkshire Railway, and connecting that Railway with the Manchester, Sheffield, and Lincolnshire Railway within a few Miles of the Port of Great Grimsby on the Humber; and the said Act authorizes the Company thereby formed to agree with the South Yorkshire Railway and River Dun Company, and with the Manchester, Sheffield, and Lincolnshire Railway Company, for the Working, Maintenance, and Management of its Undertaking; that the Capital of the Company so formed is declared by the said Act to be 120,000*l.*, and the Company are authorized to borrow 40,000*l.* upon the Security of their Undertaking; that by "The South Yorkshire Railway and River Dun Companies Act, 1861," Powers were given to the South Yorkshire Company to pass over and use the Trent, Ancholme, and Grimsby Railway with their own Engines and Carriages and Servants, and for the Purposes of Traffic of all kinds upon Conditions and upon Payments set forth in the said Act; that the South Yorkshire Company and the Manchester, Sheffield, and Lincolnshire Railway Company are greatly interested in the Completion of the said Railway and in the efficient Maintenance and Management thereof, and it is expedient that they should be authorized to take and hold Shares therein, and ultimately (if it shall be so agreed between the Companies) to acquire the same absolutely.
Power to South Yorkshire and Sheffield Railways Companies to subscribe, and to apply their Funds for that Purpose, § 2.
Contributing Companies may appoint Directors, § 3.
And vote at General Meetings, § 4.
Contributing Companies may raise Money by the Creation of Shares, § 5.
Power to sell Railway, § 6.
As to joint Management of Railway, § 7.
As to Vacancies in Committee, § 8.
Meetings and Functions of Committee, §§ 9 to 11.
As to Disposal of Revenue, § 12.
As to Expenses of managing Railway, § 13.
Providing Funds, § 14.
Actions, &c. with respect to Railway, § 15.
Extending certain Provisions of the Companies Clauses Consolidation Act, § 16.

Cap. cxxx.

"Wem and Bronygarth Roads Act, 1862."

Recites Two Acts, 19 & 20 Vict. and 23 & 24 Vict., relating to the Wem and Bronygarth Roads, by the last-mentioned of which Acts Two Districts of Roads, entitled the First District and the Second District, were constituted; that in the Preamble of the said Act it is, amongst other things, recited, that the estimated Expense of making and maintaining the Roads proposed to be thereby authorized other than certain Roads (being the Roads Numbers Three and Five of the Second District) which it was thereby provided should be made only in the event of the Funds for making and also maintaining the same being separately and specially provided for, was the Sum of 6,000*l.*; and that certain Persons named in the Schedule (A.) to the said Act annexed were willing and had offered to the said Trustees to subscribe and contribute the Sums respectively set opposite to their Names in the said Schedule, making together the Sum of 2,555*l.*, towards making and completing the said Roads, upon Condition that Interest, at the Rate of Four per Centum per Annum upon the Sums to be so subscribed and contributed by them, should be paid out of the Tolls by the said Act authorized to be taken upon such Roads, preferably to the Payment of Interest on any further Sums to be raised by the Trustees for the Purposes of the said Act, and that other Persons might also be willing to subscribe further Sums on the same Conditions; that it was in the said Preamble further recited that the Cambrian Slate Company (Limited), who were (and who still are) interested in extensive Slate Quarries situate at Chwarel Ucha, in the Parish of Llansaintffraid-Glyn-Ceiriog, in the County of Denbigh, worked by them, and which will be accommodated by some of the Roads authorized by the said Act (being Part of the Roads thereby constituted the Second District), were willing and had offered to the said Trustees to provide One Half of the necessary Funds for completing the said Roads, and to allow to the Subscribers of the said Sum of 2,555*l.* a Preference and Priority in the Payment of Interest upon the said Sum, but upon Condition that Interest at the Rate of 5*l.* per Centum per Annum on the Sum to be subscribed by the said Company should be paid out of the Tolls and other Revenue of the same Roads as in the said Act provided, and that such Lease should be granted to them as was therein-after mentioned before Payment of their Subscription should be called for; that by the said Act the Trustees were authorized, in consideration of the Sum agreed to be advanced and subscribed by the said Company as aforesaid, and prior to calling upon the said Company for Payment of the Monies agreed to be subscribed by them as aforesaid, or any Part thereof, if and when thereto required, to grant a Lease to such Company of the several Roads constituting the Second District under the said Act, or of any Portion thereof required by the said Company, for a Period not exceeding the Term created by the said Act, upon such Terms and Conditions as might be agreed upon; that by the said Act, the Maintenance and Repairs of the Road Number Two of the Second District were made chargeable on the Revenue of the First District; that in pursuance of the said Power the said Trustees granted to the Company a Lease of the several Roads Numbers One and Four of those constituting the Second District as aforesaid, which Lease is dated the 13th April 1860, at an annual Rent of such a gross and aggregate Sum of Money as shall be sufficient to pay the Salaries, Costs, Interest, Sinking Fund, Repairs, and other Charges provided for by the 39th Section of the said Act, and which Rent the said Company thereby covenanted and are still liable to pay; that the Company contributed and have paid to the Trustees for the Purposes of the said Act the Sum of 3,000*l.*, being the whole of their Subscription, and One Half of the Funds estimated at the Time the said Act was passed to have been necessary for completing the said Roads; but the other Subscribers named in the Schedule to the said Act, instead of contributing and paying the said Sum of 2,555*l.*, have only contributed and paid in all the Sum of 1,262*l.* 10*s.*; that the Trustees proceeded, under the Powers of the said Act, to acquire the Land for the new Roads thereby authorized, and constituting the Second District (other than Roads Numbers Three and Five thereof), and to make the same, and they have in so doing and in partially

defraying the Expenses of obtaining the said Act, and in carrying into effect the other Purposes thereof, expended the whole Sums of Money received by them from the said Company and from the other Subscribers, but by reason of their having failed to obtain the Contributions originally promised or other or further Contributions from the Public for the Purpose, they have been unable to complete the said new Roads, and the Works necessary for that Purpose have been suspended for more than a Year, and the Trustees are wholly unable to obtain Funds to enable them to proceed with the same; that the present Communication between the Roads of the Second District and the Great Western Railway (which is the Railway on which the District depends for its Railway Communications with the rest of the Kingdom) is very inconvenient and circuitous, and it is therefore expedient that the new Road herein-after described should be authorized, so as to connect the said Roads with the said Railway at the Chirk Station thereon, which is a First-class Station; that the estimated Cost of such new Road is 204*l.*; that the Company have consented that the said Lease should be annulled, and that the Rate of Interest payable to them in respect of the Monies already advanced by them or to be hereafter advanced shall be 4*l.* per Centum, with the view of enabling the Trustees to borrow the Funds necessary to complete the Roads already authorized (other than the Roads Numbers Three and Five of the Second District), and to construct the proposed new Road; that it is expedient that the said Lease should be annulled, and that the Trustees and the Company should be released from the whole Covenants and Obligations thereof, and from all other Covenants and Undertakings entered into between them in regard to the Matters aforesaid.

New Road to be made according to deposited Plans; Power to to deviate, §§ 3 to 7.
Lands Clauses Act not to apply, § 8.
As to Construction of certain Provisions of General Turnpike Acts, § 9.
Freehold, &c. of Land to remain in Owners of adjoining Land, § 10.
Trustees to have Power of digging and using Land, &c., § 11.
Two Years for compulsory Purchase of Land, § 12.
Three Years for Completion of Works, § 13.
Tolls to be taken during Term of Act, § 14.
Trustees may borrow a further Sum of Money on Credit of Tolls of Second District, § 15.
Application of Money to be borrowed on the Second District, § 16.
Application of Revenue of Second District, § 17.
Interest to be paid out of Revenues of each Year, § 18.
Arrears of Interest extinguished, § 19.
As to Mode of discharging Debt, § 20.
Extending Provisions of 40th Section of existing Act to Mortgages under this Act, § 21.
Where Turnpikes shall be erected, § 22.
Agreement with R. M. Biddulph, Esq., to be annulled, § 23.
Provision for shutting up disused Portion of Road, § 24.
Lease to Cambrian Company annulled, § 25.
Trustees may resolve to narrow Roads within One Year, § 26.
Acts to continue in force 31 Years, § 28.

Cap. cxxxi.

"The United Kingdom Electric Telegraph Act, 1862."

Recites that under the Provisions of the Joint Stock Companies Acts, 1856 and 1857, a Company was incorporated, called "The United Kingdom Electric Telegraph Company (Limited)," for the Purposes, as stated in the Memorandum of Association of the said Company, of making, working, and maintaining Telegraphic Communication between various Places in Great Britain and Ireland, and purchasing and carrying out the Systems of one Thomas Allan in Electric Telegraphy, and making, working, and maintaining, obtaining, purchasing, selling, disposing, doing, transacting, and performing all Things necessary or incident to the carrying out of the aforesaid Objects, or any of them, with Power to sell or lease to any other Company or Person all or any of the Telegraphic Lines so made, or any of the Patents, Privileges, Easements, or Things required, or to grant any Licences in respect thereof, or to confer on any other Company or Person the Right to make, work, or maintain any Telegraph which the Company would be by the now reciting Memorandum authorized to make, and to acquire and hold any Lands or Hereditaments, Patents, Licences, Permissions, Easements, Rights, Privileges, or Authorities necessary or conducive to the carrying out of the said Undertaking, and to enter into and carry out any Arrangements with any other Person or Companies for the connecting the said Telegraphic Lines of any of them with other Telegraphic Lines, or for leasing, purchasing, or hiring the said last-mentioned Lines, and generally to do all Things whatsoever directly or indirectly incident to the above-mentioned Undertakings, or to carrying into effect the Purposes of the Company; that the Systems of the said Thomas Allan, as mentioned in the said Memorandum of Association, were certain alleged Improvements in Electric Telegraphy for which he had obtained Patents; that Agreements were entered into between the said Company, or the Directors thereof, and the said Thomas Allan relating to the purchasing and carrying out of his said Systems, but such Agreements had since been determined, and the said Company had abandoned so much of the Purposes aforesaid as relates to the said Systems; that it would be for the public Benefit if such Powers were conferred upon the Company as would enable them effectually to carry on their Undertaking, and to perform the Duties and Services of an Electric Telegraph Company.

Lands Clauses Acts incorporated, § 2.
Compensation to be ascertained under Lands Clauses Act, § 3.
Power to purchase Easements in Land, § 4.

5. Subject to the Provisions of this Act the Company may from Time to Time lay, maintain, repair, and renew Telegraphs over, along, across, or under any Street, and set up, erect, place, maintain, repair, and renew in or upon any Street any Posts, Poles, Standards, Stays, Struts, or other Apparatus for carrying, suspending, or otherwise supporting such Telegraphs, and for the Purposes aforesaid, or any of them, may open and break up any such Street, doing as little Damage as may be in the Execution of the Powers hereby granted, and making Compensation for any Damage which may be done in the Excution of such Powers to the Parties who shall have sustained such Damage.

6. No Telegraph shall be laid along or across any Street, or any Part of a Street, in Great Britain, otherwise than underground, except with the previous Consent in Writing of the Persons having the Control or Management of such Street under the Hand of their Clerk or Surveyor, and the Persons having such Control or Management may give such Consent upon such Terms and Conditions, pecuniary or otherwise, and subject to such Restrictions, as they may deem expedient.

7. Where the Company shall propose to place Posts, Poles, or other Apparatus for carrying or supporting a Telegraph in

or by the Side of any Turnpike Road in Great Britain, or any common Highway under the sole Management or Control of a Surveyor or Surveyors in England, or any Statute Labour Road in Scotland, or any Part of any such Road or Highway, the Company shall forthwith, after obtaining the Consent of the Persons having the Management or Control of such Road or Highway, publish in manner herein-after mentioned a Notice describing the intended Route of such Telegraph, and the Company shall not set up or erect any Post, Pole, Strut, Stay, or other Work connected therewith in or by the Side of any such Road or Highway as aforesaid until after the Expiration of 21 Days from the last Publication of such Notice.

8. Such Notice shall be affixed on some conspicuous Places by the Side of the said Road or Highway, or the Part thereof as aforesaid, at Distances not exceeding One Mile apart, and shall also be inserted once in each of Two successive Weeks in some One and the same local Newspaper circulating in the Neighbourhood of such Road or Highway, or the Part thereof as aforesaid, and shall be left at every Dwelling House fronting on such Road or Highway, or the Part thereof as aforesaid, and within 50 Feet thereof.

9. If the Owner or Occupier of any Land or House adjoining either Side of such Turnpike Road or Highway as aforesaid, in or by the Side of which the Company shall propose to place any Posts, Poles, or other Apparatus as aforesaid, shall at any Time after any such Consent or Permission as aforesaid shall have been obtained, and before the Expiration of such 21 Days as herein-before mentioned, give to the Company Notice in Writing that he considers that such proposed Works will injuriously affect his said Land or House, and that he intends to appeal against such Consent or Permission as aforesaid, it shall be lawful for such Owner or Occupier to appeal against the same as herein-after mentioned, and such Owner or Occupier shall forthwith give Notice to the Board of Trade or Sheriff, as the Case may be, of such Appeal.

10. Where such Turnpike Road or Highway as aforesaid shall be situate in England, such Appeal shall be heard and determined either by the Board of Trade, who shall have Power to appoint a competent Person to inquire and report to them upon the Circumstances of the Case, or, if the Board of Trade shall think fit, by some Person to be appointed by them the Referee for that Purpose; and where such Turnpike Road or Highway as aforesaid shall be situate in Scotland, such Appeal shall be heard and determined by the Sheriff of the County in which such Land or House as aforesaid is situate, and such Sheriff shall have Power to appoint a competent Person to inquire and report to him upon the Circumstances of the Case; and such Appeal shall be prosecuted as soon after the Expiration of 10 Days after the giving of such Notice of Appeal as conveniently may be, the necessary Costs, Charges, and Expenses of the Referee or of the Sheriff respectively being paid by the Company.

11. It shall be lawful for the Board of Trade, or the Referee appointed by them, as the Case may be, and for the Sheriff respectively, to hear and finally determine the Matter of such Appeal, and to award such Costs, if they think any ought to be paid to the Appellant, as they shall think proper, and their and his Determination in the Premises shall be conclusive upon all Parties.

12. If the Board of Trade, Referee, or Sheriff shall consider that any Alteration proposed will affect any other Owner or Occupier of Land, he shall, unless such Owner or his Agent or such Occupier be present, adjourn the Case, and shall direct Notice to be given to such Owner or his Agent, or to such Occupier, of the Intention to propose such Alteration, and shall hear any Objections of such Owner or Occupier as if it were an original Appeal: Provided always, that the Decision on any such Appeal shall not prejudice or affect the Rights or Powers of the Persons having the Control or Management of any Street, or prejudice or affect any Persons other than the Company and the Appellant, and the Persons, if any, to whom any Notice shall be given in pursuance of such Direction as aforesaid.

13. Where any Street in Ireland, or the Part thereof along or across which the Company shall purpose to lay a Telegraph, is not under the Control of the Grand Jury of the County within which such Street or the Part thereof as aforesaid is locally situate, no Telegraph shall be laid along or across such Street, or the Part thereof as aforesaid, otherwise than underground, except with the previous Consent in Writing of the Persons having the Control or Management of such Street, under the Hand of their Clerk or Surveyor; and the Persons having such Control or Management may give such Consent upon such Terms and Conditions, pecuniary or otherwise, and subject to such Restrictions, as they may deem expedient.

14. Where any Street in Ireland, or the Part thereof along or across which the Company shall purpose to lay a Telegraph, is under the Control of the Grand Jury for the County in which such Street, or the Part thereof as aforesaid, is locally situate, no Telegraph shall be laid along or across such Street, or the Part thereof as aforesaid, otherwise than underground, except with the previous Approval of such Grand Jury, to be applied for in manner herein-after provided.

15. Previously to making such Application the Company shall publish Notice of their Intention to make such Application, and such Notice shall describe the intended Route of the proposed Telegraph, and shall be published by Advertisements affixed on or immediately adjacent to the Doors of every Police Station or Barrack, and at the Places, if any, appointed by the Grand Jury for posting Notices within each Parish, and also by Advertisements to be inserted once in each of Three successive Weeks in some One and the same Newspaper of the County, or if there be none, then in the Newspaper in some adjoining County; and the Company shall deposit a Copy of such Notice with the Secretary of the said Grand Jury, the County Surveyor, and the Clerk of each Union through which the Telegraph is proposed to be laid.

16. In case the Application is made at the Spring Assizes, the said Advertisements shall be published in the Months of November and December, or either of them, and the said Deposits made on or before the 1st Day of December immediately preceding such Application; and in case the Application is made at the Summer Assizes, the said Advertisements shall be published in the Months of April or May, or either of them, and the said Deposits made on or before the 1st Day of May immediately preceding such Application.

17. The said Grand Jury shall, on the Application of the Company, inquire whether the said Advertisements have been published, and Deposit made, in accordance with the Requirements of the foregoing Enactments, and shall then proceed to inquire into the Merits of the said Application; and with reference thereto the Grand Jury shall take into consideration the Report of the County Surveyor on the proposed Telegraph (who is hereby required to make Report thereon to the Grand Jury, and to deliver a Copy thereof to the Company Three clear Days at least before the Inquiry by the Grand Jury), and shall hear in opposition to the Application any Owner or Occupier of any Lands alleged to be injuriously affected thereby, and the Inhabitants of any Town, Place, or District alleged to be injuriously affected by the proposed Telegraph; and the Grand Jury shall then approve or disapprove, as they may think fit, of the proposed Telegraph with or without Modification, and such Approval or such Disapproval (with, in the Case of Disapproval, the Grounds thereof) shall be

certified in Writing under the Hand of the Secretary of the Grand Jury.

18. Where the proposed Telegraph does not lie wholly within One County, the foregoing Enactments relating to Ireland exclusively shall apply equally to every County within which any Part of it lies, except that the Company may, if they think fit, deposit with the Secretary of the Grand Jury, and the Surveyor of any County, and the Clerk of any Union, Copies of so much only of any such Notice as relates to so much of the proposed Telegraph as lies within that particular County.

19. Where the proposed Telegraph does not lie wholly within One County, and is approved of by any One of the Grand Juries before whom the Application comes, but is disapproved of by any other or others of such Grand Juries, it shall be lawful for the Company to appeal against such Disapproval to the Lord Lieutenant in Council, who shall, as soon may be, inquire into the Grounds of Disapproval, and allow or disallow the Appeal.

20. Where the proposed Telegraph lies wholly within One County, and the Grand Jury of that County disapproves of the same, and also where the proposed Telegraph does not lie wholly within One County, and either the Grand Juries of all the several Counties disapprove of the same, or any One of them disapproves of it, and no Appeal is brought against such Disapproval, or any Appeal brought is disallowed, then and in every such Case the Application of the Company shall be deemed to have wholly failed.

21. Everything required to be done under this Act by the Grand Jury of a County shall be deemed to be a Part of their fiscal Business, and all Enactments for the Time being in force respecting the fiscal Concerns of a County, or the fiscal Business to be transacted by a Grand Jury before or at any Assizes, shall apply to everything done by a Grand Jury under this Act, so far as the same Enactments shall be applicable thereto.

22. In any Case where any Post, Pole, Strut, or Stay, or other Apparatus as aforesaid, or Wire belonging to the Company, shall be or have been placed or carried in or upon or by the Side of any Street, and the Owner of the Land adjoining such Street on either Side thereof shall be desirous of erecting any Dwelling House or Houses, or of letting or selling such Land for the Purpose of erecting any such House or Houses, on such adjoining Land within 50 Feet from any Post or Telegraph Wire of the Company, and shall give Notice to the Company of his Intention to erect any such House or Houses, or to let or sell such Land for the Purpose of erecting any such House or Houses, and require the Company to carry the Telegraph underground, or to remove or alter the Position or Height of any Post, Pole, Strut, Stay, or other Apparatus or Wire belonging to the Company in or upon either Side of the said Street in front of or opposite to such proposed House or Houses, then in case the Company shall not, within One Month after the Receipt of such Notice, or the Commencement of the Erection of such House or Houses, which shall last happen, comply with the Terms of such Notice, it shall be lawful for such Owner to appeal to the Board of Trade if the Lands be in England, to the Sheriff if the Lands be in Scotland, or to the Chairman of Quarter Sessions in Sessions if the Lands be in Ireland; and it shall be lawful for the Board of Trade, upon the Report of their Referee, or for the Sheriff, or for the Chairman of Quarter Sessions, as aforesaid respectively, to order that any Post, Pole, Strut, Stay, or other Apparatus or Wire, specified in such Notice, so far as the same shall in their or his Opinion injuriously affect the said proposed House or Houses, shall be either wholly removed, or be removed to such Place, or that the Wire suspended therefrom, or from any higher or lower Post or Pole directed to be substituted in lieu thereof, shall be raised or lowered to such Extent as shall be specified in such Order, and the Order shall be binding on the Company, and shall be obeyed by the Company within the Period to be fixed by the Order: Provided always, that such Order shall not prejudice or affect the Rights or Powers of any Persons having the Control or Management of any Street, or any other Person than the Company and the Appellant: Provided also, that if the Owner of any Land adjoining a Street builds continuously upon such Land, or builds detached Dwelling Houses the Grounds of which adjoin each other, he may, if he think proper, require the Company, by Notice in Writing, to remove any Posts, Poles, or other Apparatus of the Company in front of the Houses so built to a Distance of 50 Feet at least from any of such Houses, or to carry the Telegraph underground, and the Company, within One Month after the Receipt of such Notice, shall comply with the Terms of such Notice.

23. In any Case where any Post, Pole, Strut, Stay, or other Apparatus for carrying or supporting a Telegraph, or where any Telegraph belonging to the Company, shall be placed or laid in, upon, or under any waste or uncultivated Land forming Part or lying by the Side of any Street, and the Owner of the adjoining Land, or the Lord of the Manor within which such waste or uncultivated Land shall be situate, shall be desirous to enclose such waste or uncultivated Land, and shall give Notice to the Company of his Intention to enclose the same, and require the Company to remove all or any such Works of the Company in, upon, or under such waste or uncultivated Land, the Company shall, within One Month after the Receipt of such Notice, or within One Month after such Enclosure shall be actually completed, which shall last happen, remove all such Works as aforesaid of the Company in, upon, or under such waste or uncultivated Land or Enclosure.

24. If the Company intend to carry or lay Telegraphs over Houses or Buildings or Lands in any City, Municipal Borough, or Town, or any District or Part of such City, Borough, or Town, the Company shall submit to the Persons having the Control of the Streets therein respectively a Plan showing the Height, Course, and Direction, and the Distance between the several Supports of such Telegraphs, and, if required, shall alter such Plan so as to meet their Approval; and all Works shall be constructed, erected, and (subject to the Provisions herein-after contained for the Protection of Owners, Lessees, and Occupiers of Houses, Buildings, or Lands) be maintained by the Company in accordance with such Plan as the same may be approved by the Persons having such Control as aforesaid; and such Approval shall be a sufficient Authority to the Company to carry, lay, suspend, and, subject to such last-mentioned Provisions, maintain Telegraphs over any House or Building or Land within the Limits of such City, Borough, or Town, or District or Part thereof respectively: Provided always, that such Telegraph shall not be placed directly over any House, Building, or Land if the Owner or Occupier object thereto, and, if so placed, shall be removed if required by such Owner or Occupier: Provided also, that, except as is herein-after provided, the Company shall not be required to remove any such Telegraph by any such Owner or Occupier after the Expiration of Twelve Months from its Suspension, unless Two Justices of the Peace, upon the Application of such Owner or Occupier, and after hearing the Company, think there are reasonable Grounds for its Removal.

25. Before any Street shall be opened or broken up by the Company they shall give to the Persons under whose Control or Management such Street may be, or to their Clerk or Surveyor, Notice in Writing of their Intention to open or break up the same Three Days at least before the Commencement of such Operation, where the Telegraph is intended to be laid

otherwise than underground, and the Consent of such Persons shall have been previously obtained as aforesaid, and 10 Days at the least where the Telegraph is intended to be laid underground (except in case of Emergency for the Purpose of repairing or renewing a Telegraph previously laid under the Provisions of this Act, in which Case Notice shall be given as soon as possible after such Emergency shall have arisen); and every such Notice shall specify the Time when such Street is intended to be opened; and every such Notice which shall relate to the first laying of any Telegraph underground shall specify the Course and Direction in which and the Depth at which it is intended to be laid under such Street; but no Street within the Limits of the Metropolis, defined as herein-after mentioned, shall be opened or broken up for the Purpose of laying new Telegraphs during any Part of the Months of December, January, and February, without the Consent of the Vestry or District Board under whose Control or Management such Street may be.

26. Every such Street shall be opened or broken up under the Superintendence of the Persons having the Control or Management of the same, or their Officer, and any underground Telegraph shall be laid at such Depth, and in such Course, Position, or Direction, as shall be agreed upon between such Persons or their Officer and the Company or their Servants, or, in case of any Difference as to Depth, Course, Position, or Direction, as shall be determined by Two Justices, or any Person to be nominated by them, or, if the Street be in Scotland, by the Sheriff or any Person to be nominated by him: Provided that if the Persons having such Control or Management, or their Officer, do not, within Ten Days after receiving such Notice as aforesaid, by Writing under their or his Hand, signify to the Company their or his Objections to the proposed Operations as specified in such Notice, and specify in such Writing the Course, Position, or Direction in which and the Depth at which they or he desire that such Telegraph should be laid, they or he shall be deemed to have agreed to the proposed Operations as specified in such Notice; but if such Objections be so signified, the said Telegraph shall be laid at the Depth, and in the Course, Position, or Direction, specified in such Writing, unless the Company shall require the Depth or Course, Position or Direction, to be determined as aforesaid, and in that Event the said Telegraph shall be laid at the Depth, and in the Course, Position, and Direction, which shall be so determined; and after any such Objections shall have been signified, or such Depth, Course, Position, and Direction shall have been determined by the Justices or Sheriff as aforesaid, the Company shall give to the Persons aforesaid, or their Officer, a fresh Notice in Writing of the Time at which the Work is to be commenced Three Days at least before such Commencement: Provided also, that if such Persons or their Officer, having received any such original Notice as herein-before mentioned, or such fresh Notice as aforesaid (as the Case may be), fail to attend at the Time thereby fixed for the opening of any such Street, or refuse or neglect to superintend the Operation, the Company may perform the Work without the Superintendence of such Persons or their Officer: Provided further, that the Company shall pay all reasonable Expenses to which the Persons having the Control or Management of any Street shall be put in reference to such Superintendence as aforesaid.

27. All Tubes or Pipes laid by the Company underground shall be marked so as to distinguish the same from the Tubes or Pipes of any other Company.

28. When any Street shall be opened or broken up by the Company they shall, with all convenient Speed, complete the Work on account of which the same shall be broken up, and fill in the Ground and make good the Pavement or Surface of the Street so opened or broken up, and restore the same to as good a Condition as that in which it was before being so opened or broken up, and carry away the Rubbish occasioned thereby, and shall in the meantime cause the Place where such Street shall be so opened or broken up to be fenced and guarded, and set up and maintain upon or against the Part of the said Street so broken up or opened a sufficient Light during every Night during which such Street shall be continued open or broken up, and shall pay all reasonable and proper Expenses of keeping the Street or Pavement which has been so opened in good Repair for Six Months after replacing, restoring, and making good the same, in so far as such Expenses shall have been occasioned in consequence of the said Street or Pavement having been so opened or broken up: Provided always, that in lieu of such last-mentioned Payment, the Company, in respect of any Turnpike Road under the Jurisdiction of the Commissioners of the Metropolis Turnpike Roads North of the Thames, or the Trustees of the Surrey and Sussex Turnpike Roads, or the Trustees of the New Cross Turnpike Roads respectively, shall, within Seven Days from the Restoration thereof, and in order to meet the future Expenses consequent on the Subsidence of Materials newly filled in, pay to the Commissioners or Trustees having the Control of the same Turnpike Roads respectively such Sum as they shall reasonably require, not exceeding Sixpence for every Superficial Square Yard broken up by the Company within the Limits of the Metropolis, and not exceeding Fourpence for every Superficial Square Yard so broken up beyond those Limits; and the Company shall keep in repair the Roads and Footpaths, so far as they are interfered with and injured, for a Period of 10 Days after the same shall have been filled in.

29. If the Company shall (except in case of Emergency as herein-before provided) open or break up any Street without giving such Notice as aforesaid, or in a Manner different from that which shall have been consented to, approved of, or determined as aforesaid, or without having obtained the Consent of the Persons having the Control or Management of the Street where any such Consent is by this Act required, or without having obtained the Consent herein-after required in the Case of certain Cities or Municipal Boroughs, or if the Company make any Delay in completing any such Work, or in filling in the Ground, or reinstating and making good the Street or Pavement so opened or broken up, or in restoring the same to such good Condition as aforesaid, or in carrying away the Rubbish occasioned thereby, or if they neglect to cause the Place where such Street or Pavement has been broken up to be properly fenced, guarded, and lighted as herein-before mentioned, the Company shall forfeit to the Persons whose Consent is so required, or having the Control or Management of the Street in respect of which such Default is made, a Sum not exceeding 5*l.* for every such Offence; and the Company shall forfeit an additional Sum of 5*l.* for each Day during which any such Delay as aforesaid shall continue, without Prejudice to the Rights of any Parties interested to enforce specific Performance of the Requirements of this Act.

30. If in the making or laying down any of their Works the Company do or cause any Injury or Damage to any Street, or to any Brick or other Drain, Sewer, Cesspool, Water Channel, or other Convenience connected therewith, and do not forthwith proceed to repair and make good the Injury or Damage to the Satisfaction of the Persons having the Control or Management of the same respectively, or of their Surveyor, or if by reason of the making or laying down any of the Works by this Act authorized or required any Alteration of any Street, or of the Drains, Sewers, Cesspools, or Water Channels connected therewith, is in the Judgment of such Persons or of their Surveyor, rendered necessary, then and in every such Case such Persons or their Surveyor may cause all such Re-

pairs or Alterations to be made as they or he in their or his Discretion may think fit; and all Expenses thereof shall be paid on Demand by the Company, or, in default of Payment for 21 Days after Demand, may be recovered by the Persons aforesaid by summary Proceeding before a Justice or Justices, or before the Sheriff, as the Case may be, as in this Act provided.

31. The Company shall not, at any Time during the making or laying down of any Works by this Act authorized or required, shut up or in any way impede the public Traffic along a greater Width of any Street than shall be necessary for the proper Performance of the Work, nor in any Case more than One Third in Width of any Street at the same Time; and if the Two Thirds of the Street so left open be not wide enough to allow Two Carriages to pass each other, then and in every such Case not more than 50 Yards in Length of the other Third of the Street shall be occupied by the Company's Works at the same Time, unless by special Permission of the Surveyor of the Persons having the Control of the Street.

32. The Company shall, at their own Expense, do all such Things in the way of watching, lighting, fencing, and other precautionary Measures during the making of any Works by this Act authorized or required as are necessary for the Public Safety and the Convenience and Protection of any Street and of the Traffic thereon; and the Company shall be answerable for all Accidents and Damage happening through the Default of the Company, or any Person in their Employ, by reason or in consequence of any of the Works of the Company.

33. The Company shall not raise, sink, or otherwise alter the Position of any Watercourse, Main, or Pipe used for supplying Water or Gas to the Inhabitants of any House adjoining or near to any Telegraph of the Company, nor remove or displace any of the Mains or Pipes (other than private Service Pipes), Syphons, Plugs, or other Works belonging to any Body Corporate, Company, or Society authorized to supply Water or Gas, or do anything whereby the Passage of Water or Gas into or through any such Watercourse, Main, or Pipe shall be impeded, without the Consent in Writing of the Body Corporate, Company, or Society having the Control and Management of such Watercourse, Main, or Pipe, or of One of their Officers, nor after obtaining such Consent without giving Notice in Writing to the Body Corporate, Company, or Society 14 Days at least before commencing the Works which will necessitate the Alteration of their Mains or Pipes as aforesaid; and if the Company shall offend against this Provision they shall for every such Offence forfeit and pay a Penalty of 20*l.*

34. All Works in connexion with the raising, sinking, or other Alteration of any such Watercourse, Main, or Pipe shall (except upon the Default of the Body Corporate, Company, or Society as herein-after mentioned) be executed, under the sole Superintendence of the Engineer for the Time being of the Body Corporate, Company, or Society, by such Person or Persons and in such Manner in all respects as he in his absolute Discretion shall think fit to appoint and direct; and all the Expenses incurred by such Body Corporate, Company, or Society in or in any way relating to the Execution of such Works shall be repaid to them by the Company; provided that if the Body Corporate, Company, or Society shall for 10 Days next after the Day named in the Notice served by the Company for the Commencement of the Works interfering with or affecting any Watercourse, Main, or Pipe as aforesaid, fail to commence or at any Time thereafter fail to proceed with reasonable Despatch in the Execution of the Works, the Company (at their own Expense) may execute all such Works as shall be requisite for preventing any Interruption for the Supply of Water or Gas, as the Case may be, and may remove, alter, or otherwise interfere with such Watercourse, Main, or Pipe in such Manner and to such Extent as shall be necessary.

35. The Company shall, with as little Delay as possible, reinstate all private Service Pipes that may be removed or interfered with by them, and shall also make full Compensation to all Parties for any Loss or Damage which they may sustain by reason of any Interference with any Watercourse, Main, Pipe, or Work of any Body Corporate, Company, or Society as aforesaid, or with any private Service Pipe of any Person supplied by them with Water or Gas; and such Compensation shall be in addition to any Penalty that may have been incurred by the Company under the Provisions of this Act.

36. Nothing in this Act contained shall limit, control, or in any Manner affect any Power, Right, or Privilege vested in any Water Company or Gas Company now acting under Act of Parliament or Royal Charter, but all such Powers, Rights, and Privileges shall be and remain in full Force and Effect as if this Act had not been passed.

37. It shall not be lawful for the Company to lay any Telegraph along, across, over, or under any Street in the City of London or the Liberties thereof, or to set up, erect, place, or maintain in or upon any such Street any Posts, Poles, Standards, Stays, Struts, or other Apparatus, without the Consent in Writing of the Commissioners of Sewers of the City of London and Liberties thereof, under the Hand of their Clerk, first had and obtained for that Purpose, and under and subject in all respects to the Powers and Provisions contained in "The City of London Sewers Act, 1848," and "The City of London Sewers Act, 1851;" and nothing in this Act contained shall extend to prejudice, alter, or take away any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers of the City of London, but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been passed.

38. Notwithstanding anything in this Act contained, it shall not be lawful for the Company to break up or open any Street situate within the Limits of any City or Municipal Borough or any Town the Population of which exceeds 10,000 Inhabitants, or any Land therein laid out as a Street, although not dedicated to public Use, or to lay any Tubes, Wires, or other Apparatus, or to erect or execute any other Work, under or over, upon, along, or across any such Street or Land laid out as aforesaid within such Limits, except with the Consent in Writing previously had and obtained of the Corporation of the City or Borough acting by their Council, or of the Improvement Commissioners, or Persons (if any) having the Management or Control of the Streets, as the Case may be, within such Limits as aforesaid, who may give such Consent on such Conditions and subject to such Restrictions as they may deem expedient.

39. Where any of the intended Works to be done under or by virtue of this Act shall or may pass over, under, or by the Side of or so as to interfere with any Sewer, Drain, Watercourse, Defence, or Work under the Jurisdiction or Control of the Metropolitan Board of Works, or of any Vestry or District Board constituted under the Metropolis Local Management Act, 1855, or with any Sewers or Works to be made or executed by the said Boards or Vestry, or either of them, or shall or may in any way prejudicially affect the Sewerage or Drainage of the Districts under their or either of their Control, the Company shall not commence such Work until they shall have given to the said Metropolitan Board, or to the District Board or Vestry, as the Case may be, 14 Days previous Notice in Writing of their Intention to commence the same by leaving such Notice at the principal Office of such Board or Vestry, as the Case may be, for the Time being, with a Plan and Section showing the Course and Inclination thereof, and other necessary Particulars relating thereto, and until such

Board or Vestry respectively shall have signified their Approval of the same, unless such Board or Vestry, as the Case may be, do not signify their Approval, Disapproval, or other Directions within 14 Days after Service of the said Plan, Sections, and Particulars as aforesaid; and the Company shall comply with and conform to all Directions and Regulations of the respective Board or Vestry in the Execution of the said Works, and shall provide, by new, altered, or substituted Works, in such Manner as such Board or Vestry may deem necessary, for the proper Protection of and for preventing Injury or Impediment to the Sewers and Works herein-before referred to by or by reason of the said intended Works, or any Part thereof, and shall save harmless the said Metropolitan Board, District Board, and Vestry respectively against all and every the Expense to be occasioned thereby; and all such Works shall be done by or under the Directions, Superintendence, and Control of the Engineer or other Officer or Officers of the said Metropolitan Board, District Board, or Vestry, as the Case may be, at the Costs, Charges, and Expenses in all respects of the Company, and all Costs, Charges, and Expenses which the said Metropolitan Board or any District Board or Vestry may be put to by reason of the Works of the Company, whether in the Execution of Works, the Preparation or Examination of Plans or Designs, Superintendence, or otherwise, shall be paid to such Boards or Vestry by the Company on Demand; and when any new, altered, or substituted Works as aforesaid, or any Works or Defence connected therewith, shall be completed by or at the Costs, Charges, or Expenses of the Company under the Provisions of this Act, the same shall thereafter be as fully and completely under the Direction, Jurisdiction, and Control of the said Boards and Vestry respectively as any Sewers or Works now are or hereafter may be; and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested or to be vested in the said Boards or Vestries, or any of them, or their Successors, but all such Rights, Powers, and Authorities shall be as valid and effectual as if this Act had not been passed.

40. If and when, for the Purposes of any Work of Sewerage, Drainage, Paving, Repair, or otherwise, the Metropolitan Board or any such Vestry or District Board as aforesaid shall in exercise of any Power vested by Law in them, or any or either of them, proceed to break open or interfere with the Soil or Pavement of any Street along or across which any Part of the Works of the Company shall pass, every such Board and Vestry may, where it may be necessary for the Execution of any such Work, require the Company to raise, sink, alter, or remove any Part of the said Works belonging to the Company in such Manner and within such reasonable Time as shall be specified in such Notice; and the Expenses of and incident to such raising, sinking, Alteration, or Removal shall be borne by the Company; and if such Notice be not complied with such Board or Vestry may proceed to execute the necessary Works at the Expense of the Company, and any reasonable Costs, Charges, or Expenses which they or either of them may be put to or incur thereby shall be payable to them by the Company on Demand, and shall be recoverable either by Action at Law or summary Proceeding before a Justice, at the Option of the Vestry or Board; provided, except in case of Emergency, that no Alteration of such Work shall be required or made which will permanently injure the Work without Two clear Days previous Notice in Writing to the Company, at their principal Office for the Time being, stating the Name of the Street, and the particular Part thereof, and the Part of the Work which may be proposed to be raised, sunk, altered, or removed, is situate: Provided always, that every such Board or Vestry shall proceed with or complete any Works which they may require to execute with all reasonable and convenient Speed, but no such Board or Vestry shall be liable to make Compensation to any Body or Person whatever for or on account of any Loss or Damage arising from or consequent upon any Stoppage or Obstruction of the Works from any of the Causes aforesaid.

41. If any Persons having the Control or Management of any Street shall be desirous of executing any Alteration or Improvement thereof or Work therein, with which Improvement or Work any Telegraph of the Company, or Support or Work connected therewith, laid or placed over, along, across, under, in, or upon such Street will interfere, such Persons may, by Notice in Writing, require the Company within a reasonable Period to be specified in such Notice, to alter or remove any such Telegraph, Support, or Work, so far as may be necessary for carrying such Improvement or Work into effect; and any Dispute between such Persons and the Company with reference to this Provision shall be settled by Two Justices, or, if in Scotland, by the Sheriff.

42. Subject to the Provisions of this Act, it shall be lawful for the Company, by Agreement with the Owners, Lessees, and Occupiers of any Land, House, or Building, or with the Proprietors or Lessees of any Railway, Navigation, Canal, or navigable River, or the Undertakers, Directors, Conservators, Trustees, Commissioners, or other Persons interested in or having the Charge of such Canal, Navigation, or River, or the Tolls thereof, and according to the Terms of such Agreement, to lay, maintain, repair, and renew Telegraphs, and set up, erect, affix, place, maintain, repair, and renew any Posts, Poles, Standards, Stays, Struts, or other Apparatus for carrying, suspending, or otherwise supporting such Telegraphs in, upon, over, along, across, or under such Land, House, Building, Railway, Navigation, Canal, or navigable River; but none of the Powers or Provisions of this Act shall extend or apply to any Railway, Navigation, Canal, or navigable River, or any of the Stations, Towing-paths, Lands, Wharves, Works, or Buildings belonging to or connected therewith respectively, except with the Consent in Writing of the Company, under their Common Seal, or of the Person to whom the same respectively shall belong, or of such Undertakers, Directors, Conservators, Trustees, Commissioners, or other Persons as aforesaid, first had and obtained; but this Provision shall not extend to prevent the Company for laying Telegraphs along, across, or over any Street, although such Street may cross or be crossed by a Railway, Navigation, Canal, or navigable River: Provided that such Telegraphs do not in anywise damage and are not calculated to damage the Railway, Navigation, Canal, or navigable River, or any of the Works connected therewith, or interfere with any Alteration or Improvement thereof, and do not at all interrupt or interfere with, and are not calculated to interrupt or interfere with, the Use, Alteration, or Improvement thereof, or the Passage and Conveyance of Traffic along the same.

43. No Telegraph, or any Support or Work connected therewith, shall be so laid, placed, or continued along any Railway as to stop the Access thereto for Engines and Carriages from any other Railway forming a Junction therewith, or along any Navigation, Canal, navigable River, or Dock, so as to stop up, prevent, or otherwise interfere with the Access thereto for Vessels, Barges, or Boats, whether with or without Masts, from any other Navigation, Canal, or navigable River, or any Dock, Basin, or Cut communicating therewith, or in any way impede the Traffic passing to or from any such Railway, or to or from any such Navigation, Canal, navigable River, or Dock, Basin, or Cut.

44. If at any Time after any Telegraph of the Company shall be laid in, under, over, or along any Navigation, Canal,

or navigable River any Persons having Power to construct Docks, Basins, or other Works upon any Land adjoining or near to such Navigation, Canal, or navigable River shall construct or be desirous and proceed to construct any Dock, Basin, or Works on such Land, but shall be prevented from forming a Communication for the convenient Passage of Vessels with or without Masts between such Dock, Basin, or other Works and any such Navigation, Canal, or navigable River, or if the Business of any such Dock, Basin, or other Works, or of any such Navigation, Canal, or navigable River, shall be interfered with by reason or in consequence of any such Telegraph, or any Support or Work connected therewith, the Company, at the Request of such Persons, and upon having reasonable Facilities and Permission given them by such Persons to lay their Telegraph round the said Docks, Basin, or other Works in and upon Land belonging to or under the Control of such Persons, shall remove and lay their Telegraph accordingly, so as to allow free Passage for Vessels entering or departing from the Dock, Basin, or other Works from or into the Navigation, Canal, or navigable River, and the Business thereof respectively to be conveniently carried on; and if any Dispute shall arise between the Company and such Persons as to the Facilities to be granted to the Company, or as to the Direction in which the Telegraph should be laid, such Dispute shall be determined by Two Justices.

45. This Act, or any Powers acquired by the Company under this Act, shall not authorize or enable the Company to enter upon, take, or use any House or Building or Land, other than Land under any Street, except with the Consent of or by Agreement with the Owners, Lessees, and Occupiers thereof.

46. No Telegraph of the Company, or Support or other Work connected therewith, shall be laid aboveground in the Street of any Town, or in any Street between Land continuously built upon, or across any Avenue or Approach to any House of the annual Value of 20*l.* or upwards, or within 10 Yards of any such House, without the Consent of the Owner or Occupier of such House: Provided always, that the Consent of the Occupier shall in all Cases be obtained, but if his Consent only be given the same shall not be deemed to give any Right to the Company beyond the Period of his Tenancy.

47. If any Company or Persons, being the Proprietors or Lessees of any Railway, Canal, navigable River, Navigation, Docks, Basins, Gas or Water Works, or any Corporation, Commissioners, Board, Undertakers, Conservators, Trustees, or other Body, who shall for the Time being be entitled to make use of, or to execute, construct, maintain, alter, or improve, any Works, or any Waterway or other Way, or Road or other Easement, within or upon any House or other Building, or Land or Street, or if any Owner, Lessee, or Occupier for the Time being of any House or other Building, or Land in, over, or under which House or other Building, or Land or Street, any Tube, Wire, or other Apparatus may pass, shall state in Writing to the Company that it is necessary for the Improvement or other Use of, or for the Execution, Construction, Maintenance, Alteration, or Improvement of, any Work or Water or other Way, or Road or Easement, which any such Owner, Lessee, or Occupier, Company, Corporation, Commissioners, Board, Undertakers, Conservators, Trustees, or other Body shall be entitled to make, execute, construct, maintain, alter, improve, or use within or upon any such House or other Building, or Land or Street, or for the Use or Enjoyment of any such Work, Water or other Way, or Road or Easement, as aforesaid, or for the Objects or Purposes of any such Works, Water or other Way, or Road or Easement, that the Tube, Wire, or other Apparatus, should be displaced, the Company shall, with all convenient Speed, after any such Notice, remove such Tube, Wire, or other Apparatus, so far as such Removal may be necessary to avoid Interference with any such Improvement or other Use of, or the Execution, Construction, Alteration, Improvement, or Maintenance of, any Works, Water or other Way, or Road or Easement, which any such Party may be entitled to make, or the Use or Enjoyment of the said Works, Water or other Way, or Road or Easement, and the Objects and Purposes thereof, within or upon any such House or other Building, or Land or Street.

48. In any Case in which, previous to the passing of this Act, any Persons having the Control or Management of any Street, or any Owners, Lessees, or Occupiers of any House, Building, or Land, or any Company, or the Owners, Proprietors, or Lessees of any Railway, Navigation, Canal or navigable River, or the Undertakers, Directors, Conservators, Trustees, Commissioners, or other Persons interested in or having the Charge of such Railway, Canal, Navigation, or River, or the Tolls thereof, shall have given any Consent or entered into any Agreement with the Company which they respectively would have been enabled or authorized to give and enter into if this Act had, previously to the giving of such Consent or entering into such Agreement, been passed, the Company shall not, so far and for such Time and on such Conditions as shall be expressly provided for by any such Consent or Agreement, but not further or otherwise, be required again to obtain the Consent of or to enter into a fresh Agreement with any such Parties as aforesaid, but every such Consent and Agreement so given or entered into as aforesaid shall be binding on the Company, and such Owners, Lessees, and Occupiers, Company, Owners, Proprietors, Lessees, Undertakers, Directors, Conservators, Trustees, Commissioners, and other Persons as aforesaid respectively, and shall be as valid and effectual, and of the same force, to all Intents and Purposes, as the same would be under the Provisions of this Act in case it were given or entered into subsequently to the passing of this Act: Provided that no such Consent or Agreement given or entered into previously to the passing of this Act shall be binding upon the Person (other than the Company) who have given or entered into the same, in case such Person shall, within Three Months after the passing of this Act, give Notice to the Company determining such Consent or Agreement.

49. The Company may from Time to Time lay and place Telegraphs and Supports, and other Works connected therewith, and maintain, repair and renew the same, in, upon, over, across, along, or under any Estuary or Branch of the Sea within the Limits of this Act, and for that Purpose may exercise such Powers as may be necessary, doing as little Damage as may be in the Execution of such Powers, and making Compensation for any Damage which may be done in the Execution of such Powers: Provided always, that no such Powers shall be exercised with reference to any such Estuary or Branch of the Sea, except with the Consent of all Persons having any Rights of Property, or other Rights, Powers, Authorities, or Jurisdictions, in, over, or relating to the same, which may be affected by the Exercise of such Powers.

Admiralty Provisions, §§ 50 to 52.

For protecting Navigation of the Thames and Rights of Conservators, §§ 53 to 56.

Company not to interfere with River Mersey or Docks and Harbour Board without Consent, § 57.

Saving Rights of the Mersey and Irwell Navigation Company, § 58.

59. Subject to the Provisions of this Act, it shall be lawful for the Company, and any Company or any Persons in any Part of the United Kingdom, from Time to Time to enter into

Agreements with respect to the Construction, or laying, placing, Maintenance, Repair, or Use, of any Telegraphs and Supports, or other Works connected therewith, of the Company, in, upon, across, along, over, or under the Streets, Property, or Works belonging to or under the Control or within the Limits of the Jurisdiction of any such Company or Persons Parties to the Agreement, upon such Terms and Conditions as shall be agreed upon: Provided that every Company or Person with whom any such Agreement shall be entered into shall be bound by and perform all Contracts and Agreements which shall have been entered into by the Company, and be then in force, so far as the same are affected or interfered with by any new Agreement: Provided also, that no such Agreement shall relieve the Company from any Liabilities which shall attach to them under the Provisions of this Act.

60. The Company may from Time to Time purchase any Electric Telegraph and Works, or any Part of any Electric Telegraph and Works, or let any Wire, or any Right to use the same, upon such Terms and in such Manner as to the Company shall seem fit, and may maintain the Works and carry on the Business of an Electric Telegraph Company: Provided that if any Lease or Agreement for a Lease shall be made, under the Provisions herein-before contained, to or for the Benefit, either directly or indirectly, of any other Electric Telegraph Company, such last-mentioned Company shall, during the Continuance of any such Lease or Agreement, be bound to continue and keep open for Use the Electric Telegraph, or such Part thereof as shall be comprised in such Lease or Agreement, and so far as regards the Electric Telegraph or such Part thereof as shall be comprised in such Lease or Agreement, be subject to all and singular the Provisions of this Act in relation to the Transmission of and Charges for Messages, and in all other respects: Provided also, that no such Lease or Agreement shall relieve the Company from any Liabilities which shall attach to them under the Provisions of this Act.

61. The Use of any Telegraph and Apparatus erected or formed under the Provisions of this Act for the Purpose of receiving and sending Messages shall, subject to the prior Right of Use thereof for the Service of Her Majesty, and subject to such Charges and reasonable Regulations as may be from Time to Time made or entered into by the Company, be open for the sending and receiving of Messages by all Persons alike without Favour or Preference.

62. Any Officer, Agent, or Servant of the Company or of any other Company, upon or near to whose Property or Undertaking any Electric Telegraph of the Company, or any of the Apparatus thereof, or any Part thereof respectively, may be erected or placed, and all Persons called by any such Officer, Agent, or Servant as aforesaid to his Assistance, may seize or detain any Person who shall or may have broken, injured, or obstructed the working of any Electric Telegraph of or belonging to the Company, or any Wire, Tube, Pipe, Casing, Coating, Post, Pole, Standard, Stay, Strut, or Apparatus, or other Part of any Electric Telegraph belonging to the Company, or laid or placed or authorized under or by the Provisions of this Act, or any Works connected therewith respectively, or who shall have committed any other Offence against the Provisions of this Act, and whose Name or Residence shall be unknown to such Officer, Agent, or Servant, and may convey such Offender with all convenient Speed before some Justice without any Warrant or Authority other than this Act, and such Justice shall proceed with all convenient Speed to the hearing and determining of the Complaint against such Offender.

63. The Company shall save harmless and indemnify the Trustees of any Turnpike Road against any Costs, Losses, Damages, or Expenses incurred by them by reason of any Injury arising by, through, or in consequence of any Act or Default of the Company.

64. The Company shall free and relieve the Persons having the Management or Control of any Street, collectively and individually, and their respective Officers and Servants, of all Claims and Damages arising in any manner of way from any Act or Default of the Company, or in consequence, directly or indirectly, of the Exercise by them of any of the Powers of this Act.

65. If any Person shall carelessly remove, throw down, injure, or destroy any Electric Telegraph of or belonging to the Company, or any Wire, Tube, Pipe, Casing, Coating, Post, Pole, Standard, Stay, Strut, or Apparatus laid or placed or authorized under or by the Provisions of this Act, or any other Part of any such Electric Telegraph, or any of the Works connected therewith, and shall not make sufficient Satisfaction for the Damage thereby done, then it shall be lawful for any Justice to summon before him the Person against whom a Complaint shall be thereupon preferred, and upon hearing the Allegation and Proofs on both Sides, or on Non-appearance of the Person complained against, such Justice may award such Sum of Money, not exceeding 5*l.*, to be paid by the Offender or Person complained against to the Company or Person injured for such Damage as such Justice shall think reasonable; and in case of Neglect to pay any Sum so awarded within Two Days afterwards, it shall be lawful for any Justice to cause the same to be raised and levied by Distress and Sale of the Goods and Chattels of the Offender or Persons so complained against as aforesaid.

66. The Clauses and Provisions of "The Railways Clauses Consolidation Act, 1845," with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices, and the Clauses and Provisions of the "Railways Clauses Consolidation (Scotland) Act, 1845," with respect to the Recovery of Damages not specially provided for, and to the Determination of any other Matter referred to the Sheriff, or to Justices, shall so far as the same are applicable be incorporated with this Act.

67. And whereas it is expedient that Provision should be made for the Conveyance of Intelligence for the Service of Her Majesty by the Electric Telegraphs of the Company at a reasonable Rate of Charge to the Public: Therefore every Electric Telegraph already made or in progress or to be hereafter made within the United Kingdom, and for the Time being belonging to or possessed by the Company, shall at all reasonable Times be open for the Transmission of Intelligence for Her Majesty's Service, and the Company shall receive, take, and convey by every or any such Electric Telegraph all such Signals or Intelligence as shall from Time to Time be tendered to them, or any of their Officers, Servants, or Agents, by or on behalf of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations, in this Act called the Board of Trade, or the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, in this Act called the Admiralty, or otherwise, on or for Her Majesty's Service, and all Messages at any Time sent to any Station of the Company for Transmission and Delivery on or for Her Majesty's Service shall have Priority over all other Messages whatsoever, and it shall be imperative on the Company and their Officers and Servants to transmit and deliver such Messages accordingly, and to suspend the Transmission of all or any other Messages from such Station until the said Messages on or for Her Majesty's Service shall first have been transmitted.

68. The Company shall be entitled to such reasonable Remuneration for the Use of any Electric Telegraph for the

Service of Her Majesty as aforesaid, and for the Assistance of the Company in respect thereof, as shall be fixed by Agreement between the Board of Trade or the Admiralty, as the Case may be, and the Company, or in case of Difference of Opinion between them, then as shall be determined by Arbitration in the Manner herein-after provided: Provided nevertheless, that the Services which may be required to be performed by the Company as aforesaid be not suspended, postponed, or deferred by reason of such Remuneration not having been then agreed on or determined.

69. In all Cases in which the Board of Trade or the Admiralty and the Company shall not be able to agree on the Amount of Remuneration to be paid to the Company for the Use of any Electric Telegraph, and for the Services of the Company in respect thereof, the same shall be referred to the Award of Two Persons, One to be named by the Board of Trade and the other by the Company, if the Disagreement be between the Board of Trade and the Company, or if such Disagreement be between the Admiralty and the Company, then One of such Two Persons is to be named by the Admiralty and the other by the Company, and if such Two Persons cannot agree on the Amount of such Remuneration, then the Umpirage of some Third Person to be appointed by such Two first-named Persons previously to their entering on the Inquiry, and the said Award or Umpirage shall be binding and conclusive on the Parties in difference and their respective Successors and Assigns.

70. In every such Reference each Party in difference shall nominate his or their Arbitrator within 14 Days after Notice from the other Party requiring such Nomination, or in default it shall be lawful for the Arbitrator appointed by the Party giving Notice to name the other Arbitrator, and such Arbitrators shall proceed forthwith in the Reference, and make their Award therein within 28 Days after their Appointment, or otherwise the Matter shall be left to be determined by the Umpire; and if such Umpire shall refuse or neglect to proceed, or shall not make his Award for the Space of 28 Days after the Matter shall have been referred to him, then a new Umpire shall be appointed by the Two first-named Arbitrators, who shall in like Manner proceed and make his Award within 28 Days, or in default be superseded, and so toties quoties.

71. And whereas Emergencies may arise in which it may be expedient for the Public Service that the entire Control over the Operations of the Company and the Conveyance of Signals shall be vested in Her Majesty's Government: Therefore at all Times hereafter, and whenever in the Opinion of One of Her Majesty's Principal Secretaries of State for the Time being such an Emergency as aforesaid shall have arisen, it shall be lawful for such Secretary of State, by Warrant under his Hand, to cause Possession to be taken of all the Telegraphs and Telegraphic Apparatus at the various Stations of the Company for the Space of One Week from the Date of such Warrant, for the Purpose of preventing any Communication being made or Signals given, save such as shall be directed and authorized by any such Principal Secretary of State, and also by further successive Warrants to cause Possession of the said Telegraphs and Telegraphic Apparatus to be retained from Week to Week so long as any such Secretary of State shall deem such Possession expedient for the Public Service: Provided always, that for every Week during which Possession shall be so retained the Company shall receive and be paid from and by the Lords Commissioners of Her Majesty's Treasury the same Amount of Profits as the Company would have made in case they had continued the working of the said Telegraphs, such Profits to be computed upon an Average of the weekly Profits of the Company for Three Months immediately preceding the issuing of the first of the said Warrants.

72. If any Person in the Employment of the Company shall wilfully or negligently omit or delay to transmit or deliver any Message or Signal, or shall wilfully or negligently do any Matter or Thing whereby the Transmission or Delivery of any Message or Signal shall not take place, or shall be delayed or prevented, or shall wilfully or negligently omit to do or perform any Act, Matter, or Thing by reason whereof any Message or Signal shall not be transmitted or delivered, or shall be delayed in its Transmission or Delivery, or shall improperly divulge the Purport of any such Message or Signal to any Person, every such Person shall for every such Offence forfeit a Sum of Money not exceeding 20*l.*

73. Whenever it shall appear to the Board of Trade or Admiralty that any of the Provisions of this Act have not been complied with on the Part of the Company, or any of their Officers, and that it would be for the public Advantage that the due Performance of the same should be enforced, the Board of Trade or Admiralty shall certify the same to Her Majesty's Attorney General for England or Ireland, or to the Lord Advocate for Scotland, as the Case may require; and thereupon the said Attorney General or Lord Advocate shall, by Information, or by Action, Bill, Plaint, Suit at Law or in Equity, or other legal Proceeding, as the Case may require, recover such Penalties or Forfeitures, or otherwise to enforce the due Performance of the said Provisions, by such Means as any Person aggrieved by such Non-compliance, or otherwise authorized to sue for such Penalties, might employ under the Provisions of this Act: Provided always, that no such Certificate as aforesaid shall be given by the Board of Trade or Admiralty until 21 Days after they shall have given Notice of their Intention to give the same to the Company.

74. It shall not be lawful for the Company to sell or transfer their Undertaking to any other Company or Person without the Authority of Parliament, nor, after the passing of this Act, to lease any Wire, except with the Consent of the Board of Trade.

75. The Charges to be made by the Company from Time to Time for Telegraphic Messages sent from one Station of the Company to any other Station of the Company, whether in Great Britain or Ireland, shall not exceed the Rates specified in the Schedule to this Act.

76. Before opening or breaking up any Street, or laying, erecting, or placing any Telegraphs or other Apparatus, in Scotland, the Company shall have a registered Office in Edinburgh or Glasgow, to and at which all Communications for the Company, and all Summonses, Notices, Writs, or other Proceedings requiring to be served upon the Company in relation to or arising out of any Operations or intended Operations of the Company in Scotland, or any Default of the Company occurring there, may be addressed and served; and all the Provisions of the Joint Stock Companies Acts, 1856 and 1857, with respect to the registered Office of the Company, shall apply to such registered Office in Edinburgh or Glasgow.

77. If the Company shall be wound up or dissolved, or shall cease for Six Months to carry on Business, it shall be lawful for the Council of any Borough or Town within which any Works or Apparatus of the Company shall have been laid or placed, and for the Body or Persons having Control over any Streets in, upon, over, along, across, or under which any Telegraph, Apparatus, or Works of the Company may have been laid or placed, after leaving at the last known Office or Place of Business of the Company One Month's Notice of their Intention so to do, to remove and take away all such Telegraphs, Apparatus, and Works, and to dispose of and sell the same, and to reimburse themselves out of the Proceeds of such Sale

all the Costs and Expenses of and incident to such Removal and Sale, and the Expenses of making good all such Streets which may have been broken up or injured in so taking up and removing the same.

Company to be subject to Provisions of General Acts, § 78.
Saving Rights of the Crown, § 79.

80. The Powers and Provisions of this Act shall extend to England, Scotland, and Ireland.

Schedule (Rates and Charges).

Cap. cxxxii.

"The Dartmouth and Torbay Railway Act, 1862."

Recites the Expediency of extending the Period limited for the Completion of a Portion of the Railway of the Dartmouth and Torbay Railway Company, and authorizing them to raise a further Sum of Money.
Period for Completion of Part of Company's Railway extended to Three Years after the passing of the Act, § 2.
Dividends suspended in case Railway not completed, § 3.
Part of Companies Clauses Act incorporated, § 4.
Power for Company to raise additional Capital of 52,500*l.* by new Shares, § 6.
Certain Sections of Act of 1861 to apply to new Capital, § 7.
New Shares of different Classes, § 8.
Saving for existing preferential Shares, § 9.
Power to raise Capital under any other Act and this Act by new Shares of One Class, § 10.
Defining Profits applicable to preferential Dividends, § 11.
Restrictions as to new Shares, § 12.
Incidents of new Capital under Act, § 13.
Power to borrow 17,500*l.*, §§ 14 to 16.
Power to lease Undertaking to South Devon Railway Company; Sanction of Shareholders to Lease, § 18.
Effect of Leases, § 19.
Power to enter into Contracts, § 20.
Lease may supersede Working Contracts, § 21.

Cap. cxxxiii.

"The Furness and Coniston Railways Amalgamation Act, 1862."

Recites that by 7 & 8 Vict. c. xxii., the Furness Railway Company were incorporated, and were authorized to make and maintain the Furness Railway, and for that Purpose to raise by Shares a Capital of 75,000*l.*, and to borrow the Sum of 25,000*l.*; that by "The Furness Railway Extensions Act, 1846," the Furness Company were authorized to extend their Line to Broughton and to Ulverstone, and to make certain Branches therefrom, and for that Purpose to raise by Shares an additional Capital of 100,000*l.*, and to borrow the further Sum of 33,600*l.*; that by "The Furness Railway Amendment Act, 1848," the Furness Company were authorized to raise by Shares an additional Capital of 100,000*l.*, and to borrow the further Sum of 33,333*l.*, and to purchase Steam Vessels; and by "The Furness Railway Act, 1853," they were authorized to purchase Piel Pier, and to raise by Shares a further Capital of 15,000*l.*; that by "The Furness Railway Act, 1854," the Company were empowered to raise by Shares an additional Capital of 50,000*l.*, and to borrow the further Sum of 10,000*l.*; and that by "The Furness Railway Act, 1855," the recited Acts were repealed, and the Furness Company were re-incorporated by their original Name of Incorporation, and were authorized, amongst other things, to provide additional Stations and to purchase additional Lands, and empowered to raise a further Capital of 120,000*l.*, and to borrow the further Sum of 38,000*l.*; that by "The Coniston Railway Act, 1857," the Coniston Railway Company were incorporated, and were authorized to raise 45,000*l.* in Shares of 10*l.* each, and to borrow on Mortgage of their Undertaking to the Extent of One Third of their Capital, and to make a Railway from Broughton in the Parish of Kirkby Ireleth in the County Palatine of Lancaster to Coniston in the Parish of Ulverstone in the same County, and the Furness Company were authorized to take and hold Shares of the Coniston Company's Capital to an Amount not exceeding 10,000*l.*, and to raise by new Shares the Money required for the Purpose, and the said Sum of 10,000*l.* has been accordingly raised by the Furness Company; that the Capital and Debenture Debt raised by the Two Companies respectively on the 31st December 1861 stood as follows; (that is to say,)

Furness Company.	£
Consolidated Stock	240,000
Preferential Shares, bearing Five per Centum per Annum Dividend, under "The Furness Railway Act, 1848"	100,000
Preferential Shares, bearing Five per Centum per Annum Dividend, under "The Furness Railway Act, 1855"	60,000
Ordinary Capital under "The Furness Railway Act, 1855"	51,795
Preferential Shares, bearing Five per Centum per Annum Dividend, under "The Coniston Railway Act, 1857"	10,000
Debenture Debt	138,961
Coniston Company.	
Ordinary Shares	25,000
Guaranteed Shares, bearing Two and a Half per Centum per Annum Dividend	10,000
Debenture Debt	15,000

That it is expedient that the Furness Company and the Coniston Company should be amalgamated.
Certain Provisions of the Companies Clauses Act incorporated, § 2.
Amalgamation of Companies, and Repeal of the Coniston Railway Act, § 3.

4. "The Coniston Railway Act, 1857," shall and is hereby declared to apply to the Furness Company in like Manner in all respects as before the passing of this Act it applied to the Coniston Company, and as if the Furness Company had been originally named and referred to therein instead of the Coniston Company, and the Railway and Works by the said Act authorized shall henceforth form Part of the Undertaking of the Furness Company.

5. The Furness Company shall and are hereby declared to be seised and possessed of and entitled to all the Buildings and Works of every Description, whether completed or not, and all the Lands, Tenements, Hereditaments, Goods, Debts, Chattels, and Effects whatsoever, Real and Personal, whereof the Coniston Company were seised or possessed, or were entitled to immediately before the passing of this Act.

Rights and Liabilities of the Coniston Company to remain in force, §§ 6 to 10.
Coniston Railway Shares to be Shares in Furness Railway Company, § 11.

12. All Calls paid up, or Monies paid in advance of Calls, in respect of any Shares created by the Coniston Company prior to the passing of this Act, shall after the passing thereof be considered as paid up or paid in advance, as the Case may be, in respect of the Shares into which such Coniston Shares are

hereby converted; and all Calls made by the Coniston Company, and remaining unpaid at the Time of the passing of this Act, shall be considered as having been made by the Furness Company at the respective Times when such Calls were respectively made by the Coniston Company, and to become due to the Furness Company at the several Times when they respectively would have become due to the Coniston Company if this Act had not been passed; and all Calls which the Furness Company may hereafter make in respect of such Shares shall, both with respect to the Amount and Period of Payment, be the same as the Coniston Company might have made if this Act had not passed.

13. The Holders of all Coniston Shares shall be entitled to the following Dividends upon such Shares; namely, for Two Years from the 13th Day of June 1862, a Dividend equal to One Half of the Dividend paid during such Two Years upon the ordinary Shares in the Furness Company; for Five Years from the 30th Day of June 1864, a Dividend equal to Two Thirds of the Dividend paid during such Five Years upon the ordinary Shares of the Furness Company; and from and after the 30th Day of June 1869 the Dividends on the Coniston Shares and the Furness ordinary Shares shall be the same; and from and after the passing of this Act the Holders of Coniston Shares shall have the same Right of voting, and other Rights, Powers, and Privileges, as the Holders of the ordinary Shares of the Furness Company under "The Furness Railway Act, 1855:" Provided always, that from and after the passing of this Act it shall not be lawful for the Furness Company to sell or transfer the Shares so subscribed by them as aforesaid towards the Undertaking of the Coniston Company.

Saving for existing preferential Shares, § 14.

16. And whereas Dame Anne Frederica Elizabeth le Fleming is Lady of the Manor of Coniston, and the Owner of extensive Mines of Copper in the Neighbourhood thereof, and John Barrett, James Hambleton, and Joseph Mason are the Lessees of the Mines: And whereas the said Lady Anne Frederica Elizabeth le Fleming subscribed for Shares to the Amount of 4,000*l.* in the Capital of the Coniston Company, and the said John Barrett, James Hambleton, and Joseph Mason subscribed for Shares to the Amount of 6,000*l.* therein: And whereas by "The Coniston Railway Act, 1857," it was enacted that the Holders of the Shares so subscribed for, and amounting together to 10,000*l.*, should not be entitled to any Dividend out of the Profits of the Coniston Company exceeding the Rate of 2*l.* 10*s.* per Centum per Annum on the Amount from Time to Time paid on those Shares, and if and whenever the Coniston Company did not for any Half Year declare and pay a Dividend at the Rate of 1*l.* 5*s.* per Centum on the Amount so paid up, the Furness Company should, in priority to any Dividend for that Half Year on the ordinary Shares in their Capital, and to any Dividend for that Half Year on any preferential Shares in their Capital created or issued by them after the passing of the said Coniston Railway Act, 1857, but not in priority to any Dividend on any preferential Shares in their Capital created or issued by them before the passing of the last-mentioned Act, pay to the Holders of those Shares such a Sum as should be sufficient to make the Dividend thereon for that Half Year equal to 1*l.* 5*s.* per Centum; and it was provided that the Coniston Company should issue the Certificates for those Shares on such Terms as should sufficiently indicate the special Provisions of the said Coniston Railway Act, 1857, with respect to the Dividends to be paid thereon: And whereas the aforesaid Arrangement is not intended to be interfered with by the Amalgamation hereby authorized: Be it enacted, That the Furness Company shall, in priority to any Dividend on the ordinary Shares in their Capital, and to any Dividend on any preferential Shares in their Capital created or issued by them after the passing of the said Coniston Railway Act, 1857, but not in priority to any Dividend on any preferential Shares in their Capital created or issued by them before the passing of the last-mentioned Act, pay to the Holders of the said Shares for which the said Sums of 4,000*l.* and 6,000*l.* were so subscribed as aforesaid a Dividend in each Half Year equal to 1*l.* 5*s.* per Centum, and the Holders of such Shares shall not be entitled to any further or other Dividend than the said fixed Dividend of 2*l.* 10*s.* per Centum per Annum.

Cap. cxxxiv.

"The Sheffield and Chapel-en-le-Frith Roads Act, 1862."

Recites the 6 Geo. 4. c. xliv., and that a Provisional Order was made in 1854, confirmed by 18 & 19 Vict. c. 102. for reducing the Rate of Interest on the Mortgage Debt and extinguishing Interest in arrear; that a Sum of 22,593*l.* still remains due on Mortgage of the Tolls; that it is expedient to extend the Term now about to expire.

Recited Act repealed, § 1.

Tolls, §§ 9 to 24.

Act to continue in force for 21 Years, § 31.

Cap. cxxxv.

"The Edinburgh and Glasgow and Dumbartonshire Railways Amalgamation Act, 1862."

Recites that the Caledonian and Dumbartonshire Junction Railway Company were incorporated by "The Caledonian and Dumbartonshire Junction Railway Act, 1846," and further Powers were conferred on the said Company by "The Caledonian and Dumbartonshire Junction Railway (Deviation and Branches) Act, 1847;" that they were by the recited Acts authorized to raise by the Creation and Issue of Shares and Stock the Sum of 650,000*l.*, and by borrowing on Mortgage or Bond the Sum of 216,000*l.*; that the paid-up Capital of the said Company consists of 12,234 Shares of 16*l.* each, and the Sums raised and received by the said Company for the Purposes of their Undertaking amount to 238,731*l.* 15*s.* 5*d.*, as set forth in the Schedule to this Act annexed; that the Edinburgh and Glasgow Railway Company were incorporated by "The Edinburgh and Glasgow Railway Consolidation Act, 1852," and further Powers were conferred on the said Company by subsequent Acts of the Reign of Her present Majesty; that a Portion of the Caledonian and Dumbartonshire Junction Railway intervenes between and connects Two Portions of the Glasgow, Dumbarton, and Helensburgh Railway which is worked partly by the Caledonian and Dumbartonshire Junction Railway Company and partly by the Edinburgh and Glasgow Railway Company, and the Caledonian and Dumbartonshire Junction Railway might be conveniently and economically, and to the public Advantage, worked by the Edinburgh and Glasgow Railway Company; that the said Companies have agreed that the Undertaking of the Caledonian and Dumbartonshire Junction Railway Company should be transferred to and vested in the Edinburgh and Glasgow Railway Company, on the Terms and Conditions herein-after specified.

Certain Provisions of Companies Clauses Act (Scotland) incorporated, § 3.

4. From and after the 31st Day of July 1862 the Caledonian and Dumbartonshire Junction Railway, and the whole Undertaking, Stations, Works, Lands, Leases, and Plant, and the whole Powers, Rights, and Privileges of and belonging to the Dumbartonshire Company, shall, subject to the Provisions of the recited Acts and this Act, be and the same are hereby transferred to and vested in and constituted a Part of the

Undertaking of the Edinburgh and Glasgow Railway Company, and the Dumbartonshire Company shall be dissolved and cease to exist; and the surplus Funds of the Dumbartonshire Company shall be divided among the Persons, Companies, and Corporations who at the Date of Amalgamation shall be the Proprietors of the said 12,234 Shares of the Dumbartonshire Company, rateably and proportionally according to the Number of Shares held by each such Proprietor.

5. The Dumbartonshire Company shall, as soon as conveniently may be after the Date of Amalgamation, deliver to the Edinburgh and Glasgow Railway Company all Writs and Title Deeds in their Possession relating to their Undertaking, and in so far as the Titles relating thereto have been already executed the same shall be accepted by the Edinburgh and Glasgow Railway Company as their Title thereto, and in so far as any Title may not be completed and executed in favour of the Dumbartonshire Company at the Date of Amalgamation the same shall be taken in Name of the Edinburgh and Glasgow Railway Company; and the Dumbartonshire Company shall also deliver to the Edinburgh and Glasgow Railway Company all Plans of the said Undertaking or any Portion thereof, and all other Documents and Papers in their Possession relating to or available for the Maintenance and Use of the said Undertaking.

Saving of Rights and Liabilities, §§ 6 to 12.

13. Every Person, Company, or Corporation who at the Date of Amalgamation shall be the Proprietor of One or more of the said 12,234 Shares in the Dumbartonshire Company, on which the Sum of 16*l.* has been paid up, and who shall not have intimated to the Directors of that Company, on or before the 31st Day of January 1862, the Option to take ordinary Shares or Stock in the Edinburgh and Glasgow Railway Company, in lieu of such Share or Shares, shall for and in respect of each such Share in the Dumbartonshire Company become and be the Proprietor of a preferential Share of 16*l.* or of preferential Stock of the same Amount in the Edinburgh and Glasgow Railway Company, subject to the Provisions hereinafter contained; and every Person, Company, or Corporation who at the Date of Amalgamation shall be the Proprietor of One or more of the said 12,234 Shares in the Dumbartonshire Company, and who shall have intimated to the Directors of that Company, on or before the 31st Day of January 1862, the Option to take ordinary Shares or Stock in the Edinburgh and Glasgow Railway Company in lieu of such Share or Shares, shall, for and in respect of each such Share in regard to which the Option to take ordinary Shares or Stock has been so intimated, become and be the Proprietor of an ordinary Share of 20*l.* or of ordinary Stock of the same Amount in the Edinburgh and Glasgow Railway Company; and it shall be lawful for the Edinburgh and Glasgow Railway Company to create and issue such Number of Shares or such Amount of Stock in their Undertaking, either preferential or ordinary, or partly preferential and partly ordinary, as may be required for the Purposes aforesaid.

14. The preferential Shares or Stock in the Edinburgh and Glasgow Railway Company which shall be created and issued as aforesaid shall be held to be fully paid up, and shall bear and be entitled to a fixed Dividend, to be paid by the said Company, at the Rate of 5*l.* per Centum per Annum, payable half-yearly in equal Moieties on the same Days in the Months of March or April and September or October on which the other preferential Dividends of the said Company shall be payable, commencing the Payment of the first half-yearly Dividend on the same Day in the Month of March or April 1863 on which such other preferential Dividends for the Six Months preceding the 31st Day of January 1863 shall be payable, with Interest upon such Dividend from each respective Period of Payment till paid; and such Dividend shall be paid preferably to any Dividend on the ordinary Shares or Stock in the said Company, and pari passu with the Dividend on any other preferential Shares or Stock which may be created and issued by the said Company after the passing of this Act under the Authority of "The Edinburgh and Glasgow Railway Amendment Act, 1861," or of any Act passed or to be passed in the present Session of Parliament: Provided that if in any Half Year ending on the 31st Day of January or the 31st Day of July there shall not be Profits of the said Company available for the Payment of the full Amount of such preferential Dividend, the Deficiency or any Part thereof shall not be made good out of the Profits of any subsequent Half Year, or out of any other Funds of the said Company.

15. The preferential Shares or Stock in the Edinburgh and Glasgow Railway Company which shall be created and issued as aforesaid shall confer and impose on the Holders thereof all such Rights and Privileges, Liabilities and Obligations, as shall be conferred and imposed on the Holders of any preferential Shares or Stock which may be created and issued by the said Company in pursuance of "The Edinburgh and Glasgow Railway Amendment Act, 1861," or of any Act passed or to be passed in the present Session of Parliament.

Conditions to be stated on Certificates of preferential Shares or Stock, § 16.

Former Grants of Preference not to be affected, § 17.

Proprietors of ordinary Shares or Stock to have same Rights as other Shareholders of Edinburgh and Glasgow Railway Company, § 18.

Certificates of Shares to be delivered to Proprietors, § 19.

No additional Capital of Dumbartonshire Company to be raised by Shares or borrowing, and Forfeiture of Shares on which Calls are unpaid, § 20.

SCHEDULE.

STATEMENT of Capital of Caledonian and Dumbartonshire Junction Railway Company.

	Capital Authorized.			Capital Raised and Received.		
	Shares of £25 each.	Amount.	Loans.	Shares of £16 each.	Amount.	Loans.
		£	£		£ s. d.	
9 & 10 Vict. c. 81. -	24,000	600,000	200,000	12,234	195,744 0 0	Nil.
10 & 11 Vict. c. 83. -	2,000	50,000	16,600	—	—	—
	26,000	650,000	216,600	12,234	195,744 0 0	—
Sum paid on forfeited Shares held by the Company -				8,914	42,987 15 5	—
				21,148	238,731 15 5	—

Cap. cxxxvi.

"The Caledonian Railway (Cleland Extension, and Branches, Deviation, &c.) Act, 1862."

Recites that by "The Caledonian Railway (Cleland Extension and Branches) Act, 1861," the Caledonian Railway Company were authorized to make and maintain an Extension to Morningside of the Cleland Branch of that Portion of their Undertaking known as the Wishaw and Coltness Railway, and a Branch Railway therefrom to the Omoa Ironworks and certain other Branch Railways; that by the last-recited Act it was enacted, that none of the Powers thereby granted to the Company for the Purchase of Lands or Construction of Railway should, as regards certain Lands

in the Parish of Bothwell, which belonged to the Earl of Stair, and certain other Lands in the Parish of Shotts, which belonged to Lord Belhaven and Stenton, be exercised by the Company before the 30th August 1862, except as therein mentioned, without the Consent in Writing of the said Earl of Stair and of the said Lord Belhaven respectively or of their Successors; that it was further enacted that if the Company should in the then next Session of Parliament obtain an Act for authorizing a Deviation Northward of the Cleland Branch Extension which should not interfere with the Lands above specified, then and in such Case all the Powers granted to the Company by the said last-recited Act in respect to those Lands should cease and determine; and it was further enacted, that in that Case the said Earl of Stair, or his Heirs or Successors, should sell to the Company, at such Price as should be fixed under the Provisions of "The Lands Clauses Consolidation (Scotland) Act, 1845," all the Lands belonging to him which the Company might require for the Purposes of such Deviation; that it was further enacted that the Company should bonâ fide promote and prosecute a Bill in the then next Session of Parliament for authorizing such Deviation; that it is expedient that the Company should be authorized to make Deviations of the said Cleland Branch Extension and Omoa Branch, so as to avoid the taking of the said Lands; and that they should be authorized to take and acquire additional Lands for enlarging and improving the Station at Brocket's Brae on the Line of Railway from the Motherwell Branch of the Clydesdale Junction Railway to the Lands of Bankend, which forms Part of the Lesmahagow Branches of their Undertaking.

Incorporation of Lands and Railways Clauses Acts, § 2.
Power to execute Deviations and to acquire Lands for the Purposes thereof, and for improving the Brocket's Brae Station, § 3.
Description of Deviation Lines of Railway, § 4.
Power to alter Engineering Works, § 5.
Regulating Inclinations of certain Roads, § 6.
Certain private Railways may be stopped up, § 7.
Parts of former Lines to be abandoned; Compensation, §§ 8, 9.
Lands to be purchased before 1st August 1864, § 10.
Period for Completion of Works 1st August 1866, §§ 11, 12.
Tolls upon Deviation Lines of Railway, § 14.

Cap. cxxxvii.

"The Caledonian Railway (Leith Branches) Act, 1862."

Recites that it is expedient to enable the Caledonian Company to make a Branch Railway from their Granton Branch to Leith.
Incorporation of Lands and Railways Clauses Acts, § 3.
Power to execute Works and acquire Lands, § 4.
Description of Branch Railways, § 5.
Restricting Interference with Lands and Works of Edinburgh, Perth, and Dundee Railway Company, § 6.
Saving Rights of Edinburgh, Perth, and Dundee Railway Company, § 7.
Rails may be laid on Level of Quays, § 8.
Locomotive Engines, &c. not to be used on Quays, § 9.
Confirming Agreement with Leith Dock Commissioners, § 10.
For Protection of Road to Granton Harbour, § 11.
Power to make certain Bridges of specified Dimensions, § 12.
Power to alter Engineering Works, § 13.
Saving Rights of Her Majesty's Principal Secretary of State for the War Department, § 14.
Admiralty Provisions, §§ 15 to 21.
Three Years for compulsory Purchase of Lands, § 22.
Five Years for Completion of Works, § 23.
Tolls, § 24.
Power to raise 150,000*l.* by Creation of Shares, § 25.
Dividends on new Shares, how to be paid, § 26.
Power to borrow 49,950*l.*, § 28.
Parts of Companies Clauses (Scotland) Act incorporated, § 29.
Power to enter into Traffic Arrangements with Leith Dock Commissioners and Duke of Buccleuch, §§ 30 to 34.
Power to enter into Arrangements with the same Parties as to Lands and Works, § 35.
Saving Rights of the Crown, § 39.

Cap. cxxxviii.

"The Edinburgh and Glasgow and Helensburgh Railways Amalgamation Act, 1862."

Recites Acts of Incorporation and subsequent Acts relating to the Two Companies; that by "The Glasgow, Dumbarton, and Helensburgh Railway Act, 1855," the Glasgow, Dumbarton, and Helensburgh Railway Company were authorized to raise by the Creation and Issue of Shares the Sum of 240,000*l.*, and to borrow on Mortgage or Bond the Sum of 60,000*l.*; that the Edinburgh and Glasgow Railway Company were by the last-recited Act authorized to take and hold in perpetuity Shares in the Capital of the Glasgow, Dumbarton, and Helensburgh Railway Company to the Amount of 80,000*l.*, and to work the Traffic on the said Railways, and the Edinburgh and Glasgow Railway Company have accordingly taken and now hold 8,000 Shares of 10*l.* each in the Capital of that Company; that 12,619 Shares of 10*l.* each are now held by the Shareholders of the Glasgow, Dumbarton, and Helensburgh Railway Company, exclusive of the Shares held by the Edinburgh and Glasgow Railway Company, and the paid-up Capital of the Glasgow, Dumbarton, and Helensburgh Railway Company amounts to 206,190*l.*, and the said Company have borrowed on Mortgage the Sum of 45,160*l.*; that the Glasgow, Dumbarton, and Helensburgh Railway Company have completed the Railways authorized by the last-recited Act, and the same were opened for Traffic on the 31st May 1858, and the Traffic thereon is now worked by the Edinburgh and Glasgow Railway Company; that it would be of public Advantage and Convenience if the Glasgow, Dumbarton, and Helensburgh Railway Company were amalgamated with the Edinburgh and Glasgow Railway Company; that for the Purpose of defraying the Expense of Works connected with the Glasgow, Dumbarton, and Helensburgh Railway which require to be completed, and of paying off the Mortgages granted by the Glasgow, Dumbarton, and Helensburgh Railway Company and other Debts and Liabilities of that Company subsisting and unpaid, it is expedient that the Edinburgh and Glasgow Railway Company should be authorized to raise by means of Preference Shares in their own Undertaking, and by borrowing, such Monies as might have been raised by the Glasgow, Dumbarton, and Helensburgh Railway Company by means of Shares or borrowing, under the Authority of the last-recited Act.
Incorporation of Provisions of Companies Clauses Act, § 3.
Glasgow, Dumbarton, and Helensburgh Railway transferred to Edinburgh and Glasgow Railway Company, § 4.
Rights, Powers, and Liabilities of Helensburgh Company transferred to Edinburgh and Glasgow Company, §§ 5 to 14.
Shareholders of Helensburgh Company to be entitled to preferential or ordinary Shares in Edinburgh and Glasgow Railway Company, § 15.
Proportional Number of ordinary Shares to be given to Shareholders of Helensburgh Company, and fractional Parts to be paid in Money, § 16.

Dividend of 6*l.* 10*s.* per Cent. to be paid to Proprietors of Shares in Helensburgh Company in 1862, § 17.
Dividend on preferential Shares or Stock, § 18.
Rights of Holders of preferential Shares or Stock, § 19.
Proprietors of ordinary Shares or Stock to have same Rights as other Shareholders of Edinburgh and Glasgow Railway Company, § 20.
Certificates of Shares to be delivered to Proprietors, § 21.
Unissued Capital of Helensburgh Company may be raised by Edinburgh and Glasgow Railway Company, § 22.
Power to confer on new Shares Right to preferential Dividend, § 23.
Rights of Holders of new Shares, § 24.
Disposal of new Shares, § 25.
Power to Edinburgh and Glasgow Railway Company to re-borrow the Sum of 45,160*l.*, and to borrow 14,840*l.* in addition, § 27.
Saving Priority of existing Mortgages, § 28.
Debt may be funded, § 29.
Company may issue Preference Shares in lieu of borrowing, § 30.
Application of Money raised, § 31.
Former Grants of Preference not to be affected, § 33.

Cap. cxxxix.

"The Irish North-western Railway Act, 1862."

Recites that by "The Dundalk and Enniskillen Railway Act, 1845," the Dundalk and Enniskillen Railway Company were incorporated and were authorized to make and maintain a Railway from Dundalk by way of Clones to Enniskillen, with Two Branches therefrom, but the Company were restrained from making the Portion thereof between Clones and Enniskillen, in the event, which happened, of the making of a Line of Railway between Clones and Enniskillen by the Newry and Enniskillen Railway Company being authorized; that the Company made their Line of Railway from Dundalk to Castleblaney; that the Newry and Enniskillen Railway Company did not make the Line of Railway between Clones and Enniskillen which they were authorized to make; that the Company were by subsequent Acts authorized to make Extensions of their Line of Railway to Enniskillen, and from Shantonagh to Cavan, and to the Steam Packet Quay at Dundalk; that by "The Dundalk and Enniskillen Railway Act, 1859," the Company were authorized to make the Clones and Cavan Extension and the Belturbet Branch; and that it is expedient that the Periods by that Act limited for the compulsory Purchase of Lands, and the Execution of Works for the Belturbet Branch, be extended, and that the Company be authorized to make at Dundalk the Quay Extension of their Railway by this Act authorized; that by "The Londonderry and Enniskillen Railway Act, 1845," the Londonderry and Enniskillen Railway Company were incorporated and were authorized to make and maintain a Railway from Londonderry to Enniskillen; and by "The Londonderry and Enniskillen Railway Act Amendment, 1846," they were authorized to make at Londonderry an Extension of their Railway to the Bridge over the Foyle and a Branch Railway to Omagh; that by "The Londonderry and Enniskillen Amendment Railway Act, 1848," they were authorized to abandon the making of a Part of their authorized Line of Railway between Omagh and Enniskillen, and by "The Londonderry and Enniskillen Railway Acts Amendment, 1850," to make an Extension of their Railway from Strabane to Omagh; that by "The Londonderry and Enniskillen Railway Consolidation Act, 1852," the recited Acts relating to the Londonderry Company were repealed, but with a Saving of Rights thereunder, and the Londonderry Company were re-incorporated, and their Railways, Works, and Property were re-vested in them, and they were authorized to make and maintain an Extension of their Railway between Londonderry and Strabane; and by "The Londonderry and Enniskillen Railway Act, 1854," to make and maintain a Branch Railway to Fintona, and an Extension of their Railway and other Works at Londonderry; that by "The Dundalk and Enniskillen Railway Act, 1859," Provision was made for a Sale and Transfer or a Lease of the Undertaking of the Londonderry Company to the Company; that the Londonderry Company have delivered Possession of their Railways and Works to the Company, who are maintaining and working the same; and it is expedient that the Company be authorized to make and maintain the Enlargement of the Station and other Works at Londonderry by this Act authorized, and to acquire Lands there; and also that further Provision be made with respect to the Sale of superfluous Lands of the Company and the Londonderry Company respectively; that it is expedient that the Company on the one hand, and the Londonderry Bridge Commissioners, and the Londonderry Port and Harbour Commissioners, or either of them, on the other hand, be authorized to enter into and carry into effect such Contracts, with respect to their respective Undertakings and Interests, as are by this Act authorized; that it is expedient that the Name of the Company be changed to the Name "The Irish North-western Railway Company," and that the Number of Directors of the Company be increased; that by their Act of 1845 the Company were authorized to raise a Capital of 750,000*l.* by Shares, and to borrow not exceeding 250,000*l.*; that by their Act of 1847 the Capital of the Company was reduced to 450,000*l.*, and the Amount which they might borrow was reduced to 150,000*l.*; and by their Act of 1850 the Capital was further reduced to 406,800*l.*, and the Amount which they might borrow was further reduced to 135,600*l.*; that by their Act of 1852 the Company were authorized to cancel forfeited Shares, and to create and issue instead thereof new Shares; and that by the Act of 1855 they were authorized to raise a further Capital of 90,000*l.* by Shares, and to accept Surrenders of Shares, and to issue new Shares instead of the surrendered Shares, and to attach preferential Dividend to the Shares issued under the reciting Act, and to borrow further Sums not exceeding 30,000*l.*; that Shares of the Capital of the Company, to the nominal Amount of 235,380*l.*, were accordingly surrendered, and under the Authority of their Act of 1855 the Company issued First-class preferential Shares to the nominal Amount of 325,380*l.*, bearing 5*l.* per Centum per Annum Dividend; that by their Act of 1858 the Company were authorized to raise a further Capital of 75,000*l.* by Shares as preferential Capital, and to borrow further Sums not exceeding 24,900*l.*; that the Company accordingly issued Second-class preferential Shares to the nominal Amount of 75,000*l.*, bearing 5*l.* per Centum per Annum Dividend; that by their Act of 1859 they were authorized to raise an additional Capital of 130,000*l.* by Shares as preferential Capital, and the Ulster Railway Company were authorized to take Shares to the Extent of 30,000*l.*, and the Dublin and Drogheda Railway Company and the Dublin and Belfast Railway Junction Railway Company were authorized to take Shares to the Extent of 20,000*l.* each; that the Company accordingly created Third-class preferential Shares to the nominal Amount of 60,000*l.*, bearing 5*l.* per Centum per Annum Dividend; and also created Third-class preferential Shares to the nominal Amount of 40,000*l.*, bearing 4*l.* per

Centum per Annum Dividend, with an additional Dividend when the Dividend on the ordinary Capital should exceed the Rate of 4*l.* per Centum per Annum, and having equal Priority as to Payment of Dividend with the Third-class preferential Shares of the nominal Amount of 60,000*l.*, and also created "Clones and Cavan Extension Special Shares" to the nominal Amount of 30,000*l.*; that the Ulster Railway Company have taken those Special Shares to the nominal Amount of 30,000*l.*, subject to the Provisions of the Act of 1859, and the Dublin and Drogheda Railway Company and the Dublin and Belfast Junction Railway Company have taken Shares of that preferential Capital to the nominal Amount of 20,000*l.* each; that the Capital of the Company and their Debenture Debt now stand as follows; (that is to say,)

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First-class preferential Shares - -	325,380
Second-class preferential Shares - -	75,000
Third-class preferential Shares, 5*l.* per Cent. - - - - £60,000	
„ „ 4*l.* per Cent. 40,000	
	100,000
Special Shares taken by the Ulster Railway Company - - - - -	30,000
Ordinary Capital - - - -	171,420
Total - -	£701,800
Debenture Debt - - -	190,500
Total Capital and Debenture Debt -	£892,300

Incorporation of Lands and Railways Clauses Acts, § 2.
Part of Companies Clauses Act incorporated, § 3.
Change of Name of Company to "The Irish North-western Railway Company," § 6.
Railways to constitute "Irish North-western Railway," § 7.
Company to continue incorporated, § 8.
General Saving of Rights notwithstanding Change of Name, § 9.
Provisions of other Acts continued, § 10.
Contracts, &c. preserved, § 11.
Extension of Powers to take Lands for Belturbet Branch, § 12.
Extension of Powers for making Belturbet Branch, § 13.
Contracts not to be prejudiced, § 14.
Power to take and use Lands, § 15.
Periods for compulsory Purchase of Lands, § 16.
Sale of superfluous Lands, § 19.
Power to make Works authorized by Act, §§ 20, 21.
Level Crossing, §§ 22 to 25.
Vertical Deviation of Railway at the Point of crossing under Barrack Street at Dundalk, § 26.
Provision for Branch Railway on Quays at Dundalk, § 27.
Admiralty Provisions, §§ 28 to 31.
Periods for Completion of Works, § 32.
Tolls on Railway authorized by Act, §§ 34, 35.
Contracts between Company and other Bodies, &c., §§ 36 to 41.
Power for Company to raise additional Capital of 198,200*l.*, § 42.
Company may cancel unissued new Shares and forfeited Shares, §§ 43 to 48.
Company may issue new Shares instead of cancelled Shares, § 50.
Power for Company to create new Shares of different Classes, § 51.
Restrictions as to preferential Shares, § 52.
Limit of preferential Dividend, § 53.
Saving for existing preferential Shares of Company, § 54.
Saving the Rights of the Ulster Railway Company as Holders of Clones and Cavan Extension Special Shares, § 55.
Appropriation of new Shares, §§ 56 to 62.
Dividends on new Shares, § 63.
Power for Company to borrow 66,000*l.* additional, making 300,000*l.* in all, §§ 64 to 66.
Application of Shares and Mortgages in discharge of Debts, § 67.
Application of Monies by Company, § 68.
Number of Company's Directors increased to 12, § 71.
Saving Rights of Companies and Commissioners, § 72.
Saving the Rights of the Irish Society, § 73.
Saving Captain Huish's Award, &c. § 74.
Saving Rights of the Crown, §§ 75.

Cap. cxl.

"The Level of Hatfield Chase Act, 1862."

Recites that by virtue of Articles of Agreement between King Charles the First and Cornelius Vermuyden Esquire (afterwards Sir Cornelius Vermuyden), and of a Contract under the Great Seal of England between the same Parties, Sir Cornelius Vermuyden with the Aid of his fellow Adventurers or "Participants" executed certain great Works for the draining and reclaiming the Level of Hatfield Chase, in the Counties of York, Lincoln, and Nottingham, and in consideration of and by way of Compensation for those Works, and in part pursuance of the said Contract, the King by Letters Patent under the Great Seal, dated 24th March 1636, granted to the said Participants certain Lands within the said Level, Parcel of the Lands reclaimed by them; and among them Lands which are described in the First Schedule to this Act, and are known as the "Participants Scotted Lands," which Lands are subject to the Payment of Scots or Rates for the Maintenance of the said ancient Works of Drainage in the Level, and also to the Maintenance of Works executed by the Commissioners of Sewers of the Level of Hatfield Chase, with the Concurrence of the said Participants, under the Powers of Acts passed in the Years 1783 and 1787; recites also the 53 Geo. 3. c. 161, for the more effectually draining and improving Lands within the said Level, which Act, after reciting that the Lands belonging to the Participants "are chargeable with "the Expenses of supporting certain Works of Drainage "within the said Level and Parts adjacent," appoints Two Commissioners and authorizes them to execute certain Outfall Works at the River Trent and other specified as well as general Works of Drainage in the said Level, and the said Act gives to the Commissioners Powers to tax the Participants Lands during the Construction of the Works for the Purpose of defraying the Cost thereof; that the Works contemplated by the said Act have been accomplished, and that there are also within the said Level certain Lands described in the Second Schedule to this Act and known as "The Decreed Lands," which are held in trust for the Participants by Trustees from Time to Time appointed, the Rents and Profits of which Decreed Lands are applied in the Discretion of such Trustees with the Approval of the Participants in General Meeting assembled, mainly for the Maintenance of the said Drainage Works in reduction of the said Scots; that there are within the said Level Two Districts (the North District and the South District), the North District being bounded on the North by the Stainforth and Keadby Canal and on the South by the New

Torne River, the South District being bounded on the North by the said River and on the South by the River Idle and By-Carrs Dyke, and the main Outfall of the Waters from both the said Districts is into the River Trent at Keadby by Main Outlet Drains known as the North Double River, the Hatfield Waste Drain, and the South Double River Drain; that by virtue of the last-mentioned Act the Commissioners thereby appointed have erected in the South District a Steam Engine, and made Drains and Works connected therewith for conducting the Drainage Waters to the said Engine and discharging them into the Trent, and the said Engine and Works were constructed and are maintained by means of an Engine Rate levied on such of the Participants Lands as lie within the said South District in addition to the Scots; that it would be very advantageous to the Lands in and adjacent to the North District if a Steam Engine with the needful Drains and Works were constructed for the especial Drainage of that District, and it would also be advantageous to all the Lands in the said Level if the Arrangements of the said Main Outlet Drains were modified, and if Power were vested in the Participants to improve from Time to Time the Works of Drainage in the Level; that the Extension and Improvement of the ancient Works of Drainage, for the Maintenance of which the Participants Lands were liable to Scot, and the Erection of the South Engine and the Construction of other new Works of Drainage have greatly benefited Lands in the said Level other than the Participants Lands, and it is fitting that the Owners of such other Lands should contribute Funds towards the Maintenance of such Works, and should also contribute (according to the Benefit derived by them) towards the Construction of the new Engine and Works in the North District and to any Works which may hereafter be undertaken for the Drainage of the Level: that the said last-mentioned Act provides that the Commissioners thereby appointed shall, after the Works of Drainage provided for in the said Act are perfected, make an Award prescribing the Proportion or Rate at which the several Lands of the Participants are to be taxed with relation to the Construction and Maintenance of the said Works, and that after the Completion of the said Works and after the recording of the said Award in the Manner prescribed by the Act the Functions of the said Commissioners shall cease, but no such Award has been made, and it is expedient that Provision be made for prescribing not only the said Rate or Proportion, but also the Rate at which the Lands in the said Level benefited by the Works of Drainage therein (whether such Lands belong to the Participants or not) should be assessed, and also for prescribing the Application of the Rents and Profits of the Decreed Lands, and also for closing at a definite Period the Commission under the said Act of 1813; that Makin Durham of Thorne in the County of York and George Dyson Simpson of Loversall in the said County, Gentlemen, are the Commissioners under the said Act; and that it would contribute to the convenient Transaction of their Business and to the more efficient Maintenance and Improvement of Works of Drainage in the said Level if the said Participants were incorporated, and if the Decreed Lands were vested in them as such Corporation, and if the Owners of Lands to be taxed under the Powers of this Act other than Participants Lands formed Part of such Corporation, and if the said Corporation were empowered (subject to the Conditions herein-after contained) to execute from Time to Time Works of Drainage within the said Level, and to levy Rates and Taxes for the Maintenance and Improvement of existing Works and the Construction and Maintenance of future Works of Drainage therein, and to borrow Money for the Purposes thereof.

2. Within Two Months after the passing of this Act the Clerk of the Participants shall send to every Participant and to every Person liable to be taxed under the Powers of this Act, so far as he can ascertain the same, a Circular addressed to the usual Place of Abode of such Participant or other Person, summoning him to a Meeting for the Purpose of electing Commissioners to execute the Powers of this Act, and such Meeting shall be held in the Second Week of the Month of November 1862, and shall be presided over by some Participant nominated at the said Meeting.

3. Every Proprietor of Land liable to be taxed shall have One Vote in respect thereof, and every such Proprietor of Fifty Acres and upwards shall have Two Votes in respect of the first Fifty Acres and an additional Vote for every additional Fifty Acres.

4. There shall be Nine Commissioners, Six of whom shall be elected by the Participants alone, and Three shall be elected by the Owners of Lands taxable under the Powers of this Bill other than Scotted Lands, and in the Rotation of Commissioners Two of the Commissioners nominated by the Participants and One of the Commissioners nominated by such Owners shall go out of Office each Year, but shall be re-eligible, or their Places shall be supplied by such Participants and Owners respectively.

5. The said Commissioners shall be united into a Body Corporate, with perpetual Succession and a Common Seal, by the Name and Style of "The Corporation of the Level of Hatfield Chase," and by that Name may sue and be sued, plead and be impleaded, and may purchase and hold Lands and Hereditaments, and Goods and Chattels, and dispose thereof to the Use and for the Purposes of the said Body Corporate and of their Undertaking, and the same Body Corporate is herein-after referred to as "the Corporation."

6. From and immediately upon such Incorporation all Drainage Works within the said Level which the said Participants are by Law now liable to make or maintain, together with all Ways, Roads, and Appurtenances, and all Lands, Rents, Tenements, Easements, Exemptions, Rights, Powers, and Privileges whatever connected therewith to which the said Participants are entitled, or which are now vested in any Person or Persons in trust for or representing the said Participants, or in the Commissioners under the said Act of 1813, and the Benefit of all Contracts, Agreements, and Proceedings in any way relating thereto, and all Powers of executing Works and levying Taxes or of recovering Arrears of Taxes now vested in the last-named Commissioners, and all the Right or Interest of the Participants in the Sum of 1,500*l.* provided to be paid to the Trustees of the Decreed Lands by the "Thorne Moor Improvement Act, 1861," and also the Right and Estate of the Participants in 500 undivided Acres of Hatfield Moors, and also all Right, Share, or Interest held by the said Participants jointly with any other Persons, Trustees, or Corporations shall be transferred to, vest in, and thenceforth belong to the said Corporation for the same Purposes and subject to the same Debts, Charges, and Liabilities, and with the same Quality of Estate and Tenure as before the passing of this Act affected the Drainage Works, Matters, and Things so transferred, and the Corporation shall thenceforth support and maintain the same Drainage Works so transferred to them as fully and effectually as the Participants were bound to do, and all the Powers vested in and all Duties and Liabilities imposed upon the said Participants and Commissioners by the recited Acts or any of them, or otherwise for the making, Maintenance, or Renewal of Drainage Works, shall apply to the Drainage Works hereby authorized to be made and maintained by the said Corporation: Provided always, that until

such Incorporation all the Powers heretofore vested in and lawfully exercised by the said Commissioners under the Act of 1813, or in the said Trustees of Decreed Lands, of maintaining the Works of Drainage in the said Level and of assessing, levying, and recovering Taxes, Rates, and Rents, or any Arrears thereof, shall remain in and be exercised by the said Commissioners and Trustees respectively as fully and effectually as though this Act had not passed; provided also that immediately after such Incorporation all Accounts of the said Commissioners under the Act of 1813 which have not already been passed and settled under the Provisions of the same Act shall be submitted to the said Corporation, who shall settle and adjust the same, and all Monies and Property of the said Commissioners shall vest in the said Corporation, who shall be liable to all the Debts and Liabilities of the said Commissioners under the same Act.

7. From and immediately upon such Incorporation the Decreed Lands mentioned in the Second Schedule to this Act and the Freehold and Inheritance thereof, and all the Rights, Easements, and Appurtenances belonging thereto, shall be and become vested in the said Corporation, and the Rents, Issues, and Proceeds thereof shall be received and recoverable by the Corporation, and it shall be lawful for the Corporation under their Common Seal to sell, convey, exchange, lease, or demise the said Lands or any Part thereof and any other Property at any Time held by them, according to the Direction of any General Meeting of the Participants.

8. The Application of the said Rents and annual Income shall be:

1st, to pay the general Expenses of the said Corporation and such Sums for any special Objects as may be from Time to Time ordered by the Corporation with the Assent of a General Meeting of the Participants:

2ndly, to pay all such Sums of Money as shall hereafter be assessed by the said Corporation or any other competent Authority on the Scotted Lands of the said Level by way of Scots:

3rdly, to pay from Time to Time such Sums as the said Corporation shall in their Discretion think fit, in improving the Drainage of Scotted Lands not comprised within the North or South Districts, and in Relief or Reduction of any Monies assessed by the said Corporation or any other competent Authority by way of Rate on the South District, or on the North District; provided that every such Payment shall be made according to the Acreage of Scotted Lands within the respective Districts, and that no Lands other than those now liable to the Rate called Scots shall participate in such Relief or Reduction.

9. Any Capital Monies to be received by the said Corporation under the Powers of this Act shall be in the Discretion of the said Corporation applied to the Payment of any Debt of the Participants, and the Balance be laid out or invested in the Purchase of other Lands, or in Real or Government Securities, and the Corporation are hereby empowered to change from Time to Time all such Investments or Securities.

Acts heretofore done by Participants, &c. valid, § 10.
Nothing to affect Rights of Action, § 11.
Books, &c. to be delivered up, § 12.
Register of Participants, § 13.
As to First Meetings of Corporation, § 14.
Parts of Commissioners Clauses Act incorporated, § 15.
Votes may be given personally or by Proxies, § 16.
As to Votes of Lunatics and Minors, § 17.
Appointment of Sub-Commissioners, § 18.
Lands Clauses Consolidation Act incorporated, § 19.
Power to execute Works according to deposited Plans, § 20.
Errors and Omissions may be corrected by Justices, who shall certify the same, § 21.

22. Before the Corporation alter, deepen, or change the Direction of any Drains, or make new Drains, in pursuance of the Powers herein-before granted to them, they shall prepare a Plan of such Works, and shall notify by Advertisement in Three successive Weeks in a Doncaster Newspaper, that the said Plan is open for the Inspection of any Person whose Land is liable to be taxed under the Powers of this Act; and if any such Person shall be of opinion that the proposed Works injuriously affect his Lands, or do not confer upon his Lands the Benefit to which they are entitled, and shall represent that Opinion to the Corporation, and the Corporation shall adhere to the Works objected to, the Question in difference shall be referred to Arbitration, and the Award shall declare whether the said Works ought or ought not to be undertaken with or without any Modification; and if the said Award shall declare that the said Works or any Part thereof should be altered, the Works, or the Portion thereof directed by them to be altered, shall be executed by the Corporation in accordance with such Alteration, and the following Conditions shall apply to every such Arbitration:

All the Owners objecting to the said Works, and desiring that the Question in difference shall be settled by Arbitration, shall concur in the same Reference to Arbitration, and the Arbitrator or Arbitrators or their Umpire shall take into consideration all the Objections made by such Owners, and shall make their Award or Awards thereon jointly or severally:

The Provisions of "The Railways Clauses Consolidation Act, 1845," "with respect to the Settlement of Disputes by Arbitration," shall apply to every such Arbitration, the Corporation being the one Party, and the said Owners jointly being the other Party to the Reference.

Power to set out Works, § 23.
Power to deviate from Plan to a certain Extent, § 24.
Works hereby authorized vested in Corporation, § 25.
Powers for compulsory Purchases limited to Two Years, and for constructing Works, Three Years, § 26.

27. It shall be lawful for the said Sub-Commissioners, and they are hereby authorized and required from Time to Time, until the said intended Drainage Works shall be perfected, to assess, tax, and charge, as respects all Construction Rates, the Owners and, as respects all Maintenance Rates, the Occupiers of all and singular the said Lands in the Level now known as Scotted Lands, and of all such other Lands in the said Level as are coloured Red in a Plan to be deposited with the Clerk of the Peace for the said West Riding, and signed by the Right Honourable William Pitt Earl Amherst, with such Sum and Sums of Money for the Construction and for the Maintenance of Works of Drainage as they the said Sub-Commissioners shall from Time to Time find requisite for defraying the Charges and Expenses of carrying this Act into execution; and the said Construction Rates shall be made by an Acre Rate or otherwise, according and in proportion to the Benefit which each such Owner shall be likely to receive by the Drainage Works to be constructed under this Act, and as the said Sub-Commissioners shall deem just and reasonable; and the said Maintenance Rates shall be made as the said Sub-Commissioners shall deem just and reasonable, having regard to the existing Liability as to the said ancient Works of Drainage; and all Sums of Money so to be charged and assessed upon every such Owner or Occupier shall be paid to the Treasurer of the Corporation, and at such Times as the said Sub-Commissioners shall order, direct, or appoint, they the said Sub-

Commissioners first causing 21 Days Notice of the Time of Payment to be given in a Doncaster Newspaper or in some other Newspaper circulated in the said Counties of York, Lincoln, and Nottingham.

28. The Tenants and Occupiers of the said Lands so assessed shall pay every such Sum of Money as shall be so assessed upon or in respect of the respective Lands in their several Occupations to the Treasurer of the Corporation, and shall deduct and retain out of their Rents all such Sums of Money as they shall so pay under any Construction Rate; and the Owners of such Lands are hereby required to allow such Deductions and Payments upon the Receipt of the Residue of their Rents; and every such Tenant or Occupier paying such Rate or Tax shall be acquitted and discharged of so much Money as the said Rate or Tax so paid by him or her shall amount to, as fully and effectually as if the same had been actually paid to his Landlord: Provided always, that when the Lands so assessed are held under a Lease, the yearly Rent reserved by such Lease shall be increased by an Amount equal to Five per Cent. upon the Sum so assessed as a Construction Rate; provided also, that no Occupier or Lessee of the Lands so assessed shall be required to pay in discharge of the said Assessment any greater Sum than the Rent due at the Time when the said Tax shall be demanded, or which shall become due thereafter before the said Tax shall be fully paid; and provided lastly, that it shall not be lawful for such Tenants and Occupiers to deduct and retain out of their Rents such Sums of Money as they shall pay by way of Rate or Assessment for the Maintenance and Working of the South Engine and the Machinery and Buildings connected therewith, or for the Maintenance and Working of the Engine and the Machinery and Buildings connected therewith to be erected by virtue of this Act in the North District, or for the Maintenance of any of the Works of Drainage.

29. If any Person shall refuse or omit or neglect to pay all or any Part of the Rates and Taxes to which he is hereby made liable, such Rates or Taxes shall bear Interest at the Rate of 5*l.* per Centum per Annum from the Day on which the same are respectively made payable, and such Interest shall be recoverable in all respects as Part of such Rates and Taxes, and if such Nonpayment shall continue for the Space of One Calendar Month next after the Time limited for the Payment of the same, it shall be lawful for any Person empowered by the Corporation, by virtue of any Warrant or Precept under the Hand of any Justice of the Peace acting for the West Riding of Yorkshire (which Warrant or Precept such Justice is hereby authorized from Time to Time to grant and make as Occasion shall require), to levy the Taxes then in arrear by Distress for any Rent due in respect of the Lands so taxed, or by Distress of any Goods or Chattels of the Person chargeable with any such Tax whensoever and wheresoever such Goods and Chattels shall be found, and to impound and keep the same on the Premises where any such Distress shall be made, or elsewhere, for the Space of Five Days, including the Day on which the same shall be taken, at the Costs and Charges of the Person liable to pay such Taxes; and in case the Sum of Money for which any such Distress shall be made, and all Costs, Charges, and Expenses attending such Distress, shall not be paid and discharged within the said Five Days, the Person so making such Distress shall and may sell or cause to be sold the Goods, Chattels, and Effects so distrained, for the best Price that can reasonably be had or gotten for the same, for and towards Satisfaction of the Monies for which such Distress and Sale shall be so made, and the Costs, Charges, and Expenses attending such Distress and Sale, rendering the Overplus of the Monies arising from any such Sale, on Demand, to the Person entitled thereto.

30. The said Lands to be taxed by virtue of this Act shall always remain a Security for Payment thereof; and all Goods and Chattels of the Person liable to such Tax which shall at any Time thereafter be found thereon shall and may be distrained, removed, impounded, kept, and sold in manner aforesaid, until all Arrears of the said Rates and Taxes and the Charges of such Distress shall be fully paid and satisfied.

31. Where any of the said Rates or Taxes shall be in arrear and unpaid by the Space of Three Calendar Months together, the Corporation shall have full Power and Authority to enter upon and let so much of the said Lands upon which any such Rate or Tax shall be so in arrear as they shall judge sufficient, for such Term of Years not exceeding Seven Years at each Letting, at such Rent and upon such Terms and Conditions as to them shall seem meet, and to apply the Rent arising therefrom in Payment and Discharge of all such Taxes and Rates and of such other Charges and Expenses as they the said Corporation shall incur or be liable to in consequence of all or any of such last-mentioned Proceedings, paying the Surplus, if any, to the Owner of the said Lands.

32. And whereas some of the Owners of the assessed Lands may have Occasion to borrow Money to defray their respective Shares and Proportions of the Expenses incident to and attending such Improvement, but cannot by reason of some Incapacity or Impediment make effectual Securities for Money so to be borrowed: Be it therefore enacted, That it shall and may be lawful to and for all or any of the said respective Owners or Proprietors, Ecclesiastical or Lay, being Tenants for Life or in Tail, and also for the Husbands, Guardians, Committees, Trustees, or Attornies of or for such of the said Owners or Proprietors as shall be under Coverture, Minors, Lunatics, or beyond the Seas, or otherwise incapable of acting for themselves, by Writing under their Hands and Seals from Time to Time to charge the said Lands so to be improved by virtue of this Act, with such Sum or Sums of Money as will fully defray their respective Shares and Proportions of the Charges and Expenses incident to and attending such Improvement, and for securing the Repayment of such Sum or Sums of Money with Interest, the Person or Persons borrowing the same respectively may by Indenture or other Deed under his, her, or their Hand and Seal, or Hands and Seals, and attested by Two or more credible Witnesses, grant, convey, mortgage, lease, or demise such Lands as aforesaid, either in Fee Simple with Powers of or Trusts for Sale, or for any Term or Number of Years or otherwise, unto or in trust for such Person or Persons as shall advance and lend such Money, so that every such Grant, Conveyance, Mortgage, Demise, or Security shall be made with a Proviso or Condition that the Principal Sum thereby secured shall be paid and discharged within Thirty Years from the Date of such Charge by half-yearly Payments of the Interest, and of not less than One Sixtieth Part of the Principal; and also with a Proviso or Condition to cease and be void, or with an express Trust to be assigned, surrendered, or reconveyed when such Sum or Sums of Money hereby to be secured, with the Interest thereof, shall be fully paid and satisfied, and shall also contain a Covenant to pay and keep down the Interest of the thereby secured Money during his, her, or their respective Lives; and that no Person afterwards becoming possessed of any such Lands or Grounds shall be liable to any further or larger Arrear of Interest than for One Year preceding the Time that the Title to such Possession shall have commenced, and that every Grant, Conveyance, Mortgage, Lease, or Demise so to be made shall be good, valid, and effectual in the Law for the Purposes thereby intended, notwithstanding the Want of legal Title in the said Tenants for Life or in Tail or other Person or Persons as aforesaid, any

Law, Usage, Settlement, Will, Trust, Use, Remainder, or Limitation to the contrary notwithstanding.

33. The Monies arising from the Taxes to be raised by virtue of this Act shall be paid and applied by the Corporation in making, executing, and completing the several Works of Drainage by this Act authorized to be made, and all necessary Charges and Expenses to be incurred in or relating to the due Execution of this Act.

34. And whereas the Corporation may, for the Purpose of more expeditiously making the several Works by this Act authorized, find it expedient to anticipate the Payment of the Taxes by this Act authorized to be raised: Be it therefore enacted, That it shall be lawful for the Corporation, and they are hereby authorized and empowered from Time to Time or at any One Time, to borrow and take up at Interest on Mortgage upon the Credit of the said Taxes, and also of any Lands or other Property held by them, such Sum or Sums of Money, not exceeding in the whole 30,000*l.* to be owing at any one Time, as they shall consider necessary for the Purposes aforesaid, and as they shall be authorized by a General Meeting of the Participants to raise; which Money so to be borrowed shall be repaid to the Person or Persons lending or advancing the same, with such Interest as may be agreed upon out of the Taxes so to be pledged as aforesaid; and the Receipt of the Treasurer of the Corporation shall be sufficient Discharge for the Money borrowed under this present Provision, and the Person advancing any such Money shall not be bound or concerned to see to the Application thereof, or be liable for the Misapplication or Nonapplication thereof, or be concerned to inquire whether the Sum advanced by him ought to be borrowed or raised for the Purposes aforesaid: Provided always, that all Monies borrowed by the Corporation shall be repaid within 30 Years after the same shall have been originally borrowed.

35. Nothing in this Act contained shall take away or impair any Liability to which the Scotted Lands are now subject for the Maintenance of the ancient Works of Drainage in the Level.

36. When the Works of Drainage which the Corporation are by this Act authorized to execute are completed, the Sub-Commissioners shall, within Six Months after they shall have received from the Chairman of the Corporation a Certificate under his Hand of the Fact of such Completion, make an Award containing and declaratory of the Matters herein-after mentioned; that is to say,

1. A Schedule of all Participant and other Lands within the Level liable to be rated, distinguishing therein—
   a. The Rate per Acre at which any of such Lands are liable to the Drainage Rate called "Scots;" and the Amounts so stated shall for all Time thereafter be the Proportion in which such Lands shall be rated to raise any Monies by this Act directed to be raised on the Rate called "Scots;"
   b. Whether such scheduled Lands are situate in the South District or the North District or elsewhere;
   c. At what Rate or Proportion per Acre the Lands in the South District, whether the same be Participant or other Lands, shall thenceforth be taxed for the Purpose of raising any Monies by this Act directed to be raised by the South District Rate;
   d. The like as to Lands in the North District:
2. A Schedule of the Drainage Works within the Level, stating as to each Work whether the whole or what Proportion of the Expense of maintaining the same shall be chargeable—
   On the Rate called "Scots,"
   Or on the South District Rate,
   Or on the North District Rate:

And all the Monies to be thereafter raised by the said Corporation for the Maintenance of such several Works shall be for all Time thereafter raised and levied on the said several Rates in the Proportions defined in such Schedule.

37. All Monies to be thereafter raised for the Improvement of any of the said specific Works of Drainage shall also be raised in the same Proportion as defined in the said last-mentioned Schedule, and all new Works of Drainage which may hereafter be made by the said Corporation shall be paid for and maintained out of Monies to be raised upon such several Rates as shall be defined by the Order of the said Corporation directing such new Works to be made, in proportion to the Benefit which each of the said Districts shall receive and to the Relief which may be thereby afforded to the said Rate called "Scots," subject to Appeal as herein-after mentioned.

38. There shall be attached to the Award so to be made a Plan of the Lands affected thereby, and such Plan shall be authenticated by the Signatures of the Sub-Commissioners making the said Award.

39. The said Award shall be authenticated by the Seals and Signatures of the said Sub-Commissioners, and shall be delivered by the Sub-Commissioners to the Clerk of the Corporation, to be kept by him among the Muniments of the Corporation, and shall be open at all reasonable Hours to the Inspection of any Participant without Fee or Reward; and a Copy of the said Award, authenticated by the Common Seal of the Corporation, shall be deposited with the Clerk of the Peace for the West Riding of Yorkshire, and the Provisions of the Act passed in the First Year of Her present Majesty's Reign "to compel Clerks of the Peace for Counties and other Per-"sons to take the Custody of such Documents as shall be "directed to be deposited with them under the Standing "Orders of either House of Parliament" shall apply to the said Award, as though the same were One of the Documents expressly referred to in the said Act.

40. If the said Award be not made within 12 Months after the Completion of the Works as aforesaid it shall be lawful for the Corporation to declare by Vote of any Meeting, duly convened with Notice of the Matter, that the Functions of the said Sub-Commissioners have ceased, and to appoint a new Sub-Commissioner or Sub-Commissioners in their Place, and thereupon the Sub-Commissioners so superseded shall cease to be such Sub-Commissioners or to have any Rights, Powers, or Functions whatsoever, either by virtue of the said Act of 1813 or of this Act, and all such Rights, Powers, and Functions shall be exercised by such Sub-Commissioner or Sub-Commissioners so appointed.

41. If any Owner of Land shall deem himself aggrieved by any Assessment, Tax, or Charge of the Sub-Commissioners, or if any Owner of Land comprised in the said Award shall deem himself aggrieved by the said Award, or if any such Owner shall deem himself aggrieved by any Rate laid under this Act for any Purpose other than the Maintenance of Works of Drainage, he may appeal against the same to the General Quarter Sessions of the Peace to be holden in the County, Riding, or Division where the Lands lie to which the said Appeal relates, provided that 10 Days previous Notice of such Appeal be delivered to the Clerk of the Corporation, and that such Appeal be made within Six Calendar Months after the Notice of such Assessment or after the Award shall have been made; and the Justices in the said General Quarter Sessions are hereby required to hear and determine the Matter of every

such Appeal, and to make such Order thereon and as to the Costs thereof as to them shall seem reasonable, and the Determination of the Justices shall be final and conclusive to and upon all Parties concerned, and if such Determination shall vary the said Assessment or Award, a Memorandum thereof signed by Two of the said Justices or by their Clerk shall be deposited with the said Award at the Office of the said Clerk of the Peace and with the Clerk of the Corporation, and shall have the same Effect as though it formed Part of the said Award.

42. When the said Award shall have been duly deposited as aforesaid, then and from thenceforth all and every the Powers and Authorities by this Act granted to or vested in the said Sub-Commissioners shall cease and determine, and all the Lands taxed by virtue of this Act or of the said Act of 1813 or of the said Award shall from thenceforth remain subject and liable to the maintaining and supporting the Works of Drainage within the said Level according to the Proportions fixed by the said Award and under the Control and Direction of the said Corporation.

43. After the Powers of the said Sub-Commissioners shall have ceased, it shall be lawful for the Corporation from Time to Time, and they are hereby required to rate, tax, and assess all the Lands mentioned in the said Award with such annual or other Acre Rate or Tax as shall from Time to Time be necessary for the Repayment of any Monies borrowed, or for the upholding and Renewal of the Works of Drainage within the Level, according to the Rule and Proportion specified in the said Award, and such Rates and Taxes shall be assessed separately as follows:

1. The Amount borrowed in respect of or necessary to maintain the Drainage Works or any Portion thereof by the said Award expressed to be chargeable on the Rate called "Scots" shall be raised by such Rate exclusively:
2. The Amount borrowed in respect of or necessary to maintain the Drainage Works or any Portion thereof by the said Award expressed to be chargeable on the South District Rate, shall be raised by such Rate exclusively, together with any Amount which shall be necessary to make and maintain any new Works which the said Corporation shall judge to be for the exclusive Benefit of the South District:
3. The Amount borrowed in respect of or necessary to maintain the Drainage Works or any Portion thereof by the said Award expressed to be chargeable on the North District Rate, shall be raised by such Rate exclusively, together with any Amount which shall be necessary to make and maintain any new Works which the said Corporation shall judge to be for the exclusive Benefit of the North District.

44. The Tax or Taxes so to be imposed by the Corporation shall commence and fall due on such Days as the Corporation shall from Time to Time determine, and no Tax shall be imposed for a longer Period than One Year, except Taxes laid for Repayment of Monies borrowed, which shall continue until such Monies, with all Interest thereon, shall be repaid; and such Tax or Taxes shall be paid to the Treasurer of the Corporation, except Taxes for Repayment of Monies borrowed, which shall be paid either to the said Treasurer, or any other Person specified therein, at such Places and in such Manner as the Corporation shall determine; and all the Powers heretofore granted to the Commissioners under the Act of 1813, or to the Sub-Commissioners by this Act, for the assessing and Recovery of Taxes imposed by them, shall apply to and be exerciseable by the Corporation with respect to any Taxes which they are authorized to levy, as fully as though such Powers were herein repeated in favour of the Corporation.

45. The Corporation shall keep separate Accounts, as accurately as they are able, of the Expense incurred by them in the upholding and Renewal of the several Works of Drainage herein-before specified, according to the Classification thereof prescribed by the said Award.

46. It shall be lawful for the Corporation to undertake and execute any additional Works of Drainage within the said Level, and for the Construction and Maintenance thereof to raise such Monies as shall be requisite by all or any of such Rates as aforesaid, according to the Relief to be afforded by such Works to the Participants Scotted Lands from the Scots assessable thereon, and according to the Benefit to be derived from such Works by the South District or the North District; and all the Powers in this Act granted to the Sub-Commissioners or to the Corporation of assessing, levying, and recovering the Rates herein-before specified, and all Powers of Distress and Entry, and of leasing Lands and of borrowing Money on the Security of Rates, and Power to Owners to borrow Money for paying such Rates, shall apply to the Rates authorized by this Enactment: Provided always, that no such Works the Cost of which shall exceed 500*l.*, shall be undertaken unless the same shall have been previously approved of by a Meeting of the Participants, convened with due Notice of the Matter; provided also, that before any such larger Works of Drainage shall be undertaken a Scheme thereof shall be prepared by the Corporation, and the said Scheme shall declare whether any Lands other than Participants Lands will be benefited by such proposed Works, and ought therefore to be subjected to Taxation for the Construction and Maintenance thereof; and if there be any such Lands then the Owners thereof shall be summoned to the Meeting at which such Scheme is to be considered in the same Manner as Participants; and they shall have a Right to take part in and to vote at such Meeting, personally or by Proxy, upon the said Scheme as though they were Participants; and if the Owners of Two Thirds in Extent of the Lands, other than Participants Lands, proposed to be taxed for the Execution thereof shall concur in such Scheme, then such Lands shall, upon the Deposit with the Clerk of the Corporation of a Declaration in Writing, signed by the Owners of such Two Thirds thereof, of their Concurrence, become liable to be rated and taxed under this Act as Part of the Participants Lands.

47. The Owners of all Lands other than Participants Scotted Lands within the said Level, which by virtue of any Assessment by the Sub-Commissioners under the Powers of this Act, or by virtue of the said Award, or of any Resolution of the Corporation and Declaration of Owners under the last preceding Enactment, shall be subjected to Taxation for the Execution or Maintenance of Drainage Works, shall by virtue of such Taxation be deemed thenceforth to be Participants as fully as though they were the Owners of Participants Scotted Lands: Provided always, that such Persons shall not be entitled to any Right in or Benefit from the Decreed Lands, and shall not at any Meeting of the Corporation or otherwise interfere with the Management, Disposition, or Control of the said Lands; and provided also, that such Persons shall not by becoming Members of the said Corporation, nor shall their Lands be liable to the Rate called Scots, or to the Maintenance of any Drainage Works, for the Maintenance of which the Participants as Owners of the said Scotted Lands are liable.

48. No Power of Taxation conferred by this Act shall (unless with the Consent of the Owner of the Land to be taxed) extend beyond the Townships and Parishes following; that is to say, Crowle, Wroot, Misson, Haxey, Epworth, Owston, Althorpe, Belton, and Keadby, in the County of Lincoln;

Armthorpe, Cantley, Auckley, Finningley, Rossington, Hatfield, Blaxton, Stainforth, South or Sand Bramwith, Fishlake, Sykehouse, and Thorne, in the County of York; Finningley and Misson, in the County of Nottingham; nor shall any such Power of Taxation extend to or be exercised over the District known as Hatfield Moors, the same being bounded on the North by Hatfield Waste Drain, on the East and South by Scotted Lands, and on the West by High Lands.

49. It shall be lawful for the Corporation and the Owners or the Trustees for the Drainage of any Lands adjacent to the said Level, mutually to agree for the Drainage of such Lands by the Drainage Works of the Corporation, or for the Use of the Drainage Works of such Owners or Trustees by the Corporation, upon the Payment of such Sum and Sums of Money, either in gross or annually, or both, and subject to such Stipulations, Conditions, and Regulations as shall be specified and mentioned in the Agreement which shall be entered into on that Behalf; and it shall be lawful for the Corporation and such Owner or Trustees of other Lands where the Participants or Trustees for Decreed Lands shall have heretofore entered into any such Agreement to ratify and confirm the same.

50. All Drains not now liable to be repaired out of Scots shall, after the same may be improved under the Provisions of this Act, continue to be repaired by the same Parties and under the same Liability as before the passing of this Act.

Schedules (Description of Lands subject to Act).

Cap. cxli.

"The South Yorkshire Railway (Sheffield and Thorne) Act, 1862."

Proposes to enable the South Yorkshire Railway and River Dun Company to make Railways near Sheffield and Thorne, and to exercise other Powers.
Consolidation Acts incorporated, § 1.
Power to make Railways, §§ 3, 4.
Power to alter Engineering Works, § 5.
Level Crossings, §§ 6 to 9.
Communications with Manchester, Sheffield, and Lincolnshire Railway, §§ 10 to 12.
Damage occasioned by Midland Railway to be made good, § 13.
Other Arrangements with Midland Company, §§ 14 to 18.
Lands to be purchased within Three Years, § 19.
Works to be executed within Three Years, § 20.
Power to use Parts of Manchester, Sheffield, and Lincolnshire Railway, §§ 22 to 24.
Saving Rights of Great Northern Railway Company under Agreements, § 25.
Powers conferred on Company by Midland Company's Act of 1847, 10 & 11 Vict. c. cl., repealed, § 26.
Power to raise 100,000*l.* by new Shares, with Preference Dividend of 5 per Cent., §§ 29 to 35.
Power to borrow 33,000*l.*, §§ 36, 37.
Parts of Companies Clauses Act incorporated, § 39.

Cap. cxlii.

"The Berwickshire Railway Act, 1862."

Recites the Expediency of making a Railway from the Hawick Branch of the North British Railway near Newtown Saint Boswells to Dunse.
Incorporation of Consolidation Acts, § 1.
Company incorporated, with Capital of 100,000*l.*, and Power to borrow 33,300*l.*, §§ 2 to 10.
Meetings; Directors, &c., §§ 11 to 20.
Power to make Railway, §§ 21 to 24.
Junctions with North British Railway, §§ 25, 26.
Level Crossings, §§ 27 to 29.
Lands to be purchased within Two Years, § 33.
Works to be completed in Four Years, § 34.
Power to alter Engineering Works, § 35.
Station to be made at Marchmont, § 36.
Tolls, §§ 37 to 45.
Agreement for working of Railway by North British Company, §§ 46 to 50.
North British Company to contribute and raise Capital for that Purpose, §§ 51 to 54.
Schedule (Agreement with North British Company).

Cap. cxliii.

"The Bishops Waltham Railway Act, 1862."

Proposes to incorporate a Company for making a Railway from Bishops Waltham in the County of Southampton to the Botley Station of the London and South-western Railway in the same County.
Incorporation of Consolidation Acts, § 1.
Subscribers incorporated, with a Capital of 16,000*l.*, and with Power to borrow 5,000*l.*, §§ 3 to 9.
Meetings; Directors, &c., §§ 10 to 17.
Power to make Works, § 18.
Power to alter Engineering Works, § 19.
Lands to be purchased by Compulsion in Two Years, § 21.
Period for Completion of Railway, §§ 22 and 32.
Level Crossings, §§ 23 to 26.
Communications with the London and South-western Railway, §§ 28 to 31.
Tolls, §§ 33 to 39.
Power to enter into Agreements with London and South-western Railway Company, §§ 40 to 48.

Cap. cxliv.

"The Crystal Palace and South London Junction Railway Act, 1862."

Recites that the making of Railway Communication, as hereinafter described, from the City and West End Sections of the Metropolitan Extension of the London, Chatham, and Dover Railway, so that by means of the same, and of the Line of Railway next herein-after referred to, there may be Communication by Railway through Denmark Hill and Peckham with the Crystal Palace at Sydenham, would be of great public Advantage; that a Bill is pending in Parliament for enabling the London, Brighton, and South Coast Railway Company to make certain new Lines of Railway, and it is expedient to secure the User in connexion with the Railways by this Act authorized of a Portion of such new Lines of Railway, namely, the Portion intended to be made between the Points herein-after mentioned at the Barrington Road in the Parish of Saint Mary Lambeth and Peckham respectively, and with that Object, and for the Purpose of effecting such Railway Communication as aforesaid, Provisions have been inserted in such Bill for securing to the Company and any Company lawfully working and using the Railways of the Company and the London, Chatham, and Dover Railway Company the Use of the said Portion of Railway; and that it is expedient that the Company on the one hand and the Dover Company on the other hand should be authorized to enter into Agreements as herein-after mentioned.
Incorporation of Consolidation Acts, § 2.
Company incorporated with Capital of 675,000*l.* and Power to borrow 225,000*l.*, §§ 3 to 7.
Meetings; Directors, &c., §§ 11 to 17.
Power to make Railway, § 19.

20. If the Brighton Bill shall not pass into a Law during the present Session, or if before the Expiration of Three Years from the passing of the Brighton Bill (if the same shall pass during the present Session) the Brighton Company shall not have completed and opened for Traffic with Four Lines of Rails so much of the Railway proposed to be authorized by the Brighton Bill as lies between the Commencement of the Railway first herein-before described and authorized and the Termination of the said Railway in the Brighton Bill called Railway No. 4. at or near Barrington Road aforesaid, then and in either of those Cases (but not otherwise) it shall be lawful for the Company to make the Portion of the Railway shown on the deposited Plans and Sections herein-after mentioned which is situate between the said Point of Commencement of the said Railway firstly herein-before described and authorized and the Termination of the said Railway in the Brighton Bill called Railway No. 4. at or near Barrington Road aforesaid.

Power to alter Engineering Works, § 22.
Powers for compulsory Purchases limited to Three Years, § 23.
Three Years for Completion of Works, § 24.

25. Provided always, That in the event herein-before mentioned of the Company being entitled, under the Provisions of this Act, to make the Portion of Railway shown on the said deposited Plans and Sections which is situate between the said Point of Commencement of the said Railway firstly herein-before described and authorized and the Termination of the said Railway in the Brighton Bill called Railway No. 4. at or near Barrington Road aforesaid, in consequence of the Failure of the Brighton Company to complete the same before the Expiration of Three Years from the passing of the Brighton Bill (if the same shall pass during the present Session), then and in such Case the Powers of the Company for the compulsory Purchase of Lands for the Purpose of the said Portion of Railway, and also the Powers of the Company for making the said Portion of Railway may be exercised, at any Time during a Period not exceeding One Year next after such Default of the Brighton Company.

Provisions as to Junctions, &c. with Brighton Railway, §§ 27 to 29.
Junctions with London, Chatham, and Dover Railway, §§ 30 to 32.
Protection of Southwark and Vauxhall Waterworks, §§ 33 to 36.
Protection of Surrey and Sussex Roads, §§ 37 to 44.
Construction of Bridges and Roads, §§ 45 to 51.
Execution of Works in Parish of Lambeth, and Protection of Streets, §§ 52 to 58.
Tolls, §§ 60 to 69.
Traffic Arrangements with London, Chatham, and Dover Company, §§ 70 to 77.
Confirmation of Agreement with Governors of Dulwich College, § 78.
Saving Rights of Metropolitan Board of Works and of Brighton Railway Company, §§ 79, 80.

Cap. cxlv.

"The North-eastern and Carlisle Railways Amalgamation Act, 1862."

Recites that by "The North-eastern Railway Company's Act, 1854," the York and North Midland Railway Company and the Leeds Northern Railway Company were dissolved, and their respective Undertakings and Property were vested in the York, Newcastle, and Berwick Railway Company, the Name of which Company was thereby changed to the Name "The North-eastern Railway Company," and Provision was made for the Consolidation of the Malton and Driffield Junction Railway Company and their Undertaking with the Company and their Undertaking, in accordance with which the Malton Company were dissolved and their Undertaking and Property became vested in the Company; that by "The North-eastern Railway Company's (Capital) Act, 1857," the Capital of the Company was limited to the Sum of 18,816,487*l.* 10*s.*, and such further Amount as they should create by the Conversion of Loan into Capital, and such further Amount, if any, as might be provided by any other Act of the then Session; and the Amount to be borrowed by the Company on Mortgage or Bond was limited to 6,270,000*l.* less the Amount then already or thereafter raised by Debenture Stock, but with an Option of raising 300,000*l.* by borrowing instead of by Shares, the Amount so borrowed to be in addition to any other Amount to be borrowed under the reciting Act; that subsequently to the passing of the last-recited Act the Capital and borrowing Powers of the Company have been increased, and the total authorized Capital of the Company now is 20,167,057*l.* 10*s.*, and the total Amount which they are authorized to borrow is 6,769,333*l.* 6*s.* 8*d.*, less the Amount from Time to Time of their Debenture Stock, and less so much of the 300,000*l.* mentioned in the Capital Act as they raise by Shares instead of by borrowing; that by the Amalgamation Act an Agreement dated the 31st March 1853, under the Seals of the York, Newcastle, and Berwick Railway Company, the York and North Midland Railway Company, and the Leeds Northern Railway Company respectively, for determining and adjusting the Terms and Conditions upon which those Three Companies and their respective Undertakings were to be amalgamated, and the Application and Apportionment of the joint Revenues of the Amalgamated Companies to and among the several Classes of Proprietors therein specified, and the Charges and Outgoings to be placed to the Account of the several Capital Stocks composing the united Capital, and to be borne by and paid out of the Revenues to be assigned respectively as therein expressed, and the Charges and Outgoings to be borne by and paid out of the Joint Revenue, and generally for defining and adjusting the Rights and Interests of the several Classes of Proprietors and several Creditors in and of the Company, was confirmed, and Provision was made with respect to the Proportions of the Receipts from the Traffic on all the Railways of the Company to be allotted to the Malton Company or their Class of Shareholders in the Company; that by the Act 10 Geo. 4. c. lxxii. the Newcastle-upon-Tyne and Carlisle Railway Company were incorporated, and were authorized to make and maintain the Newcastle-upon-Tyne and Carlisle Railway, and several other Acts were afterwards passed with respect to the Carlisle Company; that by "the Carlisle Act of 1854" the Capital of the Carlisle Company was declared to be their then existing 4*l.* per Centum Preference Share Capital of 150,000*l.*, and their then existing ordinary Share Capital of 1,155,000*l.*, and such further Capital as under the reciting Act the Company should raise by new Shares, and such further Capital as under the reciting Act they should raise by borrowing; and the Company were authorized to raise by new Shares 230,000*l.*, or instead of raising the whole thereof by new Shares to borrow 75,000*l.*; and to create Debenture Stock for paying off Debenture Debt; and except only for enabling the Amount necessary for redeeming Debenture Debt to be raised, the whole Sum to be raised by the Carlisle

Company by Shares and by Stock and by borrowing, or by any of those Means, was limited not to exceed 2,000,000*l.*; and the Amount (if any) raised in excess of 2,000,000*l.* was to be applied forthwith and exclusively in paying off Debenture Debt; that the Carlisle Company under "the Carlisle Act of 1854" created 1,550 Shares of 100*l.* each, with a perpetual fixed preferential Dividend of 4*l.* 10*s.* per Centum per Annum, ranking next after the 150,000 Carlisle Four per Cents.; that the total authorized Capital of the Carlisle Company now is as follows:

	£
Carlisle Four per Cents. - - -	150,000
Carlisle Four and a Half per Cents. - -	155,000
Carlisle ordinary Capital - - -	1,155,000
Making a total Amount of existing Share Capital of - - - -	£1,460,000
And the total Amount which the Carlisle Company are authorized to borrow is - - less so much, not exceeding 75,000*l.*, as they raise by Shares, and less the Amount from Time to Time of their Debenture Stock	540,000
Total - -	£2,000,000

that the 150,000*l.* Carlisle Four per Cents. were created on the 7th May 1851, and are entitled to a Dividend of 4*l.* per Centum per Annum payable half-yearly in preference to any Dividends on the previously created Shares of the Carlisle Company, and are also entitled to participate with the Holders of those previously created Shares in any Excess of Dividend paid to those Holders over Four per Cent.; that with a view to the Amalgamation of the Undertaking and Property of the Carlisle Company with the Undertaking and Property of the Company the following Heads of Arrangement were some Time since submitted to and received the Sanction of General Meetings specially convened of the Shareholders of the Carlisle Company and the Company respectively; that is to say,

First. The Two Lines to be amalgamated on the Principle of each Company receiving a Proportion of the net Receipts, and out of such Proportion paying the Interest on their Debts, &c., and special Charges, and the Dividend on their Share Capital:

Second. All Engines, Carriages, and other Rolling Stock, and all Stations, Railways, Docks, and other Works belonging to or in possession of either of the Companies to become the Property of the united Company, subject to existing Agreements, Leases, &c.:

Third. Subject to the following Provisions and Stipulations, the Carlisle Share of the joint net Receipts to be 10 per Cent. and the North-eastern Share 90 per Cent. thereof:

Fourth. The gross Receipts of the Two Lines to be charged with the Working Expenses, Wayleave Rents, Passenger Duty, Rates, and Taxes, Permanent Way Renewal Fund, and also the Proportions of Traffic due under the Agreements to the Malton and Driffield and Thirsk and Malton Lines, and the Balance then remaining to be divided according to the Third Clause:

Fifth. The Carlisle Section to be charged with One Tenth Part of the Interest or Dividend on the Amount expended on the Jarrow (now called Tyne) Docks, Dearness Valley, Bedale and Leyburn, and North Yorkshire and Cleveland Railways, and all the other Capital which may be expended for joint Purposes after the 1st January 1859, all such Expenditure and the entire Cost of the above Lines and Works to be transferred to joint Account:

Sixth. Out of the Proportion of 10 per Cent. the Carlisle Section to be charged with One Tenth of the Interest agreed to be allowed on the Amalgamation of the Berwick, York, and Leeds Lines, in respect of the Expenditure on the Auckland (7,500*l.* a Year), Pensher (4,250*l.*), Thirsk and Malton (1,000*l.*), and Victoria Dock Branches (1,750*l.*), amounting in the aggregate to 14,500*l.* per Annum:

Seventh. After the passing of the Act of Parliament the Mortgages, &c. of the separate Lines to become the Mortgages, &c. of the joint Company, each Section of Proprietors to be charged with Interest at the average Rate paid by the united Company on the Amount of Capital not provided by Shares:

Eighth. Each Company to pay and receive the Amounts owing by and to them respectively, and provide out of their own Revenue for all bad Debts or other Charges to the 31st December 1858, and neither Company to be affected either in Principal or Interest by the unsettled Balances of the other Company;

Ninth. The North-eastern Company's Contingency Fund and Permanent Way Renewal Fund, and the Carlisle Company's Reserve Fund to be transferred to and become the Reserve Fund of and belong to the united Company:

Tenth. Stores on hand on the 1st January 1859 to be taken by the joint Company at the Amount such Stores stand at in the Books of each Company, provided such Sum be found fairly to represent the Value thereof actually and comparatively, if not, according to Survey and at current Prices:

Eleventh. Old Materials (exclusive of Rails) on hand, and which the Companies would have sold in ordinary Course had they remained separate, to be sold for the Benefit of or their Value credited to the separate Account of the Company to which they belonged; old Rails to be collected and disposed of as may hereafter be decided, and the Value of the Stock on hand respectively on the 1st January 1859 secured to each Company when the same shall be sold or otherwise disposed of:

Twelfth. House and Land Property belonging to each of the Companies, not required for present or probable future Railway Purposes, to remain separate Property; the Proceeds of Sale and the Rents of such Property to be credited accordingly:

Thirteenth. Each Company to have the exclusive Benefit of any financial Arrangements connected with its own Share Capital:

Fourteenth. Shares held by either of the Companies in other Concerns to be separate Property:

Fifteenth. Any Sum which may be hereafter paid for the Enfranchisement of Wayleave or Leasehold Property to be joint Capital:

Sixteenth. An Act for the Amalgamation of the Two Lines to be applied for in the next Session of Parliament after the Sanction of the Shareholders shall have been obtained; such Application, if needful, to be renewed in future Sessions until the necessary Powers shall be obtained to enable the Companies to carry out substantially the Agreement hereby entered into; the Cost of the Application or Applications to Parliament to be charged to joint Revenue:

Seventeenth. Sundry Pieces of Land at Newcastle, belonging to the Carlisle Company, shown on a Tracing submitted to the North-eastern Company, and not required for Railway Purposes, to remain the separate Property of the Carlisle Company:

Eighteenth. Two Members of the Carlisle Board to have Seats at the Board of the united Company upon the Amalgamation Bill being obtained:

that the Railways of the Company and of the Carlisle Company are connected together at Newcastle-upon-Tyne and Redheugh, in the County of Durham, and it will conduce to the public Advantage and to the convenient and economical Working of those Railways that they should be united, and it is expedient that, subject to the Provisions of this Act, those Heads of Arrangement be confirmed, and the Undertaking, Railways, and Property of the Carlisle Company be amalgamated with the Undertaking, Railways, and Property of the Company, and the Carlisle Company be dissolved, and their Powers, Rights, Duties, and Obligations be transferred to the Company; and that it will tend to the better Accommodation of the Public, that the Company be authorized to use the Citadel Station at Carlisle, and the several Lines of Railway forming the Approaches from the Newcastle and Carlisle Railway to that Station, and the several Buildings, Works, and Conveniences of and connected with that Station and those Lines of Railway, to the Extent and in manner herein-after mentioned or provided for, subject to and in consideration and on the Terms of the Agreement set forth in Schedule (A.) to this Act annexed; and that Provisions be made for the entering into and carrying into effect for the Purposes of this Act of future Contracts and Arrangements with respect to the Citadel Station, and those Lines of Railway, Buildings, Works, and Conveniences, and the Traffic thereon and thereat, and the Receipts and Expenditure in respect of the same.

Dissolution of Carlisle Company and vesting of their Undertaking in Company, § 2.

Monies, &c. of Carlisle Company vested in Company, § 3.

Dissolution and vesting subject to Heads of Arrangement, § 4.

Company to represent Carlisle Company, § 5.

Powers of Carlisle Company under Acts to be exercised by Company, § 6.

Company to perform Duties of Carlisle Company, § 7.

General Saving of Rights under Acts, § 8.

Saving of Contracts, Rights of Action, Debts, Resolutions, Byelaws, &c., §§ 9 to 23.

Increase of Number of Directors of Company, § 24.

Rotation of additional Directors, § 25.

26. On and after the passing of this Act the authorized Capital of the Carlisle Company, amounting to 1,460,000*l.*, shall be added to and form Part of the Capital of the Company, and shall be called the Carlisle Capital Stock, and be represented and distinguished in the Books of the Company by 150,000*l.* of 4*l.* per Centum per Annum preferential Stock, with the prospective Benefits herein-after mentioned, and to be called Carlisle Four per Cent. preferential Stock, by 155,000*l.* of 4*l.* 10*s.* per Centum per Annum preferential Stock, to be called Carlisle Four and a Half per Cent. preferential Stock, and by 1,155,000*l.* ordinary Stock, to be called Carlisle ordinary Stock.

27. The several Persons who immediately before the passing of this Act were the registered Holders of Shares in the 150,000*l.* Carlisle Four per Cents., and in the 155,000*l.* Carlisle Four and a Half per Cents., respectively shall on the passing of this Act respectively become and be the Owners of an equal Amount in nominal Value of the Carlisle Four per Cent. preferential Stock and of the Carlisle Four and a Half per Cent. preferential Stock, as the Case may be, and they are in this Act called "the Carlisle preferential Shareholders;" and they shall accordingly be entitled to have the Certificates of their Shares in the Carlisle Four per Cents. and Carlisle Four and a Half per Cents. respectively exchanged for Certificates of an equal Amount of the Carlisle Four per Cent. preferential Stock and of the Carlisle Four and a Half per Cent. preferential Stock respectively in the Company, and shall be registered as Shareholders of the Company accordingly, and shall accordingly be entitled to Votes, Qualifications, and other Privileges.

Ordinary Shareholders of Carlisle Company to be Holders of Carlisle ordinary Stock of Company, § 28.

Debenture Debt of Carlisle Company added to Debenture Debt of Company, and borrowing Power of Company defined, § 29.

Priority for existing Mortgages, § 30.

Joint and separate Capital Revenue, and other Accounts to be kept, § 31.

32. From and after the passing of this Act the total Receipts of the Company from all Sources on account of Revenue shall (but so as not to affect any Rights of the existing Mortgagees or Holders of Preference Shares of the Company or the Carlisle Company) be liable to make good, and there shall from Time to Time be deducted thereout, the Expenditure of the Company for the following Purposes; (that is to say,)

The Working and Management of the Company and their Undertaking, Railways, Property, and Effects:

All Rents reserved by any Lease or Contract, Wayleave Rents, and like Payments from Time to Time payable by the Company:

The Duty from Time to Time payable by the Company to Her Majesty in respect of Passengers:

All other Taxes, Rates, County, Parochial, and other Assessments, and public and local Impositions and Burdens whatsoever:

The keeping up of the Permanent Way Renewal Fund of the Company which they from Time to Time determine to keep up, and any Contingency Fund of the Company:

The Proportions of the Traffic Receipts of the Company from Time to Time payable by the Company to the separate Revenue Account of the Holders of the Malton Capital Stock under the Provisions of the Amalgamation Act in that Behalf, and to the Holders of the Thirsk and Malton Shares or Stock in the Berwick Capital Stock, in pursuance of the Agreement under which those Shares were issued:

The Interest or Dividend of all Monies expended and from Time to Time owing on joint Capital Account:

Provided always, that the Rents and other Revenues of the Company which, according to the Heads of Arrangement, are to belong to the separate Revenue Accounts of the Carlisle Shareholders of the Company and of the other Classes of Shareholders of the Company, in this Act called the present North-eastern Shareholders, shall, as between those Two Classes or Bodies of Shareholders, be credited to their respective separate Revenue Accounts according to those Heads of Arrangement, and dealt with and appropriated accordingly.

33. From and after the passing of this Act, and subject to those Deductions and Appropriations, the Balance of those total Receipts shall be divided into Two Portions, one being 90*l.* per Centum of that Balance, and the other being the remaining 10*l.* per Centum thereof, and that Balance shall be

so ascertained up to the 30th Day of June and the 31st Day of December in every Year, and shall be divided accordingly; and the Amount of those total Receipts, and the Deductions and Appropriations so made thereout, and the Amount of the Balance, and the Division thereof accordingly, shall be shown by the half-yearly Accounts of the Company.

34. The 90*l.* per Centum of the Balance, and the Rents and other separate Revenues of the present North-eastern Shareholders of the Company, and the Allowances to them in this Act mentioned, shall be dealt with and applied by the Company as the Receipts of the Company from like Sources would be dealt with and applied if this Act were not passed.

35. The 10*l.* per Centum of the Balance shall be applied by the Company as follows; that is to say,

In Payment to the joint Revenue Account of the present North-eastern Shareholders of the yearly Sum of 1,450*l.*, being One Tenth Part of the yearly Sum of 14,500*l.*, the aggregate Amount of the Interest which, in pursuance of the Amalgamation Act and the Agreement for Amalgamation thereby confirmed, is allowed in respect of the Expenditure on the Auckland, the Pensher, the Thirsk and Malton, and the Victoria Dock Branch Railways respectively:

In Payment to the joint Interest Account of the Company of Interest on the Amount from Time to Time of the Debts and Liabilities of the Carlisle Company and its Class of Shareholders in the Company, such Interest being calculated according to the average Rate of the Interest or Dividend from Time to Time payable by the Company on or in respect of their joint Loan Account, and brought into their joint Interest Account.

36. Subject to those Deductions, the Residue of the 10*l.* per Centum of the Balance and the Rents and other separate Revenues of the Carlisle Shareholders of the Company shall be applied by the Company as follows; (that is to say,)

First, in Payment, by equal half-yearly Payments to fall due on and to be paid within 70 Days after the 1st Day of January and the 1st Day of July in every Year, of a preferential Dividend after the Rate of 4*l.* per Centum per Annum to and among the Holders of the Carlisle Four per Cent. preferential Stock, rateably in proportion to their respective Interests therein:

And subject to the Payment thereof,

Secondly, in Payment, by equal half-yearly Payments to fall due on and to be paid within 70 Days after the 1st Day of January and the 1st Day of July in every Year, of a perpetual, fixed, preferential Dividend after the Rate of 4*l.* 10*s.* per Centum per Annum to and amongst the Holders of the Carlisle Four and a Half per Cent. preferential Stock, rateably in proportion to their respective Interests therein:

And subject to the Payment thereof,

Thirdly, in Payment to and among the several Holders of the Carlisle ordinary Stock, rateably in proportion to their respective Interests therein, of such Dividend thereon, not exceeding the Rate of 4*l.* per Centum per Annum, as is from Time to Time fixed by the Half-yearly General Meetings of the Company:

Fourthly, after Payment of a Dividend at the Rate of 4*l.* per Centum per Annum to the several Holders of Carlisle ordinary Stock, in Payment to and amongst those Holders and the Holders of the Carlisle Four per Cent. preferential Stock, rateably in proportion to their respective Interests in such Stocks, of such further Dividend as is from Time to Time fixed by the Half-yearly General Meetings of the Company.

37. Subject to the Provisions of this Act, the Company shall carry into effect the 5th and the 8th to the 15th (both inclusive) and the 17th of the recited Heads of Arrangement by this Act confirmed; and for the Purposes of those Heads respectively, and so far as the pecuniary Interests of the several Classes of Shareholders of the Company are concerned, the Carlisle preferential Shareholders and the Carlisle ordinary Shareholders shall be regarded as if they were the Carlisle Company, and all the other Shareholders of the Company shall be regarded as if they were the North-eastern Company as existing prior to the passing of this Act.

38. As from the 1st Day of January 1859 inclusive, all Monies, and the Value or Proceeds of all Property and Effects which according to those Heads of Arrangement would belong to or be applicable for the Benefit of the North-eastern Company as existing prior to the passing of this Act, or of the Carlisle Company respectively, as Capital or Revenue, as the Case may be, shall be applied respectively in or towards Payment, Satisfaction, or Discharge of the Debts, Liabilities, and Engagements on Capital or Revenue Account, as the Case may be, of the Two Companies respectively, according to whichever of the Two Companies are under the Terms of those Heads of Arrangement entitled to be credited with those Capital or Revenue Monies or Proceeds respectively, and the Surplus, if any, of those Revenue Monies or Proceeds shall be appropriated to the Class of Shareholders entitled thereto.

39. As from the 1st Day of January 1859 inclusive, the Accounts of the Company and the Carlisle Company respectively shall be kept, and forthwith after the passing of this Act the same shall be settled as between themselves in like Manner in all respects as if that Day had been the Day on which the Amalgamation of the Undertaking, Railways, Property, and Effects of the Carlisle Company with the Undertaking, Railways, Property, and Effects of the Company, and the several Provisions of this Act with respect to the Amalgamation, and the Incidents and Consequences thereof, had respectively taken effect.

40. The Company may use for the Purposes of their Traffic the joint Station at Carlisle known as the Citadel Station, and the Rails, Sidings, Booking Offices, and other Buildings, Works, and Conveniences thereat or connected therewith, and the Railways lying between that Station and the Railway of the Carlisle Company, hereafter in this Act called the Citadel Station and Premises, upon Payment of such Rent or other Remuneration, and upon the Terms and Conditions, contained in the Agreement set forth in Schedule (A.) to this Act annexed.

41. The Company and the Company or Companies owning the Citadel Station and Premises, and with respect to each of those Companies, with the Sanction of at least Three Fifths of the Votes of the Shareholders present, in Person or by Proxy, at a General Meeting of the respective Company specially convened for the Purpose, from Time to Time hereafter may make and carry into effect all such Contracts and Arrangements with respect to the Purposes in that Behalf by this Act authorized as the Companies, Parties to such Contract or Arrangement, think fit, and the Purposes for which any such Contracts and Arrangements may be made comprise the following, and all incidental Matters; (that is to say,)

First, the using by the Company of the Citadel Station, and the Buildings, Sheds, Yards, Works, and Conveniences thereof, or any Part thereof, and the working over and using by the Company of the Lines of Railway, Sidings, Watering Places, Water, and other Works and Conveniences of and near to the Citadel Station, which the

Company are by this Act authorized to work over and use:

Secondly, the Appropriation of any Part of the Citadel Station and Premises for the Use of the Company either exclusively or jointly with any other Company:

Thirdly, the Terms and Conditions of and the Facilities to be afforded for such using or working over:

Fourthly, the Tolls, Rates, Charges, or other Considerations to be paid by the Company with respect to such using or working over:

Fifthly, the Modification of any of the Rights or Liabilities under this Act of the Company, and the other Company or Companies Party to any such Contract or Agreement as between themselves.

42. Provided always, That no such Contract or Arrangement as aforesaid shall in any Manner alter, affect, increase, or diminish any of the Tolls, Rates, or Charges which the respective Companies Parties thereto shall for the Time being be respectively authorized and entitled to demand and receive from any Person or any other Company, but all other Persons and Companies shall, notwithstanding any such Contract or Arrangement, be entitled to the Use and Benefit of the Station, Lines of Railway, Works, and Premises to which such Contract or Arrangement may relate, upon the same Terms and Conditions, and on Payment of the same Tolls, Rates, or Charges, as they would have been in case no such Contract or Arrangement had been entered into.

43. Subject to the Provisions of "The North-eastern Railway Company's Act, 1854," herein called "the Amalgamation Act," applicable in that Behalf, the Company may demand and take in respect of the Railways of the Carlisle Company by this Act vested in the Company, and for all Passengers, Animals, and Things conveyed thereon, and for Locomotive Engines and other Power, and for Carriages and Waggons respectively, and for all Services performed by the Company with respect to the same, a like Amount of Tolls, Fares, Rates, and Charges as by the Amalgamation Act the Company are authorized to demand and take for all like Traffic and Services and Matters on or with respect to the Railways of the Company, and in like Manner, and with and subject to the like Powers and Provisions in all respects, as if the Railways of the Carlisle Company, by this Act vested in the Company, were respectively Part of the present Railways of the Company.

44. Provided always, That notwithstanding anything in this Act contained, wherever, under or by virtue of any Act relating to the Carlisle Company, that Company are or may be authorized to demand, receive, and take any special or other Rates, Tolls, or Charges for or in respect of the Passage or Conveyance of Passengers, Animals, Minerals, Goods, Articles, Matters, and Things along or across any Bridge or inclined Plane upon their Railways, or for the Use of Staiths, Drops, or Spouts, or for any other special Matters or Things, the Right to demand, receive, take, and recover such Rates, Tolls, and Charges shall remain and be or become vested in the Company; and in computing any such special or other Rates, Tolls, and Charges, the general or ordinary Rates, Tolls, and Charges which the Company are by the Amalgamation Act authorized to demand and take in respect of their Railways shall be substituted for and considered as the ordinary Rates, Tolls, and Charges respectively authorized to be demanded or taken by the several Acts granting such special or other Rates, Tolls, and Charges respectively, and over and above or upon which ordinary Rates, Tolls, and Charges such special or other Rates, Tolls, and Charges are by those Acts respectively authorized to be charged or calculated.

45. Every Passenger travelling on the Railways of the Carlisle Company, by this Act vested in the Company, may take with him his ordinary Luggage, not exceeding 150 lbs. in Weight for First-class Passengers, and 100 lbs. in Weight for Second-class and for Third-class Passengers, without any extra Charge being made by the Company for the Carriage thereof.

46. Where under this Act any Passengers, Animals, or Things are conveyed by the Company partly on their Railway and partly on any Part of the Lancaster and Carlisle Railway and Caledonian Railway, or either of them, worked by the Company for a Distance less in the whole than Six Miles, the Company may demand and take as for Six Miles the maximum Tolls, Fares, Rates, and Charges which they are by this Act authorized to take.

47. And whereas under the Provisions of the Carlisle Acts the Earl of Carlisle, his Heirs or Assigns, Lords of the Barony of Gilsland, are empowered to appoint Directors, not exceeding Two, of the Carlisle Company, and such Power is repealed by this Act: In consideration whereof the Right Honourable George William Frederick Earl of Carlisle, and his Heirs the Earls of Carlisle and Lords of the Barony of Gilsland for the Time being, shall have the Right to nominate in Writing from Time to Time One Person to whom the Company shall, on Request for such Purpose made to their Secretary, issue and give a Ticket or Pass entitling such Person to travel free by any Passenger Train for the Time being run by the Company over any Part of their Railway, and either by a First or any other Class of Carriage attached to such Train, but subject nevertheless to the ordinary Rules and Regulations of the Company for the Time being in force respecting Passengers by such Train: Provided, that in case the said Earl shall be at any Time desirous of changing his Nominee, the free Pass then in use by his previous Nominee shall be delivered up to the Company to be cancelled on Application being made for a free Pass for such other Nominee.

Regulations as to Traffic on Carlisle Railway, § 48.
Lamps to be placed in all Carriages, § 49.

50. From and after the Expiration of 12 Months after the passing of this Act, so long as the Live Cattle Market of the Borough of Newcastle-upon-Tyne shall be held in a Situation West of the Central Station of the Company in the said Borough, all Cattle, Sheep, and Pigs intended for Sale or sold in the said Market, which shall be brought into or carried out of the said Borough by the Railway, shall be loaded or unloaded, as the Case may be, either at the said Central Station or at some Station or Cattle Dock West of that Station.

51. Whereas the Newcastle and Carlisle Railway crosses on the Level the public Street or Highway called Saint Nicholas Street in the Parish of Saint Cuthbert, Carlisle, in the City of Carlisle: Therefore it shall be lawful for the Board of Trade, if it shall appear to them to be necessary for the Public Safety, at any Time hereafter to require the Company, within such Time as the Board of Trade shall direct and at the Expense of the Company, to carry such Street or Highway over the said Railway by means of a Bridge in lieu of crossing the same on the Level, and to execute such other Works as under the Circumstances of the Case shall appear to the Board of Trade the best adapted for removing or diminishing the Danger arising from such level Crossing.

52. The Agreement between the Company and the North British Railway Company (a Copy whereof is set forth in Schedule (B.) to this Act annexed) is hereby confirmed and made binding upon the Companies Parties thereto: Provided

that the Exercise by the Company or the North British Company, or either of them, of the Powers and Facilities in the Agreement contained, or any of them, shall not be taken or considered to be an Exercise of the Privileges and Facilities by this Act granted in reference to Traffic by the Carlisle Railway Route.

53. The Agreement between the Company and the London and North-western Railway Company (a Copy whereof is set forth in Schedule (C.) to this Act annexed) is hereby confirmed and made binding on the Companies Parties thereto.

Schedules :—

(A.) Articles of Agreement between the Caledonian Railway Company and the Lancaster and Carlisle Railway Company of the First Part, the London and North-western Railway Company of the Second Part, and the North-eastern Railway Company of the Third Part.

(B.) Articles of Agreement made between the North-eastern Railway Company of the one Part, and the North British Railway Company of the other Part.

(C.) Agreement between the North-eastern Railway Company of the one Part, and the London and North-western Railway Company of the other Part.

Cap. cxlvi.

"The North-eastern Railway Company's (Conside Branch) Act, 1862."

Recites that by their Act of 1857 the North-eastern Railway Company were authorized to make a Branch Railway called the Lanchester Valley Railway from their Bishop Auckland Branch to the Conside Ironworks, in the County of Durham, and it is expedient that the Company should be empowered to construct Railways between the Newcastle-upon-Tyne and Carlisle Railway and the Lanchester Valley Railway, and between the last-mentioned Railway and the Stockton and Darlington Railway, and to acquire for the Purposes of their Undertaking certain additional Lands and Property; that by "The Stockton and Darlington and Newcastle and Carlisle Union Railway Act, 1856," a main Line of Railway between the Darlington Railway, in the Township of Conside, and the Carlisle Railway, with a Branch therefrom, was authorized, whereof the said Branch and a small Portion only of the said Main Line have been constructed, and the unexecuted Portion of the Main Line will be rendered unnecessary by reason of the Construction of the Railways by this Act authorized, and it is expedient, and the Stockton and Darlington and Newcastle and Carlisle Union Railway Company are willing that the same should be abandoned; and that the Company should be empowered to raise a further Sum of Money, and that further Powers should be granted to them.

Incorporation of Consolidation Acts, §§ 2, 3.

Power to take Lands and to construct Railways, §§ 4, 5.

Admiralty Provisions, §§ 6 to 11.

Power to alter Engineering Works, § 13.

Lands not to be purchased compulsorily after 30th November 1864, § 16.

Nothing in this Act to prejudice or affect a certain Action now pending between the Company and G. T. Gibson, § 17.

Restraining Purchase of Property of G. T. Gibson, § 18.

Protecting North Shields Turnpike Road, § 19.

Works to be completed by 30th November 1866, §§ 20, 21.

Communications with the Railways of the Carlisle and Darlington Companies, §§ 22 to 25.

For facilitating Transmission of Traffic between Railways hereby authorized and the Darlington and South Durham and Lancashire Union Railways, §§ 26, 27.

For facilitating Transmission of Traffic between the Railways hereby authorized and the other Railways of the Company over the Carlisle Railway, §§ 28, 29.

Abandonment of a Portion of the Stockton and Darlington and Newcastle and Carlisle Union Railway, and Compensation, §§ 30, 31.

Additional Capital of 165,000*l.* may be raised, §§ 32, 33.

Power to borrow 55,000*l.*; Saving Rights of existing Mortgagees, §§ 34, 35.

Power to assign Preference not exceeding 5*l.* per Cent. to new Shares or Stock, §§ 37 to 41.

Tolls of "The North-eastern Railway Company's Act, 1854," to be taken, § 42.

Saving Rights of the Crown, § 47.

Cap. cxlvii.

"Tupton and Ashover Road and Birkin Lane Road Act, 1862."

Recites 11 Geo. 4. & 1 W. 4. c. xci., intituled "An Act for more "effectually repairing and improving the Road from Temple "Normanton to Buntingfield Nook, in the County of Derby, "and the Road from Tupton Nether Green to Stubbing "Edge Lane and Knot Cross, in the said County;" that the Term granted by the recited Act will shortly expire, unless the same be further continued; that the several Sums specified in the Schedule to this Act annexed, amounting to 3,270*l.*, are secured upon the Tolls.

Repeals Act, and continues the Trust for 21 Years.

Cap. cxlviii.

"The Birkenhead Railway Act, 1862."

Recites that in 1852 the Birkenhead, Lancashire, and Cheshire Junction Railway Company were dissolved, and re-incorporated and authorized to complete and maintain the Birkenhead, Lancashire, and Cheshire Junction Railway; that in 1859 the Birkenhead Company were authorized to make and maintain additional Railways, and their Name was changed to the Name "The Birkenhead Railway Company"; that by their Vesting Act, 1861, the Birkenhead Railway, as therein mentioned, was vested in the London and North-western Railway and the Great Western Railway Companies jointly; that it is expedient that the Two Companies, acting either by means of the Joint Committee appointed under the Provisions of the said last-mentioned Act, or otherwise, should be empowered to make and maintain the Railway herein-after mentioned, and that the Time for the Sale of superfluous Lands acquired by the Birkenhead Company should be extended.

Incorporation of Consolidation Acts, §§ 2, 3.

Powers of Act may be exercised by Joint Committee, § 4.

Power to take Lands and to construct Railway, §§ 5, 6.

Crossing Road on Level, and also Power to carry Railway authorized by "The Birkenhead Railway Act, 1859," over a certain Road on the Level, §§ 7 to 11.

Power to alter Engineering Works, § 12.

Lands for extraordinary Purposes, § 13.

Three Years for compulsory Purchase of Lands, § 14.

Five Years for Completion of Railway, §§ 15, 16.

Power to apply surplus Capital to Purposes of Act, § 17.
Tolls and Charges, § 18.
Extending Period for Sale of superfluous Lands for Three Years from passing of Act, § 19.

Cap. cxlix.

"The Bristol and South Wales Union Railway Act, 1862."

Recites that by "The Bristol and South Wales Union Railway Act, 1857," the Bristol and South Wales Union Railway Company were authorized to make and maintain Railways between the City of Bristol and the South Wales Railway in the County of Monmouth, with a Steam Ferry across the River Severn in connexion therewith; that the Railways, Piers, and Works authorized by such Act are in Progress of Construction; that by their Act of 1861 the Company were authorized to issue new Shares in lieu of any Shares which had been or might be cancelled, surrendered, or forfeited, or remained unissued, and to attach to such new Shares a preferential Dividend not exceeding 5*l.* per Centum per Annum, and the Time for the Completion of the Railways, Piers, and Works authorized by the Act of 1857 was extended; that it is expedient that the Company should be authorized to construct the Railways and Works herein-after more particularly described, from the Bristol and South Wales Union Railway in the County of Gloucester, to the River Avon near its Confluence with the River Severn; that the Mayor, Aldermen, and Burgesses of Bristol have constructed a Slip and Landing Place in the River Avon, opposite Dumball Island, and it is expedient that such Arrangements should be authorized with the Corporation with reference thereto as are herein-after specified; and that the Company should be authorized to raise additional Capital for the Purposes of the Railways authorized by this Act, and that some of the Provisions of the Acts of 1857 and 1861 should be amended.
Incorporation of Consolidation Acts, §§ 3, 4.
Power to construct Railway and Works, § 5.
Arrangements as to Pier with Bristol Corporation, §§ 7 to 9.
Works in Westbury-on-Trym for Accommodation of Bristol Port Railway and Pier Company, § 10.
As to Termination of Railway No. 1. if Bristol Port Railway and Pier Bill be passed, § 11.
Admiralty Provisions, §§ 12 to 17.
Sections 32, 33, 34, and 35 of Act of 1857 applied to this Act, § 18.
Level Crossings, §§ 19 to 22.
Three Years for compulsory Purchase of Land, § 24.
Five Years for Completion of Works, §§ 25, 26.
Power to raise additional Capital of 40,000*l.*, § 27.
Power to cancel unissued Shares, § 28.
Calls, § 29.
New Capital to be subject to same Incidents as Capital authorized by recited Act, § 30.
Votes and Qualifications, § 31.
Power to borrow 9,800*l.*, §§ 32, 33.
Tolls on Extension Railway, §§ 35, 36.
Tolls for Landing, &c., § 37.
For securing Equality of Treatment, § 38.
Exemption of certain Vessels, § 39.
The Company and the Great Western Railway Company may enter into Traffic Arrangements, § 41.
Saving Rights of the Crown, § 44.

Cap. cl.

"The Cheadle Turnpike Roads Act, 1862."

Recites an Act of 1 Will. 4., intituled "An Act for consolidating the Trusts of the several Turnpike Roads in the Neighbourhood of Cheadle, in the County of Stafford, and for making Deviations and new Branches to and from the same;" that the Trustees for executing the said Act have proceeded to put the same into execution, and have made the new Branch from Quickshill to the Churnett Bridge at Rocester therein mentioned, but it has not been found expedient to make the other new Roads by the same Act authorized to be made; that they have borrowed several Sums of Money on the Credit of the Tolls of the said several Roads respectively, which cannot be paid off, or the Interest thereof discharged, unless the said Term be further continued; that it is expedient that certain Parts of the Roads in the said Act mentioned should no longer be Turnpike Roads, namely, the Third or Dilhorn District therein mentioned, and also the said new Branch from Quickshill to Churnett Bridge aforesaid, and that the Mortgage Debts charged upon the Tolls of the said Dilhorn District of the said Roads should be extinguished; that the said Act should be repealed, and further Powers granted in lieu thereof.
Repeals recited Act, discontinues the aforesaid Part of the Roads, and continues the Remainder of the Trust for 21 Years from the 31st December 1862.

Cap. cli.

"The Horsham, Dorking, and Leatherhead Railway Act, 1862."

Proposes the making of a Railway to connect the Towns of Horsham and Dorking, in the Counties of Sussex and Surrey; to make a Deviation of the proposed Railway, as defined on the said Plans; recites that the said Railway is proposed to form a Junction with the Railway of the London, Brighton, and South Coast Railway Company, and it is expedient that that Company be empowered to subscribe towards the Construction thereof, and to guarantee Dividends and Interest upon the Money expended in such Construction; and that Provision should be made for enabling the Company and the London, Brighton, and South Coast Railway Company to enter into Contracts and Agreements with respect to the Working, Use, Management, and Maintenance of the Railway.
Consolidation Acts incorporated, § 1.
Incorporating Company with a Capital of 120,000*l.*, and with Powers of borrowing 40,000*l.*, §§ 4 to 10.
Meetings; Directors, &c., §§ 11 to 18.
Power to make Railways, § 19.
Confirming Agreement with Mr. Lambert, § 21.
As to Junctions with other Railways, § 22, 23.
Three Years for compulsory Purchase of Lands, § 24.
Five Years for Completion of Works, §§ 25, 26.
Tolls, §§ 27 to 36.
Power for Brighton Company to contribute 75,000*l.* towards Construction of new Lines of Railway, and to guarantee Interest, &c. on Monies expended in construction of new Lines, §§ 37 to 42.
Power for the Brighton Company to contribute Monies for Purposes of Act, § 43.
Power for Brighton Company to raise Money by Creation of Stock or Shares, with a Preference of 5*l.* per Cent., or to raise Money on Mortgage, §§ 44 to 49.
Power for Company and Brighton Company to make Working and Traffic Arrangements, §§ 50 to 54 and § 57.

Cap. clii.

"The Thames Valley Railway Act, 1862."

Proposes the making of Railways from the London and South-western Railway to Hampton and Shepperton in the County of Middlesex.
Incorporation of Consolidation Acts, § 1.
Company incorporated, with a Capital of 110,000*l.*, and Power to borrow 36,000*l.*, §§ 3 to 11.
Meetings; Directors, &c., §§ 12 to 18.
Power to make Railways, §§ 21 to 23.
To alter Engineering Works, § 25.
Consent of Crown to taking Lands required, § 26.
Regulations as to Works connected with Longford River, §§ 27, 28.
For Protection of Grand Junction Waterworks, §§ 29, 30.
Protection of Southwark and Vauxhall Waterworks, §§ 31, 32.
Protection of West Middlesex Waterworks Company, §§ 33, 34.
Protection of London and South-western Railway Company, §§ 22 and 24 and §§ 35, 36.
Lands to be purchased within Three Years, § 38.
Works to be completed within Five Years, § 39.
Tolls, §§ 41 to 50.
Working Agreements with South-western Railway Company, §§ 51 to 54.
Heads of Agreement with that Company in Schedule confirmed, § 55.
Agreement with Edward Raphael, Esq. confirmed, § 56.
Rights of the Crown saved, § 59.
Schedule (Heads of Agreement).

Cap. cliii.

"The Mid Kent (Addiscombe) Railway Act, 1862."

Recites that in 1855 the Mid Kent Railway Company were incorporated; that a Railway from the Mid Kent Railway in the Parish of Beckenham, in the County of Kent, to Addiscombe in the Parish of Croydon, in the County of Surrey, would be of public Advantage; proposes to authorize that Company to make the same.
Incorporation of Consolidation Acts, §§ 1 to 3.
Power to make Works, §§ 4 to 6.
Power to alter Engineering Works, § 7.
Two Years for compulsory Purchase of Lands, § 8.
Three Years for Completion of Works, §§ 10, 11.
Regulation of Bridges in Beckenham, §§ 12, 13.
Bridges in Croydon for carrying Roads over Railway to be 30 Feet between Fences, § 14.
Traffic on London, Chatham, and Dover Railway not to be obstructed, § 15.
Restriction as to Levels and taking of Lands of Chatham Company, § 16.
As to Bridges under Railways of Chatham Company, § 17.
Maintenance of Bridge and Works crossing Chatham Company's Lines, § 18.
Company to pay to Chatham Company Expenses of Watchmen, § 19.
Not to interfere with Chatham Company's Lands, &c., § 20.
Company to pay all Damages sustained by Chatham Company, § 21.
Saving Rights of Chatham Company, § 22.
Railway Tolls, § 23.
Power for Company to raise 45,000*l.* by Shares, with or without a Preference not exceeding 5*l.* per Cent., §§ 24 to 28.
Power to borrow 15,000*l.*, §§ 29, 30.
Company and South-eastern Railway Company empowered to enter into Working Arrangements, § 33 to 40.

Cap. cliv.

"The North-eastern Railway Company's (Team Valley Extension) Act, 1862."

Proposes to enable the North-eastern Railway Company to construct the Team Valley and other Branch Railways in the County of Durham.
Incorporation of Consolidation Acts, §§ 2, 3.
Power to made Railway and Works, § 4.
Admiralty Provisions, §§ 5 to 7.
Power to alter the Rates of Inclination of certain Roads, § 8.
Power to alter Engineering Works, § 9.
Company not required to purchase the whole of certain Properties, § 10.
Power to stop up Portion of Old Durham Turnpike and Hylton Road, § 11.
Mode of constructing certain Works in Borough of Sunderland, § 12.
Lands to be purchased compulsorily within Three Years, § 14.
Works to be completed within Five Years, §§ 15, 16.
Additional Capital of 290,000*l* may be raised with or without a Preference not exceeding 5*l.* per Cent., §§ 17, 18, and §§ 21 to 26.
Power to borrow; saving Rights of existing Mortgagees, §§ 19, 20.
Tolls of "The North-eastern Railway Company's Act, 1854," to be taken, § 27.
Power to apply Monies raised under other Acts to the Purposes of this Act, § 28.

Cap. clv.

"The Dublin Cattle Market Act, 1862."

Recites that the present Market called Smithfield Market in the City of Dublin for the Sale of Cattle, Horses, Sheep, Pigs, and other marketable Commodities, is insufficient for the Accommodation of the Inhabitants of the said City, and for the Purposes of Persons buying and selling therein; that it is expedient to erect a new Market, with necessary Slaughter-houses and other Offices and Buildings, to be situate on the North Side of the said City of Dublin, in the Parish of Saint Thomas, for the Sale of Cattle, Horses, Sheep, Pigs, Hides, Skins, and other marketable Commodities; that certain Lands and Premises in the North Lotts, immediately adjoining the Liffey Branch of the Midland Great Western Railway, and extending from the Dublin and Drogheda Railway to East Road and Sheriff Street, would form a suitable Site for the Purposes aforesaid; that the several Persons first herein-after named, with others, have agreed to form themselves into a Company and provide the necessary Capital for the said Purposes; and it is expedient that the Right Honourable the Lord Mayor, Aldermen, and Burgesses of Dublin should be enabled to purchase the said intended Market, Slaughter-houses, and other necessary Buildings, and all Rights, Powers, and Privileges to be conferred by the said Act.
Incorporation of Consolidation Acts, § 1.
Limits of Act, § 3.
Incorporation of Cattle Market Company, § 5.
Capital of Cattle Market Company, 40,000*l.*, § 7, 8.
Power for Cattle Market Company to borrow 10,000*l.*, § 9.
Directors; Meetings, &c., §§ 10 to 14.
Power to construct Market, §§ 16, 17.
Power to stop up certain Streets in the Parish of Saint Thomas, § 18 to 22.
Three Years for Completion of Works, § 24.
Two Years for compulsory Purchase of Lands, § 25.

Power to enlarge Market from Time to Time, § 26.
Power to make Approaches between Market and Midland Great Western and Dublin and Drogheda Railways, § 27.
Company to keep Order in the Market, § 28.
Saving Privileges of the Lord Mayor and Corporation, § 29.
Byelaws, §§ 30, 31.
Provisions for General Acts as to Slaughter-houses, § 32.
Power to grant Leases of Houses, Stalls, and Pens, § 33.
Power to levy General Market Tolls as in Schedule (A.), § 34.
Wholesale Market Tolls as in Schedule (B.), § 35.
Slaughter-house Tolls as in Schedule (C.), § 36.
Tolls to be payable by successive Occupiers of Houses, Stalls, and Pens, § 37.
Commissioners of Police to regulate Route and Times for driving Cattle to and from Market, § 38.
Power for Corporation to purchase Market, § 39.
Transfer of Market to Corporation, §§ 40 to 43.
Schedules (Tolls).

Cap. clvi.

"The Mid Wales Railway (Deviation, &c.) Act, 1862."

Proposes to enable the Mid Wales Railway Company to alter the Line and Levels of their Railway, and to make a Junction between the Mid Wales and the Central Wales (Extension) Railways, and to amend the Acts relating to the Company.
Consolidation Acts incorporated, § 2.
Power to make Railway and alter Engineering Works, §§ 3 to 6.
Compulsory Power to take Lands limited to Three Years, § 9.
Junction Line to be completed in Five Years, § 10.
Extension of Time for purchasing certain Lands, §§ 11, 12.
Limiting Powers of Purchase of Lands on Remainder of Line, § 13.
Mid Wales Railway to be completed within Periods now limited, § 14.
Level Crossings, §§ 15 to 17.
Communications with Lines of Central Wales Extension Company, §§ 19, 20.
Company to abandon Parts of Line; Compensation to be made, §§ 21, 22.
Agreement between H. Thomas, Esq. and the Company saved, § 23.

Cap. clvii.

"The Glasgow Barony Parochial Board Act, 1862."

Recites the 8 & 9 Vict. c. 83., intituled "An Act for the "Amendment and better Administration of the Laws re- "lating to the Relief of the Poor in Scotland," by which it is provided, inter alia, that in every Parish in which it has been resolved to raise the Funds requisite for the Relief of the Poor by Assessment, the Parochial Board shall, in the Case of a Burghal Parish or Combination of Parishes, consist of such Number of Persons, to be elected by the Ratepayers, not exceeding 30, as may be fixed by the Board of Supervision, with Four Members nominated by the Magistrates of the Burgh, and Four Members of the Kirk Session, and in the Case of a Parish not burghal or combined consist of the Owners of Lands and Heritages of the yearly Value of 20*l.* and upwards, and of the Provost and Bailies of any Royal Burgh, if any, in such Parish, and of the Kirk Session of such Parish, and of such Number of Members, elected as therein mentioned, as shall be fixed by the Board of Supervision; that the Barony Parish of Glasgow is a very extensive and populous Parish, partly situated within the City of Glasgow, and partly suburban and partly rural, but, not being a Burghal Parish in the Meaning of the said recited Act, the Parochial Board thereof created by virtue of the said Act is constituted in a Mode applicable to a strictly rural Parish, which is altogether unsuited to the Circumstances of the Barony Parish; that the Funds necessary for the Relief of the Poor are raised in the said Parish by Assessment, and the Manner in which the Assessment is imposed has been approved by the Board of Supervision; and that it is expedient that the Constitution of the Parochial Board of the Barony Parish of Glasgow should be altered by being assimilated, as far as the Circumstances will permit, to that prescribed by the said Act for a Burghal Parish or Combination.

2. The following Words or Expressions when used in this Act shall, in the Construction thereof, be interpreted as follows:

"The Barony Parish" shall mean the Barony Parish of Glasgow as rated for the Support of the Poor, and including the several Districts which have been erected into Parishes and disjoined from it for all other Purposes:.

"The Board of Supervision" shall mean the Board of Supervision for the Relief of the Poor in Scotland constituted by the said recited Act.

3. From and after the passing of this Act the Barony Parish of Glasgow shall be held and considered to be a Burghal Parish or Combination in the Meaning of the said recited Act, and the Parochial Board thereof shall be constituted in the Manner prescribed by the said Act for a Burghal Parish or Combination in which it has been resolved to raise the Funds requisite for the Relief of the Poor by Assessment, and the Manner in which such Assessment shall be imposed has been approved by the Board of Supervision; and the whole Clauses and Provisions of the said recited Act applicable to a Burghal Parish or Combination shall thereafter apply to the Barony Parish, and the Board of Supervision shall forthwith proceed to apply the said Clauses and Provisions of the said Act to the said Parish.

4. Provided always, That the Parochial Board to be created by virtue of this Act and the said recited Act shall be held to be duly constituted without the Four Members directed by the said recited Act to be nominated by the Magistrates of the Burgh in a Burghal Parish or Combination, and in lieu of Members nominated by Magistrates as aforesaid the Commissioners of Supply deriving their Qualification as such within the Barony Parish shall nominate Four Persons from their own Body to be Members of the Parochial Board, and the Board of Supervision shall fix a Day or Days for the said Commissioners to nominate the said Persons to be Members of the Parochial Board.

5. The present Parochial Board of the Barony Parish shall continue to act until the Election of the Parochial Board to be constituted by virtue of this Act and the said recited Act, and immediately thereafter all the Powers and Duties of the present Parochial Board shall cease and determine, and the Clauses and Provisions of the said recited Act, in so far as they relate solely or exclusively to a Parish not burghal or combined, shall thenceforth not apply to the Barony Parish.

Recited Act, so far as not inconsistent with this Act, to apply, § 6.
Expenses of Act to be paid out of Rates, § 7.

Cap. clviii.

"The Banstead and Epsom Downs Railway Act, 1862."

Proposes to make a Railway from the Sutton Station of the Croydon and Epsom Branch of the London, Brighton, and South Coast Railway to Banstead and Epsom Downs in the County of Surrey.
Incorporation of Consolidation Acts, § 1.
Incorporation of Company, with a Capital of 85,000*l.*, and with Power to borrow 28,300*l.*, §§ 3 to 8.

Company may make Working Arrangements with London, Brighton, and South Coast Railway Company, §§ 9 to 15.
Meetings; Directors, &c., §§ 16 to 22.
Railway to be made according to deposited Plans, § 23.
Provisions for Junctions of Railway with London, Brighton, and South Coast Railway, §§ 25 to 33.
Power to alter Engineering Works, § 34.
Lands to be purchased by Compulsion within Two Years, § 36.
Three Years for Completion of Railway, &c., §§ 37, 38.
Tolls, § 39 to 49.
Regulating the crossing over the Ewell and Borough Heath Road, §§ 53 to 55.

Cap. clix.

"The Bristol Port Railway and Pier Act, 1862."

Proposes to make a Railway from the Port of Bristol, to commence at or near the Point where the Hotwell Road in the Parish of Clifton passes the Pier of the intended Suspension Bridge over the River Avon, and to terminate in the Parish of Westbury-upon-Trym, in the County of Gloucester, on the shore of the Old Channel at the Mouth of such River, and a Pier or Jetty into the said River from the Terminus of the said intended Railway.
Incorporation of Consolidation Acts, §§ 1 to 3.
Subscribers incorporated, § 5.
Capital, 85,000*l.* for the Railway and 40,000*l.* for the Pier, §§ 6 to 8.
Power to borrow 28,000*l.* for the Railway and 13,000*l.* for the Pier, §§ 9 to 12.
Meetings; Directors, &c., §§ 13 to 18.
Power to construct Railway, § 19.
Power to construct Pier or Jetty, § 20.
Description of Works, § 21.
Works in Westbury-on-Trym for Accommodation of Bristol and South Wales Union Railway Company, § 22.
Company empowered to lay down mixed Gauge, § 23.
Diverted Towing-path to be kept in repair by the Company, § 24.
For maintaining Towing-path alongside River Avon, § 25.
As to Works affecting the Sewers under the Control of the Commissioners, § 26.
For Protection of the Clifton Suspension Bridge Company, § 27.
Admiralty Provisions, §§ 28 to 33.
Company may deviate Line in passing through Lands of Merchant Venturers, § 34.
As to Compensation for Black Rock Quarry, § 35.
Provision in case "the Old Channel" and "the Swash" in the River Avon should be closed, § 36.
Limiting the Power of taking Land belonging to the Society of Merchant Venturers in Bristol, § 37.
Compensation for Loss in working Rocks belonging to the Society of Merchant Venturers in Bristol, § 38.
An opening Bridge to be made if required to communicate with Sea Mills Dock, § 39.
Regulations as to Use of Bridge, § 40.
Level Crossings, §§ 41 to 44.
Land to be bought by Compulsion in Three Years, § 47.
Five Years for Completion of Works, § 48 and § 50.
Power to alter Engineering Works, § 49.
Tolls on Railway, §§ 51 to 60.
Rates for Use of Pier, §§ 61 to 63.
Limits of Pier, § 64.
Terms of Sale of Undertaking to Corporation of Bristol, § 65.
Power to Corporation of Bristol to sell Land on a Rentcharge, § 66.
Saving Rights of Corporation; of Commissioners of Sewers of Lower Level of Gloucestershire; and of the Crown, §§ 68 to 70.

Cap. clx.

"The Greenock and Wemyss Bay Railway Act, 1862."

Proposes the making of a Railway from the Glasgow, Paisley, and Greenock Railway, which forms Part of the Undertaking of the Caledonian Railway Company, to Wemyss Bay, with a Pier at Wemyss Bay, and Roads connecting the said proposed Railway and Pier with each other and with the Turnpike Road from Greenock to Kelly Bridge, all in the County of Renfrew; recites that the proposed Railway and other Works may be beneficially worked in connexion with the Railways of the Caledonian Railway Company, and that Company are willing to work the same; and it is expedient that Provision should be made for that Purpose, and also with regard to the Interchange of Traffic, and to enable the same Company to subscribe to the proposed Undertaking and hold Shares therein.
Incorporation of Companies, Lands, and Railways Clauses Consolidation Acts, and Parts of Harbours, Docks, and Piers Clauses Act, § 2.
Subscribers incorporated, with a Capital of 120,000*l.* and with Power to borrow 40,000*l.*, §§ 3 to 8.
Meetings; Directors, &c., §§ 11 to 20.
Power to execute Works and acquire Lands, §§ 21, 22.
Power to deviate in Construction of Pier and Roads, § 23.
Power to alter Engineering Works, § 24.
Regulating Junction with Glasgow, Paisley, and Greenock Railway, §§ 25 to 27.
As to Construction of Roads and Bridges, §§ 28 to 30.
Pier to be constructed on Line approved by Admiralty, §§ 32 to 35.
Three Years for compulsory Purchase of Lands, § 37.
Four Years for Completion of Works, § 38 and § 66.
Confirming Agreement with Sir Michael Robert Shaw Stewart, Bart., § 39.
Confirming Agreement with Shaws Water Joint Stock Company, § 40.
Tolls for Use of Railway, §§ 41 to 49.
Pier Rates for Persons, Articles, and Animals, § 50.
Pier Rates for Vessels, § 51.
Cranage and Weighing Rates, § 52.
Regulations as to the Tolls, Rates, and Charges, § 53.
Providing for equal Treatment in accordance with Acts 8 & 9 Vict. c. 33 and 10 Vict. c. 27.—§ 54.
Power to Caledonian Railway Company to raise 30,000*l.* by Shares with a 5*l.* per Cent. Preference, §§ 55 to 58.
Confirming Traffic and Working Agreement with the Caledonian Railway Company, §§ 59 to 64.
Saving Rights of the Crown, § 67.
Schedule (Agreement with Caledonian Company).

Cap. clxi.

"Llanelly Railway and Dock Act, 1862."

Recites that by "The Llanelly Railway and Dock Act, 1853," divers Acts relating to the Company were repealed, and some of the Powers and Provisions thereof were amended, re-enacted, or continued; and the Company were authorized to maintain their then existing Railways and Docks, and to make and maintain Additions thereto, and (among them) a Branch Railway in the Parish of Llandebie, the Period for the Completion whereof was Five Years from the Commencement of the reciting Act; that the Company have made a Branch Railway in the Parish of Llandebie, but the Line thereof is not coincident with the Line of the Branch Railway so autho-

rized, and it is doubted whether the Branch Railway so made fulfils the Requirements of the recited Act; that by "The Burry Navigation and Llanelly Harbour Act, 1858," the Commissioners for the Execution of that Act were authorized, with the Consent of the Company, to purchase Docks and other Works of the Company; that by "The Llanelly Railway and Dock Act, 1860," the Company and the Burry Commissioners were authorized to agree with respect to guaranteeing Interest or Profit on any Sums not exceeding in the whole 50,000*l.*, to be raised by the Company for the Purposes of additional Dock Gates and other Works and Conveniences to be executed by the Company; and by the same Act the Company and other Persons were authorized to agree with respect to guaranteeing Interest or Profit on any Part of the same Sum of 50,000*l.*, and it is expedient that Arrangements between the Company and such Commissioners and Persons respectively, with respect to the making to them by the Company of counter Guarantees, be authorized; that by "The Llanelly Railway (New Lines) Act, 1861," the Company were authorized to make and maintain additional Lines of Railway, called "the Swansea Lines" and "the Carmarthen Line," and after reciting that the Carmarthen Line, as laid down on the Plans deposited for the Purposes of the Act now in recital would pass in front of Abergwilli Palace, the Episcopal Residence of the Bishop of St. David's, and that it was alleged that, consistently with the Attainment of the Objects to be effected by that Line, a Deviation might be made from the Course thereof, so as to carry it behind the Palace, it was enacted, that as regarded the Portion of the Carmarthen Line between the Land numbered on those Plans 77, in the Parish of Abergwilli, and the Junction of that Line with the Carmarthen and Cardigan Railway, none of the Powers by the reciting Act granted for the taking of Lands or the Construction of the Railway should be exercised by the Company before the 31st August 1862, without the Consent in Writing of the Bishop; and that if the Company should in the Session of Parliament in the Year 1862 obtain an Act authorizing them to make a Deviation of that Portion of the Carmarthen Line so as to carry it behind and to the North of that Residence, or if the Company failed in the then next Session of Parliament to apply for and use their best Endeavours to obtain such an Act, then and in either of such Cases all the Powers by the reciting Act given to the Company for making that Portion of the Carmarthen Line, and for taking Lands for the Purposes thereof, should, in the First Case, from the passing of such Act, and in the Second Case from the Termination of the Session of Parliament in the Year 1862, cease and determine; that it is expedient that the Company be authorized to make Lines of Railway by way of Deviation of the Carmarthen Line so as to carry it behind and to the Northward of Abergwilli Palace, to make and maintain the other Lines of Railway and Works by this Act authorized, to abandon the making of so much of the Swansea Lines and the Carmarthen Line respectively, as will be rendered unnecessary by the making of Lines of Railway by this Act authorized, to lay down Narrow Gauge Rails on Part of the Railway of the Carmarthen and Cardigan Railway Company; also that Arrangements be authorized between the Company and the Vale of Neath Railway Company with respect to the Railway No. 6 (Swansea Lines) by this Act authorized, and between the Company and the South Wales Railway Company with respect to the Railways Nos. 1, 4, and 6 (Swansea Lines) by this Act authorized; that by the Act of 1861 the Company's Undertaking was divided into their original Undertaking, and their Swansea Lines Undertaking, and their Carmarthen Line Undertaking, and they were authorized to raise a separate Capital for each of those Undertakings and to borrow separate Monies on Mortgage in respect of each of those Undertakings; that the proposed Lines of Railway and Works are respectively in extension of or in substitution for Parts of the Swansea Lines and the Carmarthen Line respectively; and that it is expedient that the Company be authorized to raise further Monies for the Purposes of those Lines of Railway and Works.

Incorporation of Lands and Railways and Parts of Companies Clauses Acts, §§ 2 to 4.
Power to take Lands for Works authorized by Act, § 5.
Company not to take Lands of the Swansea Harbour Trustees other than for Junction except by Agreement, § 6.
Two Years for compulsory Purchases, § 7.
Power to make Works authorized by Act, § 9.
Limiting the taking of Lands from the Duke of Beaufort, § 10.
Works authorized by Act, § 11.
Point of Junction with Swansea Harbour Railway, § 12.
Inclination of Roads, § 13.
Span of Arches, § 14.
Power to alter Engineering Works, § 15.
Admiralty Provisions, §§ 16 to 20.
Junctions with Swansea Harbour and Carmarthen Railways, §§ 21 to 25.
As to crossing of Carmarthen and Cardigan Railway, § 26.
Four Years for Completion of Works, §§ 27, 28.
Power for Company to abandon Parts of authorized Railways, §§ 29 to 31.
Provision for the Execution of certain Works on the Swansea Lines, § 32.
Provision for certain Works on Railway No. 6 (Swansea Lines), § 33.
Company to observe certain Conditions in respect to Railway No. 4, § 34.
As to carrying Railway No. 4 over Oystermouth Railway, § 35.
As to Screen for Oystermouth Tramroad, § 36.
Existing Branch Railway in Parish of Llandebie to be deemed Line authorized by Act of 1853, § 37.
Part of Mr. Sterry's Railway to be Part of Company's Railway No. 2, Swansea Lines, § 38.
Company's Swansea Lines Undertaking declared, § 39.
Company's Carmarthen Line Undertaking declared, § 40.
Power to lay down Narrow Gauge Rails on Carmarthen and Cardigan Railway, § 41.
Terms and Conditions for using the same, § 42.
Power to use Carmarthen and Cardigan Railway when altered, § 43.
Arbitration, § 44.
Saving Property of South Wales Railway Company, § 45.
Power for Company and Vale of Neath Company and for Company and South Wales Company to enter into Agreements, §§ 46 to 52.

53. The Company, with the Sanction of at least Three Fifths of the Votes of the Shareholders entitled to vote in the Matter, present in Person or by Proxy at a General Meeting of the Company specially convened for the Purpose, and by Agreement with the Burry Commissioners or other Persons, and by way of counter Guarantee to such Commissioners or Persons for any Guarantee already or hereafter given by them respectively, either alone or jointly with the Company, under the recited Act of 1860, may make to such Commissioners or Persons any Charge on any Lands acquired, or Works or Additions or Improvements to Works made by means of any Monies so guaranteed by such Commissioners or Persons, and all or any of the additional or increased Tolls, Rates, Charges, Rents, and Profits arising therefrom or produced thereby, and every such Guarantee may be on such Terms and Conditions

as the Company and such Commissioners or Persons respectively agree on: Provided always, that no Guarantee shall be given under this Act except by way of counter Guarantee as aforesaid.

Tolls on Railways, §§ 54 to 56.

57. The several Powers and Provisions of this Act with respect to the additional Capital by this Act authorized, and the Shares thereof, and the Holders of the Shares, shall, except as is by this Act otherwise provided, have a separate and distinct Operation with respect to each of the separate Capitals and the Shares thereof, and the Holders of those Shares.

58. The Company from Time to Time, with the Sanction of at least Three Fifths of the Votes of the Shareholders entitled to vote in the Matter, present in Person or by Proxy, at a General Meeting of the Company specially convened for the Purpose, may raise by the Creation and Issue of new Shares any Sums not exceeding the following; (that is to say,)

In respect of their Swansea Lines Undertaking, and in addition to their Swansea Lines Capital of 155,000*l.*, any Sums not exceeding in the whole 11,000*l.* for the Purposes of the Swansea Lines:

In respect of their Carmarthen Line Undertaking, and in addition to their Carmarthen Line Capital of 115,000*l.*, any Sums not exceeding in the whole 14,000*l.* for the Purposes of the Carmarthen Line.

59. The new Shares from Time to Time created under this Act for raising the additional Capital by this Act authorized in respect of the Swansea Lines Undertaking, shall be new Shares of the Swansea Lines Capital, and the new Shares from Time to Time created under this Act for raising the additional Capital by this Act authorized in respect of the Carmarthen Line Undertaking, shall be new Shares of the Carmarthen Line Capital.

Power to cancel unissued new Shares, § 60.

Disposal of new Shares, §§ 61 to 67.

68. In addition to the Sums which the Company are already authorized to borrow, they from Time to Time may borrow on Mortgage any further Sums not exceeding the following; (that is to say,)

	£
With respect to the Swansea Lines Undertaking	3,660
With respect to the Carmarthen Line Undertaking	4,660
Total	£8,320

Provisions as to Capital and borrowing, §§ 69 to 76.

Meetings; Directors, &c., §§ 77 to 80.

Saving Rights of Crown, of Duke of Beaufort, and of other Companies, §§ 81 to 83.

Cap. clxii.

"Llanidloes and Newtown (Mid Wales and Manchester and Milford) Railway Act, 1862."

Recites that in 1853 the Llanidloes and Newtown Railway Company were incorporated, with a Capital of 60,000*l.* in Shares, and Authority to borrow 20,000*l.*, and were authorized to make a Railway commencing in the Parish of Llanidloes and terminating in the Parish of Newtown, all in the County of Montgomery; that by their Act of 1861 the Company were authorized to raise an additional Capital of 25,000*l.*; that they have made a Line of Railway from Llanidloes to Newtown, and a Passenger Station at Llanidloes; that in 1859 the Mid Wales Railway Company were incorporated and authorized to make a Railway commencing by a Junction with the Llanidloes and Newtown Railway at Llanidloes to Newbridge, in the County of Radnor; that by the Act now in recital the Company were authorized to subscribe to the Undertaking of the Mid Wales Company to any Extent not exceeding 25,000*l.*, and to raise that Sum by the Creation of new ordinary Shares in their Undertaking, but no Part of that Sum has been raised by the Company; that by the Act of 1860 the Company were authorized to subscribe a further Sum of 25,000*l.* to the Undertaking of the Mid Wales Company, and to raise that Sum by ordinary or Preference Shares, and of that Sum 10,000*l.* has been raised by Preference Shares; that in 1860 the Manchester and Milford Railway Company were incorporated and authorized to make several Lines of Railway, One of them commencing in the Parish of Llangirrig, in the County of Montgomery, and terminating by a Junction with the Llanidloes and Newtown Railway in the Parish of Llanidloes; that by "The Manchester and Milford Railway (Aberystwith Branch) Act, 1861," the Company were authorized to subscribe to the Undertaking of the Milford Company, to any extent not exceeding 20,000*l.*, and to raise that Sum by ordinary or Preference Shares, but no Part of that Sum has been raised by the Company; that the paid-up Capital of the Company now consists of:

	£
Preferential Shares	35,000
Ordinary Shares	60,000
Total	£95,000

and their Debenture Debt is 20,000*l.*; that the respective Lines of the Llanidloes and Newtown Railway and the Mid Wales Railway and the Manchester and Milford Railway respectively in the Parishes of Llanidloes and Llangirrig are nearly coincident; that the Mid Wales Company and the Milford Company respectively have purchased or given Notices for taking Lands in the Two Parishes respectively; that the Company and the Mid Wales Company and the Milford Company are desirous that instead of a separate and distinct Line of Railway in the Two Parishes being made by each of the Mid Wales Company and the Milford Company, One Line of Railway only (being Joint Line of Railway) should be made there for the Use of the Two Companies, and that it should be made by the Company, and that a Joint Station at Llanidloes for the Use of the Three Companies should also be made by the Company; that in order to the making of the Joint Line it is expedient that Lands in the Two Parishes acquired by the Mid Wales Company and the Milford Company respectively should be transferred to the Company; that the Mid Wales Company have made in the Parish of Llanidloes a Line of Railway, which extends from a Junction thereof with the Llanidloes and Newtown Railway to the present Passenger Station at Llanidloes, and it is expedient that that Line of Railway be transferred to the Llanidloes Company, and that Agreements between the Three Companies, or any Two of them, for Purposes of their respective Undertakings, should be authorized; that it is expedient that the Powers of the Company for the compulsory Purchase of Lands for Purposes of their Act of 1853, be revived and extended, and that they be authorized to raise further Monies.

Incorporation of Consolidation Acts, §§ 2 to 4.

Company may take Lands, &c., § 5.

Provision as to Lands to be taken for Purposes of Act of 1853, § 6.

One Year for compulsory Purchase of Lands, § 7.
For preserving the Rights of Persons interested in such Lands under Contracts, &c., § 8.
Transfer by Mid Wales Company of Portion of Railway at Llanidloes, § 9.
Power to make Works authorized by Act, §§ 11, 12.
One Year for Completion of Works, §§ 13, 14.
Junctions with Railways of Mid Wales and Milford Companies, §§ 15 to 20.
Mid Wales and Milford Companies to have joint and equal User of Railway, § 21.
Plant, &c. for Joint Station to be agreed upon by Three Companies and determined by Arbitration, § 22.
Joint Line and Joint Station vested in Company for Purposes of Act, § 23.
Byelaws, &c. as to Joint Line and Joint Station, § 24.
Existing Line of Railway, when transferred, to be Part of Company's Railway, but the Company not to use Joint Line without Consent of Mid Wales and Milford Companies, § 25.
Company to take Lands acquired by the Mid Wales and Milford Companies between Llanidloes and Penpontbren and to repay Sums expended on Land and Works between those Places, § 26.
Interest to be paid on Outlay of Company on Joint Line, and Cost of maintaining same to be repaid, § 27.
Three Companies to have joint and equal User of Joint Station, § 28.
Differences as to Joint Line and Joint Station to be determined by Arbitration, § 29.
Interest on One Third of Outlay on Joint Station and on Cost of maintaining same to be paid by each of the Mid Wales and Milford Companies, § 30.
Repeal of Powers of Mid Wales Company for making Railway at Llanidloes, § 31.
Repeal of Powers of Milford Company for making Railway at Llanidloes, § 32.
General Saving of Rights, § 33.
Powers of the Companies for making Working or Traffic Arrangements with other Companies to continue to extend to the Joint Line, § 34.
Repeal not to prejudice Claims for Compensation for Entry on Lands, &c., § 35.
Powers of the Company for making Working or Traffic Arrangements with other Companies to extend to the Portion of Railway transferred to the Company, § 36.
Mid Wales and Milford Company to make Compensation for Lands contracted for, &c., § 37.
Compensation where both Mid Wales and Milford Companies contracted for same Land, § 38.
Monies paid into Banks, &c. by Mid Wales and Milford Companies for Lands to belong to Company on making Compensation for the Lands, § 39.
For Tolls Joint Line to be Part of Mid Wales Railway and also Part of Manchester and Milford Railway, § 40.
Tolls on Joint Line and Days for Use of Joint Station, §§ 41 to 44.
Powers for Three Companies to enter into Agreements, § 45.
Payments by Three Companies to each other, § 46.
Power to Company to raise additional Capital of 25,000*l.* by new Shares, with or without a Preference of 5*l.* per Cent., §§ 47 to 52.
Disposal of Shares and voting, §§ 53 to 62.
Power for Company to borrow 8,000*l.*, §§ 63 to 66.
Saving Right of Companies, § 69.

Cap. clxiii.

"London, Chatham, and Dover Railway (Deal Extension) Act, 1862."

Recites that Railways from the London, Chatham, and Dover Railway, in the Parish of River, through Walmer to Deal, in the County of Kent, and a Railway to connect the same with the Minster and Deal Branch Railway of the South-eastern Railway Company in the Parish of Deal aforesaid would be of public and local Advantage; that the London, Chatham, and Dover Railway Company are willing to construct such Railways, and require Money for that Purpose.
Incorporation of Lands and Railways Clauses Acts, and Parts of Companies Clauses Consolidation Act, §§ 2 to 5.
Power to make Works according to deposited Plans, §§ 6, 7.
Level Crossings, §§ 8, 9.
Power to alter Engineering Works, § 10.
Junction with Minster and Deal Branch, §§ 11, 12.
Three Years for compulsory Purchase of Lands, § 13.
Five Years for Completion of Railways, §§ 15, 16.
Power to Company to create new Shares to Amount of 150,000*l.*, § 18.
Application of divisible Profits of Deal Extensions, § 19.
Deal Extension Shares not to participate in general Profits, § 20.
For ascertaining divisible Profits, § 21.
Qualifications of new Shareholders, § 23.
Appropriation of new Shares, § 24.
Unissued Shares may be cancelled, § 26.
Power to borrow 50,000*l.*, §§ 27, 28.

Cap. clxiv.

"The Nene Valley Act, 1862."

Recites that by "The Nene Valley Drainage and Navigation Improvement Act, 1852," the Nene Valley Drainage and Navigation Improvement Commissioners were incorporated and were empowered to execute Works for the Improvement of the River Nene and the Drainage of Lands adjacent thereto, and the Area which they were authorized to improve was divided into Three Districts, respectively called therein "the First District," "the Second District," and "the Third District," and the River was divided into Two Parts, one called "the Upper Division," and the other "the Lower Division;" and for Navigation Purposes the River between Northampton Bridge and Bevis Hall was divided into Three Navigation Divisions (the Third Navigation Division comprising that Part of the River in the Third District which is situated between Peterborough Bridge and Bevis Hall, where the Lower Division of the River commences), and the incorporated Commissioners were required to proceed in the Order thereby provided with the Works in the Third District, being that Part of the River which is situated between the Boundary of the Counties of Norfolk and Cambridge and the City of Peterborough; that by the said Act Provision was made for Contributions towards the Expense of the Works in the Third District (in addition to Tolls granted by the Act) by several Parties, One of them being the Duke of Bedford, who had agreed to make a gratuitous Contribution, and the Names or Descriptions of such Contributors are set forth in the First Schedule to this Act; that the Commissioners proceeded with the Works in the Third District, and erected a new Bridge at Wisbech and a Bridge at a Place called "the Dog-in-a-Doublet," and have executed divers Works in and through Wisbech and in the Lower Division and in other Parts of the Third

District, and have deepened the River and commenced and partially made the Bank for protecting the Lands described in the Act of 1852, and also in this Act, as "the Wash Lands," from the River; that in "The Nene Valley Drainage and Navigation Improvement (Amendment) Act, 1854," it is recited that the Commissioners had ascertained that the Amount by the Act of 1852 authorized to be raised for the Purposes of the Works in the Third District would be insufficient for the Execution and Maintenance of those Works, and that the Duke of Bedford had agreed to pay a further gratuitous Contribution towards the Funds of the Third District, and it was enacted that the Contributors should contribute such further Sums in that Behalf as by that Act is provided, being the Sum of 55,000*l.*, and the further Sum of 10,000*l.* to be levied and raised only upon the Requisition in Writing of Robert Stephenson, Civil Engineer, or his Successors, for additional Works in the Lower Division therein referred to, and the further Sum of 15,000*l.* to be raised and levied only in the event of the Wisbech Bridge and the Dog-in-a-Doublet Bridge, or either of them, being required by the Board of Admiralty to be made opening Bridges, or other Works therein specified in relation to the Fresh Water Supply being required, those Three Sums making together the Sum of 80,000*l.*; that the Sum of 7,376*l.* 7*s.* 10½*d.*, Part of the last-mentioned Sum of 15,000*l.*, has been reserved for the Purpose of executing any Works for remedying any Injury which might arise to the Supply of Fresh Water from the River Nene under the Provisions of the Act of 1852, and the said Sum was apportioned upon the Contributors and in the Proportions mentioned in the Third Schedule hereto; that by the Act of 1854, it was provided that the Proportions in which the Contributors should pay the 80,000*l.* should be determined by a Referee or Referees, or an Umpire appointed by the Board of Trade; the Right Honourable Sir John Somerset Pakington, Baronet, was appointed sole Referee, and made certain Awards in relation thereto; that in or about the Year 1856 it was found that the Works (Part of which were in progress and Part of which were not commenced) would not be adequate for the Purpose of protecting the Banks and Slopes of the River against the Action of the Tide and of Floods, and that additional Works must be undertaken, and certain Modifications be made in the Works authorized and required to be constructed by the Act of 1852, and that further large Sums of Money must be raised and expended if the Provisions of the Act of 1852 were fully carried into effect in the Third District; that about the Month of November 1856 the Commissioners ceased to proceed with any Works in the Third District, save such as have from Time to Time been deemed essential for the Security of the Banks of the River and for preventing the Destruction of Property by Inundation; that the Sum of 20,000*l.* is now due upon Mortgage of the Navigation Tolls in the Third District, and certain of the Commissioners, in addition to the Security thereby afforded, are personally responsible for the Payment thereof and the Interest thereon, and the Commissioners have also incurred Debts and Liabilities which are set forth in the Second Schedule to this Act, and they are entitled to the Sum of Money set forth in the said Schedule, and it is expedient that such Debts and Liabilities should be discharged; that the Sum required to discharge the Debts of the Commissioners in the Third District (other than a Mortgage Debt of 25,000*l.* charged on the Tax on the Wash Lands, and the Mortgage Debts affecting the District Tax on the flooded Lands in Standground) is 43,200*l.*; that it is expedient that the Commissioners should be empowered to receive and levy such additional Contribution upon the Contributors in manner herein-after mentioned; that the Districts should be separated and the Commission dissolved; and that the Act of 1852 and the Act of 1854 be in other respects amended.

2. Except as by this Act otherwise provided, all the Powers and Provisions of the Act of 1852 and the Act of 1854 shall continue and be in full Force for the several Purposes of those Acts and of this Act respectively.

3. Subject to the Provisions of this Act, the Nene Valley Drainage and Navigation Improvement Commissioners, in this Act called "the incorporated Commissioners," shall carry into effect the Powers and Provisions of this Act, as well as the Powers and Provisions of the Act of 1852, and the Act of 1854, which are unrepealed, and have not expired by Effluxion of Time.

4. In any Case where before the passing of this Act any Notice shall have been given by the incorporated Commissioners for purchasing any Lands which they were empowered to purchase for the Purpose of making the Works in the Third District authorized by the Act of 1852, but no Terms of Purchase shall have been agreed upon or ascertained in the Manner provided by the said Act, the incorporated Commissioners shall not be required to purchase the same, but shall make to the Owners and Occupiers of and other Parties interested in such Lands full Compensation for all Injury or Damage, if any, sustained by them respectively by reason of such Purchase not being completed pursuant to such Notice; and the Amount and Application of such Compensation shall be determined in the Manner provided by "The Lands Clauses Consolidation Act, 1845," for determining the Amount and Application of the Compensation to be paid for Lands taken under the Provisions thereof.

5. The Sum of 43,200*l.* shall be the Sum by this Act authorized to be raised by the additional Contribution.

6. For providing the additional Contribution to the Funds of the Third District, the Contributors (not including the Duke of Bedford) shall respectively contribute such Sums as are specified in the First Schedule to this Act, and the Sum or Sums of Money so assessed upon each of the Contributors shall be payable and paid to the incorporated Commissioners by every such Contributor accordingly.

7. With respect to the additional Contributions to be paid under this Act by the Owners or Occupiers of Lands subject to the Outfall Tax in the First and Second Districts and the flooded Lands in Standground in the Third District, and by the Owners or Occupiers of Wash Lands in the Third District respectively, the incorporated Commissioners may raise those additional Contributions respectively by means of an annual Tax upon the said Lands in the First and Second Districts, and the said flooded Lands in Standground to be called "the Outfall Tax," and by means of an Increase of the annual Tax upon the Wash Lands, and the said Outfall Tax, and the Taxes upon the Wash Lands so increased, may respectively be assessed, levied, and recovered by the incorporated Commissioners in the Manner and according to the Powers and Provisions of the Act of 1852 and the Act of 1854 respectively, with respect to the Assessment, levying, and recovering of the District Taxes and the Tax upon the Wash Lands, and all those Powers and Provisions shall extend and apply to the Purposes of this Act accordingly: Provided always that, except as is by this Act otherwise expressly provided, no larger Sums shall be assessed or levied on or recovered from the Parties respectively liable to such Taxes under the Authority or for the Purposes of this Act than such Sum as would be their respective Proportion of the Interest payable by the incorporated Commissioners upon the Money

raised by Mortgage on the Security of such respective increased Taxes, and the Expenses of assessing, levying, and recovering such Sums respectively, and such Portion of the Principal Money borrowed upon the Credit of those respective Taxes, as will secure the Repayment of such Principal Monies within the Period of 25 Years from the passing of this Act.

8. The Outfall Tax and the Tax on the Wash Lands respectively authorized to be raised by this Act, to be comprised in any Mortgage granted by the incorporated Commissioners under the Powers of this Act, may be any fixed annual average Sum per Acre as to the Outfall Tax, and any fixed annual Tax per Acre as to the Tax on the Wash Lands, but not exceeding in the whole in either Case the highest Amount of the additional annual Contribution to be contributed under this Act by the Parties liable to such Taxes respectively; and for the Purposes of such Mortgage the increased Tax upon the Wash Lands shall be deemed to be a new Tax, and the 53d Section of the Act of 1854 shall extend and apply to such fixed Taxes respectively in the same Manner as if such Section had been incorporated with this Act and made expressly applicable to such fixed Taxes instead of the fixed District Tax mentioned in such Section, and otherwise made applicable in Terms to such increased Taxes respectively.

9. The 55th Section of the Act of 1854, as to the Redemption of the Taxes charged on the Wash Lands in the Third District, shall be applicable to the increased Taxes to be charged on the said Wash Lands, and also to the Outfall Taxes to be charged and assessed on the Meadows and Lands in the First and Second Districts, and the flooded Lands in Standground in the Third District, or on the Owners or Occupiers thereof, under the Powers of this Act: Provided always, and except that no such Redemption shall be compulsory on or made without the Consent of the incorporated Commissioners and their Mortgagees: Provided also, that in all Cases where the total annual Tax chargeable on any Land, or the Owner or Occupier thereof, under the Acts of 1852 and 1854 and this Act, shall not amount to the Sum of One Shilling in any One Year (such Occupier not being chargeable with Payment in respect of any other Land for the same Tax exceeding the Sum of One Shilling), it shall be imperative on the Person charged with the said Tax, not exceeding One Shilling, if required by the incorporated Commissioners, by Notice under the Hand of their Collector, to redeem the same at a Sum to be determined by the said incorporated Commissioners, not exceeding 25 Times the Amount of the annual Tax charged thereon, deducting any Amount of such Tax charged for Repayment of Principal Monies; and the Redemption Money for such Taxes shall be applied in Payment of the Mortgages thereon; and in case of default in Payment of the Redemption Money for Two Months after such Notice, the Amount may be recovered by the incorporated Commissioners in like Manner as Taxes in arrear are recoverable under this or any other Act.

10. Upon the Dissolution of the Commission, any Money raised on Mortgage by the incorporated Commissioners, and charged upon the Taxes of the First and Second Districts respectively and on the flooded Lands in Standground, or on the Wash Lands, shall continue charged upon such Taxes as fully and effectually as if the Dissolution had not taken place; and the incorporated Commissioners acting for the First and Second Districts respectively, and the Commissioners of the Nene Wash Lands by this Act constituted in respect of those Lands, shall be subject and liable to such Mortgage Debts, and all Liabilities in respect thereof, in the same Manner as the incorporated Commissioners would have been subject if such Dissolution had not taken place; and the Commissioners of the First and Second Districts within those respective Districts, and the Commissioners of the Second District as to the flooded Lands in Standground, and the Commissioners of the Nene Wash Lands within those Lands shall for the Purposes aforesaid represent the incorporated Commissioners, and be responsible and liable as the incorporated Commissioners were responsible or liable.

11. With respect to the additional Contribution to be paid under the Provisions of this Act by the Mayor, Aldermen, and Burgesses of the Borough of Wisbech, in this Act called the Wisbech Corporation, such Corporation shall raise the Sum set forth in the First Schedule as the Amount of their additional Contribution by all or any of the Ways and Means by the Act of 1852 and the Act of 1854, or this Act, authorized or prescribed with reference to the Contributions to be made by such Corporation under the Provisions thereof respectively, in such Manner as they could have done if the Amount of their Contribution under the said Acts, with the Increase under this Act, had been the Sum directed to be contributed by the Act of 1854; and the Tolls and Duties upon which the Contributions of the Wisbech Corporation were charged by the Act of 1852 and the Act of 1854, shall continue to be levied by the Corporation of Wisbech for the Payment of the additional Contribution under this Act; and the Corporation may and shall, in order more effectually to provide additional Means for the Discharge as well of the said Sums so as aforesaid directed by the said Acts to be contributed by them, as also of the additional Contribution to be paid by them by virtue of this Act, levy such an Increase of the Tolls or Duties authorized to be taken or continued by the said Acts in the Port of Wisbech, and levy and assess such additional or further Tolls or Duties of the like Nature, and extend and enlarge the Term, or authorize the longer Continuance of any Tolls or Duties already authorized to be levied, for such Period as shall be requisite for the raising of the Money on Mortgage for Payment of the additional Contribution under this Act, with the Interest thereof and all Expenses connected therewith; and the Provisions of the said Acts shall have the Operation and Effect with respect to the additional Contribution under this Act, and to the additional Tolls and Duties to be levied in respect thereof, and to the Mortgage of the same, as they would have if the additional Contribution had been originally directed to be paid under the Provisions of the said Acts; and every Mortgage already made by the Wisbech Corporation by virtue of the said Acts of the Tolls and Duties therein mentioned, or any of them, shall be a Charge upon any increased Amount of such Tolls or Duties, and upon any additional or further Tolls or Duties of the like Nature, which may be levied or assessed by virtue of this Act, in the same Manner as any Mortgage to be made under the Provisions of this Act.

12. It shall be lawful for the Wisbech Corporation from Time to Time, if they think fit, with the Consent in Writing of all the Persons who shall at such Times respectively be entitled to subsisting Mortgages on the Harbour Tolls and Duties, to charge Tolls, Rates, and Duties not exceeding the Rates per Ton which they are now authorized to charge upon any Ships or Vessels importing or exporting Goods, Wares, or Merchandise into or from the Port and Harbour of Wisbech, so that the same may be calculated only on the actual Quantity of such Goods, Wares, and Merchandise carried or conveyed, and not on the registered Tonnage of such Ship or Vessel; and the 30th Section of "The Harbours, Docks, and Piers Clauses Act, 1847," shall be incorporated with this Act, and the Word "Undertakers" contained in that Section, shall mean, for the Purposes of this Enactment, the Wisbech Corporation, and it shall be lawful for the Wisbech Corporation again to charge the said Tolls, Rates, and Duties upon the registered Tonnage of the Ships or Vessels from Time to Time, so that the same be not at any Time raised beyond the

Powers now existing for raising the same, and the Corporation may, so far as they think fit, make from Time to Time Regulations and Byelaws for carrying into and giving effect to the Objects and Purposes aforesaid.

13. If the Wisbech Corporation shall fail to raise the additional Contribution imposed upon them by this Act by the Means herein-before provided, the Powers of mortgaging and levying Rates given to them by "The Wisbech Port Act, 1855," for raising or securing the Monies therein mentioned, shall extend to and be exercised by the Wisbech Corporation for raising the additional Contribution under this Act, and the Amount of the additional Contribution under this Act, shall be deemed Part of the Monies which by "The Wisbech Port Act, 1855," were authorized to be raised or secured; and the Wisbech Corporation shall have Power to increase the Amount of the Rate in Aid under "The Wisbech Port Act, 1855," from 10*d.* to any Sum not exceeding 1*s.* 6*d.*, in the Pound: Provided that for the Purpose of raising any such additional Contribution under this Act, no Property shall be assessed or rated beyond the Area which has heretofore been assessed or rated under the Authority of "The Wisbech Port Act, 1855."

14. With respect to the additional Contribution to be paid under this Act by the Wisbech Corporation, all the Provisions of the Act of 1852, so far as the same are not altered by the Act of 1854 and by this Act, and also the following Sections of the Act of 1854, (that is to say,) Sections 34, 35, 37, and 38 shall apply as fully and effectually to the additional Contribution to be paid by the Wisbech Corporation under the Provisions of this Act as if the same Sections were hereby re-enacted, and were in Terms made applicable in all respects to such additional Contribution, instead of the Payment of the Instalments directed to be paid by the Act of 1852 and the increased Amount of Contribution awarded to be paid by such Corporation under the Act of 1854 respectively.

15. All Mortgages and Securities to which at the passing of this Act the Corporate Estates and Market Tolls of the Wisbech Corporation, or the Harbour Tolls and Duties of the Wisbech Corporation, are subject, shall, during the Continuance thereof respectively, have Priority and Preference over all Mortgages and Securities on the said Corporate Estates and Market Tolls and on the said Harbour Tolls and Duties respectively which shall be granted by the Wisbech Corporation or the said incorporated Commissioners after the passing of this Act.

16. With respect to the additional Contribution to be paid under this Act by the Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens, called the Bedford Level Corporation, the same shall be paid by the said Corporation to the Treasurer of the incorporated Commissioners on the 1st Day of January 1863; and in case of any Default of Payment of the said Contribution in manner aforesaid for the Period of 40 Days it shall be lawful for the said incorporated Commissioners to sue for and recover the whole or such Part thereof as may then be in arrear by an Action at Law or Debt or on the Case against the said Governor, Bailiffs, and Commonalty, in any Court having Cognizance of the Matter in dispute; and the said incorporated Commissioners shall on any such Recovery be entitled to full Costs of Suit.

17. With respect to the additional Contributions to be respectively paid by the North Level Commissioners, the Waldersey Drainage Commissioners, the Commissioners of Sewers for the Hundred of Wisbech and Parts adjacent, in this Act called the Wisbech Sewers Commissioners, for or on behalf of themselves and the several Parties they represent, the Peterborough Improvement Commissioners, and the Dean and Chapter of Peterborough, such Contributors respectively shall raise the Sums by which their respective Contributions are increased by Mortgage or by the same Means as are by the Act of 1852 provided with respect to the Contributions thereby made payable by such Contributors respectively, and shall raise by Rates or Assessments upon the respective Proprietors of Lands, or other Parties chargeable with Rates and Assessments in respect of the Contributions or Sums of Money by such Act made payable, additional Rates or Assessments sufficient for the Discharge of the increased Amount of Contribution made payable under the Provisions of this Act by such Proprietors or Parties, and the Costs and Expenses which may have been incurred by such Parties respectively in relation thereto, or for the Payment of the Principal Money raised by Mortgage, and Interest and Expenses attending the Assessment of and raising the same, and with respect to any increased Contribution by the Peterborough Improvement Commissioners, and the Dean and Chapter of Peterborough, the same shall be charged and raised in such and the like Proportions as are provided by the Act of 1852 with regard to their original Contributions.

18. The additional Contribution to be paid by the Wisbech Sewers Commissioners shall be chargeable by an equal Acre Rate or Assessment upon the Lands which by the 207th Section of the Act of 1852 are made liable to the annual Contribution by the said Commissioners as therein mentioned.

19. With respect to the additional Contribution to be paid by virtue of this Act by the North Level Commissioners, the same shall be raised in the Manner herein provided for; (that is to say,) as to Four Fifth Parts thereof the same shall be raised by a Rate or Assessment upon the Proprietors of the same Lands and Grounds as were taxed under the Act of 1852 for raising the gross Sum of 2,000*l.* therein referred to, and as to One Fifth Part thereof the same shall be raised by a Rate or Assessment upon the Proprietors of the same Lands and Grounds as were taxed under the Act of 1852 for raising the gross Sum of 500*l.* therein referred to.

20. All the said Contributors respectively shall have the like Powers and Remedies for recovering and enforcing Payment of the said additional Rates, with such or the like Penalties for the Nonpayment thereof respectively, as are given by the said recited Acts for raising the Taxes thereby respectively imposed.

21. Except as in this Act otherwise expressly provided, the several Powers and Provisions of the Act of 1852 applicable for the levying, raising, recovering, and paying of the respective Contributions required by the Act of 1852 shall extend and apply to the additional Contributions to be paid under this Act, and the levying, raising, recovering, and paying the same.

22. The following Sections of the Act of 1854 are incorporated with this Act, and apply to the additional Contribution to be paid under this Act by the respective Contributors as fully and effectually as if those Sections were re-enacted in this Act with respect to such additional Contributions, and were in Terms made applicable in all respects accordingly, (that is to say,) Sections 42 to 46 both inclusive.

23. All Monies payable under this Act by the Contributors in respect of the additional Contribution shall be paid to the incorporated Commissioners and carried by them to the Third District Account, and be applied in and towards the Payment of the Debts incurred by the incorporated Commissioners in respect of the Third District mentioned in the Second Schedule to this Act.

24. The incorporated Commissioners shall sell and dispose of, in such Manner and to such Persons as they may think fit, all the Wash Lands belonging to them in the Third District, and the Proceeds of all such Sales shall be applied in aid of

and in addition to the Monies authorized to be raised by virtue of this Act for the Purposes thereof.

25. The incorporated Commissioners shall give previous Notice of the Intention to sell such Wash Lands to the respective Owners of the Lands from which they were originally severed; and if within One Month after such Notice the Owner of the Lands from which the Lands to be sold were originally severed shall signify his Desire to purchase, in Writing, to the incorporated Commissioners, such Owner shall be entitled to exercise the Right of Pre-emption in manner provided by "The Lands Clauses Consolidation Act, 1845," with respect to the Sale of superfluous Lands.

26. All Lands in the Wash acquired or to be acquired by the incorporated Commissioners under the Powers of the Acts of 1852 and 1854, or of this Act, shall from the Time the same shall have come into the actual Possession of the said Commissioners be exempt from the Tax on the Wash Lands, and may be sold free from such Tax.

27. The incorporated Commissioners may raise by Mortgage such Sums as may be necessary for defraying the respective additional Contributions to be paid by virtue of this Act by the Contributors in the First and Second Districts, and the flooded Lands in Standground and the Wash Lands, and the Costs and Charges attending the Mortgage or Mortgages; and the same respective Sums so raised shall be charged upon the Outfall Tax and increased Tax on the Wash Lands to be raised for paying such additional Contributions respectively, and such Sums may be raised in manner herein-after mentioned or in such Manner as is authorized by the Act of 1852 and the Act of 1854, or either of them, or all or any of the above Ways, and at any Rate of Interest not exceeding 5*l.* per Centum per Annum, and in the event of the Repayment of any Money so borrowed being required the incorporated Commissioners may in like Manner reborrow the Amount thereof, and such Costs and Charges as aforesaid, except so much thereof as shall be paid by means of the Sinking Fund, but so that the total Amount at any One and the same Time secured by Mortgage upon such Outfall Tax and increased Tax on the Wash Lands respectively to be imposed by virtue of this Act shall not exceed the respective Sums which by this Act the incorporated Commissioners are authorized to assess upon the same respectively as the Amount of their respective additional Contributions, with such Costs and Charges as aforesaid, and the 102d and 103d Sections of the Act of 1852, and the 5th, 52d, and 53d Sections of the Act of 1854, are incorporated with this Act, and shall apply as fully and effectually as if such Sections were re-enacted in this Act, and made expressly applicable as well to the additional Contributions, Taxes, and Funds to be imposed, raised, or received by the incorporated Commissioners under this Act as the Taxes, Contributions, and Funds by the Acts of 1852 and 1854 respectively authorized to be imposed, raised, or received by the incorporated Commissioners, and were in Terms made applicable in all respects to the Purposes of this Act.

28. Every Mortgagee under, and every Purchaser under, any Power of Sale contained in any Mortgage granted by the incorporated Commissioners under the Powers of this Act shall, subject to the Provisions of such Mortgage Deed, be entitled to exercise all the Powers conferred on the incorporated Commissioners, and to the Benefit of all the Remedies given to them (including the Power of enforcing and recovering Penalties) for assessing, levying, recovering, and enforcing punctual Payment of the Rates, Taxes, Contributions, and Funds comprised in the Mortgage or Sale to such Mortgagee or Purchaser respectively, and no Mortgagee shall be concerned or bound to inquire as to whether any Notice by this or by any other Act required to be given by the incorporated Commissioners shall have been given or not, or whether any Declaration which would interfere with the Power of the incorporated Commissioners to grant such Mortgage shall have been made, or otherwise into the Necessity or Propriety of any such Mortgage, and every such Mortgage shall, so far as regards the Mortgagee and any Person claiming under him, and the Premises comprised in such Mortgage, be as valid and effectual to all Intents and Purposes as if such Mortgage had been duly authorized by the Provisions of this Act.

29. The additional Contribution under this Act shall be due and payable to the incorporated Commissioners by the respective Contributors on the 1st Day of January 1863; and if Default in Payment be made by any of the Contributors, Interest after the Rate of 5*l.* per Centum per Annum shall be payable to the incorporated Commissioners upon the Amount of the respective Contribution, or any Part thereof which shall remain unpaid from the said 1st Day of January until Payment, and such Interest may be recovered and levied by the incorporated Commissioners in the same Manner as the Contribution of the Contributor so making Default can be recovered and levied under the Provisions of this Act.

30. The Proportions of the contingent Sum of 7,376*l.* 7*s.* 10½*d.*, payable by the Owners and Occupiers of Land, liable to the Outfall Tax granted by the Act of 1852 and by the Owners or Occupiers of Wash Lands in the Third District respectively, as mentioned in the Schedule to this Act, may be raised, levied, and secured in like Manner as and in addition to the Contributions payable by such Owners and Occupiers under this Act as if the same had been granted under this Act and not in manner prescribed by the Act of 1854.

31. If the said contingent Sum of 7,376*l.* 7*s.* 10½*d.*, or any Part thereof, shall be voluntarily raised and levied by the Contributors legally liable to the Payment thereof before the same may be required for the Purposes to which the same is applicable, then, after Payment of any Debt or Charge now legally affecting the same, the Sum so raised, or the Balance thereof, shall be invested by the Parties raising or paying the same in the joint Names of the Clerk for the Time being of the Middle Level Drainage Commissioners and a Trustee to be appointed by the Duke of Bedford, his Heirs or Assigns, Owners for the Time being of the Thorney Estate, in the 3*l.* per Centum Consolidated Bank Annuities, and the same shall not be sold or dealt with unless and until the same shall be required for the Purpose of executing the Works to which the same is legally applicable, and the Dividends thereof shall be paid to the incorporated Commissioners until the Dissolution of the Commission, and applied by them as Part of the general Funds of the Third District; and after the Dissolution of the Commission the same shall be paid to the Navigation Commissioners by this Act constituted, and be applied by them in like Manner and in the same Proportions and for the same Purposes as the Navigation Tolls are herein-after directed to be applied.

32. In order to preserve and protect the Fresh-water and Navigation Rights intended to be preserved and protected by Sections 173, 174, 175, 182, and 194 of the Act of 1852, and by Section 47 of the Act of 1854, those Provisions are continued by this Act, except that after the Dissolution of the Commission the Navigation Commissioners constituted by this Act shall, for the Purposes of those Provisions, represent the incorporated Commissioners, and all the Duties of levying, raising, and applying the said Sum of 7,376*l.* 7*s.* 10½*d.*; and all other Powers and Authorities conferred, and all Duties imposed upon the incorporated Commissioners by or with reference to those Provisions, to the Extent of the said Sum, and not further or otherwise, shall from and after the Dissolu-

tion of the Commission wholly devolve upon and be fulfilled by the Navigation Commissioners.

33. If any Contributor liable to the Payment of the 7,376*l.* 7*s.* 10½*d.*, or any Part thereof, shall make Default in Payment of the same when legally required for the Purposes to which the same is applicable, the Contributor making such Default shall pay Interest at the Rate of 5*l.* per Centum per Annum from the Time at which Payment of such Sum shall be required to the Time of Payment thereof; but this Provision shall not affect the Rights or Remedies of the Navigation Commissioners for enforcing Payment of such Sum or any Part thereof when due.

34. In the event of his Grace the Duke of Bedford or the Owner for the Time being of the Thorney Estate, or of the Middle Level Drainage Commissioners, proceeding to Arbitration under the Act of 1852 or the Act of 1854, or either of them, in reference to their Navigation or Fresh-water Rights, the other of such Parties shall be entitled to not less than 14 Days Notice of such Arbitration, and to appear and be heard before the Arbitrator or Arbitrators, and the Arbitrator or Arbitrators, or their Umpire, shall have Power to decide as to the Works which shall be necessary to be done for the Protection of the Party proceeding to Arbitration and to determine the Proportion of the said contingent Sum of 7,376*l.* 7*s.* 10½*d.* which shall be expended thereon, having regard to the present or contingent Rights of the other Party.

35. Except as in this Act otherwise expressly provided, nothing in this Act contained shall prejudice or affect any Mortgage or Security granted upon the Rates, Taxes, Tolls, and Duties, or any of them, under the Acts of 1852 and 1854, and "The Wisbech Port Act, 1855," or any or either of them, or any Right or Interest in respect thereof.

36. From and after the 30th Day of September 1862 the incorporated Commission shall be absolutely dissolved, except so far as may be necessary to enable the incorporated Commissioners to receive, levy, raise, and apply any Monies authorized to be raised by this Act, which shall not then have been received, levied, raised, and applied, and to sue for, recover, and apply, for the Purpose of paying the Debts mentioned in the Second Schedule of this Act, all Rates, Rents, Taxes, and other Monies then due to the said incorporated Commissioners in respect of the Third District, and to sell and convey the Lands by this Act made saleable, and to complete all necessary Contracts and other Arrangements relative thereto, for which Purposes the Powers of the incorporated Commissioners shall continue in full Force and Effect; but all other Powers, Duties, Liabilities, and Obligations of the said incorporated Commissioners shall cease and determine.

37. The Receipt of the Treasurer for the Time being of the incorporated Commissioners for all Monies payable to those Commissioners by virtue of this Act shall be a sufficient Discharge to all Persons and Bodies paying the same Monies respectively, and exempt all Persons and Bodies from all Liability to see to the Application of the said Monies or any Part thereof.

38. After the Dissolution of the incorporated Commission the Qualifications of Commissioners and the Rights of appointing and electing Commissioners in the First and Second Districts shall be available and may be exercised within the District in which the qualifying Property shall be situate, and every Commissioner representing or thereafter elected to represent any District or deriving his Qualification from Lands within any District, shall be a Commissioner of that District only which he so represents or may be elected to represent, or from which he so derives his Qualification, and the flooded Lands in Standground as to the Qualification and Election of Commissioners shall be deemed to be within the Second District; and the Commissioner who shall have been or shall be from Time to Time appointed by the Mayor, Aldermen, and Burgesses of the Borough of Northampton, under the Powers contained in the 18th Section of the Act of 1852, shall be a Commissioner of the First District only; and the Commissioner who shall have been or shall be from Time to Time appointed by the Commissioners under the Peterborough Improvement Police and Cemetery Act, under the Powers of the said 18th Section, shall be a Commissioner of the Second District only; and the Commissioners acting for the First and Second Districts respectively shall be called the Nene Valley Drainage and Navigation Improvement Commissioners, adding thereto the Name of the District, (First District or Second District, as the Case may be,) and by such respective Names the Commissioners for each of such Districts shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall (subject to the Provisions of this Act) within their respective Districts have and exercise all the Rights, Powers, and Authorities of the incorporated Commissioners and be subject, within their respective Districts, to the same Duties, Obligations, and Liabilities in all respects as if they had been by the Act of 1852 constituted separate Bodies of Commissioners for such Districts, and as if such Rights, Powers, and Authorities had been conferred, and such Duties, Obligations, and Liabilities imposed, upon such respective Bodies of Commissioners instead of the incorporated Commissioners constituted by the Act of 1852; and the Lands and Hereditaments of the incorporated Commissioners in the First District shall vest in the Commissioners of the same District; and the Lands and Hereditaments of the incorporated Commissioners in the Second District, and the Tolls arising or receivable within the First and Second Navigation Divisions, shall vest in the Commissioners of the Second District; and the Commissioners of One of such Districts shall not be subject or liable to any Works, Damages, Costs, Losses, Charges, Expenses, Claims, Demands, Debts, or Liabilities which may arise within or be incurred by the Commissioners of the other of such Districts; but the Commissioners of each such District shall be exclusively subject and liable to execute the Works and satisfy the Damages, Costs, Losses, Charges, Expenses, Claims, Debts, and Liabilities arising or incurred in respect of their own District: Provided always, that nothing herein contained shall affect the 73rd Section of the Act of 1854, nor be construed to charge the Commissioners of the Second District with any Liability to the Execution of any Works for the Protection of Drainage of the flooded Lands in Standground.

39. Upon the Dissolution of the Commission every Person who shall be bonâ fide seised or possessed of 20 Acres of Land, subject to be taxed to any Tax on the Wash Lands under the Act of 1852, the Act of 1854, or this Act, shall be a Commissioner of the Nene Wash Lands, or may appoint, and every such Person is hereby authorized to appoint, by Writing under his or her Hand, One Commissioner of the Nene Wash Lands, and every Person who shall be bonâ fide seised or possessed as aforesaid of 100 Acres of Land, subject to be taxed as aforesaid, may appoint, and every such Person is hereby authorized to appoint, by Writing under his or her Hand, Two Commissioners of the Nene Wash Lands during the Pleasure of the Person so appointing, if the Person so appointing shall continue so seised or possessed, but such Commissioner or Commissioners shall act only in the Absence of the Person by whom such Appointment shall have been made, except where Two Commissioners are appointed, in which Case One of them may act, though the Person appointing him be present and act, and for the Purposes of this Enactment Charitable Trustees or other Joint Owners shall be

considered One Person, and a Majority of such Joint Owners may, by Writing under their Hands, appoint the Commissioner or Commissioners on their Behalf, and such Commissioner or Commissioners may be One or more of the Joint Owners or not at the Pleasure of the Person in whom the Appointment may be vested.

40. The Persons from Time to Time constituted or appointed Commissioners for the Nene Wash Lands shall be incorporated by the Name of "The Commissioners of the Nene Wash Lands," and by that Name shall be a Body Corporate with perpetual Succession, and shall have a Common Seal, and Power to hold and dispose of Lands, subject to the Provisions of this Act, and to carry into effect the Powers and Provisions of this Act and the Act of 1852 and the Act of 1854, so far as the same are authorized to be carried into effect by them.

41. The Commissioners of the Nene Wash Lands may meet from Time to Time at such Place as they may from Time to Time appoint, and their First Meeting shall be at such Time and Place as the incorporated Commissioners may appoint previous to the Dissolution of the Commission, or, failing such Appointment, at the Falcon Inn in the Town of Whittlesey, or some other convenient Place in that Town, at Noon, on the Fourth Thursday after the Day of Dissolution.

42. All Powers of mortgaging and all other Powers and Authorities capable of being exercised by the incorporated Commissioners in the Wash Lands, or capable of being exercised by the Committee of the Wash Lands, and conferred on that Committee by the Act of 1852 and the Act of 1854, shall on and after the First Meeting of the Commissioners of the Nene Wash Lands be vested in and be capable of being exercised by the Commissioners of the Nene Wash Lands, and they may exercise all other Powers and Authorities given to or conferred on them by this Act, and the Powers hereby given shall extend to authorize the Commissioners of the Wash Lands to construct and maintain a Bank upon the Wash Lands at their own Cost, not exceeding Four Feet in Height.

43. The Commissioners of the Nene Wash Lands shall, and they are hereby required to, raise and levy all such Taxes upon the Wash Lands for paying the Principal and Interest secured on any Mortgages which the incorporated Commissioners may have charged upon those Lands, and which may be unpaid at the Time of the Dissolution of the Commission, and they shall thereout pay such Principal and Interest in preference to all other Payments, and the Commissioners of the Nene Wash Lands shall be subject to the same Liabilities and perform the same Duties with regard to such Mortgages as the incorporated Commissioners were subject to or were bound to perform, and the Mortgagees respectively shall have all the same Rights, Powers, and Remedies as if the Dissolution of the Commission in the Third District had not taken place, and if the same Taxes had continued to be levied and raised by the incorporated Commissioners.

44. The Commissioners of the Nene Wash Lands shall have all such and the same Powers of raising Taxes as are by the 85th Section of the Act of 1852 conferred on the Committee of the Wash Lands, and they shall have and exercise the Powers of such Committee under the Act of 1852 and the Act of 1854 in the same Manner as if they had been appointed such Committee by the incorporated Commissioners in pursuance of the Act of 1852.

45. All Powers and Remedies which are conferred upon or might be exercised by the incorporated Commissioners by the Act of 1852 and the Act of 1854, or this Act, of assessing, collecting, and recovering Taxes and enforcing Penalties for Nonpayment of Taxes may be exercised by the Commissioners of the Nene Wash Lands on and after their First Meeting.

46. So much of the 13th Section of the Act of 1852 as authorizes and requires the incorporated Commissioners to appoint a Committee for the Wash Lands is hereby repealed.

47. Upon the Dissolution of the Commission all the Provisions of the Act of 1852, the Act of 1854, and of this Act, which impose any Obligations, Duties, or Liabilities upon the incorporated Commissioners in the Third District, shall cease and determine, and, subject to the Provisions herein-after contained, the Banks, Forelands, Slopes, and Wharf Walls of the River, and all Liabilities in connexion therewith, whether existing before the passing of the Act of 1852, or made, altered, or incurred by the incorporated Commissioners, shall revert to and revest in, and shall be upheld and maintained by the Corporations, Commissioners, and Parties who were respectively liable to maintain such Banks, Forelands, Slopes, and Walls of the River previous to the passing of the Act of 1852, or were subject to any Liabilities in connexion therewith: Provided that the Commissioners of the Nene Outfall shall as from and for ever after the Expiration of Six Months after the passing of the Act of 1852 be by this Act discharged from all the Liabilities against which the incorporated Commissioners were by the 191st Section of that Act bound to indemnify them, and all Right and Title of the incorporated Commissioners to any Lands or Property within the Town or Port of Wisbech shall vest in and belong to the Wisbech Corporation.

48. Upon the Dissolution of the Commission the Herbage and Pasturage of the Banks and Forelands, the Rents of which were receivable by the incorporated Commissioners, shall belong, and the Rents thereof shall be paid to the Parties liable to the Repair and Maintenance of the same Banks, and such Parties shall have the same Powers of letting the same as might have been exercised by the incorporated Commissioners.

49. Upon the Dissolution of the Commission the Wisbech Corporation shall thenceforth be liable to the Maintenance of the Bed and Channel of the River in the Lower Division, and to the Maintenance and Repair of the Bridge erected by the incorporated Commissioners at Wisbech, and to the Maintenance of the Wharfing and Banks in the Lower Division, which were not liable to be repaired and maintained by any other Commissioners, Trustees, or Persons previous to the passing of the Act of 1852, or which are not imposed upon such Commissioners, Trustees, or Persons under any of the Provisions of this Act.

50. Upon the Dissolution of the Commission the Tonnage Due of One Halfpenny, by the 152d Section of the Act of 1852 directed to be levied by the Wisbech Corporation, and by the 154th Section directed to be paid over to the incorporated Commissioners, shall be retained by the Wisbech Corporation, and applied by them to the Maintenance and Support of the Navigation and such Works in the Lower Division as are maintainable by the said Corporation.

51. All Banks and Works which previous to the passing of the Act of 1852 were maintained, or were liable to be maintained by the North Level Commissioners, the Bedford Level Corporation, the Waldersea Drainage Commissioners, the Wisbech Sewers Commissioners, or any other Parties, shall, upon the Dissolution of the Commission, be thenceforth maintained by such Commissioners, Corporation, and Parties respectively, by the same Ways and Means, with the same Powers, and subject to the same Liabilities, as they would or ought to have been maintained if the Act of 1852 had not been passed.

52. Upon the Dissolution of the Commission the Commissioners of the Nene Wash Lands shall maintain and repair the Bridge and its Approaches at the Dog-in-a-Doublet, erected or made by the incorporated Commissioners, and shall have the same Powers of maintaining, scouring, and improving

Moreton's Leam and Whittlesea Delph as the incorporated Commissioners could have exercised if the Dissolution of the Commission had not taken place; and all Bridges, Sluices, and other Works upon the Wash Lands, or connected therewith, which belong to or were maintainable by the incorporated Commissioners, shall vest in and be maintainable by the Commissioners of the Nene Wash Lands: Provided always, that no Liability shall be imposed by this Act upon the Commissioners of the Nene Wash Lands to maintain Moreton's Leam as a navigable Channel.

53. Upon the Dissolution of the Commission the Commissioners of the Nene Wash Lands shall and may receive, collect, levy, and recover the Tolls at the Dog-in-the-Doublet Bridge, payable under the Act of 1852, the Act of 1854, and this Act, or any of them, to the incorporated Commissioners, and may exercise all the Powers of the incorporated Commissioners with reference thereto as fully and effectually as if the Commissioners of the Nene Wash Lands had been authorized to levy such Tolls by the Act of 1852 instead of the incorporated Commissioners, and all the Monies arising from such Tolls shall be carried to the Account of the Commissioners of the Nene Wash Lands.

54. In case at any Time hereafter the Bridge at the Dog-in-a-Doublet shall be required to be used as an opening Bridge, the Expense of adapting the same for that Purpose shall be defrayed by the Navigation Commissioners, and they shall thenceforth maintain the said Bridge and the Approaches thereto as Part of their Works, and shall collect the Tolls receivable at the said Bridge and apply the same as an Addition to the Moiety of the Navigation Tolls by this Act made applicable to the Works maintainable by the said Navigation Commissioners.

55. From and after the Dissolution of the Commission the Maintenance, Superintendence, and Conservancy of the Navigation of the River and the Works thereof within the Third Navigation Division, and the Receipt of the Tolls and Duties thereon, shall be vested in and shall be exercised by the Navigation Commissioners herein-after constituted.

56. The Persons to be appointed from Time to Time as by this Act provided shall be incorporated by the Name of "the Nene Navigation Commissioners (Third Division)," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have a Common Seal, and Power to carry into effect the Powers and Provisions of this Act, and the Act of 1852 and the Act of 1854, so far as they are authorized to be carried into effect by them.

57. The Nene Navigation Commissioners (Third Division), in this Act referred to as the Navigation Commissioners, and their respective Successors, shall be Persons appointed respectively in the Proportions following; (that is to say,)

Four by the Council of the Borough of Wisbech;
One by the North Level Commissioners;
Two by the Wisbech Sewers Commissioners;
Two by the Commissioners of the Nene Wash Lands;
One by the Peterborough Improvement Commissioners;
One by the Waldersea Drainage Commissioners;
One by the Duke of Bedford, his Heirs or Assigns, Owner or Owners for the Time being of the Navigation between Dog-in-a-Doublet Sluice and the Town of Thorney;

And the Person or Persons so appointed (other than the Nominee of the Owner or Owners of the Thorney Navigation, who shall remain during the Pleasure of such Owner or Owners,) shall remain in Office for Three Years from the Time of their respective Appointments, and the Meetings of the Commissioners and Council respectively for making the First Appointment shall be held previous to the Day appointed for the Dissolution of the Commission: Provided always, that such Council or any of such District Commissioners may respectively determine at what Period in any Year any Election shall take place, and the Commissioners or Commissioner, as the Case may be, first appointed by such Council, or any of such District Commissioners, shall remain in Office accordingly.

58. In case of the Death, Resignation, Disqualification, or other lawful Removal of any Navigation Commissioner during his Term of Office the Vacancy occasioned thereby shall be filled up by the Commissioners Council, or Person by whom the Person causing such Vacancy shall have been appointed.

59. The Navigation Commissioners may meet from Time to Time at such Place as they may from Time to Time appoint, and their First Meeting shall be at such Time and Place as the incorporated Commissioners may appoint previous to the Dissolution of the Commission, or failing such Appointment at the Rose and Crown Inn in the Town of Wisbech, or some other convenient Place in that Town, at Noon, on the 30th Day of September 1862.

60. The Powers of the Navigation Commissioners shall not be dependent upon the Election or Continuance in Office of all the Members of the Commission.

61. All the Powers, Jurisdiction, and Authority of the incorporated Commissioners, conferred on them by the Act of 1852 and the Act of 1854, with reference to and within the Third Navigation Division, and all Navigation Tolls, Duties, and Sums of Money which could have been received and levied by the incorporated Commissioners for and in respect of the Navigation of the River in the Third Navigation Division, if the Dissolution of the Commission had not taken place, shall upon the Dissolution of the Commission be transferred to and become vested in the Navigation Commissioners, and such Navigation Commissioners shall have and may exercise all such Powers, Jurisdiction, and Authority, with reference to the Maintenance, Superintendence, and Conservancy of the Navigation in the Third Navigation Division and the Works thereof, and of the levying of Tolls and Duties therein or in respect thereof, in the same Manner as if they had been expressly authorized and appointed by the Act of 1852 and the Act of 1854, for those Purposes, instead of the incorporated Commissioners.

62. The Navigation Commissioners shall apply the Tolls, Duties, and Sums received by them (after Payment of the Expenses of Collection) as follows: One Half Part thereof shall be paid annually to the Treasurer of the Corporation of the Borough of Wisbech, and be applied by such Corporation for the Purposes to which the Tonnage Due of One Halfpenny herein-before directed to be retained by the said Corporation is made applicable, and the remaining Half Part thereof shall be retained by the said Navigation Commissioners, and shall, after Payment of the general Expenses of Management, be applied in and towards the Maintenance and Conservancy of the Navigation of the River in the Third Navigation Division and the Works thereof, and connected with the same, and, if there be any Surplus, the same shall from Time to Time be paid to the Treasurer of the Corporation of the Borough of Wisbech, who may apply the same in like Manner as is herein-before directed with respect to the Proportion of the said Navigation Tolls receivable by them as aforesaid, and, if not required for such Purposes, in Liquidation of any Principal Monies raised by that Corporation for the Payment of the additional Contribution payable by them under the Provisions of this Act.

63. It shall not be obligatory on the Wisbech Corporation or any other Party or Persons to open the Bridges at Wisbech or the Dog-in-a-Doublet, or either of them, for the Passage through the same of such seaborne Vessels as cannot lower their Masts, or any other Vessels, so long as the Navigation

from Wisbech to Peterborough shall continue insufficient for the Passage of such seaborne Vessels as aforesaid.

64. It shall be lawful for the Wisbech Corporation from Time to Time to borrow Money at Interest on Mortgage of the Halfpenny Tonnage Dues and Proportion of the Navigation Tolls respectively directed to be retained by and vested in them under this Act in like Manner and with the same Powers as they may mortgage the Harbour Tolls and Duties under the Acts of 1852 and 1854, and the Wisbech Port Act, 1855, or any or either of them, and to apply the Money so borrowed in and towards Payment of the Contribution imposed upon them under this Act or in discharge of any Money so borrowed, and so toties quoties.

65. "The Commissioners Clauses Act, 1847," (except Clauses 6, 7, 10, 16, 17 to 35, both inclusive, 36, 40, 42, 43, 46, 48, and 54,) shall be and the same are incorporated with and form Part of this Act, and, for the Purposes of the Incorporation made by this Section, the Commissioners of the Nene Wash Lands and the Navigation Commissioners by this Act authorized to be appointed shall each of them be deemed the Body Corporate constituted for executing the Works and Duties by the Special Act authorized, and the Chairman of the Navigation Commissioners and the Chairman of the Commissioners of the Nene Wash Lands respectively shall continue in Office for One Year from the Time of his Appointment and thenceforth until another Chairman be appointed in his Stead, and the Quorum of any Meeting of such Commissioners respectively shall be Three.

66. The incorporated Commissioners, or the Commissioners of the First and Second Districts respectively, as the Case may be, may, if they think fit, pay the whole or any Part of the Expense of cleansing or improving any of the Drains, Ditches, or Watercourses under their Jurisdiction in the First and Second Districts, and the flooded Lands in Standground, out of the Funds of the District in which the same are situated or to which the Taxes thereof belong; and the Term "Watercourse" in this Act, and the Act of 1852 and the Act of 1854, shall include tributary Streams.

67. And whereas by the 230th and 231st Sections of the Act of 1852 Provision is made for the Execution of certain Works by the incorporated Commissioners, on receiving Notice in Writing from certain Owners of Lands in such Sections named, made at any Time before the Expiration of the Period by that Act limited for the Completion of Works in the First District: And whereas the Time limited for such Completion of Works in the First District was by the Act of 1854 extended and the same will expire on the 30th Day of June 1863: And whereas it is expedient to amend the said Sections, and for that Purpose repeal the said Sections and make other Provisions in lieu thereof: Therefore the 230th and 231st Sections of the Act of 1852 are by this Act repealed.

68. If at any Time or Times hereafter, before the Expiration of 10 Years from the passing of this Act, the Viscountess Palmerston, Esther Wilson, James and William Rice, John Mercer, William Collins, and William Strong, Trustees of the Northamptonshire Union Bank, or other the Trustees for the Time being of the same Bank, Robert Willsden, James Houghton, and the Mayor, Aldermen, and Burgesses of the Borough of Northampton, or any One or more of them, or others the Owners or Owner for the Time being of all or any of the Lands which shall or may be required for the Execution of the Works herein-after mentioned, shall by Notice in Writing served upon the incorporated Commissioners, or upon the Commissioners of the First District (if such Notice be given after the Separation of the Districts), require such Commissioners to render available for the Passage of Boats any Part of the River either within or in part within and in part without the Borough of Northampton and the Parish of Duston respectively, which at the Time of giving any such Notice may not be navigable, the incorporated Commissioners or Commissioners of the First District, as the Case may be, shall within 12 Months next after the Service of any such Notice do such Works and shall remove all Obstructions in the said River in such Places and to such Extent as shall be specified in such Notice, so that such Part of the River may be used for the Passage of Boats from the navigable Part of the River to the Field or Close of Land numbered 19 in the deposited Plan and Section referred to in the Act of 1852, and described in the Book of Reference thereto as the Land of Lord Melbourne, in the Occupation of Mr. James Garrett, but which is now the Land of the Viscountess Palmerston, in the Occupation of James Houghton: Provided always, that this Provision shall not confer upon the incorporated Commissioners or the Commissioners of the First District any further Powers of taking Lands compulsorily for the Purposes of such Works than such as the incorporated Commissioners could exercise under and by virtue of the Act of 1852 and the Act of 1854, or either of them.

69. The said Viscountess Palmerston, Esther Wilson, James and William Rice, John Mercer, William Collins, and William Strong, Trustees of the Northamptonshire Union Bank, Robert Willsden, James Houghton, and the Mayor, Aldermen, and Burgesses of the Borough of Northampton, or such One or more of them, or such Owners or Owner as aforesaid, by whom the Notice shall be given, shall, previous to the Commencement of the said Works, deposit with the incorporated Commissioners or the Commissioners of the First District, as the Case may be, such Sum of Money as the Commissioners and the Person or Persons by whom the Notice is given shall agree upon as the estimated Expense to be incurred in or about the Execution and Completion of the Works required to be performed by any such Notice; or in case the Commissioners and such Person or Persons giving such Notice disagree, then such Sum of Money as an Engineer appointed by the Board of Trade shall estimate as the Expense of such Works, and the Decision thereon of such Engineer shall be final; and the Expenses of such Engineer shall be borne in equal Moieties by the incorporated Commissioners or the Commissioners of the First District, as the Case may be, and the Person or Persons giving such Notice; and after the Completion of such Works, the actual Expense thereof shall be ascertained and determined and settled between the Person or Persons by whom the Notice is given and the incorporated Commissioners or the Commissioners of the First District, as the Case may be; and if the Notice be given by more than One Person, the Commissioners shall, if required by any of such Persons, apportion between them the Parts, Shares, or Proportions which each Person shall pay; and any Balance appearing to be due by or to the Commissioners shall be repaid to or by such Commissioners, and such Balance shall, as the Case may be, be paid to or received by the Person giving the Notice; or if the Notice be given by more than One Person, then the Balance shall be paid to or received by the Persons giving the Notice rateably in accordance with the Proportions fixed by the Commissioners.

70. Notwithstanding the Time limited by the recited Act, or this Act, for the Completion of Works in the First and Second Districts may have expired, nothing in this Act, or in any of the recited Acts contained, shall extend to prevent the incorporated Commissioners within the First and Second Districts, or the Commissioners of those Districts respectively, from dredging, cleansing, scouring, altering, or improving from Time to Time the Bed or Channel of the River Nene, within those Districts respectively, or from making, altering, or im-

proving Drains or Watercourses, and other Drainage Works within those Districts respectively, but all such Powers may be exercised by the incorporated Commissioners, or the Commissioners of those Districts respectively, with reference to such Works as could have been exercised previous to the Expiration of such Period: Provided always, that no such Drain or Watercourse constructed after such Period shall be of greater Width at the Bottom than 11 Feet.

71. The Payment of any of the Navigation Tolls chargeable by the Act of 1852 and the Act of 1854, or either of them, within the Third Navigation Division, may be appointed to be made at any Place or Places within any Part of the River between Peterborough and Wisbech, or in the City of Peterborough, or in the Town of Wisbech, as the incorporated Commissioners or the Navigation Commissioners, as the Case may be, think proper from Time to Time, and all the Powers and Authorities of the Collector or Collectors of the said Navigation Tolls, and the Remedies given in the said Acts, or either of them, for the Recovery of the said Tolls, shall be available at such Place or Places as may be so appointed; and the Authority given to any Collector or Officer by the 107th Section of the Act of 1852 shall extend to the Collector at each Place where the Navigation Tolls shall be appointed to be paid although a Demand shall have been made by and an Account furnished to some other Collector.

72. It shall be lawful for the incorporated Commissioners, and the Commissioners of the First and Second Districts, Navigation Commissioners and Commissioners of the Wash Lands respectively, to sue for and recover any Taxes, Rates, or Tolls payable under this Act, or the Acts of 1852 or 1854, or any of them, in the County Court held for or having Jurisdiction over the District in which the Lands or Place are or is situate, in respect of which such Rates or Taxes may be payable, or at which such Tolls may be leviable, and notwithstanding the Right to recover such Rates, Taxes, or Tolls may be disputed: Provided always, that the Amount of such Rates, Taxes, or Tolls sought to be recovered from any One Person shall not exceed the Limit of the Money in respect of which the said County Court may have Jurisdiction.

73. Any Assessment of the Tax or Taxes in any of the said Districts may be in the Form given in the Fourth Schedule to this Act or as near thereto as the Circumstances will admit.

74. Whenever the Name of the Occupier or Owner of any Land liable to be assessed to any Tax by the incorporated Commissioners, or the Commissioners of the First and Second Districts, or the Commissioners of the Nene Wash Lands, shall not be known to them, it shall be sufficient to assess and designate him in the Assessment or Tax Book as "the Occupier" or "the Owner," as the Case may be, without further Description: Provided also, that if the Occupier of any Land whose Name is unknown to the said Commissioners at the Time of making the Assessment should afterwards become known, or if any Land then unoccupied should afterwards become occupied, the said Commissioners of the First or Second Districts, or of the Nene Wash Lands or their respective Clerks or Collectors, may, if they think fit, insert in the Assessment the Name of any such Occupier, who shall thereupon to all Intents and Purposes be deemed to be properly assessed, and the Taxes therein and thereby assessed and charged upon any such Occupier may be collected and recoverable from him in the same Manner as if he had been originally named therein or assessed thereto.

75. It shall not be necessary to have separate Warrants of Distress for Arrears of separate and distinct Taxes due in respect of the same Lands, but all Arrears for the Time being due from the Occupier of any Lands, or in respect of the Lands in his Occupation, shall and may be recoverable by one and the same Warrant of Distress, and such Warrant may be in the Form in the Fifth Schedule to this Act annexed or as near thereto as Circumstances will admit.

Part of Railways Clauses Act incorporated, § 76.

77. If the Monies authorized to be raised under this Act, and the Rates, Rents, Taxes, and other Monies due and belonging to the incorporated Commissioners in respect of the Third District upon the Dissolution, and the Monies arising from the Sale of the Lands by this Act authorized to be sold shall be more than sufficient to pay the Debts and Liabilities of the incorporated Commissioners in respect of the Third District, and the Costs and Charges to which the Funds shall be legally subject, the Surplus shall be paid to the Contributors in the Proportions in which they are respectively required to contribute to the Monies hereby authorized to be raised, and the Receipt of the Clerk or Treasurer of the respective Contributors shall be a sufficient Discharge for the Monies returnable to such Contributors respectively.

78. Nothing in this Act contained shall prejudice, affect, lessen, or diminish, or alter, or increase the Validity of the Awards made by Sir John Pakington under the Act of 1854, or any or either of them.

79. All the Costs, Charges, and Expenses incurred by the incorporated Commissioners in and about the applying for, obtaining, and passing of this Act, or preparatory or incidental thereto (not exceeding 7,500*l.*), shall be paid and borne by the Owners or Occupiers of Land subject to the Outfall Tax granted by the Act of 1852, and the Owners or Occupiers of Wash Lands in the Third District, in the Proportion of their respective Contributions under this Act, and shall be raised and applied accordingly.

Schedules (Names of Contributors and Amounts; Debts and Liabilities in Third District; Forms).

Cap. clxv.

"The Okehampton Railway Act, 1862."

Proposes to make a Railway from the North Devon Railway in the Parish of Colebrook, in the County of Devon, to Okehampton, and to authorize the Company and the London and South-western Railway Company and the North Devon Railway Company to enter into Arrangements with respect to such Railway.

Incorporation of Consolidation Acts, §§ 2, 3.
Incorporation of Company, with a Capital of 130,000*l.*, and with Power to borrow 43,000*l.*, §§ 4 to 9.
Meetings; Directors, &c., §§ 12 to 20.
Power to make Railway, §§ 21, 22.
Power to alter Engineering Works, § 23.
Regulations as to Roads and Bridges, §§ 24 to 26.
As to Communications with the North Devon Railway, §§ 27 to 32.
Three Years for compulsory Purchase of Lands, § 34.
Five Years for Completion of Works, §§ 35, 36.
Tolls, §§ 37 to 45.
Power to enter into Traffic Arrangements, §§ 46 to 51.

Cap. clxvi.

"The Sevenoaks, Maidstone, and Tunbridge Railway Act, 1862."

Recites that in 1859 the Sevenoaks Railway Company were incorporated, with a Capital of 120,000*l.*, and with Power to borrow 40,000*l.*, and to make a Railway commencing by

a Junction with the Line of Railway authorized by "The East Kent Railway (Western Extension) Act, 1858," in the Parish of Sutton at Hone, in the County of Kent, and terminating in the Parish of Sevenoaks, in the same County, and by the Act now in recital the Company and the London, Chatham, and Dover Railway Company were authorized to enter into and carry into effect Contracts or Arrangements for the Use and Working by the latter Company of the original Line, and the Conveyance by them of the Traffic thereon, and certain incidental Matters; that the Construction of the Railways by this Act authorized would be of local and public Advantage; that it is expedient that the Powers by the recited Act given to the Company and the London, Chatham, and Dover Railway Company with reference to such Contracts or Arrangements as aforesaid should be extended to the proposed Railways and the Traffic thereon; that the Name of the Company should be changed; and that the Company be authorized to raise additional Money for the Purposes of their Undertakings.

Incorporation of Consolidation Acts, §§ 3 to 5.
Power to make Railways, §§ 6, 7.

8. And whereas Application has been made to Parliament in the present Session for a Bill to enable the South-eastern Railway Company to make Railways to Tunbridge and Dartford respectively, and to widen a Portion of their North Kent Line of Railway, and to purchase additional Lands for the Purposes of their Undertaking, and for other Purposes: And whereas the Railway No. 1 proposed to be authorized by that Bill will run for some Distance through the same Locality, and not far from the Railways by this Act authorized, and the Construction of that Railway No. 1, and of a short Line of Railway to connect the Railway of the Company authorized by "The Sevenoaks Railway Act, 1859," and now in course of Construction, with that Railway No. 1 in the Parish of Sevenoaks, with Powers of running over and using Part of the proposed Railways of the South-eastern Railway Company, and the proposed Sevenoaks Station of that Company, and with adequate Provisions for the Conduct of the Traffic between Sevenoaks and Tunbridge, as well as the Interchange of Through Traffic at Sevenoaks, and the Forwarding and Conduct of such Traffic might with Advantage to the Companies and to the Public be substituted for the Construction of Part of the Railways by this Act authorized: And whereas Plans and Sections of a short Junction Railway to connect the Railways aforesaid, describing the Line and Levels of the proposed Junction Railway, and the Lands which may be required to be taken for the Purposes thereof, together with Books of Reference to those Plans, containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers of the said Lands respectively, were deposited with the Clerk of the Peace for the County of Kent, in the Month of March 1862: Therefore, if the proposed Bill shall pass or shall have passed into Law in the present Session of Parliament, containing Powers for the Construction of the said Railway No. 1 in the said Bill mentioned, the Company may, subject to the Provisions in this Act and the incorporated Acts contained, make and maintain the said Junction Railway according to the Line and Levels defined upon the Plans and Sections, and upon the Lands delineated on the Plans, and described in the Books of Reference deposited in the Month of March as aforesaid, and may enter upon, take, and use such of those Lands as are necessary for those Purposes, and the Powers of the Company for the Construction of the Railways No. 3, No. 4, and No. 5 by this Act authorized, and of taking Lands for the same, shall cease and determine.

9. The Junction Railway by this Act authorized shall commence in the Parish of Sevenoaks, by a Junction with the Railway authorized by the "Sevenoaks Railway Act, 1859," and now in course of Construction, at the Termination thereof near the Inn know as the "Bat and Ball," and shall terminate in the same Parish by a Junction with the proposed Railway No. 1 of the South-eastern Railway Company from Lewisham to Tunbridge, at or near the Point where that Railway is intended to cross the Turnpike Road from London through Riverhead to Sevenoaks, near the Milestone denoting 23 Miles from London.

Power to alter Engineering Works, § 11.
Level Crossings, §§ 12 to 15.
Admiralty Approval of Medway Viaduct, § 17.
Viaduct to be lighted, § 18.
Company to pay Cost of local Surveys, § 19.
Admiralty may remove abandoned Works, § 20.
Saving Rights of Medway Lower Navigation Company, § 21.
Prescribing the Mode of crossing the Medway, § 22.
Opening Bridge to be made when Aylesford Bridge opened, § 23.
Admiralty may regulate Opening of Swing Bridge, § 24.
For preventing Detention of Vessels, § 25.
Junctions with South-eastern Railway Lines, §§ 26 to 30.
Three Years for compulsory Purchase of Land, § 33.
Five Years for Completion of Works, §§ 34, 35.
Power to take Tolls, § 36.
Definition of Terminal Station, § 37.
Railway to be Part of Undertaking, § 38.
Extending Traffic Arrangements to Extensions, § 39.
Provision for the Use of Part of South-eastern Railway Company's Lines, §§ 40, 41.
Facilitating Transmission of Traffic over South-eastern Company's Lines, § 42.
Arbitration Clause, § 43.

44. For the Purpose of doubling the original Line the Company may raise additional Capital not exceeding 75,000*l.*, and for the other Purposes of this Act the Company may raise additional Capital not exceeding, if their Powers to make the said Railways No. 3, No. 4, and No. 5 shall not have ceased, as herein-before provided, 750,000*l.*, and if those Powers shall have so ceased 530,000*l.*, and for raising the said additional Capitals respectively, they may create and issue new Shares in One or more Classes, and of such Amounts, and to be disposed of to such Persons, in such Manner, and on such Terms and Conditions as shall from Time to Time be determined by the Resolution of any Ordinary or Extraordinary Meeting of the Company:

45. The Shares for raising the said additional Capital for the Purposes of this Act other than doubling the original Line are herein-after comprised under the Term "Extension Shares," and the Shares for raising the said additional Capital for the Purposes of that Doubling are herein-after comprised under the Term "original Line Shares."

46. The Profits of the Extension Railways applicable to Dividend from Time to Time shall be applied in the first place in Payment of Dividend on the Extension Shares, until a Dividend of such Amount (not exceeding Six per Centum per Annum) as the Company, with the Sanction of Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at any Extraordinary Meeting convened with Notice of this Purpose, shall attach to those Shares shall have been paid on the total Amount from Time to Time paid up on those Shares, and subject thereto, and also subject to such (if any) additional Capital for any Purposes of or in connexion with the Extension Railways as Parliament may hereafter

sanction, the Residue of those Profits shall fall into and become Part of the general Profits of the Company.

Extension Shares not to participate in general Profits, § 47.
For ascertaining divisible Profits, § 48.
Preferential Dividend not exceeding 6*l.* per Cent. may be attached to new Shares for original Undertaking, § 49.
All Shares of same Class to bear same Dividend, &c., § 50.
Defining Profits applicable to preferential Dividends, § 51.
Qualifications of new Shareholders, § 52.
Appropriation of new Shares, § 53.
Limit of Amount and Number of Calls, § 54.
Unissued Shares may be cancelled, § 55.
Power to borrow for new Undertaking not exceeding One Third of Amount of the additional Capital, § 56.
Further Power to borrow 25,000*l.* on original Undertaking, § 57.
Priority of existing Mortgages, § 58.
Application of Monies raised under this Act, § 59.
Cancelling and re-issuing of Shares, §§ 60 to 66.
Alteration of Name and Saving of Rights and Liabilities, §§ 67 to 70.

Cap. clxvii.

"The Swansea Harbour Act, 1862."

Recites that in 1854 the Swansea Harbour Trustees were incorporated and made the Conservators of the Harbour of Swansea and the River Tawe, and the Parts therein specified of Swansea Bay, and Powers were conferred on them for the Conservancy and Regulation of the Harbour, and they were authorized to make and maintain Docks and other Works, and to take Light Dues on Vessels, Rates on Shipping, Rates on Goods, and Bridge Tolls; and Provision was made that all Rates, Dues, and other Sums payable to the Trustees, should be paid to the Credit of the Swansea Harbour Fund, and they were authorized to borrow in addition to a Bond or Mortgage Debt of 146,242*l.*, or thereabouts, to which the Swansea Harbour Fund was subject, any Sums not exceeding 80,000*l.* on Mortgage of the Tolls, Rates, and Dues; that by "The Swansea Harbour Act, 1857," the Undertaking of the Swansea Dock Company was transferred to the Trustees, and the Trustees were thereby empowered to complete the Works which the Dock Company were by "The Swansea Dock Act, 1847," authorized to complete, and for that and other Purposes they were empowered to borrow 100,000*l.*; that by the same Act they were empowered to borrow on Mortgage of the Swansea Harbour Fund 5,000*l.*; and also to make a Railway commencing by a Junction with the South Wales Railway in the Parish of Swansea, and terminating within that Parish, near to the North-western Corner of the authorized Swansea Dock, and the Railway thereby authorized was directed to be constructed upon the Broad Gauge of Seven Feet, and for the Purpose of enabling the Trustees to make the Railway by that Act authorized, they were empowered to borrow 75,000*l.*; that by "The Swansea Harbour Act, 1861," they were further empowered to borrow on Mortgage of the Swansea Harbour Fund 40,000*l.*; that it is expedient that the Trustees should be empowered to raise the additional Sum of 25,000*l.*, and also to grant to the Vale of Neath Railway Company a Lease of the Swansea Harbour Railway and Wharves connected therewith, and other Wharves vested in or conveyed to the Trustees under the Act of 1857, and that Provision should be made for laying additional Rails on that Railway or any Part thereof, so as to provide for the Passage thereon of Engines and Carriages constructed for the Narrow Gauge.

Incorporation of Parts of Commissioners Clauses Act, § 2.
Power to borrow 25,000*l.* on Credit of Swansea Harbour Fund, §§ 3 to 5.

6. In order to secure the regular Payment of Interest half-yearly on the 30th Day of June and the 31st Day of December in every Year on the Mortgages issued by the Trustees under this Act, the Treasurer shall, out of the Swansea Harbour Fund, on the last Day of every Month, after reserving thereout sufficient for the Payment of the Charges and Expenses to be paid thereout, as by the recited Acts and this Act provided, in preference to the Payment of such Interest, set apart and place to a distinct Account, entitled "Accruing Interest on Mortgages Account," One Twelfth Part of the Interest on the total Amount of the Mortgage Debt of the Trustees under this Act, and in case there shall be not sufficient Funds in his Hands, then the whole of the Amount then in his Hands.

Trustees not bound by Trusts affecting Mortgagees, § 7.

8. After the Principal Sums due and owing on the Credit of the Rates, Dues, and Tolls authorized by the Act of 1861 shall have been paid off, the Trustees shall set apart and appropriate annually out of the same Rates, Dues, and Tolls, as a Sinking Fund to be applied in paying off the Principal Sums from Time to Time secured on Mortgage under this Act, the Sum of 2,500*l.*

Trustees may apply any Sum not exceeding 500*l.* towards the Erection of a Sailors Home, § 9.

10. The Trustees may and shall grant and the Vale of Neath Railway Company may and shall accept a Lease or Leases of the Swansea Harbour Railway, authorized by the Act of 1857, and the Works and Conveniences connected therewith, and any of the Wharves and Lands, other than the Docks vested in or conveyed to the Trustees under the Provisions of that Act for such Period, upon such Terms and Conditions, and for such Considerations as are expressed in the Articles of Agreement set forth in the Schedule to this Act annexed, or as may be agreed upon between the Trustees and the Vale of Neath Railway Company, and the Trustees and the Vale of Neath Railway Company may enter into and carry into effect all such Agreements as they from Time to Time shall think fit with respect to a Lease or Leases to the Vale of Neath Railway Company of the said Railway, Wharves, and Hereditaments: Provided that the Trustees shall not lease to the Vale of Neath Railway Company more of the Wharf on the Northern Side of the South Dock than so much of that Wharf as has a Frontage against that Dock of 1,056 Feet, measured from the Western End of that Dock, unless and except to the Extent that the South Wales Railway Company shall have failed to exercise the Option to require a Lease to them of the Wharf which they are by this Act authorized to require from the Trustees.

Lease to contain all usual and proper Covenants, § 11.
Effect and Conditions of Lease, §§ 12, 13.
Approval of Lease by Shareholders, §§ 14, 15.
Evidence of Consent of Companies to Leases, § 16.
Provision for Narrow Gauge on Swansea Harbour Railway, § 17.
Power for South Wales Railway Company to use Swansea Harbour Railway, § 18.
South Wales Railway Company to observe Byelaws of, &c., § 19.
The South Wales Railway Company may require a Lease of a certain Portion of the Wharf on the Northern Side of the South Dock, § 20.

Cap. clxviii.

"The West Midland Railway (Additional Works) Act, 1862."

Recites that in 1860 the Name of the Oxford, Worcester, and Wolverhampton Railway Company, incorporated in 1845, was altered to the West Midland Railway Company, and in the Company were vested the Undertaking of the Newport, Abergavenny, and Hereford Railway Company and that of the Worcester and Hereford Railway Company, as well as that of the Oxford, Worcester, and Wolverhampton Railway Company, and the Newport, Abergavenny, and Hereford Railway Company, and the Worcester and Hereford Railway Company were respectively dissolved, and all Rights, Powers, and Privileges of the dissolved Companies were transferred to the Company; that the Company have, under the Powers of "The Severn Valley Railway (Leasing) Act, 1860," taken a Lease of the Undertaking of the Severn Valley Railway Company, and under the Powers of "The Coleford, Monmouth, Usk, and Pontypool Railway Act, 1861," have leased that Undertaking; that One of the Conditions of the Lease of the Severn Valley Railway is, that the Company shall provide for the Issue of the Mortgages or Bonds of the Severn Valley Company at a Rate of Interest not exceeding the average Rate of Interest payable for the Time being on the entire System of the Company, and that any Excess in such Rate of Interest shall be paid by the Company out of their own Monies, and One of the Conditions of the Lease from the Coleford Company is, that inasmuch as the yearly Rent has been estimated on the Understanding that the yearly Interest on the Coleford Company's Debenture Debt is 2,500*l.*, the Company are to have the Management of that Debt at their own Risk, the yearly Rent to be increased or reduced by the Amount by which the yearly Interest on that Debt exceeds or falls short of 2,500*l.* a Year; that the Severn Valley Company are authorized to borrow on Mortgage or Bond 180,000*l.*, and the Coleford Company 50,000*l.*, and it is expedient that Provision should be made for the Issue of Mortgages or Bonds by the Company in respect of the Debenture Debts of the Severn Valley Company and Coleford Company; that in respect of the Debenture Debt on or in respect of the Oxford Section the Company are authorized to issue Debenture Stock, but the Powers of the Company do not extend to the Issue of Debenture Stock in lieu of raising by Mortgage or Bond the Money they are authorized to borrow in respect of the Newport Section and Hereford Section, and it is expedient that their Powers should be extended in such respects; that under the Provisions of "The Oxford, Worcester, and Wolverhampton Railway Act, 1859," the Company are from and after the 1st January 1862, required to pay to the Holders of the Chipping Norton Branch Shares yearly Dividends after the Rate of 4*l.* per Centum per Annum, and it is expedient that the Company should be authorized to agree with the Holders of such Shares, or any of them, for their Conversion into Debenture Stock of the Company; that it is expedient that the Company should be authorized to construct the several Branch Railways herein-after described, and also to acquire certain Lands in the Borough of Newport, and thereon to provide Station and other Accommodation for Passengers, Goods, and Minerals; that the Railway of the Company unites with the Railways of the Monmouthshire Railway and Canal Company at Coed-y-Gric Junction, and it is expedient that the Company should be authorized to pass over and use with their Engines and Carriages the Railways of the Monmouthshire Company between such Junction and the intended new Station, and between such Station and the Newport Docks, and that such Facilities and Accommodation should be afforded by the Monmouthshire Company to the Traffic of the Company; and that the Company be authorized to raise further Monies and to relinquish the Construction of a Branch Railway in the Parish of Gelly-Gaer authorized by the Act of 1857.

Incorporation of Consolidation Acts, § 2.

Power to make Railways, § 5.

6. If the Monmouthshire Company shall, before the Expiration of 18 Months from the passing of this Act, construct and complete a Station or Stations for Passengers, Goods, Animals, and Minerals upon the Lands herein-before described in the Parish of Saint Woollos or contiguous thereto, with all proper Sidings and Station Accommodation, Works, and Conveniences, and according to Plans to be agreed upon by the Company and the Monmouthshire Company, or to be settled, in case of Dispute, by an Arbitrator to be appointed by the Board of Trade upon the Application of either Company, then and in such Event the Powers by this Act granted to the Company for the Purchase of Lands in the Parish of Saint Woollos, and for the Erection of a Station thereon, shall cease and determine, and the Company shall thenceforth be entitled to use the said Station or Stations, Sidings, Works, and Conveniences so constructed by the Monmouthshire Company, as fully and freely, and upon the same Terms and Conditions, as if the same had been constructed and completed at the passing of this Act, and had been subject to the Powers and Provisions in this Act contained with reference to the User by the Company of existing Stations of the Monmouthshire Company at and near Newport: Provided always, that until the Expiration of such 18 Months the Powers of the Company with reference to the Purchase of the said Lands in the Parish of Saint Woollos shall be deemed to be suspended.

7. If such Station be constructed by the Monmouthshire Company as aforesaid, then the Company shall pay to the Monmouthshire Company by way of Rent for the Right to use the same such perpetual yearly Sum as shall be settled and ascertained either by Agreement, or, in default of Agreement, by an Arbitrator to be appointed by the Board of Trade on the Application of either Company, before the Use of the said Station, Works, and Conveniences by the Company shall commence; and in estimating such yearly Sum the Arbitrator shall take into account the Cost of the Site and of the Buildings and Works provided for the Station, and shall also pay half-yearly such Proportion of the current Expenses for the Lighting and Maintenance of such Buildings and Works, and the Cost of the Persons employed thereat, and of the Rates, Taxes, and all other Expenses connected with the Business of the Station, as in default of Agreement such Arbitrator shall award; and all Sums payable to the Monmouthshire Company under this Provision shall be payable by half-yearly Payments on the 30th Day of June and the 31st Day of December, or within 30 Days thereafter, for the Half Years ending at those Dates respectively, and if not paid within 60 Days after the 30th Day of June or the 31st Day of December (as the Case may be), and after Demand thereof in Writing, the Monmouthshire Company may either recover the same from the Company by Action in any Court having by Law Cognizance of the Action, or may levy the same by Distress and Sale of the Goods and Chattels, Estates and Effects, of the Company: Provided always, that nothing herein contained shall prevent the Company from using such Station for all the Purposes of their Traffic immediately upon the Completion thereof, and after Application by either Company to the Board of Trade, notwithstanding that the Arbitrator herein-before mentioned shall not have made any Award.

8. The Railway fifthly herein-before described, between the West Midland Railway and the Bourton-on-the-Water Railway, shall not be constructed under the Powers of this Act unless a Railway in extension of the Bourton-on-the-Water Railway to or towards Cheltenham be authorized by an Act to be passed either in the present Session of Parliament, or within Two Years after the passing of this Act.

9. And whereas the Railways first, secondly, and thirdly herein-before described, and by this Act authorized, are intended for the Supply of Railway Communication to various Manufactories, Collieries, and other like Works, and for the Construction of such Works it may be necessary to take a Part of some of such Manufactories, Collieries, or other like Works, and it is unreasonable that the Owners, Lessees, or Occupiers of such Manufactories, Collieries, or Works should, under the Circumstances aforesaid, have the Power of compelling the Company to purchase the whole of such Manufactories, Collieries, or Works, if the Company require only a Part thereof: Therefore, for the Construction of the Railways first, secondly, and thirdly herein-before described and authorized, or any of them, the Owner, Lessee, or Occupier of any Manufactory, Colliery, or other like Work shown on the said Plans and described in the Books of Reference of the said Railways may be required to sell or convey to the Company a Part only of such Manufactory, Colliery, or other like Work, although such Owner, Lessee, or Occupier may be willing and able to sell the whole thereof.

Level Crossings, §§ 10 to 13.
Regulating Inclinations of certain Roads, § 14.
Power to alter Engineering Works, § 15.
Mode of Communication with Monmouthshire Railway, §§ 16 to 19.
Mode of Communication with Rumney Railway, §§ 20 to 22.
Powers for compulsory Purchases limited to Three Years, § 23.
Period for Completion of Works limited to Five Years, § 24.
Company to make Bridges over the Birmingham Canal in manner prescribed, § 25.
Company to keep Bridges in repair, § 26.
For Protection of the Navigation of the Birmingham Canal, §§ 27 to 33.

34. It shall be lawful for the Company to demand and receive for and in respect of the Railways first, secondly, thirdly, fourthly, and fifthly described, and Works by this Act authorized the same Tolls and Charges as they are authorized to demand and receive for and in respect of the Railways comprising the Oxford Section, and in respect of the Railway sixthly described the same Tolls and Charges as they are authorized to take on the Railways comprising the Newport Section: Provided always, that the maximum Tolls and Charges to be levied and received by the Company in respect of the said Railways and Works shall in no Case exceed the maximum Tolls and Charges authorized to be taken on the Oxford Section and Newport Section respectively, and such respective Railways first, secondly, thirdly, fourthly, and fifthly described shall, for the Purposes of such Tolls and Charges, and also for the Purpose of regulating the Charges for short Distances, be deemed Part of the Railways comprised in the Oxford Section, and the Railway sixthly described shall be deemed Part of the Railways comprised in the Newport Section, in the same Manner respectively as if they had been authorized by the Acts relating to those Sections of the Railways of the Company.

If Railways not completed and opened for public Traffic within a limited Period Payment of certain Dividends suspended, § 35.
Company to abandon certain Branch Railway, §§ 36, 37.
For Protection of Trustees of the late Sir J. J. Guest, Baronet, § 38.
Power to use Portion of Railways of Monmouthshire Company, §§ 39 to 43.
Company may exercise in their own Name borrowing Powers of the Severn Valley Company, § 44.
Separate Accounts of Money borrowed and its Application, § 45.
Mode of charging Severn Valley Mortgages, § 46.
Company may exercise the Powers of borrowing of the Coleford Company, § 47.
Separate Accounts and Application of Money, § 48.
As to Mode of charging Bonds raised under Coleford Company's Acts, § 49.
Agreement for Conversion of Chipping Norton Shares into Debenture Stock, § 50.
Power to Company to create Debenture Stock, § 51.
Saving Mortgages and Bonds, § 52.
Issue of Debenture Stock, § 53.
Additional Capital of 120,000*l.* may be raised by new Shares or Stock, §§ 54 to 56.
Power to assign Preference Dividend of 5*l.* per Cent. to new Shares or Stock, §§ 57, 58.
Dividends to be a Charge against Joint Revenue, § 59.
Reservation of existing Rights of Debenture and guaranteed Stockholders, § 60.
Power to borrow One Third of Share Capital, § 62.
Certain Provisions of Companies Clauses Consolidation Act incorporated, § 63.

Cap. clxix.

"The Weston-super-Mare Pier Act, 1862."

Incorporation of Consolidation Acts, § 1.
Incorporation of Company, with a Capital of 8,500*l.*, and with Power to borrow 2,000*l.*, §§ 3 to 9.
Meetings; Directors, &c., §§ 10 to 15.
Pier, Approach Roads, and Breakwater to be made according to deposited Plans, § 16.
Power to deposit Materials, § 18.
Power to set out the Pier, Approach Roads, &c., § 19.
Power to deviate within certain Limits, §§ 20, 21.
Admiralty Provisions, §§ 22 to 24.
Two Years for compulsory Purchase of Land, and Three Years for Completion of Works, § 25.
Company may erect Toll Gates, &c., § 26.
Tolls payable on Vessels remaining at Pier longer than necessary, § 28.
Tolls for Use of Cranes and Weighing Machines, § 29.
The Company may contract with Persons for the Use of the Pier, § 30.
Pass Tickets and Return Tickets not to be transferable, § 31.
Exemptions and Regulations as to Tolls and Toll Collectors, §§ 32 to 38.
For preventing Nuisances on the Pier, Road, and Works, § 39.
Leasing of Tolls, §§ 43 to 48.
Revision of Tolls, § 49.
Saving Rights of Crown, § 50.
Schedules (Rates and Tolls).

Cap. clxx.

"The Londonderry and Coleraine Railway Arrangements Act, 1862."

Recites that by the Londonderry and Coleraine Railway Act, 1859, the Company were empowered to create Mortgages or Bonds of different Classes, and respectively designated as

"A Debentures," "B Debentures," "BB Debentures," and "C Debentures," to limited Amounts respectively, to be applied to the Purposes therein mentioned, and it was thereby provided that none of the Powers given by that Act should be exercised at any Time after the Expiration of 12 Calendar Months from the passing thereof, nor unless and until all the then existing Mortgage, Judgment, and other Creditors of the Company (except the Public Works Loan Commissioners and unpaid Landowners) should have consented in Writing to accept the several Mortgages or Bonds by that Act authorized to be created and issued, in lieu and satisfaction of and in exchange for the Securities and other Remedies then held or exerciseable by them respectively; that it has been found impracticable, within the Period of 12 Calendar Months, to do so, and by reason thereof the Powers thereby given have lapsed; that the State and Condition of the Company and its Affairs remain substantially the same as set forth in the Preamble of that Act, and the Commissioners acting in the Execution of 57 Geo. 3. c. cxxxiv. and the Acts extending the same have continued to receive the Rent reserved by the Lease therein mentioned to William McCormick, and to apply the same in Payment of the accruing Interest upon the said Principal Money borrowed from them and of the Arrears of Interest thereon, and in Reduction of the Principal Money, and none of the other Creditors of the Company have derived, or so long as any Part of the said Principal Money remains unpaid will derive, any Benefit from the said Rent; that since the passing of the recited Act, by means of the Application aforesaid, the Interest and Arrears of Interest due to the Public Works Loan Commissioners have been satisfied, and the Principal Debt has been to some Extent reduced, but in the meantime the Interest due to the Mortgage and Judgment Creditors of the Company has increased; that Holders of Debentures, and other Creditors of the Company named in the Schedule to this Act, whose Claims in the aggregate exceed 98 per Centum of the total Sum due and owing by the Company, except the Principal Debt owing to the Public Works Loan Commissioners as aforesaid, have recently agreed to accept Mortgages or Bonds similar to those authorized by the recited Act, and to be bound so to do by an Act of the present Session of Parliament; that the Names and Residences of the Holder of a Debenture, and other Creditors of the Company, whose Claims in the aggregate are less than Two per Cent. of the total Sum due and owing by the Company (except as aforesaid), and who have not declared their Consent to accept Mortgages or Bonds as aforesaid, are set forth in the Second Schedule hereto; that the said Schedules contain the Names and Residences of all the Debenture Holders and other Creditors of the Company, except the Public Works Loan Commissioners and unpaid Landowners; that it is expedient that the recited Act should be re-enacted, with Modifications and Amendments; that Power should be given to sell or lease the Undertaking, and, in case of Sale, to provide for the Application of the Purchase Money, and for winding up the Affairs of and dissolving the Company.

Incorporating certain Clauses of "Companies Clauses Consolidation Act, 1845," § 1.

4. The Company may at any Time, and from Time to Time, raise by borrowing on Mortgage or Bond upon the Security of their Undertaking any Sum or Sums of Money for the Purposes first herein-after defined or indicated, and may thereupon create and issue Mortgages or Bonds accordingly; and all Mortgages or Bonds created for such Purposes shall be designated as "A Debentures," and shall inter se have equal Rank and Privileges: Provided, that it shall not be lawful for the Company to raise by the Means and for the Purposes aforesaid any greater Sum of Money in the whole than shall be necessary for satisfying such Purposes, nor in any Case more than 60,000*l.*; and that the Company shall apply the Monies so raised to the Purposes so defined or indicated, and to no other Purpose whatsoever.

5. The Company may also at any Time, and from Time to Time, create and issue Mortgages or Bonds upon the Security of their Undertaking, for the Purposes secondly herein-after defined or indicated; and all Mortgages or Bonds so created shall be designated "B Debentures," and shall have inter se Equality of Rank and Privileges: Provided that it shall not be lawful for the Company to issue for the Purposes last aforesaid Debentures for any greater Sum than shall be required for satisfying such Purposes, nor in any Case more than 95,763*l.*; and that the Company shall apply the Debentures so issued to the Purposes last aforesaid, and to no other Purpose, and so that by the Issue of each such Debenture an Amount of existing Debt, at least equal to the Sum secured thereby, shall be extinguished or satisfied.

6. The Company may also at any Time, and from Time to Time, create and issue Mortgages or Bonds upon the Security of their Undertaking, for the Purposes thirdly herein-after defined or indicated; and all Mortgages or Bonds so created shall be designated as "C Debentures," and shall have inter se Equality of Rank and Privileges: Provided that it shall not be lawful for the Company to issue, for the Purposes last aforesaid, Debentures for any greater Sum than shall be required for satisfying such Purposes, nor in any Case more than 36,000*l.*; and the Company shall apply the Debentures so issued to the Purposes last aforesaid, and to no other Purpose; and so that by the Issue of each such Debenture an Amount of existing Debt, at least equal to the Sum secured thereby, shall be extinguished or satisfied.

7. The Company may also at any Time, and from Time to Time, create and issue Mortgages or Bonds upon the Security of their Undertaking for the Purposes fourthly herein-after defined or indicated, and all Mortgages or Bonds so created shall be designated as "D Debentures," and shall have inter se Equality of Rank and Privileges: Provided, that it shall not be lawful for the Company to issue for the Purposes last aforesaid Debentures for any greater Sum than shall be required for satisfying such Purposes, nor in any Case more than 71,000*l.*, and the Company shall apply the Debentures so issued to the Purposes last aforesaid, and not to any other Purpose, and so that by the Issue of each such Debenture an Amount of existing Debt at least equal to the Sum secured thereby shall be extinguished or satisfied.

Powers not to be exercised after Two Years, § 8.

9. The Debentures so created and issued shall be made payable at the Expiration of Seven Years from the 10th Day of July 1862, and the Interest thereon respectively shall not exceed the following Rates; (that is to say,)

On the A Debentures, 5*l.* per Centum per Annum:
On the B Debentures, 4*l.* per Centum per Annum:
On the C Debentures, 2*l.* 10*s.* per Centum per Annum:
On the D Debentures, 3*l.* per Centum per Annum.

10. It shall not be lawful for the Company to re-borrow, except under the Authority of this Act and as hereby provided, any Monies which shall have been paid or satisfied in the Manner and by the Means herein mentioned.

11. The Purposes to which the Monies raised by the Issue of A Debentures hereby authorized shall be applied shall be as follows, and in the following Order:

To the paying or satisfying of the Debt, including Principal, Interest, and Costs, for the Time being remaining due

from the Company to the said Public Works Loan Commissioners, and the Expenses of and incident to the Discharge or Release of such Debt, and of the retaking Possession of the said Railway and Works:

To the Payment of the Expenses of and incident to the procuring of the recited Act and this Act, and of and incident to the carrying into effect or endeavouring to carry into effect those Acts respectively, and to the Payment of the Expenses of and incident to the Application to Parliament in the last Session for an Act to effect the Objects contemplated by this Act.

To the paying or satisfying of all Claims of Landowners, and of the Expenses incident thereto.

The Purposes to which the B Debentures created and issued under the Authority of this Act shall be applied shall be the paying or satisfying the Claims of the Holders of existing Debentures for Principal Monies due thereon: The Purposes to which the C Debentures created and issued under the Authority of this Act shall be applied shall be the paying or satisfying the Claims of the Holders of existing Debentures for Interest and Costs due in respect of the same: The Purposes to which the D Debentures created and issued under the Authority of this Act shall be applied shall be the paying or satisfying of the Debts respectively due to other Creditors, and the Costs incident to such Payment and Satisfaction.

12. When and so soon as the Debt and Claims mentioned in the last preceding Section as payable out of the Monies raised by the issue of A Debentures shall have been fully paid and satisfied in the Manner and by the Means aforesaid, the A Debentures shall become and be a First Charge on the Undertaking of the Company and the Revenues thereof, and in the meantime, and so long as any Part of the said Debt shall remain unsatisfied, so many of the said A Debentures as shall have been issued for and applied to the Payment of any Part of the said Debt shall be a Charge upon the said Undertaking next after the Part of the said Debt so remaining unsatisfied:

The B Debentures shall be a Charge upon the Undertaking of the Company and the Revenues thereof next after the said A Debentures:

The C Debentures shall be a Charge upon the Undertaking of the Company and the Revenues thereof next after the said B Debentures:

The D Debentures shall be a Charge upon the Undertaking of the Company and the Revenues thereof next after the said C Debentures, and the Income and Revenue of the Company from its Undertaking shall be applied to pay the Interest upon the said Debentures respectively in the Order and Priority in which they are so respectively charged:

Provided, that any Deficiency in any Half Year of the Amount required to pay the Interest on the A Debentures shall be made good out of future Income or Revenue, and all Arrears of any such Interest shall be satisfied before any Payment of Interest shall be made on the B Debentures, and in like Manner any and all Arrears of Interest on the B Debentures shall be satisfied before any Payment shall be made of Interest upon the C and D Debentures.

13. The Company may instead of raising Money by the issue of the A Debentures hereby authorized, issue all or any of such Debentures to any of the Persons for whose Behoof the same respectively shall have been created as herein-before provided, who shall be willing to accept the same in Payment, wholly or in part, or in satisfaction of the Debts or Claims which they respectively have against the Company: Provided, that the aggregate nominal Amount of any such Debentures to be issued to any such Person shall in no Case exceed the aggregate Amount of the Debt or Claim then outstanding and unsatisfied of such Person against the Company.

14. It shall be lawful for the Company to issue and dispose of, for such Price or Prices as can reasonably be obtained, so many D Debentures as will represent in aggregate nominal Amount the aggregate Amount of the Debts owing by the Company which are respectively under 50*l.*, and in respect of which the several Creditors shall have consented or may hereafter consent to accept the same and desire to receive the Cash which the Company may obtain by the Sale of such Debentures instead of such Debentures; and Payment or Tender of such rateable Amount to those several Creditors who have so consented as aforesaid in respect of such Debts shall be deemed to be a Payment or Tender of the whole Amount due to such Creditors respectively.

Debenture Holders and other Creditors of the Company named in the First Schedule hereto to be bound by the Act on Service of printed Copies thereof, and Tender of Debentures applicable to their respective Cases, §§ 15, 16.

Judgments against the Company to be extinguished on the Claims of Creditors being satisfied, § 17.

Surplus Revenue after Payment of Interest on Debentures created under this Act to be applied in Liquidation of Amount taken from Capital to pay Interest, &c. properly chargeable to Revenue, § 18.

Saving Rights as to existing Preferences, § 19.

Provision for Acceptance of Debentures in satisfaction in case of Persons under Disability and other Cases, § 20.

Powers for raising Capital by former Acts extinguished, § 21.

Undertaking of Company to be sold if Creditors in Second Schedule refuse to accept Debentures, § 22.

Power to sell the Undertaking and Obligation to do so on Requisition, § 23.

The like Power and Obligation to sell the Railway without the Waste Lands and Slobs, § 24.

The like Power to sell Waste Lands and Slobs, § 25.

The Sale to be by Conveyance duly stamped, § 26.

27. Out of the Proceeds of any and every such Sale the Debt, including Principal, Interest, and Costs, for the Time being remaining due from the Company to the Public Works Loan Commissioners, shall be in the first place discharged, and the Residue of the said Proceeds shall be applied in or towards Payment or Satisfaction, first, of the Expenses of and incident to any and every such Sale; secondly, of the reasonable Establishment Expenses of the Company; and thirdly, of the Debts and Expenses enumerated and set forth in the 11th Section of this Act, or of such and so many of them as shall be then subsisting, in the Order of Priority there indicated, or, if Debentures shall have been then created and issued under the Authority of this Act, for Payment and Satisfaction of such Debts respectively, or any of them, such Debentures respectively shall be taken as representing an equal nominal Amount of Debts of the Class to which they belong, and shall be redeemed and paid in the like Order of Priority, and the Surplus, if any, of such Proceeds shall be divided and distributed rateably among the then registered Shareholders of the Company, according to their respective Priorities, Rights, and Interests, and when the whole Undertaking and Property of the Company shall have been sold and the Proceeds of the Sale or Sales thereof shall have been applied and distributed as above directed the Company shall ipso facto be dissolved.

Power to lease, § 28.

Sale or Lease to confer Management, &c. of Premises, § 29.

Powers of Company to be exercised by the Purchaser or Lessee of Premises, § 30.

Company's Acts to apply to Purchaser or Lessee, § 31.

Saving Rights of the Irish Society, of the Public Works Loan Commissioners, of the Clothworkers Company, and of the Fishmongers and Grocers Companies, §§ 32 to 36.
Reclamation Powers not to be extended, or Reversion of Lands affected by this Act, § 37.
Schedules (Names and Descriptions of Creditors).

Cap. clxxi.

"Rickmansworth, Amersham, and Chesham Railway Act, 1862."

Proposes the making of Railways from Rickmansworth in the County of Hertford to Amersham and Chesham in the County of Buckingham, with Power to make Arrangements with London and North-western Railway Company.
Consolidation Acts incorporated, § 1.
Incorporation of Company, with Capital of 90,000*l.* and Power to borrow 30,000*l.*, §§ 3 to 8.
Directors; Meetings, &c., §§ 11 to 16.
Power to make Railway Deviations, §§ 17 to 19.
Three Years for Purchase of Lands; Four Years for Completion of Works, §§ 22, 23.
Communication with Watford and Rickmansworth, and with Rickmansworth and Uxbridge Railways, §§ 24 to 26.
Tolls, §§ 27 to 34.
London and North-western Railway Company may subscribe 30,000*l.* §§ 35 to 37.
Preferential Dividend of Five per Cent. may be paid by that Company on new Shares, §§ 38, 39.
Voting by London and North-western Railway Company, §§ 41, 42.
Power to use Parts of Watford and Rickmansworth Railway, §§ 43 to 45.
Power to make Traffic Agreements with London and North-western and Watford and Rickmansworth Companies, §§ 46 to 55.

Cap. clxxii.

"The Carmarthen and Cardigan Railway Act, 1862."

Recites that the Carmarthen and Cardigan Railway Company were incorporated in 1854, and authorized to construct a Railway upon the Broad Gauge from the South Wales Railway at or near the Borough of Carmarthen to the Town of Newcastle-Emlyn, with a view of being thereafter extended to the Town and Harbour of Cardigan, and to raise 300,000*l.* by Shares, and 80,000*l.* by Bond or Mortgage; that by their Deviation Act, 1855, they were empowered to make an Alteration in their Railway and to abandon the Formation of such Part of their said authorized Line of Railway, as might become unnecessary by the Construction of that Deviation; that by their Deviation Act, 1856, they were empowered to make the new or substituted Line of Railway therein particularly described, commencing by a Junction with the South Wales Railway at or near the Carmarthen Station of that Railway, and terminating in the Parish of Llangeller, in the said County of Carmarthen, and by that Act the Share Capital of the Company was reduced to 200,000*l.*, and their borrowing Powers to 60,000*l.*; that the whole of the said Share Capital has been raised and expended, and the Company have borrowed and now owe the said Sum of 60,000*l.*; that that Portion of the said Line which lies between the said authorized Junction with the South Wales Railway and the Conwyll Station of the Company's Line of Railway has been completed and opened, and is now worked for public Traffic, and considerable Progress has been made in the Construction of other Portions of the said authorized Line between the said Conwyll Station and Llangeller; that the Powers for the compulsory Purchase of Lands for the said authorized Railway expired on the 30th June 1858, without having been exercised in respect of any of the Lands beyond Llangeller; and it is expedient to extend the Railway from Llangeller to Newcastle-Emlyn and to enable the Company to raise further Monies.
Incorporation of Consolidation Acts, §§ 2, 3.
Railway to be made according to deposited Plans, &c., §§ 4, 5.
Power to alter Engineering Works, § 6.
Power to cross certain Road on the Level, §§ 8 to 10.
Powers for compulsory Purchase of Lands limited to Two Years, § 12.
Limiting Time for Completion of Works to Three Years, §§ 13, 14.
Railway to be made on Broad Gauge, § 15.
Confirming a certain Agreement, § 16.
Power to raise additional Capital of 174,000*l.* by Shares, with or without a Preference not exceeding 6*l.* per Cent., §§ 17 to 23.
Power to borrow 58,000*l.* §§ 24 to 26.
Incorporation of Parts of Companies Clauses Consolidation Act, § 27.
Power to create Debenture Stock at 5*l.* per Cent., §§ 28 to 33.

Cap. clxxiii.

"Kettering and Thrapstone Railway Act, 1862."

Proposes the Construction of a Railway from the Leicester and Hitchin Railway of the Midland Railway Company in the Parish of Kettering and County of Northampton, to Thrapstone, in the same County; and to authorize the Company and the Midland Railway Company to make and carry into effect Working Arrangements.
Incorporation of Companies, Lands, and Railways Clauses Consolidation Acts, § 1.
Incorporation of Company, with a Capital of 80,000*l.*, and with Power to borrow 26,000*l.*, §§ 3 to 10.
Meetings; Directors, &c., §§ 11 to 15.
Power to make Railway and Works according to deposited Plans, §§ 16, 17.
Power to alter Engineering Works, § 18.
Provision for Approach Road at Islip, § 19.
Company may stop up Road numbered 25, Cranford Saint John, § 20.
Mode of effecting Communications with Midland Railway, § 21 to 25.
Saving Rights of other Companies, § 26.
Company not to take Lord Lyveden's Land by Compulsion, § 27.
Three Years for compulsory Purchase of Lands, § 29.
Four Years for Completion of Works, § 30, 31.
Power to take Tolls, §§ 32 to 41.
Power to enter into Traffic Arrangements with Midland Railway Company, §§ 42 to 48.

Cap. clxxiv.

"The Metropolitan Meat and Poultry Market (Western Approach) Act, 1862."

Recites that by "The Metropolitan Meat and Poultry Market Act, 1860," the Mayor, Aldermen, and Commons of the City of London were authorized to appropriate Part of the ancient Site of Smithfield Market as a Site for, and to erect, build, construct, and maintain thereon, and on other Land by the Act authorized to be taken, a Market House and Market Place, or Market Houses or Market Places, for the Exposure

and Sale of Meat and Poultry and other Provisions, together with such Houses, Shops, Stalls, Standings, Sheds, Buildings, Works, and Conveniences for the Purposes of the said Markets, and for the Accommodation of the Persons resorting thereto, as the Mayor, Aldermen, and Commons might think necessary, and they were also authorized to appropriate the whole or any Part of the underground Surface beneath the intended Market or Market-Places, and the Buildings belonging thereto, and beneath certain Roads or Streets surrounding the same, for the Purpose of a Railway Station or Railway Terminus, to be used by any Railway Company or any Persons desirous of constructing a Railway to such Market or Market Places; and by the 18th Section of the same Act it was provided that it should not be lawful for the Mayor, Aldermen, and Commons to open the said Market or any Part thereof for the Exposure and Sale of Meat, Poultry, or other Provisions, or to permit the Use of the said Railway Station, until a Road, 60 Feet in Width, should have been made and opened from Victoria Street at or near West Street in the Parish of Saint Sepulchre, Middlesex, to the intended Market House in the Parish of Saint Sepulchre, London; and by the 20th Section of the same Act the Mayor, Aldermen, and Commons were authorized to borrow on the Credit of the Tolls by the Act authorized to be taken, and also the Estates and other Property of the Mayor and Commonalty and Citizens of the City of London, herein-after called "the Mayor and Commonalty and Citizens," any Sum of Money not exceeding the Sum of 235,000*l.*, for the Purchase of Land for the Site of the said intended Market and Market Places and of the Approaches thereto, and for effecting the several Improvements by the Act authorized; and by the 37th Section of the said Act, it was provided that the Tolls which might be received by the Mayor, Aldermen, and Commons, under Schedule (A.), by virtue of that Act, together with the Rent which should be received by them from any Railway Company for the Use of the underground Station or Terminus thereto, should be applied, in the first place, in defraying the Costs and Expenses of collecting and receiving the said Tolls and Rent, and in the next place in Payment of the Interest and Principal of the Monies expended in the Purchase or Acquisition of Land for the Site of the said intended Market and Market Places, and of the Roads or Streets surrounding or intersecting or approaching the same, and in making the several Improvements in that Act authorized or required to be made; and when all such Principal Monies should have been repaid, with all Interest which should from Time to Time or at any Time have accrued in respect thereof, the Tolls in Schedule (A.) by that Act authorized to be taken should cease and determine, unless Parliament should in the meantime otherwise direct, and the Rents and other Monies which should be received for the Use of the said Railway Station or Terminus should be applied toward the Maintenance and Improvement of the said Market and Market Places; and in case the Tolls which might be received by the Mayor, Aldermen, and Commons, under Schedule (A.), by virtue of that Act, together with the Rent which should be received by them from any Railway Company for the Use of the underground Station or Terminus, should at any Time be insufficient to defray the Costs and Expenses of collecting and receiving the said Tolls and Rent, and the Interest of the Monies which might be borrowed on the Credit thereof, the Deficiency should be made good by the Mayor and Commonalty and Citizens out of their own Monies; and such Sums of Money as might be paid and advanced by them for the Purposes aforesaid should be repaid to them, with Interest after the Rate of 4*l.* per Centum per Annum from the Time of advancing the same, out of any future Tolls or Rent which might be received by them; that the said Sum of 235,000*l.* did not include the estimated Cost of constructing the said Road or Street required by the said Act to be made and opened from Victoria Street previously to the opening of the said Market, and the User of the said Railway Station, which was added during the Progress of the said Act through Parliament, without any Provision being made for defraying the Cost of the same; that by the Newgate Market Abolition Act, 1861, Newgate Market was directed to be discontinued from the Day on which the Metropolitan Meat and Poultry Market should be opened for the Use of the Public, and by Section 15 of the said Act it was provided, that if, after the Expiration of Five Years from the Day on which the Market established under the Provisions of "The Metropolitan Meat and Poultry Market Act, 1860," should have been opened for the Use of the Public, it should be proved to the Satisfaction of One of Her Majesty's Principal Secretaries of State that the Amount of the Tolls arising from the said Metropolitan Meat and Poultry Market had not been sufficient to pay the Charges thereon imposed by the said Act and by the Act now in recital, then and in such Case it should be lawful for the Common Council from thenceforth to demand and take for or in respect of all Meat and Poultry and other Provisions brought into the said Market Tolls not exceeding One Farthing per Stone of 14 Pounds, instead of One Farthing for every 21 Pounds, as specified in the Schedule to the said Act annexed, and all the Provisions of such Act should be applicable to such Tolls; and by the 17th Section of the same Act it was provided, that if the Newgate Market Fund, by the Act directed to be formed out of Part of the Proceeds of the Sale of the Site of Newgate Market, should be insufficient to discharge the Expense of carrying the Act into execution, and other the Costs, Charges, and Expenses therein mentioned, the Difference should be charged upon the Tolls authorized to be taken by "The Metropolitan Meat and Poultry Market Act, 1860;" that by "The Metropolitan Railway Act, 1861," the Metropolitan Railway Company were authorized, amongst other things, to construct a Line of Railway commencing by a Junction with their Main Line in the Parish of Saint John, Clerkenwell, in the County of Middlesex, and terminating beneath the Metropolitan Meat and Poultry Market; that a new Western Approach to the Metropolitan Meat and Poultry Market, by means of a Street in continuation of the intended Street on the North Side of the said Market to Victoria Street, will be more convenient as an Approach from the Westward to the said Market than the Street required to be constructed in a similar Direction by the aforesaid 18th Section of "The Metropolitan Meat and Poultry Market Act, 1860," and it is expedient that the said proposed new Street should be authorized to be made in lieu thereof; that for the Purpose of enabling the Mayor, Aldermen, and Commons to construct the said Western Approach to the said Market, it is expedient that they should be authorized to borrow or raise further Sums of Money; and that better Provision should be made for securing the Repayment to the Mayor and Commonalty and Citizens of the Sums of Money which may be advanced by them for the Purposes of "The Metropolitan Meat and Poultry Market Act, 1860," and "The Newgate Market Abolition Act, 1861," and of this Act, which are intended to be charged upon the Tolls to be taken in respect of the Meat and Poultry Market.

3. Section 18 of "The Metropolitan Meat and Poultry Market Act, 1860," relating to the intended Street from Victoria Street, and so much of Section 13 of the same Act as authorizes the Mayor, Aldermen, and Commons to widen and improve

Durham Yard, and by means of such widening and Improvement to provide a Communication to the Station or Terminus under the Market, as shown on a Plan deposited with the Clerk of the Peace for the City of London, and signed by Henry J. Baillie, Esquire, Chairman of the Committee of the House of Commons on the Smithfield Market, Streets, and Improvements Bill, and Section 15 of the Newgate Market Abolition Act, 1861, relating to Increase of the Market Tolls, shall be and the same are hereby repealed.

4. The Communication to the Station or Terminus under the Market on the Northern Side thereof shall be made in the Course or Direction delineated on the Map or Plan hereinafter mentioned to have been deposited at the Office of the Clerk of the Peace for the City of London and at the Office of the Clerk of the Peace for the County of Middlesex, or in such Course or Direction on the North Side of the Line of the new Street by this Act authorized to be made as aforesaid, and in such Manner as shall be agreed upon between the Mayor, Aldermen, and Commons and the Metropolitan Railway Company.

5. All the Powers, Provisions, Directions, Restrictions, Clauses, and Enactments contained in "The London City Improvement Act, 1847," and in the Clauses of "The Lands Clauses Consolidation Act, 1845," incorporated therewith, shall extend and be applied to this Act, with reference to the taking of Land, and the Erection and Construction of the intended Street, and the Improvements, Matters, and Things by this Act authorized, and shall be in as full Force and Effect, to all Intents and Purposes whatsoever, as if the same had been repeated and re-enacted in this Act, and made applicable to the Subject Matter hereof, except only so far as the same or any of them may be repealed, altered, or varied by this Act: Provided always, that the Word "Schedule," where used in the said recited Act, shall, with respect to the Objects and Purposes of this Act, be deemed to mean the Book of Reference deposited in the Office of the Clerk of the Peace for the City of London and in the Office of the Clerk of the Peace for the County of Middlesex.

6. The following Sections of "The Metropolitan Meat and Poultry Market Act, 1860," shall extend and apply to the Works by this Act authorized to be made, and to the Lands by this Act authorized to be purchased, in as full and ample a Manner as if they were re-incorporated in this Act, and made expressly applicable to such Works and Lands; that is to say,

Section III. relating to the taking of Lands when situated in the County of Middlesex:

Section XVI. for Protection of Sewers in the City of London:

Section XVII. for Protection of Sewers of Metropolitan and other Boards.

7. It shall be lawful for the Mayor, Aldermen, and Commons to make and maintain a new Street from the Western End of the authorized Line of the intended new Street on the North Side of the Metropolitan Meat and Poultry Market, as authorized by the Metropolitan Meat and Poultry Market Act, 1860, to Victoria Street, according to the Map or Plan thereof which has been deposited at the Office of the Clerk of the Peace for the City of London, and at the Office of the Clerk of the Peace for the County of Middlesex: Provided always, that it shall not be lawful for the Mayor, Aldermen, and Commons to open the said Market or any Part thereof, for the Exposure and Sale of Meat, Poultry, or other Provisions, or to permit the Use of a Railway Station underneath the said Market, until the said intended new Street shall have been made and opened.

Maps and Plans deposited at the Office of the Clerk of the Peace to remain there, and be open to Inspection, § 8.

No House, &c. to be taken without Consent, unless mentioned in the Book of Reference, § 9.

Premises may be taken, notwithstanding Errors in Book of Reference, § 10.

Powers for compulsory Purchases limited to Five Years, § 11.

12. And whereas it is necessary, in order to provide a more convenient Approach to the intended Goods Station beneath the Market, that the Entrance thereto should be of greater Width and at a less Inclination than was shown in the Plan referred to in the Eighth Section of the Metropolitan Meat and Poultry Market Act, 1860, and the Mayor and Commonalty and Citizens of the City of London have therefore proposed to the Honourable Charles Alexander Gore, One of the Commissioners of Her Majesty's Woods, Forests, and Land Revenue, that an Alteration should be made in the said Entrance, as shown by a Plan (in this Section referred to as the substituted Plan) which has been signed by the said Charles Alexander Gore, and has been deposited at the Office of Land Revenue Records and Enrolments, and the said Charles Alexander Gore has assented to such Proposal: Therefore the Entrance to the Goods Station underneath the Market shall be constructed according to the substituted Plan, and no Erection or Building shall at any Time hereafter be made on any Part of the Land coloured Red on the substituted Plan, other than a Fountain and a Dwarf Wall, with Iron Rails thereon, not exceeding in the whole Four Feet Six Inches in Height, on either Side of the Entrance, and such Entrance shall not be used for Railway Passengers, or for any other Purpose than for the Passage of Waggons, Carts, and other Vehicles with Goods, and for the Servants of the Railway Company or other Persons transacting Business on their Premises under the Meat Market, and, except as far as the Provisions of the Eighth Section of the Metropolitan Meat and Poultry Market Act, 1860, are by this Section expressly varied, all such Provisions shall continue in force, and no Cart or other Vehicle shall at any Time after the opening of the said Market stand within 50 Feet of the outer Wall of Saint Bartholomew's Hospital in Smithfield Market Place, and in making the Byelaws authorized to be made by the Metropolitan Meat and Poultry Market Act, 1860, proper Provision shall be made to prevent any Carts or Vehicles standing in Smithfield Market Place within 50 Feet of the outer Wall of Saint Bartholomew's Hospital.

13. No Cart or other Vehicle shall at any Time after the opening of the said Market stand to load or unload for Market Purposes within the Distance of 30 Feet from the Houses on the North Side of Charterhouse Lane; and in making the Byelaws authorized to be made as aforesaid proper Provision shall be made to prevent any Carts or other Vehicles from standing within the Distance of 30 Feet from the Houses on the North Side of Charterhouse Lane as aforesaid.

14. It shall be lawful for the Mayor, Aldermen, and Commons to appropriate the whole or any Part of the underground Surface beneath the intended Street for the Purposes of the Metropolitan Railway Company or any other Railway or other Company or Persons, and to enter into any Contract or Agreement with any Railway or other Company or Persons for all necessary Excavations, Buildings, Erections, and Works, and for the Lease of the same, at such Rent and upon such Terms and Conditions as shall be mutually agreed upon.

15. The Ground and Soil of the intended Street, and the Fee Simple and Inheritance thereof, shall be and the same is hereby vested in the Mayor and Commonalty and Citizens.

16. It shall be lawful for the Mayor, Aldermen, and Commons, for the Purposes of this Act, to charge upon and to borrow and raise on the Credit of the Market Tolls, and also of the Estates and other Property of the Mayor and Commonalty

and Citizens, or any Part thereof, in addition to the said Sum of 235,000*l.* any Sum of Money not exceeding the Sum of 70,000*l.*, and also to charge upon and to borrow and raise on the Credit of the Estates and other Property of the Mayor and Commonalty and Citizens, or any Part thereof, and the Lands by this Act authorized to be purchased or acquired, any Sum of Money not exceeding the Sum of 115,000*l.*, and upon Payment of any Money so to be raised under the Authority of this Act into the Chamber of the said City, by such Instalments and in such Proportions, at such Times and in such Manner as the Mayor, Aldermen, and Commons shall direct, every Person who shall contract to advance or contribute any Part of the said Monies shall in respect of the Sum which he shall so advance be entitled to Interest at such Rate as the Mayor, Aldermen, and Commons shall think reasonable, to be payable half-yearly, and to continue until the Payment of each Principal Sum.

17. Sections 21, 22, 23, and 24 of "The Metropolitan Meat and Poultry Market Act, 1860," with respect to the borrowing of Money on Bonds, shall be incorporated with and form Part of this Act.

18. The several Sums of 70,000*l.* and 115,000*l.*, which may be raised and borrowed under the Authority of this Act, shall be applied in paying and discharging the necessary Costs, Charges, and Expenses of making the intended Street, and of otherwise carrying this Act and the Purposes thereof into full and complete Effect; and the said Sum of 115,000*l.* shall be paid off within Seven Years after the passing of this Act out of the Proceeds of the Sale of the said superfluous Lands, or otherwise by the Mayor, Aldermen, and Commons out of the Estates and other Property of the Mayor and Commonalty and Citizens.

19. If at the Expiration of Five Years from the Day of the opening of the Market it shall appear that the whole of the Monies which shall have been expended under the Authority of this Act in respect of the Purchase and Acquisition of the Lands by this Act authorized to be purchased or acquired for the Site of the said intended Street, or in anywise relating thereto, (including all the Charges and Expenses incident to or incurred in obtaining the passing of this Act, and including all Interest paid in respect of the said several Sums of 70,000*l.* and 115,000*l.*, and otherwise in relation thereto, and all Expenses incurred in raising the said several Sums aforesaid, after deducting therefrom the net Amount of all Monies which may arise or be produced by the Sale of such of the aforesaid Lands as may not be thrown into and form Part of the actual Site of the said intended new Street, and the Value of such of the same Lands, if any, as may not then have been sold, including the net Amount of the Rents, if any, of the same Lands,) shall be less than the Sum of 70,000*l.*, the Amount of such Difference shall be applied by the Mayor, Aldermen, and Commons in or towards the Reduction of the said Sum of 70,000*l.*, or other the Monies which may then be charged on the Market Tolls; and for the better carrying into execution the Objects and Purposes of the present Provision a separate and distinct Account shall be kept of all Monies received or expended for any of the several Purposes aforesaid.

20. It shall be lawful for the Mayor and Commonalty and Citizens from Time to Time to sell and dispose of all or any Part of the Lands purchased or acquired by them under the Authority of this Act, and which shall not be laid into and form Part of the Street by this Act authorized to be made, either with or without having first demised and leased the same on Building Leases, and to convey the Lands so sold or disposed of, and the Fee Simple thereof, free from all Incumbrances, notwithstanding any Monies may be then charged upon all or any Part of the same Lands.

21. If at the Expiration of Five Years from the Day of the opening of the Market it shall appear from the annual Statement of the Accounts by Section 41 of "The Metropolitan Meat and Poultry Market Act, 1860," required to be laid before both Houses of Parliament, that the average annual Amount of the Market Tolls received during such Five Years shall not have been sufficient to satisfy the whole of the Charges thereon imposed by "The Metropolitan Meat and Poultry Market Act, 1860," "The Newgate Market Abolition Act, 1861," and by this Act, and also One Thirtieth Part of the Principal Monies borrowed on the Security of and then charged upon the Market Tolls, then and in such Case it shall be lawful for the Mayor, Aldermen, and Commons, on and after the First Monday next after the Day on which such last-mentioned annual Statement of Accounts shall have been laid before both Houses of Parliament, and thenceforth so long as any Principal Money or Interest shall remain a Charge upon the same Tolls or any Part thereof, to demand and take a Toll of not exceeding One Farthing for and in respect of any Quantity not exceeding One Stone of 14 Pounds of all Meat, Poultry, and other Provisions brought into the Market, and so in proportion for any greater Quantity, instead of One Farthing for every 21 Pounds, as specified in Schedule A. to "The Metropolitan Meat and Poultry Market Act, 1860," and such Toll, so increased at such Rate as aforesaid, shall thenceforth, for all Intents and Purposes whatsoever, be considered and deemed to be the Toll authorized by the said Schedule until the Principal Money shall have been paid off.

22. All Interest upon the Money borrowed under the Authority of this Act, and charged upon the Toll and Railway Rent, shall be paid thereout by the Mayor and Commonalty and Citizens during the first Five Years after the opening of the Market; and if the Amount of the Toll and Railway Rent shall be insufficient for that Purpose, the Deficiency shall be paid by the Mayor and Commonalty and Citizens, and shall not be added to the Capital hereby authorized to be borrowed, or allowed to accumulate as a Charge on the said Toll and Rent; and as well before as after the Expiration of Five Years from the opening of the Market all the surplus Toll and Railway Rent, after Payment of the Interest, shall be from Time to Time applied in paying the Principal Money, or in redeeming and cancelling the Securities upon which the same shall have been raised; and the Powers of reborrowing any Sum so paid off by means of the surplus Tolls and Railway Rent, and of re-issuing any Securities so redeemed, and cancelled shall cease and determine.

Saving Rights of Her Majesty and Corporation of London to certain Streets, § 23.

Cap. clxxv.

"Stafford and Uttoxeter Railway Act, 1862."

Proposes the making of a Railway from Stafford, in the County of Stafford, to Uttoxeter, in the same County, with a Branch therefrom to connect with the Colwich Branch of the North Staffordshire Railway, near the Weston Station on that Railway; and to authorize Arrangements with reference to other Undertakings and Companies.

Incorporation of Consolidation Acts, § 1.

Subscribers incorporated, with a Capital of 130,000*l.* and with Power to borrow 43,300*l.*, §§ 4 to 9.

Meetings; Directors, &c., §§ 10 to 17.

Power to make Railway according to deposited Plans, §§ 18, 19.

Protection of Earl of Shrewsbury, § 20.

Power to alter Engineering Works, § 21.

Communications with any other Railway to be made under the Direction of the Engineer of that Railway, §§ 22, 23.
Four Years for Completion of Works, §§ 25, 26.
Tolls, §§ 27 to 34.
Power to use Portions of certain Railways, § 35.
Terms of such Use, § 36.
For protecting local Traffic, § 37.
Reciprocal Facilities for Forwarding and Interchange of Traffic to and from the Company's Railway with other Companies, §§ 38, 39.
Provisions in case of Delay of Irish Mail, § 40.
Protecting London and North-western and other Railway Companies, §§ 41, 42.

Cap. clxxvi.

"The Aberystwith and Welsh Coast Railway Act, 1862."

Recites that by the "Aberystwith and Welsh Coast Railway Act, 1861," the Aberystwith and Welsh Coast Railway Company were authorized to make and maintain the several Railways in that Act specified, and to raise a Capital of 400,000*l.* by Shares, and to borrow 133,000*l.*; that it is expedient that the Company be entitled to make and maintain the additional Lines of Railway, and the Pier and other Works by this Act authorized.
Incorporation of Consolidation Acts, §§ 2 to 6.
Compulsory Purchases to be made within Three Years, § 8.
Power for Company to purchase by Agreement flooded and waste Lands near their Railway, § 10.
Restriction as to Purchase of Crown Lands, §§ 11, 12.
Power to execute Works, §§ 13 to 16.
Level Crossings, §§ 17 to 20.
Works on Pier; Lights and Beacons, §§ 21, 22.
Admiralty Provisions, §§ 23 to 29.
Works to be completed within Five Years, §§ 30, 31.
Power to reclaim Lands; when reclaimed to be sold within Ten Years, §§ 33, 34.
Appointment of Pier-master and Officers, § 35.
Power of Constables to search Vessels, § 36.
Tolls and Rates for Railway and Pier, Cranes, &c., §§ 37 to 42.
Company not to obstruct Traffic, § 43.
Sections 66 and 67 of 24 & 25 Vict. c. clxxxi. to apply, § 44.
Power to raise additional Capital of 250,000*l.*, § 45.
Power to cancel unissued and forfeited Shares and to issue new Shares instead thereof, §§ 46 to 52.
Appropriation of new Shares, §§ 53 to 60.
Power to borrow 83,300*l.*, §§ 61 to 63.
Saving Rights of Crown and of other Companies, §§ 68 to 71.

Cap. clxxvii.

"The Andover and Redbridge Railway Amendment Act, 1862."

Recites Two Acts relating to the Andover and Redbridge Railway Company, viz., "The Andover and Redbridge Railway Act, 1858," and "The Andover and Redbridge Railway Act, 1860;" that the Company have made great Progress in the Construction of their Railway, but they require for the Purposes of their Undertaking certain Lands which they were by the said Act of 1858 authorized to purchase, but the Powers to acquire which expired on the 12th July 1861, and it is expedient that these Powers should be revived; and that the Company should be empowered to acquire for the Purposes aforesaid certain other Lands near to their Railway; that the Time for making the said Railway will expire on the 12th July 1863, and it is expedient that the said Period should be extended; that the Company are by the said Act of 1858 authorized to raise 130,000*l.* by Shares and 43,000*l.* by borrowing, and all the said Shares have been issued, and none thereof have been forfeited, and the Company have borrowed and now owe 43,000*l.*; and it is expedient that they should have Power to raise additional Capital for the general Purposes of their Undertaking; that none of the existing Shares of the Company are entitled to any Preference or Priority of Dividend.
Lands Clauses and Parts of Companies Clauses Acts incorporated, § 1.
Extending Time for compulsory Purchase of certain Lands till 1st January 1864, §§ 2 to 5.
Level Crossing, §§ 6 to 10.
Saving Powers of first-recited Act in favour of London and South-western Railway Company, § 11.
Admiralty Provisions respecting Works at Redbridge, §§ 12 to 14.
As to Sale of Lands belonging to Duchy of Lancaster, §§ 15, 16.
Company may cancel forfeited Shares, and issue new in lieu thereof, §§ 18 to 20.
Power to raise further Capital of 15,000*l.* and to attach Preference Dividend of Six per Cent., §§ 22 to 25.
Power to borrow 5,000*l.*, §§ 26, 27.
Saving Rights of Crown and Duchy of Lancaster, § 32.
Schedule (Form of Conveyance).

Cap. clxxviii.

"Briton Ferry Dock Act, 1862."

Recites that in 1851 the Briton Ferry Floating Dock Company were incorporated for the Purpose of making the Briton Ferry Dock and other Works (including a Line of Railway near to Baglan Bay), and were authorized to raise a Capital of 60,000*l.* by 3,000 Shares of 20*l.* each, and to borrow 20,000*l.*, and the Vale of Neath Railway Company were authorized to take Shares to the Extent of 20,000*l.*, and to appoint Three of the Directors of the Company, and Arrangements between the Company and the South Wales Railway Company with respect to the Construction and Maintenance by one or other of those Companies of the Company's Line of Railway were authorized, and the Company were authorized to take Tonnage Rates on Vessels, Rates on Goods, Cranage and other Rates, and Railway Tolls, and Provision was made for the Payment to the Commissioners for improving the Port and Harbour of Neath of the Tolls or Dues on Vessels entering the Limits of the Port or Harbour and River of Neath, and using or entering the Company's Docks or Works; that the Tolls or Dues and Rates which the Neath Harbour Commissioners demand and take in respect of Vessels or Goods in the Port or Harbour are levied by them under the Act of 6 & 7 Vict. c. lxxi., and by that Act they are authorized to take Tonnage Rates on Vessels and Rates on Goods not exceeding the Sums specified in the Schedule F. to the reciting Act annexed; and it is provided that the several Rates specified in Schedule F. shall at all Times be charged equally and after the same Rate in respect of the same Description of Goods; that by "The Briton Ferry Dock Act, 1857," the Company were authorized to raise an additional Capital of 45,000*l.* by Shares, and to borrow an additional Sum not exceeding 15,000*l.*, and the Vale of Neath Company were authorized to take further Shares to the Extent of 10,000*l.*, and the Company were authorized from Time to Time to lease for any Term not exceeding 21 Years in possession and not in

reversion, for such Rents and upon such Terms and Conditions as might be agreed on, any Parts of their Lands, Yards, Buildings, Wharfs, Cranes, Machines or other Conveniences used or required for the Purposes of their Docks or Railways (but not Lands, Yards, or Buildings not required for those Purposes) to any Person who might be willing to erect or construct upon any Lands so demised any Buildings, Wharfs, Cranes, Machines, or other Conveniences, or who might be willing to rebuild, reconstruct, or substantially improve any Buildings, Wharfs, Cranes, Machines, or other Conveniences which, or the Site whereof, should be included in any such Demise; that by "The Vale of Neath Railway Act, 1859," the Vale of Neath Company were authorized by Agreement with the Company from Time to Time to guarantee, either temporarily or permanently, any Interest not exceeding the Rate of Six per Cent. per Annum on any Part not exceeding in the whole the Sum of 40,000*l.* of the Capital thereafter to be raised by the Creation of Shares or Debt thereafter to be incurred of the Company; that the Company's Capital now consists of 105,000*l.* and their Debenture Debt amounts to 30,000*l.*; that the Vale of Neath Company hold Shares to the Amount of 30,000*l.* Part of the Company's Capital, and have guaranteed Interest on Part of the Company's Capital, and have agreed to guarantee Interest on a further Part thereof not exceeding in the whole 40,000*l.*; that it is expedient that Provision be made with respect to a Lease to the South Wales Company of Part of the Land and Works of the Company; that the South Wales Company be authorized to contribute to the Undertaking of the Company; that the Company and the South Wales Company and the Vale of Neath Company be authorized to enter into Agreements for the Purposes in this Act specified, and that Provision be made with respect to the fixing by a Joint Committee of those Three Companies of the Tolls, Rates, and Charges to be taken by the Company; that further Provision be made with respect to the varying of the Rates on Goods to be taken by the Neath Harbour Commissioners; and that the Company be authorized to raise further Monies.

Part of Companies Clauses Act incorporated, §§ 2, 3.

Power for Company and South Wales Company to enter into Contracts, § 4.

Purposes of Contracts between Company and South Wales Company, § 5.

Power for Company to lease Part of their Wharfs, &c. to South Wales Company, §§ 6, 7.

Powers and Duties of Company to be exercised by South Wales Company as to Premises leased, §§ 8, 9.

Power for South Wales Company to provide Staiths, &c., § 10.

Power for South Wales Company to take Shares of Company's Capital to the Amount of 15,000*l.*, § 11.

Power for South Wales Company to appoint Person to vote at Meetings of Company, § 12.

South Wales Company may appoint Directors of Company, §§ 13 to 20.

Power of Company and South Wales Company and Vale of Neath Company to enter into Agreements, §§ 21 to 27.

Appointment, Proceedings, and Powers of Joint Committee, §§ 28 to 40.

Power for Neath Harbour Commissioners to vary Rates from Time to Time, § 41.

Power for Company to raise 30,000*l.* by new Shares, § 42.

Cancelling and reissuing of Shares, §§ 43 to 49.

Preferential Dividend on new Shares not to exceed 6*l.* per Cent., §§ 50 to 53.

Power of Vale of Neath Company to guarantee Interest on Part of Company's Capital reserved, § 54.

Saving Rights of Crown, § 59.

Cap. clxxix.

"Cowbridge Railway Act, 1862."

Recites that the Construction of a Railway from the Town of Cowbridge, in the County of Glamorgan, to a Point near the Llantrissant Station of the South Wales Railway, and of a Railway from thence to join the Llantrissant and Taff Vale Junction Railway, and of a Railway from the first-mentioned Railway to join the South Wales Railway near the Goods Shed of the said Llantrissant Station would be of public and local Advantage; that by "The Llantrissant and Taff Vale Junction Railway Act, 1861," the Taff Vale Railway Company were authorized to contribute towards the Funds of the Company incorporated by that Act, and to agree for working the Railways by that Act authorized; that it is expedient that the Company to be incorporated by this Act and the Taff Vale Railway Company should be empowered to make and carry into effect Contracts and Arrangements with respect to the working of the Railways and Works by this Act authorized to be constructed, and other Purposes, and that the Taff Vale Railway Company should be empowered to subscribe towards the said Undertaking.

Incorporation of Lands and Railways Clauses and of certain Provisions of Companies Clauses Consolidation Acts, §§ 2, 3.

Incorporation of Company, with a Capital of 35,000*l.*, §§ 4, 5, and §§ 14, 15.

Power for Taff Vale Railway Company to subscribe 5,000*l.*, § 6.

Taff Vale Railway Company may apply any existing Funds towards their Subscription, § 7.

Power for the Taff Vale Railway Company to raise Money by Shares or Stock with a Preference not exceeding 5*l.* per Cent., §§ 8 to 12.

Power for Taff Vale Company to raise Capital under any other Act of this Session and this Act by new Shares of One Class, § 13.

Subscribing Company may appoint Persons to vote, §§ 16, 17.

Power to borrow 11,600*l.*, §§ 18, 19.

Meetings; Directors, &c., §§ 22 to 26.

Power to make Railways and Works according to deposited Plans, § 27.

Description of Lines, § 28.

Dimensions of Bridges, § 29.

Span of Arches, § 30.

Power to alter Engineering Works, § 31.

Communications with other Railways how to be made, §§ 32 to 36.

Three Years for compulsory Purchase of Lands, § 38.

Four Years for Exercise of other Powers, §§ 39, 40.

Power to take Tolls, §§ 41 to 50.

Power to enter into Traffic Arrangements with Taff Vale Company, §§ 51 to 57.

Cap. clxxx.

"The Pulteney Harbour Amendment Act, 1862."

Recites 26 Geo. 3. c. cvi., incorporating certain Persons by the Name and Style of the British Society for extending the Fisheries and improving the Sea Coasts of this Kingdom, and enabling them to subscribe a Joint Stock, to purchase Lands and build thereon free Towns, Villages, and Fishing Stations in the Highlands and Islands in that Part of Great Britain called Scotland, and for other Purposes; and 54 Geo. 3. c. cxci., being an Act to enable the British Society to levy certain Rates and Duties on Vessels frequenting their Harbours, and 7 & 8 Vict. c. lii., being an

Act to explain and amend the Acts incorporating the British Society for enlarging and improving the Harbour of Pulteney Town, in the County of Caithness, and for lighting, cleansing, and improving the said Town, and better supplying the same with Water; that the Society were by the first-recited Act authorized to raise a Capital Joint Stock, not exceeding 150,000*l.*, of which 35,000*l.* has been subscribed and paid up; and under the Powers thereby granted they have constructed a Harbour called Pulteney Town Harbour, in the County of Caithness, which has proved of great local and public Advantage; that by the third-recited Act the Society were authorized to enlarge and improve the said Harbour of Pulteney Town, and to borrow the Sum of 10,000*l.*, but in consequence of the Changes which have taken place in the Coasting and Fishing Trade of the Country, involving the Employment of a larger Class of Vessels and Boats, and of other Causes, it was found that the Works then authorized would have proved insufficient, and the same were not proceeded with, and no Part of the said Sum of 10,000*l.* has been raised; that by 20 & 21 Vict. c. xciii. the first and second recited Acts were repealed, and so much of the third-recited Act was repealed as relates to or affects the Harbour of Pulteney Town and the Constitution and Regulation of the Society; and the Society were re-incorporated and authorized to enlarge and improve the said Harbour, to raise Funds for that Purpose, and to levy certain Rates; but the Works thereby authorized have never been commenced; that it is necessary, for the Accommodation of the increasing Traffic of the said Harbour, and for the Protection of Vessels and Fishing Boats resorting thereto, that the said Harbour be extended and improved, and that the Society should be authorized to apply a Sum of 40,000*l.* which they have at their Command to the Execution of the necessary Works.

Incorporation of Consolidation Acts, § 3.

4. From and after the passing of this Act Sections 25, 26, 27, 28, 30, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, and 53 of the fourth-recited Act shall be and the same are hereby repealed.

5. The Society shall from and out of the said accumulated Funds belonging to them apply the Sum of 40,000*l.* towards defraying the Expense of the Works authorized by this Act.

6. It shall be lawful for the Society from Time to Time to borrow on Mortgage any Sum not exceeding 60,000*l.*

Power to borrow on Cash Account, § 7.
Arrears may be enforced by Appointment of Judicial Factor, § 8.
Application of Monies, § 9.
Limits of Harbour, § 10.
Power to cleanse and improve Harbour, § 11.
Works to be made according to deposited Plan; Admiralty Provisions, § 12 to 15.
Rates on Vessels, § 16.
Rates on Goods, § 17.
Certificate of Sheriff to be Evidence of Expenditure, § 18.
Rates for Use of Cranes, Weighing Machines, Sheds, &c., § 19.
Power to purchase or employ Steam Tugs, § 20.
Power to license Meters and Weighers, § 21.
Power to license Pilots, § 22.
Vessels not taking Pilots to pay Pilotage, § 23.
Masters and Mates of Vessels may be examined as Pilots for their own Vessels, § 24.
Penalty for wilfully cutting Moorings, § 25.
Notice to Shipmasters, § 26.
Penalty on Shipmasters, § 27.
Sections 29, 54, 55, 56, 57, and 58 of fourth-recited Act applied to this Act, § 28.
How Penalties may be sued for, § 29.
Sinking Fund, § 30.
Power to lease Rates, § 31.
Saving Rights of Sir George Dunbar and his Feuars and Tenants, of the Magistrates and Town Council of Wick, and of the Crown, §§ 32 to 34.
Any Lands reclaimed not to be taken without Consent of Commissioners of Woods, &c., § 35.
Saving Jurisdiction of Admiralty, § 36.
Schedules (Rates).

Cap. clxxxi.

"The Edinburgh, Perth, and Dundee Railway (Fife and Kinross Amalgamation) Act, 1862."

Recites that in 1851 the Acts relating to the Edinburgh, Perth, and Dundee Railway Company were consolidated; and by "The Edinburgh, Perth, and Dundee Railway Company (Arrangement) Act, 1853," and "The Edinburgh, Perth, and Dundee Railway Act, 1861," by which the Kinross-shire Railway Company and Undertaking were amalgamated, further Powers were conferred upon the Company; that by "The Kinross-shire Railway (Branches) Act, 1861," the Kinross-shire Railway Company were empowered to make certain Branches; that in 1855 the Fife and Kinross Railway Company were incorporated and authorized to make a Railway from Ladybank, on the Company's Railway, by Auchtermuchty and Strathmiglo to Milnathort and Kinross, and to raise 70,000*l.* by Shares of 10*l.* each, and 23,000*l.* by Mortgage of their Undertaking; that in 1857 the Fife and Kinross Railway Company were authorized to raise a further Capital of 12,000*l.* by new Shares, and to borrow 4,000*l.*, and in 1858 to extend their Railway, and make a Joint Station with the Kinross-shire Railway Company at Kinross; that by their Act of 1861 (upon the Recital that the Fife and Kinross Railway Company had created and issued 5,615 Shares, and 2,585 Shares had not been issued, that the Sum of 43,754*l.* had been received on account of Shares, and 27,000*l.* had been borrowed) the said Company were, in addition to their previously authorized Capital, but restricted to the Extent of the 2,585 unissued Shares which they were prohibited from creating and issuing, authorized to raise for the general Purposes of their Undertaking any Sum not exceeding 53,850*l.* by the Creation and Issue of new Shares in their Undertaking (their Share Capital being restricted to 110,000*l.* in the whole), and to borrow on Bond or Mortgage any further Sum not exceeding 9,600*l.*; that under the first and second recited Acts relating to that Company they created and issued 5,615 Shares, representing a Capital of 56,150*l.*, whereof 46,676*l.* 8*s.* 9*d.* have been paid up; and under the last-recited Act have created and issued 4,450 Shares of 10*l.* each, representing a Capital of 44,500*l.*, bearing a preferential Dividend of 4*l.* 10*s.* per Centum per Annum, whereof the whole Amount has been paid up, and have also created or are about to create 935 Shares of 10*l.* each, representing a Capital of 9,350*l.*, bearing a preferential Dividend not exceeding 5*l.* per Centum per Annum, but no Part thereof has been paid; that the Fife and Kinross Railway Company have borrowed 27,000*l.* or thereabouts on Mortgage of their Undertaking, and have expended 115,106*l.* in the Construction of the Railway and Works authorized by the recited Acts relating thereto, and the Line is completed and open for public Traffic, and under statutory Agreement is used, worked, maintained, and managed by the Company;

that the Fife and Kinross Railway might be worked with greater Economy and Convenience if it were Part of the Company's Undertaking, and entirely under the Management and Control of the Company; and the Fife and Kinross Railway Company have agreed with the Company, subject to the Approval of Parliament, that their Undertaking and Capital Stock should be amalgamated with the Undertaking and Capital Stock of the Company.

Incorporation of Consolidation Acts, § 3.

Amalgamation of Companies, § 4.

Saving of Rights and Liabilities, §§ 5 to 20.

21. At and from the Date of the Amalgamation, the Shares constituting the Share Capital of the Fife and Kinross Railway Company, representing 56,150*l.* of ordinary and 53,850*l.* of Preference Share Capital, shall be and are hereby declared to be Shares of the same Amount each, and representing the same Amount of Capital of the Company, and such Shares shall form Part of the general Capital of the Company, and shall be subject to the Provisions relating thereto, but shall constitute separate Classes of Shares, and the ordinary Shares shall be called "Fife and Kinross Shares," and the Preference Shares "Fife and Kinross Preference Shares," but the Holders thereof shall be entitled to Dividends only out of the Profits of the Fife and Kinross Railway, and not out of the Profits of any other Part of the Company's Undertaking; and the Holders of such Shares shall have the same Rights of voting and other Rights, Powers, and Privileges as are competent to the Shareholders or Holders of Stock of the Company.

22. A separate Account shall be kept of the Receipts constituting the gross Revenues of the Fife and Kinross Railway, that is to say, the Tolls, Rates, and Charges arising from the use of the Fife and Kinross Railway, and the Conveyance of Traffic thereon, and other Receipts arising therefrom; and such gross Revenues shall be applied as follows: (First) in payment of public and parochial Burdens chargeable in respect of the Fife and Kinross Railway and Works connected therewith, including Poors Rates, County Rates, Prison Assessments, and other Rates, Taxes, and Assessments, and the Taxes or Rates payable in respect of Passengers on the said Railway, of Feu Duties, Ground Annuals, Rents, and other Payments for Lands used for the said Railway, and the Interest on the Mortgage Debt of the Fife and Kinross Railway Company incurred and applied for the Purposes of the said Fife and Kinross Railway; (Second) in Payment to the Company of the following Allowances, as and for the Working Expenses and Expenses of Maintenance of the Fife and Kinross Railway, viz., of 40 per Centum of the gross Receipts (under Deduction of 500*l.*, being Interest on the Value of the Working Stock which belonged to the Fife and Kinross Railway Company), until the gross Revenue exceeds 5,500*l.* per Annum, and of an Addition of One per Centum of the gross Receipts over and above the said 40 per Centum for every 200*l.* of additional gross Revenue above the First 5,500*l.* until the total gross Revenue amounts to 8,500*l.*, when the said Allowance shall be 50 per Centum of the gross Revenue without Deduction of Interest on Value of Plant; (Third) in Payment of Interest on the undischarged Debts of the Fife and Kinross Railway Company, and in satisfaction of Obligations of the Fife and Kinross Railway Company, so far as such Obligations may not have been provided for by the raising of Monies under this Act; (Fourth) in Payment of Dividend on the Fife and Kinross Preference Shares issued or to be issued at the preferential Rate attached or to be attached thereto, and the unappropriated Surplus of such gross Revenue after the said Payments shall be divided half-yearly amongst the Holders of Fife and Kinross ordinary Shares in proportion to the Number of such Shares held by them respectively.

23. The Directors of the Company may from Time to Time, with the Consent of Three Fifths of the Votes of the Fife and Kinross Shareholders present, in Person or by Proxy, at any General Meeting convened with special Notice of the Purpose, raise by the Issue of Shares such further Sum or Sums of Money as they may think fit, not exceeding 53,850*l.*, in so far as not already issued under and in lieu of the Shares authorized by "The Fife and Kinross Railway Amendment Act, 1861," before recited, and may, with the like Consent, attach to the Shares to be so created and issued the same Amount of Dividend, and the same Privileges as are by the last-recited and this Act attached to the Fife and Kinross Preference Shares; and the said Shares shall be called "Fife and Kinross Preference Shares," and shall confer on the Holders thereof the same Rights, Powers, and Privileges as are by this Act conferred on the Holders of Fife and Kinross Preference Shares; and the same shall be of such nominal Amount, and shall be issued, apportioned, and allotted to such Persons and in such Manner as may be determined by the said Meeting.

24. The Proprietors of the Fife and Kinross Shares and Fife and Kinross Preference Shares shall, over and in the Fife and Kinross Railway and Works, and the Revenues arising on the Fife and Kinross Railway, have a Real Lien or Real Security for the Payment of the Dividends due to them on the said Shares; and such Lien or Right in Security shall be rendered available in the Manner herein-after mentioned: Provided always, that if the Revenue arising from the Fife and Kinross Railway available for Dividend in any Year ending the 31st Day of January shall be insufficient to pay the Dividend due upon the Fife and Kinross Preference Shares, the Deficiency or any Part thereof shall not be chargeable against the Revenue of the Company available for Dividend in any subsequent Year, or against any other Funds of the Company.

How Lien to be made effectual, §§ 25 to 29.

30. The Company shall, at the Request of the Holder of any Fife and Kinross Preference Shares, or of the Holders of any Fife and Kinross Shares, give to such Holder, free of Expense, a Certificate or Certificates, under the Common Seal of the Company, of such Share, or of any Number of such Shares, held by the same Holder; and until a Certificate or Certificates be given, the Certificate or Certificates (if any) given by the Fife and Kinross Railway Company under their Common Seal shall continue in force.

Conditions of Preference to be stated on Certificate, § 31.

Register of Fife and Kinross Shares to be kept, § 32.

33. The Company may, in lieu of the Fife and Kinross Railway Company, and at the Time and in the Manner that Company is authorized, from Time to Time borrow on Mortgage on the separate Security of the Fife and Kinross Railway, and if paid off may again borrow any Sums of Money not exceeding in the whole the Sums authorized to be borrowed by the before-recited Acts relating to the Fife and Kinross Railway, inclusive of the Sum already borrowed by the Fife and Kinross Railway Company; and the said Sums so authorized to be borrowed on the Security of the Fife and Kinross Railway, amounting, issued and unissued, to the aggregate Sum of 36,600*l.*, and the Interest thereof, shall, over and in the Fife and Kinross Railway and the Revenues thereof, be preferable to all other Bonds and Mortgages already issued or hereafter to be issued by the Company, and the Interest or Dividends thereon, in the same Way as if the Fife and Kinross Railway had remained a separate and independent Undertaking.

Mortgagees may appoint Judicial Factor, § 34.

Mortgages to retain their Priority, § 35.
Application of Monies raised by Shares or Mortgage, § 36.
Rights of Holders of Feu Duties not to be prejudiced, § 37.
Existing Preferences not to be prejudiced, § 38.
Fife and Kinross Shareholders may elect Auditor, § 39.
Election of Auditor, § 40.
Duties of Auditor, § 41.

42. The Company may, except for and in respect of the Articles herein-after mentioned, demand and receive for the Use of the Fife and Kinross Railway, or in respect of any Traffic thereof, or for locomotive Power or Services performed by the Company, such Tolls or Charges as they think fit, not exceeding the maximum Rate of Tolls and Charges for the like Purposes which the Company were authorized to demand and receive under "The Edinburgh and Northern Railway Act, 1845," upon the Railway by that Act authorized:

For Coal and Iron the maximum Toll shall be 2*d.* per Ton per Mile, and for Carriages under One Ton the maximum Rate shall be 6*d.* per Ton per Mile.

43. Provided always, That in estimating the Amount of Rates, Toll, or Charge in respect of Traffic conveyed partly on the Fife and Kinross Railway and partly on any Part of the Company's Railway, the Fife and Kinross Railway shall be deemed Part of the Company's Railway: Provided also, that for Traffic conveyed only on the Fife and Kinross Railway for a less Distance than Six Miles, the Company may charge as for Six Miles, and no more; provided further, every Passenger travelling upon the Fife and Kinross Railway may take with him his ordinary Luggage, not exceeding 112 Pounds in Weight for First-class Passengers, 100 Pounds in Weight for Second-class Passengers, and 60 Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

44. The Receipts for all Traffic between Stations of the Fife and Kinross Railway and Stations on the Company's Railway, and for all Traffic passing over Part of the Company's Railway between Stations on the Fife and Kinross Railway and Stations on other Railways, shall be apportioned to the Revenue Accounts of the Fife and Kinross Railway and the Company respectively, in proportion to the Mileage by the shortest Route; but it shall be in the Option of the Company to convey said Traffic by any Route they may think fit, provided they credit the Revenue Account of the Fife and Kinross Railway with its Mileage Proportion of the Through Rates as by the shortest Route; for Mineral Traffic, a Terminal of 4*d.* per Ton shall be credited to the Revenue Accounts of the Fife and Kinross Railway and the Company respectively, and for all other Traffic, viz., for foreign Traffic, the usual Terminals allowed by the Clearing House from Time to Time shall be given to the Fife and Kinross Railway Company; and for local Traffic, including Traffic to and from the short Lines connected with the Company's Railway, a Terminal of 1*s.* 6*d.* per Ton shall be allowed to each Company.

45. In the event of a Railway being made Northwards viâ Kinross by the Company, or by others in their Interest, as much of the Fife and Kinross Railway shall be used as practicable, and the Fife and Kinross Revenue Account shall be credited with a Share of the Through Rates according to Mileage.

46. All Traffic to and from the Devon Valley Railway, to and from Places on the Fife and Kinross Railway and the Company's Railway, or passing over these Railways, shall be forwarded by the shortest Route, and the Distance between the Devon Valley Railway and the Company's Kinross Station shall be reckoned as double the actual Distance in the Division of the Receipts.

47. Whereas by the said "Kinross-shire Railway (Branches) Act, 1861," the said Kinross-shire Railway Company were authorized to make and maintain a Branch, commencing by a Junction with the said Company's Main Line near the Northern Terminus thereof at Kinross, and terminating by a Junction with the Devon Valley Railway at the Southern End of a Field numbered 42 in the Parish of Kinross in the deposited Plans: And whereas the said Branch Railway has not yet been made, or the Land acquired for making the same: And whereas the Devon Valley Railway joins the Fife and Kinross Railway about Six Furlongs from the Point of Commencement of the said intended Branch Railway, by which Means there is already a continuous Line of Communication between the Devon Valley Railway on the one hand and the Edinburgh, Perth, and Dundee Railway, the Kinross-shire Railway, and the Fife and Kinross Railway on the other hand: And whereas in consequence of the Amalgamation of the Three last-mentioned Undertakings, the said intended Branch Railway is not now required for the Traffic of the Kinross-shire and Edinburgh, Perth, and Dundee Railways, or for the Accommodation of the Public: Be it therefore enacted, That the Company shall relinquish the Construction of the said Branch Railway from their Main Line near Kinross to join the said Devon Valley Railway authorized by "The Kinross-shire Railway (Branches) Act, 1861;" and all the Powers and Authorities granted by the said Act in relation to the said Branch shall cease and determine.

Cap. clxxxii.

"Vale of Neath Railway Act, 1862."

Recites that by their Act of 1859 the Capital of the Vale of Neath Railway Company was declared to be 865,000*l.* including 150,000*l.* which they were authorized to raise by Shares, and they were authorized to borrow not exceeding (inclusive of their then Debenture Debt,) 288,333*l.*, but not exceeding 238,333*l.*, until the whole of their Capital of 865,000*l.* was subscribed for or taken, and One Half thereof actually paid up; that by that Act they were authorized to guarantee to the Briton Ferry Dock Company Interest not exceeding 6*l.* per Centum per Annum on not exceeding 40,000*l.*, Part of the Dock Company's Capital, and to raise by Shares, or partly by Shares and partly by borrowing, 16,000*l.* to be applied exclusively to the Acquisition of the Property of the Aberdare Valley Railway Company; that they have guaranteed Interest at 5*l.* per Centum per Annum on 40,000*l.*, Part of the Dock Company's Capital; that they have not acquired any Part of the Property of the Aberdare Valley Railway Company, and have not raised any Money for the Purpose; that by "The Swansea and Neath Railway Act, 1861," the Swansea and Neath Railway Company were authorized to raise a Capital of 120,000*l.* by Shares, and to borrow 40,000*l.*, and to make the Swansea and Neath Railway, commencing by a Junction near to Neath with the Company's Railway, and terminating at Swansea with a Branch therefrom; that by that Act the Company were authorized to subscribe to and become Shareholders in the Swansea Company to the Extent of 100,000*l.*, and to raise by Shares for the Purposes of that Subscription a further Capital of 100,000*l.*, and Provision was made for the completing by the Company on default of the Swansea Company of the Swansea and Neath Railway, and for the raising by the Company of Capital for the Purpose, and for the running over, working, and using by them of that Railway; that they have subscribed for and hold Shares to the Amount of 100,000*l.* of the Swansea Com-

pany's Capital; that accordingly they are authorized to raise by Shares and by borrowing as follows:

		£
By Acts previous to and by the Act of 1859 - -	By Shares - -	865,000
	By borrowing - -	288,333
By the Act of 1859 -	By Shares or borrowing	16,000
„ „ 1861 -	By Shares - -	100,000
Total - - - - -		£1,269,333

that the Company's Capital and Mortgage Debt on the 1st June 1862 consisted of the following Particulars:

	£	£
Preferential 5*l.* per Cent. Shares ("The Vale of Neath Railway Act, 1859,") - - - -	150,000	
Preferential 5*l.* per Cent. Shares ("The Vale of Neath Railway (Capital) Act, 1855," and "The Swansea and Neath Railway Act, 1861,") - - - -	140,810	
Ordinary Consolidated Stock -	674,190	
Capital raised - -		965,000
Mortgage Debt - - - -		267,653
Total Capital raised and Mortgage Debt -		1,232,653
To be raised - - - -		36,680
Total - -		£1,269,333

that it is expedient that the Company be authorized to contribute a further Sum towards the Undertaking of the Swansea Company, to lay down Narrow Gauge Rails on their Railways in addition to the Broad Gauge Rails thereon; and to raise further Monies.

Incorporation of Parts of Companies Clauses Consolidation Act, §§ 2, 3.

4. The Company by Agreement with the Swansea Company may lend to them on Mortgage all or any Part of the Sum of 40,000*l.*, which, by the Act of 1861, they are authorized to borrow on Mortgage.

5. The Company may subscribe for or take and hold Shares of the Capital of the Swansea Company to the Extent of 20,000*l.* in addition to the 100,000*l.* which, by "The Swansea and Neath Railway Act, 1861," the Company are authorized to subscribe towards the Undertaking of the Swansea Company.

Nominee of Company to vote at Meetings of Swansea Company, § 7.
Agreements between Swansea Company and Company, §§ 8 to 12.
Tolls during Agreement, § 13.
Power to lay down Narrow Gauge, § 14.
As to crossing of Cwm Bach Branch of the Aberdare Railway, § 15.

16. The Company from Time to Time may raise, by the Creation and Issue of new Shares, and in addition to all other Sums which from Time to Time they are otherwise authorized to raise, all such Sums not exceeding the following as the Company think fit; (that is to say,)

	£
For any Loan to the Swansea Company -	40,000
For taking Shares of the Capital of the Swansea Company - - - - -	20,000
For laying down Narrow Gauge Rails on the Vale of Neath Railway, and incidental Expenses - - - - -	100,000
	£160,000

Power to create new Shares of different Classes, and to attach a Preference not exceeding 5*l.* per Cent., §§ 17 to 20.
Cancelling of forfeited Shares, §§ 21 to 26.
Issuing and Disposal of new Shares in lieu of cancelled Shares, §§ 27 to 35.
Power to borrow 33,300*l.*, §§ 36 to 41.

42. And whereas by reason that Parts of the Railways in the Possession or Management of the Company form the shortest and most convenient Way to and from certain of the Collieries, and Iron and other Factories, Mines, and Works situate upon or near thereto, the Practice of trespassing upon and using Parts of the Railways as Footpaths has for some Time past become frequent: And whereas on account of the heavy and numerous Trains passing along the Railways, and the Steepness of the Gradients on many Parts thereof, that Practice is necessarily attended with peculiar Danger to the Persons so trespassing, and many and fatal Accidents have resulted therefrom: And whereas it is expedient to make further Provision for preventing Trespass on the Railways: Therefore, if any Person shall be or pass upon any of the Railways in the Possession or Management of the Company except for the Purpose of crossing the same, after having received Warning by the Company or any of their Agents or Servants, not to go or pass thereon, every Person so offending shall forfeit and pay any Sum not exceeding 40*s.* for every such Offence.

Notice of foregoing Provision to be published, § 43.

Cap. clxxxiii.

"The West Midland and Severn Valley Railways Act, 1862."

Recites that by "The Severn Valley Railway (Leasing) Act, 1860," the West Midland Railway Company were authorized to take a Lease of the Undertaking of the Severn Railway Company, and the Terms and Stipulations of such Lease were required to be such as are set forth in the Schedule to such Act, and the West Midland Railway Company have taken such Lease accordingly; that the Rent reserved by such Lease is a certain Proportion of the gross Receipts arising from the Traffic conveyed on the Severn Valley Railway, and also a certain Proportion of the gross Receipts on the Railways of the West Midland Railway Company, arising from Traffic passing thereon to and from the Severn Valley Railway; that it is expedient that the Rent reserved by the said Lease, contingent upon the Amount of Traffic, should be commuted for fixed Payments.

2. In lieu of the Rent reserved under the Provisions of "The Severn Valley Railway (Leasing) Act, 1860," and set forth in the Schedule thereto and in the Lease granted in pursuance thereof, the West Midland Railway Company shall from and after the Day on which the said Lease of the Severn Valley Railway shall take effect, pay in respect of the Lease of the Undertaking of the Severn Valley Railway Company the following Sums; (that is to say,)

First. Interest from the said Day on which the said Lease shall take effect from Time to Time due and to become due in respect of the Principal Sums owing upon Mortgages and Bonds, and all Rentcharges (if any) of the Severn Valley Railway Company, and Interest upon Mortgages and Bonds issued by the West Midland Railway Company under the Provisions of this Act for the Purposes of the Severn Valley Railway:

Second. Dividends upon the Preference Shares not exceeding in the whole the Sum of 120,000*l.*, created and issued by the Severn Valley Railway Company, at and after the Rate of 4*l.* 10*s.* per Centum per Annum upon the Amount from Time to Time paid up on such Shares, commencing on the said Day on which the said Lease shall take effect:

Third. All the Office and Establishment Expenses of the Severn Valley Railway Company and the Salaries and Charges of the Secretary and necessary Clerks and Staff of the Severn Valley Railway Company, but nevertheless with the Option to the West Midland Railway Company, upon their giving to the Severn Valley Railway Company Six Months Notice of their Intention so to do, of employing their own Secretary, Clerks, and Staff in transacting and carrying on the Office Business of the Severn Valley Railway Company:

Fourth. Dividends on the ordinary Shares or Stock of the Severn Valley Railway Company, commencing on the said Day on which the said Lease shall take effect, at and after the Rates and for the Periods following; (that is to say,)

For each Half Year ending respectively on the 30th Day of June and the 31st Day of December in the Years 1862 and 1863, Dividends at the Rate of 3*l.* per Centum per Annum:

For each Half Year ending respectively on the 30th Day of June and the 31st Day of December in the Year 1864, Dividends at the Rate of 3*l.* 10*s.* per Centum per Annum:

For each Half Year ending respectively on the 30th Day of June and the 31st Day of December in the Years 1865, 1866, and 1867, Dividends at the Rate of 4*l.* per Centum per Annum:

For every succeeding Half Year thenceforth during the Continuance of the said Lease, and ending respectively on the 30th Day of June and the 31st Day of December in each Year, Dividends at the Rate of 4*l.* 10*s.* per Centum per Annum, and so in proportion for any Period less than One Half of a Year, in case of the Commencement or Determination of the said Lease during the Currency of any financial Half Year:

and such Payments shall be made and accepted in lieu of any Rent reserved or Payments directed to be made under the said Act or the Schedule thereto, and the Lease granted in pursuance thereof by the West Midland Railway Company in respect of the Severn Valley Railway, but, save as aforesaid, the said Act and the Lease granted in pursuance thereof shall remain and have full Force and Effect.

3. The Interest, Dividends, and other fixed Payments hereby respectively made payable shall be payable half-yearly at the same Period as the Interest, Dividends, and other similar fixed Payments of the West Midland Railway Company are now paid or are payable.

4. The Payment of such Sums of Interest, Dividends, and fixed Payments payable under the Powers of this Act in respect of the said Lease shall not be made so as to prejudice or affect any other Rents now payable by the West Midland Railway Company, or any Section thereof, or any Rights of any of the Holders of Mortgages, Bonds, or Debenture Stocks created or hereafter to be created by the West Midland Railway Company or any Section thereof, nor shall it be made so as to prejudice or affect the Rights or Priorities of any of the Holders of any guaranteed or preferential Stocks or Shares of that Company or of any Section thereof, created or authorized to be created at the passing of this Act: Provided always, that the gross Receipts upon and in respect of the Severn Valley Railway shall always be and remain in the first instance applicable half-yearly to the Payment of the Interest, Dividends, and fixed Payments by this Act made payable.

5. Except as expressly enacted, this Act shall not prejudice, alter, or affect any of the Powers or Provisions of the said Lease or of "The Severn Valley Railway (Leasing) Act, 1860."

6. And whereas by the 6th Section of the Schedule to "The Severn Valley Railway (Leasing) Act, 1860," it was provided that the West Midland Railway Company should have the Option, at any Time within 10 Years after the Commencement of the Lease, to purchase the Undertaking of the Severn Valley Railway Company at Par: Therefore on the 31st Day of December 1871, or on any earlier 30th Day of June or 31st Day of December which may be fixed by the West Midland Railway Company by Six Months previous Notice, the Severn Valley Company shall sell and the West Midland Railway Company shall purchase the Undertaking of the Severn Valley Railway Company at a Price equivalent to the aggregate nominal Amount of the then paid-up ordinary Stock and Share Capital of the Severn Valley Railway Company, and shall also assume or satisfy all the then Rentcharges, Mortgage and Bond Debts, preferential Stock and Shares, and other fixed Liabilities of the Severn Valley Railway Company, and the same shall accordingly then become and thenceforth be Debts and Liabilities of the West Midland Railway Company.

Cap. clxxxiv.

"Brecon and Merthyr Railway Act, 1862."

Recites that in 1859 the Brecon and Merthyr Tydfil Junction Railway Company was incorporated with a Capital of 80,000*l.*, and with Power to borrow 26,600*l.*, for the Purpose of making a Railway to commence in the Parish of Llanddetty, in the County of Brecon, and to terminate in the Parish of Merthyr Tydfil, in the same County; a Railway from that Line to join the Dowlais Railway, and a Stone Road to commence in the said Parish of Llanddetty, to be carried across the River Usk by a Bridge, and to terminate near the Parish Church of Llansaintfread, in the County of Brecon; that by their Act of 1860 they were empowered to relinquish the Construction of the authorized Main Line from the Commencement thereof to a Point in the said Parish of Llanddetty, and of the whole of the said Stone Road and Bridge, and in lieu thereof to construct other Railways in extension of the authorized Main Line, and to complete their Communication with the Town of Brecon, and also to raise further Sums not exceeding 50,000*l.* by Creation of ordinary Shares in their Undertaking, and 16,600*l.* by borrowing on Mortgage; that by the same Act the Taff Vale Railway Company were empowered to subscribe any Sum not exceeding 30,000*l.* towards the Undertaking or any specified Portion of the Undertaking, and (to that Extent) to become Shareholders, and take and hold Shares in the Capital or any specified Portion of the Capital of the Company, and to raise Money for that Purpose by the Creation of Shares or Stock in the Undertaking of the Taff Vale Railway Company, but that Company has not exercised those Powers; that by their Capital Act, 1861, the Company were authorized to raise further Sums not exceeding in the whole 63,000*l.*, by the

Creation of new Shares in their Undertaking (with Power to attach thereto a Preference or Priority of Interest or Dividend not exceeding the Rate of Five per Centum per Annum), and not exceeding 21,000*l.* by borrowing on Mortgage; and by their Extensions Act, 1861, the Company were empowered to make—First. A Railway commencing by a Junction with the authorized Main Line in the Parish of Merthyr Tydfil, in the County of Glamorgan, and terminating near the Dowlais Roadside Pond in the same Parish; secondly, a Railway commencing by a Junction with the Railway therein-before described and terminating by a Junction with the Railway of the Rhymney Railway Company at or near the Pont Aber Bargoed Station thereon; that by the same Act the Company were prohibited from opening for Traffic any Portion of the Railways by that Act authorized between the Commencement of the same therein-before described in the Parish of Merthyr Tydfil, and the Property numbered on the Plans deposited for the Purposes of that Act 163[a] in the Parish of Gelligaer, until they should have completed and opened for Traffic so much of the Railways authorized by the original Act as were authorized to be made in the Parish of Merthyr Tydfil, and until they should have made a Junction between those Railways and the Dowlais Railway, or until the Company should have completed and opened for Traffic any Line which might by the Authority of Parliament be substituted for the said Portion of the Railways of the Company authorized by the original Act, and which should connect the Railway of the Company with the Taff Vale Railway at Merthyr Tydfil; that the same Act also enacted that in the Event therein specified (and which Event has happened) the Powers of the Company with respect to the making and maintaining of that Portion of the Railway in that Act secondly described, which lay between the Junction thereof with the Main Line of the Rhymney Railway and the said Field numbered 163[a] in the Parish of Gelligaer, and the entering upon, taking, and using of Lands for the Purposes thereof should absolutely cease, and that the same should not for any Purpose be Part of their Railway; that by the same Act the Company were empowered to raise for the Purposes of that Act any Sums not exceeding in the whole 130,000*l.* by new Shares, and 43,300*l.* by borrowing on Mortgage on the Security of the Railways by that Act authorized, and the Tolls, Rates, and Charges thereon, and (if so agreed) the future Calls upon the Shareholders under that Act; and that Act enacted that the Railways and Works thereby authorized to be constructed should for financial Purposes form a separate Undertaking, and that the Capital and new Shares created under the Powers of that Act should constitute a separate Capital, and that the Profits from Time to Time applicable to Dividend of the Railways by that Act authorized should be wholly applied in Payment of Interest or Dividend on the new Shares created under the Powers of that Act, and that the Holders of those Shares should not in respect thereof be entitled to Interest or Dividend out of any other Profits of the Company; that it is expedient to make a Railway (in substitution for a Portion of the Railways authorized by the original Act) from the authorized Main Line in the Parish of Llanddetty to join (with a double Junction) the Taff Vale Railway at Merthyr Tydfil; also a Railway from the authorized Main Line in the Parish of Merthyr Tydfil to join in the same Parish the authorized Line of the Railway first described in "The Extensions Act, 1861," and in substitution for Part of that Line; also Two Deviation Railways in the Parish of Gelligaer, in the County of Glamorgan, in substitution for Parts of the authorized Lines of the Railway secondly described in "The Extensions Act, 1861;" and a Line of Railway to connect the before-mentioned Railways with the Merthyr, Tredegar, and Abergavenny Railway, and the Sirhowy Railway; recites that the recited Section 6 of "The Extensions Act, 1861," was enacted at the instance of the Taff Vale Railway Company, and it is expedient that the same be repealed, and that such other Provision as in this Act contained be substituted for that Section; proposes to raise further Money for the Purposes of this Act; to authorize the Taff Vale Railway Company to subscribe a further Sum towards the Undertaking of the Company, and to sanction the making of Agreements with the Company.

Incorporating Lands and Railways Clauses Acts, §§ 2, 3.

Power to make Railways, §§ 4 to 8.

Communications with other Railways, §§ 9 to 11.

Pant Junction with Dowlais Limestone Railway to be maintained, § 12.

Provisions of Sections 13 to 16 of Extensions Act, 1861, incorporated with Act for Protection of Dowlais Iron Company, § 13.

Saving Rights of the Dowlais Iron Company, § 14.

For Protection of the Property of Anthony Hill, Esq., § 15.

Accommodation Works for Quarries in Morlais Castle Land, § 16.

As to Junctions with private Tramways, § 17.

Not to take certain Lands of Merthyr, Tredegar, and Abergavenny Railway Company without Consent, § 18.

19. The Powers of the Company for the compulsory Purchase of Land for the Purposes of the Railways by this Act fourthly and fifthly authorized shall not be exercised after the Expiration of Three Years from the passing of "The Extensions Act, 1861," and for the Purposes of the other Railways by this Act authorized shall not be exercised after the Expiration of Three Years from the passing of this Act.

20. The Railways by this Act fourthly and fifthly authorized shall be completed within Five Years from the passing of "The Extensions Act, 1861," and the other Railways by this Act authorized shall be completed within Three Years from the passing of this Act.

Junction with the Vale of Neath Railway, §§ 21 to 25.

26. For the Purposes of the Tolls, Rates, and Charges to be taken thereon respectively, and for all other Purposes not in this Act otherwise provided for, the Railways by this Act firstly and secondly authorized, and the Works connected therewith, and the Lands acquired for the Purposes thereof, shall be deemed Part of the general Undertaking of the Company; and all other the Railways and Works by this Act authorized, and that Portion of the authorized Main Line which lies between the Commencement of the Railway by this Act firstly authorized and the Commencement of the Railway by this Act thirdly authorized, (and which Portion is required only for connecting with the authorized Main Line the other Railways forming the separate Undertaking,) and the Works connected therewith respectively, and the Lands acquired for the Purposes thereof respectively, shall be deemed Part of the separate Undertaking of the Company, and Tolls, Rates, and Charges may accordingly be levied and collected on those Railways and that Portion of Railway respectively: Provided always, that the maximum Charges to be made upon, for, or in respect of each Railway by this Act authorized, and on that Portion of Railway, shall not exceed those limited to be taken on that Undertaking of the Company of which that Railway or Portion of Railway is to be Part as aforesaid.

27. The Merthyr, Tredegar, and Abergavenny Railway Company, or other the Company or Companies or Persons from Time to Time having the Working or Management of the Merthyr, Tredegar, and Abergavenny Railway, on the one hand, and the Company, or other the Company or Companies or Persons from Time to Time having the Working or Manage-

ment of the Brecon and Merthyr Railway on the other hand, shall mutually and reciprocally from Time to Time afford all proper and sufficient Facilities, including Through Rates and Through Booking for the Accommodation and Transmission of, and shall properly and sufficiently accommodate and transmit on their respective Railways, between the Junction of the Merthyr, Tredegar, and Abergavenny Railway with the Newport Section of the West Midland Railway, and the Junctions of the Brecon and Merthyr Railway with the Taff Vale Railway and Vale of Neath Railway, or on any Parts of those their respective Railways, all Traffic which having passed on either of those Railways is from Time to Time tendered for Transmission on any other of those Railways, and also all Traffic which is from Time to Time tendered for Transmission on either of those Railways in order to its being afterwards transmitted on any other of those Railways.

28. All such Facilities for the Accommodation and Transmission of Traffic shall be afforded by the said Companies and Persons respectively, subject to such reasonable Rules and Regulations, and on Payment of such Tolls, Fares, Rates, and Charges as the Companies or Persons interested from Time to Time agree on, or as, failing Agreement between them, shall be determined under "The Railway Companies Arbitration Act, 1859," by a single Arbitrator to be in every Case agreed on between them, or, failing their Agreement on that Behalf, to be on their or either of their Application appointed by the Board of Trade, and the said Arbitrator shall have the Power to order the said Companies to invoice Goods through.

29. The Company shall abandon and relinquish the Construction of the following Portions of their authorized Lines of Railway; (to wit,)

So much of the Railways authorized by the original Act as lies between the Point at Pant up to which they are already constructed, and the Termination of those authorized Railways where the same were intended to join the Dowlais Railway:

So much of the Railway by "The Extensions Act, 1861," first authorized, as was intended to have been made between the Commencement and Termination of the Railway by this Act thirdly authorized:

So much of the Railway by "The Extensions Act, 1861," secondly authorized, as was intended to have been made between the Commencement and Termination of the Deviation Railway by this Act fourthly authorized, and also between the Commencement and Termination of the Deviation Railway by this Act fifthly authorized.

Compensation to be made where Contracts have been entered into or Notices given, § 30.

Repeal of Section 6 of Act of 1861, § 31.

32. Except with the Consent in Writing thereto of the Taff Vale Railway Company, under their Common Seal, the Company shall not use the Railways authorized by "The Extensions Act, 1861," or the Deviation Railways fourthly and fifthly herein-before described and by this Act authorized, for the Purpose of any Through Traffic requiring to pass over the entire Length of the Company's Railways, between any Point of their Main Line from Brecon to Merthyr and the Railway of the Rhymney Railway Company, until they shall have completed and opened for Traffic the Railway by this Act firstly authorized, and shall have made the Junction between that Railway and the Taff Vale Railway.

Equal Rates to be charged for Traffic, § 33.

Siding to be made for the Convenience of the Brithdir Estate, § 34.

35. The Company may apply for the Purposes of the Railways by this Act firstly and secondly authorized any Monies raised or to be raised by them under the Acts, or any of the Acts herein-before recited (excepting "The Extensions Act, 1861"), and for the Purposes of the Railways by this Act thirdly, fourthly, and fifthly authorized any Monies raised or to be raised by them under "The Extensions Act, 1861."

36. The Company may from Time to Time (in addition to the Sums of Money which by the recited Acts they are authorized to raise) raise for the Purposes of the general Undertaking, and by the Creation of new Shares in that Undertaking, any Sums not exceeding in the whole 112,000*l.*, and for the Purposes of the separate Undertaking, and by the Creation of new Shares in that Undertaking, any Sums not exceeding in the whole 65,000*l.*, and may create the new Shares in each Undertaking respectively, in One or more Classes, and of such Amount as will allow the same to be conveniently apportioned or disposed of, according to the Resolution of any Ordinary or Extraordinary Meeting of the Company.

37. The Shares for raising the said Sum of 112,000*l.* for the Purposes of the general Undertaking are herein-after comprised under the Term "General Shares," and the Shares for raising the said Sum of 65,000*l.* for the Purposes of the separate Undertaking are herein-after comprised under the Term "Extension Shares."

38. The Profits of the Railways by this Act firstly and secondly authorized shall be and be deemed Profits of the general Undertaking, and shall be applicable accordingly, and the Holders of Extension Shares and of Shares created under "The Extensions Act, 1861," shall not in respect thereof have or be entitled to any Interest or Dividend out of the Profits of the general Undertaking.

39. The Profits of the Railways by this Act thirdly, fourthly, fifthly, sixthly, and seventhly authorized, and of the said Portion of Railway by this Act made Part of the separate Undertaking, shall be and be deemed Profits of the separate Undertaking, and the Profits of the separate Undertaking from Time to Time applicable to Dividend shall be applied wholly in Payment of Interest or Dividend on the Sums from Time to Time paid up on the Shares created under "The Extensions Act, 1861," and the Extension Shares created under this Act, pari passu, and the respective Holders of those Shares shall not in respect thereof be entitled to Interest or Dividend out of the Profits of the general Undertaking.

40. All new Shares created under the Powers of this Act shall be designated by a distinctive Title in the Books of the Company and on the Certificates issued for the same.

41. The Extension Shares shall not confer any Right of voting or Interference at any Meeting of the Company on any Question or Proceeding which shall not directly affect the separate Undertaking, and any Director whose Qualification consists only or in any greater Proportion than One Half thereof of Shares in the separate Undertaking shall not vote or interfere at any Meeting of the Directors on any Questions or Proceeding which shall not directly affect the separate Undertaking.

42. The Company shall keep separate Accounts of all Receipts and Payments from, for, or on account of the separate Undertaking, and the Balance of those Receipts, after deducting for Expenses of Working and Management, such a Proportion (not exceeding 50 per Centum per Annum) of such Receipts as shall be determined by any Meeting of the Company before the Issue of such Shares, and also after deducting all Rates, Rents, and Taxes payable on or in respect of the Railways forming the separate Undertaking, and all Interest on borrowed Money for the Time being secured or charged upon those Railways, shall for the Purposes of this Act be deemed the Profits of the separate Undertaking applicable to Dividend.

43. The Powers of Subscription and taking Shares given to the Taff Vale Railway Company by the 18th Section of the Act of 1860 shall extend and apply to the Undertaking and Capital of the Company as by this Act and the recited Acts authorized, and may be exercised accordingly.

44. The Taff Vale Railway Company may from Time to Time, with the Sanction of Three Fifths at least of the Votes of the Proprietors voting, personally or by Proxy, at some Extraordinary Meeting of that Company convened with Notice of this Purpose, subscribe any further Sums not exceeding in the whole 30,000*l.* towards the Undertaking, or any specified Portion of the Undertaking of the Company, and may to that Extent become Shareholders, and take and hold Shares in the Capital, or any specified Portion of the Capital, of the Company.

45. It shall not be lawful for the Taff Vale Railway Company, without the further Authority of Parliament in that Behalf, to sell or dispose of any Shares so taken by them in the Capital of the Company.

The Taff Vale Railway Company may apply any existing Funds towards their Subscription, § 46.
Power for the Taff Vale Railway Company to raise Money by Shares or Stock with preferential Dividend of Five per Cent., §§ 47, 48.
All Shares of same Class to bear same Dividend, &c., § 49.
Saving existing Preferences, § 50.

51. The general Shares created by the Company, and the Shares and Stock created by the Taff Vale Railway Company under the Powers of this Act, shall respectively be entitled to the preferential Dividend (if any) which may have been attached to them by the Company creating the same as aforesaid out of the Profits of that Company in each Year applicable to Dividend on those Shares in priority to the ordinary Shares and Stock, in that Company entitled to Dividend out of the same Profits, but if in any Year ending the 31st Day of December there shall not be Profits so applicable available for the Payment of the full Amount of such preferential Dividend for that Year, no Part of the Deficiency shall be made good out of the Profits of any subsequent Year, or out of any other Funds of the Company, or (as the Case may be) the Taff Vale Railway Company.

Qualifications of new Shareholders, § 52.
Disposition of new Shares, § 53.
Limit of Amount and Number of Calls, § 54.
Unissued Shares may be cancelled, § 55.

56. The Company may from Time to Time, with the Authority of any General Meeting, borrow on Mortgage (in addition to the other Sums which they are by this Act or any other Act authorized to borrow) any Sums not exceeding as follows; (to wit,)

In respect of the additional Share Capital by this Act authorized for the Purposes of the general Undertaking, they may borrow for the Purposes of that Undertaking on the Security thereof, and of the Tolls, Rates, and Charges arising therefrom, any Sums not exceeding in the aggregate 37,300*l.*:

In respect of the additional Share Capital by this Act authorized for the Purposes of the separate Undertaking, they may borrow for the Purposes of that Undertaking on the Security thereof, and of the Tolls, Rates, and Charges arising therefrom, any Sums not exceeding in the aggregate 21,600*l.*

Restrictions as to borrowing, §§ 57 to 59.
Incorporating certain Provisions of Companies Clauses Consolidation Act, § 61.
Subscribing Company may appoint Person to vote, §§ 62, 63.
Extending Traffic Arrangements with Individuals to Extensions, § 64.

Cap. clxxxv.

"The West Shropshire Mineral Railway Act, 1862."

Recites that the making of a Railway from the Oswestry and Newtown Railway, near Llanymynech, to the Shrewsbury and Welchpool Railway, in the Parish of Westbury, would be of great public Advantage; and that it is expedient to provide for the Use by the Oswestry and Newtown Railway Company of the said Railway.
Incorporation of Consolidation Acts, § 2.
Company incorporated, with a Capital of 90,000*l.*, and with Power to borrow, 30,000*l.*, §§ 3 to 10.
Meetings; Directors, &c., §§ 11 to 18.
Power to make Railways, §§ 19, 20.
Power to alter Engineering Works, § 21.
Level Crossings, §§ 22 to 24.
Three Years for compulsory Purchase of Lands, § 25.
Five Years for the Completion of Works, § 26 and § 31.
Junctions to be made in manner specified, §§ 28 to 30.
Tolls for Railway, §§ 32 to 41.
Power for Oswestry and Newtown Railway Company to use Railway, § 42.
Power to erect Toll Gates and Toll Houses, § 43.
Tolls for the Use of the Bridge; Regulations, and Penalties, §§ 44 to 57.
Schedule (Carriages; Tolls).

Cap. clxxxvi.

"Brecon Markets Act, 1862."

Recites that by 1 & 2 Vict. c. xii. for providing Market Places and for regulating the Markets within the Borough of Brecon, the Mayor, Aldermen, and Burgesses of the Borough of Brecon were authorized to purchase certain Lands in the Borough of Brecon, and to appropriate the same and other Lands in the Borough for the Purposes of the reciting Act, and to provide thereon Market Houses and Market Places, and to preserve for the Corn Market a Portion of the then existing Market Place (that Portion being situate under the Guildhall of the Borough), and to maintain and regulate the then Corn Market and the then Cattle Market, and the Market House or Market Place by the reciting Act authorized to be provided; and, for the Purpose of providing the new Market House or Market Places, the Corporation were authorized to borrow at Interest on the Credit of the Tolls, Rents, and Stallage specified in the Second Schedule to the reciting Act, and in the Third Schedule to this Act annexed, such Sums as they should think requisite, and to assign the said Tolls by way of Mortgage accordingly, but subject to the Provisions of the reciting Act with respect to the Priority of Payment and Application of such Tolls; and for the Purposes of the reciting Act the Corporation were authorized to raise Money by Mortgage or Sale of their Lands, and to apply the Money to be received by virtue of the reciting Act, and (subject as therein expressed) the said Tolls, first in paying the Expenses of obtaining the reciting Act, and next in paying the Expenses of providing the Market Places, and next in retaining and setting apart such Sums as, with the Rents, Tolls, and Dues which should be received by the Corporation from any Property belonging to them other than the said Tolls, should be equal in Amount to or necessary to make up the annual Sum of 210*l.*, the Amount of the net annual Income of the Corporation from the whole Tolls of the Borough and other

Property of or belonging to them, of which Sum of 210*l.* a competent Part should be applied by the Corporation towards defraying the Interest of any Incumbrance then affecting their Property, and the Remainder should be by them applied to such Purposes and in such Manner as by Law they were then authorized and empowered to apply their net annual Income, and afterwards the Surplus Tolls should be applied in paying the Interest of all Monies borrowed under and for the Purposes of the reciting Act; and subject to those Payments the Residue of the Surplus Tolls should be divided into Two equal Parts, one of which should be paid to the Persons entitled to any of the Securities for any Money so borrowed on Mortgage, and their respective Executors, Administrators, and Assigns, in proportion to the respective Sums advanced by them, without any Preference, and the other should be retained by the Corporation towards enabling them to pay off the Money borrowed on Mortgage, and after the Payment thereof the whole of the Surplus Tolls should be by them applied to such Purposes of public Benefit within the Borough as to them should seem meet; and the Tolls theretofore payable in respect of the Market in the Borough should continue until the new Market Places were completed and opened for public Use, and thereafter there should be paid to the Corporation or their Collector in respect of the Markets such Tolls, Rents, and Stallage as should from Time to Time be appointed by the Corporation, not exceeding the scheduled Tolls; and the Corporation were authorized to remove the Corn Market to some other convenient Place belonging to the Corporation in the Borough, and to appropriate Land belonging to the Corporation in the Borough for the Cattle Market, and to take Tolls for the Cattle Market, and Provision was made for the holding of the then Markets in the Streets in the Borough until other Market Places were provided, and the Corporation were authorized to provide Slaughter-houses in the Borough; that the Corporation accordingly, under the Powers of the recited Act, provided a Market House, but they have not provided any Slaughter-house, and they have removed their general Market to the new Market House so provided, but they have not removed the Corn Market from below the Guildhall, and the Cattle Market and the Fairs are still held in the Streets in the Borough; that the Corporation borrowed at Interest on the Security of the scheduled Tolls divers Sums amounting in the whole to 9,914*l.* 14*s.* 6*d.*, and under the recited Act the Corporation granted Assignments of the scheduled Tolls for securing the Repayment, with Interest thereon, of the Monies so borrowed; that for securing the Repayment, with Interest, of 1,500*l.*, Part of the Money so borrowed, the Corporation made a Mortgage of Parts of their Corporate Estates by way of collateral Security for the same, and their Mortgage Creditor afterwards obtained a Judgment against them for the Amount of the Debt; that the Repayment, with Interest of 8,414*l.* 14*s.* 6*d.*, the Residue of the Money so borrowed, is secured only by the Debentures for the same, and the whole of the 1,500*l.* so secured by Debentures, and collaterally secured by Mortgage; and in respect of which Judgment against the Corporation has been obtained, and almost the whole of the Interest thereon which has become payable since the 4th September 1855, are now due and unpaid; that the whole of the 8,414*l.* 14*s.* 6*d.* so secured by Debentures alone, and almost the whole of the Interest thereon which has become payable since the 1st January 1851, are now due and unpaid; that the Property of the Corporation, other than their Property under the recited Act, comprises the Guildhall of the Borough, and the Borough Lock-up or Police Station, and a Manor or reputed Manor (if any), and divers Messuages, Lands, Chief Rents, and Tenements, and their Markets and Fairs, and Tolls and Dues arising from the same, and Drift Tolls payable on Goods of divers Persons passing through the Borough; that the net Income arising from the Corporate Estates averages about 140*l.* a Year, consisting of about 40*l.* a Year for the Drift Tolls, and about 100*l.* a Year from Rents and Profits of other Parts of the Corporate Estates; that the Corporate Estates or Parts thereof are subject to divers Incumbrances; and with the Exception of the Drift Tolls have been extended, and are now held by a Creditor by Elegit for a Debt originally of 750*l.* and Costs, but the net Income arising from the same is insufficient to keep down the Interest on his Debt; that the scheduled Tolls are received by a Receiver appointed by the Court of Chancery on behalf of the Debenture Holders; and the average net Amount of the scheduled Tolls is about 320*l.* a Year, out of which about 70*l.* a Year is paid to the Corporation, in order to make up their Income, as provided by the recited Act, to 210*l.* a Year, and the Residue thereof is insufficient to keep down the Interest payable to the Debenture Holders; that the only Income which the Corporation now derive for their own Benefit from their Corporate Estates and their Property under the recited Act together is about 110*l.* a Year, consisting of about 40*l.* a Year arising from the Tolls and Dues forming Part of the Corporate Estates, and about 70*l.* a Year paid to them out of the scheduled Tolls, the Residue of their 210*l.* a Year being taken by their Elegit Creditor; that by reason of the Manner in which the scheduled Tolls and the Corporate Estates respectively are now managed they do not produce so great an Amount of Income as they might produce if they were placed under One Management; that the Debenture Holders, except one Edward Evans, who cannot be found, are willing to accept a Composition for their respective Debts, on condition of the Provision by this Act made in that Behalf, and for the better Management of the Corporate Estates and the Property of the Corporation under the recited Act being made; that it is expedient that Parts of the Estates and Property of the Corporation be vested in and managed by a Company, and that Provision be made for the Discharge of the Debts and Liabilities of the Corporation; that divers of the Debenture Holders and other Persons interested in the Welfare of the Borough are willing and it is expedient that they should be united into a Company for the Purpose, and that it is expedient that the recited Act be repealed, and that other Provisions with respect to the Markets and Fairs in the Borough be made; and that the Company be authorized to provide a new Market Place in the Borough for the Cattle Market and Slaughter-houses, and to acquire Lands for the Purpose, and that the Cattle Market be removed from the Streets in the Borough to the Market Place so provided.

Limits of Act, § 3.

Incorporation of Consolidation Acts, § 4.

The Brecon Markets Company incorporated, with a Capital of 3,000*l.*, and Power to borrow 750*l.* on Mortgage, §§ 6 to 11.

Meetings; Directors, &c., §§ 14 to 19.

Recited Act repealed, § 20.

21. On the Commencement of this Act, and except only as is by this Act otherwise expressly provided, the Markets and Fairs in the Borough, and the Market House, Market Places, and Places for holding Fairs in the Borough, and the Works and Conveniences connected therewith, and all Tolls, Rents, Stallages, Dues, and other Monies payable in respect of the Markets and Fairs, Market Houses and Market Places, Works

and Conveniences respectively, and the Drift Toll payable on Goods of Persons passing through the Borough, and the Manor or reputed Manor (if any), and all Messuages, Lands, Chief Rents, Tenements, and Hereditaments of the Corporation, and all other the Real, Personal, and Mixed Estates and Effects of or to which the Corporation or any Persons on their Behalf were immediately before the passing of this Act seised, possessed, or entitled either at Law or in Equity, or otherwise howsoever, with their and every of their respective Rights, Members, and Appurtenances, including all such Parts thereof as immediately before the Commencement of this Act were comprised in any Mortgage or held by any Tenant by Elegit, are by this Act vested in the Company as their own Property, but, except only as is by this Act otherwise expressly provided, subject and without Prejudice to the Estates, Interests, Claims, and Demands whatsoever of all Mortgagees and Tenants by Elegit of the same or any Parts thereof respectively, and subject and without Prejudice to all other Charges and Incumbrances on and all Liabilities of and Claims and Demands against the Corporation in respect of the same.

22. Provided, That the Guildhall in the Borough and the Borough Lock-up or Police Station in the Borough respectively belonging to the Corporation, with their respective Rights, Members, and Appurtenances, and a Sum of 200*l.* or thereabouts due and payable to the Corporation as Purchase Money or Compensation in respect of the Gaol Field lately taken by the Authorities of the County of Brecon for the Purposes of the County Gaol, and all Interest (if any) thereon, shall not be vested by this Act in the Company, but are by this Act expressly excepted and reserved to the Corporation as their own Property, and (except only as is by this Act otherwise expressly provided) for their own Use absolutely, and free from all Rent or other Payment whatsoever: Provided nevertheless, that the Company shall at all Times be entitled to and have the User, as heretofore and now had, for the Purposes of and connected with the Corn Market, of the Corn Market Place under the Guildhall, free from all Rent or other Payment whatsoever; and the Corporation shall apply the Sum of 150*l.*, Part of that Sum of 200*l.*, or thereabouts, when received by them from the Authorities of the County of Brecon, towards Payment of the Expenses of obtaining this Act.

General Saving of Rights, § 23.
Provisions of other Acts continued, § 24.
Scheduled Tolls continued, § 25.
Conveyances, &c. preserved, § 26.
Tolls, &c. due to be paid to Company, § 27.
Payment of Debts of Corporation, § 28.
Actions not to abate, &c., § 29.
Penalties to be recoverable, § 30.
Books, &c. continued Evidence, § 31.
Officers, &c. of Corporation to account to them, § 32.

33. On the Commencement of this Act the Powers and Authorities of the Receiver appointed by the Court of Chancery to receive the scheduled Tolls shall cease: Provided that the Receiver shall duly account for all Monies received or receivable by him as Receiver, and for the Application thereof, and shall be entitled to his Fees and Allowances accordingly.

34. From and after the Commencement of this Act, the Elegit Creditor of the Corporation shall cease to have or to be entitled to the Possession or Receipt of or any Estate or Interest in or Claim or Demand affecting or in respect of the Rents, Issues, and Profits of any Part of the Property of the Corporation by this Act vested in the Company, and instead thereof shall have the Security provided for him by this Act.

35. Provided, That the Lands and other Property vested in the Company by or under this Act, or any Part thereof, or the Company, shall not, under any of the Provisions of this Act, or otherwise, except by their own Agreement, be subject or liable to any Charge, Incumbrance, Claim, or Demand whatsoever made, occasioned, or suffered by the Corporation, or by reason of any Act or Default of the Corporation, subsequently to the 30th Day of November 1861.

36. In order to the Discharge of the Principal Monies and Interest secured by the Debentures issued under the recited Act for 9,914*l.* 14*s.* 6*d.*, which are specified in the First Schedule to this Act annexed, the Company from Time to Time, by Agreement with the Holder of any of those Debentures, may issue to him, by way of substitution for his Debenture under the recited Act, a Debenture in the Form given in the Second Schedule to this Act annexed, or to the like Effect, and when any Debenture under this Act is substituted for any Debenture under the recited Act, the Debenture under the recited Act shall be cancelled, and all Rights and Liabilities in respect thereof shall be by this Act extinguished.

37. Subject to the Provisions of this Act, the Provisions "with respect to the borrowing of Money by the Company on Mortgage or Bond" of "The Companies Clauses Consolidation Act, 1845," except so much of those Provisions as relates to Bonds and to the Payment of the Principal Sums secured by the Mortgages, are incorporated with this Act, and apply to the Debentures so from Time to Time granted under this Act, and Transfers thereof, and the Debenture Holders and the Company respectively, with respect to the same.

38. If the Interest payable under this Act for any Year on the Principal Monies specified in the Debentures under this Act amounts to 5*l.* per Centum, then, on the Expiration of that Year, all those Debentures, and all Rights and Liabilities in respect thereof, shall be by this Act extinguished.

39. On the Extinguishment of those Debentures the Capital of the Company shall be by this Act increased by a Sum of Stock equal to the Amount of the Principal Monies specified in the extinguished Debentures, and thenceforth the Company's Capital of 3,000*l.* and the additional Capital so created shall be their Capital under this Act.

40. The Stock so created shall be by this Act vested as fully paid up Stock in the several Persons who at the Time of the Extinguishment of those Debentures were the several registered Holders of those Debentures, in rateable Proportion to the Amounts of the Principal Sums specified in their respective Debentures so extinguished.

41. Every Portion of Stock so vested shall be vested in the Person entitled thereto, subject to the same Trusts, Provisions, and Liabilities as those which immediately before the vesting thereof affected the Interest secured by the extinguished Debenture in respect of which the Portion of Stock is so vested, but so as not to revoke but give Effect to any Will or Testamentary or other Disposition of or affecting the same Interest.

42. From and after the Commencement of this Act the Company shall pay to the Corporation the yearly Sum of 210*l.* by equal half-yearly Payments on or within 28 Days after the 30th Day of June and the 31st Day of December in every Year, and the First half-yearly Payment thereof shall be made on or within 28 Days after whichever of those Days happens next after the Commencement of this Act, but with a proportionate Abatement in respect of a broken Half Year.

43. The yearly Sum of 210*l.* so payable to the Corporation is by this Act charged on the scheduled Tolls, Markets, and Market Places by this Act vested in the Company, and shall be the First Charge on those scheduled Tolls next after the

Costs, Charges, and Expenses of and incident to the Collection and Recovery thereof, and shall be the First Charge on the said Markets and Market Places.

44. The yearly Sum of 210*l.* so payable to the Corporation is by this Act substituted for the yearly Sum of 210*l.* provided for by Section 34 of the recited Act, and accordingly a competent Part thereof shall be applied by the Corporation towards defraying the Interest of any Incumbrance which at the Time of the passing of the recited Act affected any of their then Property other than the scheduled Tolls, and which immediately before the Commencement of this Act remained undischarged, and the Remainder thereof shall be by them applied to such Purposes and in such Manner as they were by Law at the Time of the passing of the recited Act authorized and empowered to apply their net annual Income referred to in that Section.

45. The Corporation shall pay, satisfy, or discharge the Debt, Costs, and Claims of their present Elegit Creditor, and in order thereto may grant any Mortgage of or Security on all or any Parts of their Guildhall and Borough Lock-up or Police Station, and that yearly Sum of 210*l.*, as they think fit, and the Company, and their Property, Revenues, and Effects, shall be by this Act wholly freed from the Debt, Costs, and Claims of that Elegit Creditor, and all Securities for and Liabilities in respect of the same.

46. The Company shall pay, satisfy, or discharge the Debt, Costs, and Claims of the Judgment Creditor of the Corporation (who is also a Mortgagee and Debenture Holder), and the Corporation, and their Property, Revenues, and Effects, shall be by this Act wholly freed from the Debts, Costs, and Claims of that Judgment Creditor, and all Securities for and Liabilities in respect of the same, and the Company shall within Six Months after the passing of this Act procure Satisfaction of that Judgment to be duly entered up.

47. The Income of the Company from Time to Time applicable for the Payment of Interest on their Debt and Dividends on their Capital shall, but without Prejudice to the Claims, in accordance with this Act, of the Creditors of and Claimants against the Company, and subject to the Payment of the yearly Sum of 210*l.* to the Corporation, be applied as follows, and in the following Order; (that is to say,)

First, in Payment of the Interest from Time to Time payable on Monies borrowed by the Company under this Act:

Secondly, in Payment of the Interest on Monies (if any) from Time to Time received by the Company in advance of Calls on Shares of the Company's Capital:

Thirdly, so long as the Debentures under this Act are not extinguished, in Payment half-yearly of Dividends not exceeding 5*l.* per Centum per Annum on the Amount from Time to Time called and paid up in respect of the Company's Capital of 3,000*l.*:

Fourthly, so long as the Debentures under this Act are not extinguished, the Residue of the Company's Income so applicable shall be applied in Payment half-yearly to the several Holders of those Debentures rateably of Interest on the Principal Sums specified in their Debentures respectively:

Fifthly, when the Debentures under this Act are extinguished, the Surplus of the Company's Income so applicable, after making the First and Second Payments, shall be applied in Payment half-yearly of Dividends on the Amount from Time to Time called and paid up, or, in accordance with this Act, deemed to be paid up, in respect of the Company's then Capital under this Act.

As to Votes of Stockholders, § 48.
Power for Company to purchase Lands for Purposes of Act, § 49.
Three Years for compulsory Purchase of Lands, § 50.
Lands for extraordinary Purposes, § 51.
Power for Company to sell Lands not required for Purposes of Act, §§ 53 to 56.

57. The net Monies produced by the Sales of such Lands shall be applied by the Company in or towards repaying to their Capital Account all Sums paid by them in satisfaction or discharge of the Debt, Costs, and Claims of the said Judgment Creditor, and in Payment of any other Charges, Incumbrances, Claims, and Demands, should such hereafter be made against the Corporation in respect of the said Lands, on such net Monies, according to the respective Priorities of such Charges, Incumbrances, Claims, and Demands, with Interest on such Sums, Charges, Incumbrances, Claims, and Demands respectively; and if, when such Sums, Charges, Incumbrances, Claims, and Demands, and Interest are fully paid, there shall be any Surplus of those net Monies, the Company shall pay the Surplus to the Corporation; but the Interest of the Corporation in the Surplus shall not give to them any Interest in those Lands, or any Right to interfere with the Sale thereof, or any Right to interfere in any other Manner with the Company or their Affairs, except only the Right, when the Surplus (if any) is paid to them, of ascertaining by Inspection of the Accounts and Vouchers of the Company that the Sum so paid is the whole Sum so payable.

Accounts of the Monies and Application thereof, § 58.
Power to Company to lease Lands not required for Purposes of Act, § 59.
Effect of Leases and Application of Rents, § 60.
Sales, &c. to be subject to Restrictions of Municipal Corporation Acts, § 61.
Rights of Company, § 62.
Power for Company to maintain and regulate Markets and Fairs, § 63.
Power for Company to provide Place for Cattle Market, § 64.
Slaughter-houses, § 65.
Power for Company to provide Place for Corn Market, § 66.
Weighing Houses, § 67.
Power for Company to improve Market Houses, &c., § 68.
General Power for Company to appoint Places and Times for Markets and Fairs, § 69.
Company alone to hold Markets and Fairs, § 70.
Market Days and Fair Days, §§ 71, 72.
Power for Company to license Basket Men, § 73.
Penalty for Sale in Streets without Licence, § 74.
Tolls for Market, &c. (Third Schedule), § 75.
Tolls for Slaughter-houses (Third Schedule), § 76.
Tolls for weighing and measuring (Third Schedule), § 77.
Tolls for weighing Carts, &c. (Third Schedule), § 78.
Drift Tolls and Fair Tolls (Fourth Schedule), § 79.
Tolls, &c. not to be altered without Consent of Corporation, § 80.
Tolls vested in Company, § 81.
Power for Company to let Markets, &c. for Three Years, § 82 to 84.
Inspection of suspected Slaughter-houses, § 85.
Disposal of Offal, &c., § 86.
Contracts for Gas and Water, § 87.
Contracts for Drainage, § 88.
Contracts between Company and Corporation, § 89.
Saving Rights of Corporation, &c., § 90.
Saving Rights of Creditors of Corporation, § 91.
Schedules (Debenture Holders; Form of Debenture; Tolls).

Cap. clxxxvii.

"The Eastern Counties Railway (Epping Lines) Act, 1862."

Recites that by 6 & 7 Will. 4. c. cvi. the Eastern Counties Railway Company were incorporated; that in 1859 the Epping Railways Company were incorporated and authorized to make Two Railways, one thereof to commence by Two Junctions with the Woodford and Loughton Branch of the Company and to terminate in the Parish of Thoydon Garnon, in the County of Essex, and the other to commence by a Junction with the said intended Railway in the Parish of Thoydon Garnon and to terminate in the Parish of Chipping Ongar in the same County, and a Sum of 8,000*l.* was by and in the Names of certain of the Directors of the said Company deposited with the Court of Chancery for securing in the Manner in the said Act mentioned the Completion of the Railways or Part thereof within the Time limited by the said Act; that by the "Epping Railways (Dunmow Extension) Act, 1860," the Epping Railways Company were authorized to make a Railway from the last-mentioned Railway near the Chipping Ongar Terminus thereof to near the Town of Great Dunmow in the County of Essex, and a further Sum of 6,400*l.* was by and in the Names of certain of the Directors of the said Company deposited with the Court of Chancery for securing in the Manner in the said Act mentioned the Construction of the last-mentioned Railway or some Part thereof; that in 1861 the Bishop Stortford, Dunmow, and Braintree Railway Company were authorized to make a Railway from the Northern and Eastern Railway at Bishop Stortford through Dunmow to the Company's Braintree Branch Railway at Braintree, and the Company were authorized to subscribe towards that Undertaking; that the Epping Railways Company have not exercised any of the Powers conferred upon them by the recited Acts of 1859 and 1860, and the Time limited for the compulsory Purchase of Lands under the Act of 1859 is limited to Two Years from the passing of the said Act, and the Time limited for the Completion of the Works by the same Act authorized is limited to Three Years from the passing of the said Act, and the said Sums of 8,000*l.* and 6,400*l.* remain deposited with the Court of Chancery; that the Construction of the Bishop Stortford, Dunmow, and Braintree Railway would answer in a more beneficial Manner most of the Objects of the said intended Railway from Chipping Ongar to Dunmow, and the Construction of both the said Railways is not of urgent Necessity, and it is expedient that the Construction of the said intended Railway from Chipping Ongar to Dunmow should be abandoned; that the Railways authorized by the Act of 1859 will when constructed be within the Area provided with Railway Accommodation by the Company, and would properly form Part of their System of Railways, and the Company are willing to make the same and the Epping Railways Company are willing to relinquish their Powers for the Construction thereof to the Company upon being repaid the Expenses incurred by them in reference to their Undertaking and upon being relieved from further Liability under the recited Acts of 1859 and 1860, and it is expedient that the Company should be authorized to make the said Two Railways upon the Terms aforesaid, and that Provision should be made for securing the Completion of the said Two Railways, and that the Time limited for the compulsory Purchase of Lands and Completion of the Railways should be extended; that by an Agreement dated the 6th February 1854, and made between the Company of the First Part, the Eastern Union Railway Company of the Second Part, and the Norfolk Railway Company of the Third Part, and confirmed by the Eastern Counties, and the Norfolk, the Eastern Union, the East Anglian, and the Newmarket Railways Act, 1854, it was agreed that the Company should work the Undertakings of the Three Companies, and that the gross Receipts therefrom, subject to certain Deductions, including Interest upon the Cost of certain Works thereafter to be constructed, should be divided amongst the said Companies in the Proportions in the said Agreement specified, and by "The Eastern Counties Railway Act, 1861," further Provision was made with respect to the Division of such gross Receipts, and it has been agreed between the said Companies that the Interest upon the Sums expended by the Company for the Purposes of this Act should be included in the Interest to be deducted from the said gross Receipts and allowed to the Company.

Company to pay Epping Railways Company their Costs incurred in relation to the Acts of 1859 and 1860, § 1.

Application of Monies received and Dissolution of Epping Railways Company, § 2.

On Payment of Costs, &c. Company to have the Powers of the Epping Company for making the Railways, § 3.

Railway authorized by Act of 1860 to be abandoned and Act repealed, § 4.

Compensation to be made where Contracts have been entered into and Notices given, § 5.

Conveyances to remain in force, § 6.

Continuance of Liabilities of Company under repealed Acts, § 7.

Extending Period for compulsory Purchase of Lands for One Year, § 8.

Parties aggrieved by Extension of Time may have Compensation, § 9.

Extending Period for Completion of Railway for Two Years, § 10.

Contracts not to be prejudiced, § 11.

If Railways not completed, &c. within a limited Period, Dividends on ordinary Shares to be suspended, §§ 12, 13.

New Works included in Agreement and Amalgamation, § 14.

Power to raise 100,000*l.* by the Creation of new Shares or Stock, and to attach a Preference not exceeding 5*l.* per Cent., §§ 15 to 25.

Cancelling and reissuing of Shares, §§ 26 to 34.

Power to borrow 33,330*l.*, §§ 35 to 37.

Cap. clxxxviii.

"Middle Level Act, 1862."

Recites that according to a Law of Sewers made at King's Lynn in the Sixth Year of Charles the First (1630) Francis Earl of Bedford, in such Manner and to such Extent as thereby appears, undertook the Drainage of the Great Level of the Fens (commonly called the Bedford Level) situate within the Counties of Northampton, Norfolk, Suffolk, Lincoln, Cambridge, and Huntingdon, and the Isle of Ely, and particularly bounded and described in the Act next herein-after recited, and he was to have for his Recompence 95,000 Acres of Land within the Bedford Level (being about One Third Part thereof), with convenient Highways and Passages to the same, and the new Rivers, Cuts, and Drains to be made by the said Earl and his Assigns, and the Banks of the same, and the Forelands in the Inside of the said Banks, not to exceed 60 Feet in Breadth; and the said Earl afterwards agreed with certain other Persons to become Participants or Adventurers with him in the said Undertaking, and the said Earl and his Son and Heir Earl William and their respective Participants or Adventurers performed the said Undertaking, and were adjudged to be entitled to and put in possession of the said 95,000 Acres of Land,

which lie dispersed throughout (some Portion thereof being situate within each Parish and Place in) the Bedford Level, and the same are commonly called and known as "Adventurers Lands," the Residue of the Fen Lands in the Bedford Level being, by way of Distinction, called or known as "Free Lands;" that by the Act 15 Charles 2. (1663), c. 17, intituled "An Act for settling the Draining of the Great "Level of the Fens called Bedford Level," it was, among other things, enacted, that the said William Earl of Bedford, and the Adventurers and Participants of the said Earl Francis and Earl William, or either of them, their Heirs and Assigns, should be a Body Corporate by the Name of the Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens, with Power to sue and be sued, and without Licence of Mortmain to purchase Lands and Hereditaments as therein mentioned, and Goods and Chattels, and dispose thereof in the Name and to the Use of the Corporation, and to lay Taxes upon the Adventurers Lands only for the Support, Maintenance, and Preservation of the Bedford Level, and do all other Things in order to the Support, Maintenance, and Preservation of the Bedford Level, and Works made and to be made; and for the Maintenance and Preservation of the Bedford Level by convenient Outfalls to Sea the Corporation were made and constituted Commissioners of Sewers for and of the Bedford Level, and were empowered from thenceforth to exercise the Powers of Commissioners of Sewers within and of the Works made and to be made without the Bedford Level for conveying the Waters thereof by convenient Outfalls to Sea, and no other Commissioners of Sewers were to intermeddle within the Bedford Level, or with any Works made within or without the Bedford Level for the Maintenance or Preservation thereof; and the Corporation was empowered from Time to Time to erect any new Works within or without the Level for conveying the Waters of the Level by convenient Outfalls to Sea, and was not to be liable to Damages for any Breaches of Banks, and the Works of the Adventurers and Corporation were to be without Prejudice to Navigation; that several other Acts were afterwards passed with respect to the Corporation, amongst others the Act (Local and Personal) of the Fourth and Fifth Years of Queen Victoria (1841), Cap. 47; that for the Purpose of performing the said Undertaking the Bedford Level was divided into Three Levels, respectively called the North Level, Middle Level, and South Level, and separate Works were made for the Protection and Drainage of each Level, and at a Court of the Corporation held on the 10th March 1697 the Middle Level was defined as extending from the North Side of the Old Bedford River to the South Side of Moreton's Leam; and the Middle Level is now and for many Years past has been protected from Inundation by certain Barrier Banks in this Act particularly described, the whole of which Banks, with small Exceptions comprised in the First Schedule hereto, belong to or are now maintained by the Corporation; that the Lands specified in the First Schedule hereto are now and have been for many Years last past enclosed and protected by the Barrier Banks of the Middle Level, and the same drain into the Old Bedford River, and were included in the Act herein-after referred to as the Second Middle Level Act (1844); and that the Water drained from the North Level is discharged into the Sea by and through the Nene Outfall, and the Water drained from the Middle Level and South Level is discharged into the Sea by and through the Ouse Outfall; that by 27 Geo. 2. (1753), c. 19, commonly called the "First North Level Act," and by the "North Level Act, 1857," and by certain Acts therein recited or noticed relating to the Drainage of the North Level and to the Improvement of the Outfall of the River Nene, all the Powers and Duties of the Corporation so far as concerned the North Level, which in the said Act is described or referred to as that Part of the Bedford Level which lies between the North Side of Moreton's Leam and the South Side of the Welland River, were in the first instance partially superseded, and ultimately, together with the Revenues and Estates received and held by the Corporation for the Use or Purposes of the North Level, transferred to and vested in the North Level Commissioners; that by the Act 27 Geo. 2. (1753), c. 12, herein-after referred to as the "Nene Navigation Act," certain Persons were constituted Commissioners of the Nene Navigation, with Power to levy Tolls and borrow Money on the Security thereof, and apply the same in scouring out, cleansing, widening, and deepening the River Nene and certain other Rivers and Drains in the Middle Level, and in making Haling Ways, and in repairing Damages done to the Banks by haling thereon, and in other Works not prejudicial to Drainage; that the Act 34 Geo. 3. (1794), c. 92, herein-after referred to as the "Wisbech Canal Act," contains Provisions relating to the Nene Navigation Commissioners; and that divers Public and Local and Personal Acts of Parliament (the Dates and Titles whereof respectively are set forth in the Second Schedule hereto), and which are commonly known and in this Act are referred to as "District Acts," have from Time to Time been passed for improving the Drainage of divers Districts in the Middle Level, the general Scope and Object of which Acts are the Appointment of separate Commissioners for each District, with Powers to assess Taxes upon all the Fen Lands, as well "Adventurers" as "Free," in such Districts respectively, and to raise Funds and make and erect Engines and other Works for the embanking, draining, or improving the Fen Lands within such Districts respectively, which Drainage Works are known and distinguished as "Internal Works," and are in general limited to the raising or otherwise more effectually discharging the surplus Water from the Lands in such Districts respectively into the natural Rivers or arterial or main Channels, Cuts, or Drains of the Middle Level; that by several Local and Personal Acts, commonly known as the "Eau Brink Acts," and by the "Ouse Outfall Act, 1860," certain Owners of Fen Lands in the Middle Level and South Level and adjacent Parts were constituted Commissioners, with Power to lay Taxes on all the Fen Lands in the Middle Level and South Level, as well "Adventurers" as "Free," and upon certain contiguous Lands, and to raise Funds and make a new Cut called the Eau Brink Cut, for straightening and improving the River Ouse above King's Lynn, and to contribute towards making a new Cut for straightening the said River below King's Lynn, and improving the Outfall thereof; and by the "Ouse Outfall Act, 1860," a Board called "Conservators of the Ouse Outfall" was constituted and incorporated, with Power to maintain and improve the Outfall by the River Ouse from the upper End of the Eau Brink Cut to open Sea; and by the same Act another Board called "the Denver Sluice Commissioners" was constituted (from Persons interested in Lands draining into the Ouse through or near to Denver Sluice) and incorporated with Powers to maintain and improve the River Ouse for the Purposes of Drainage from Denver Sluice to the Eau Brink Cut; that by Three several Acts, namely, 50 Geo. 3. (1810), c. 125, commonly called the "First Middle Level Act," the Act 7 & 8 Vict. (1844), c. 106, commonly called the "Second Middle Level Act," and the Act 11 & 12 Vict. (1848), the Short Title whereof is "The Middle Level Drainage Amendment Act, 1848," certain

Owners of Fen Lands in the Middle Level are constituted Commissioners, commonly called Middle Level Drainage Commissioners, with Power to levy Taxes on all the Fen Lands in the Middle Level, as well "Adventurers" as "Free," and to raise Funds, and deepen, widen, and improve the natural Rivers and arterial Drainage Channels, Cuts, or Drains in the Middle Level (except in certain Districts called the Sutton and Mepal and Manea and Welney Districts), and to make a new Outfall Drain for the Middle Level, and other Works for improving and securing as well the Drainage thereof as the Navigation in and upon the navigable Rivers and Cuts previously or thereby made navigable; and in the last-mentioned Act Provision is made for the Drainage of the excepted Districts through the Middle Level by Agreement; that whereas by the Operation of the Nene Navigation Act, District Acts, Eau Brink Acts, Ouse Outfall Act, and Middle Level Acts, the Jurisdiction of the Corporation in regard to the Drainage of the Middle Level has been practically superseded, and especially so by the Middle Level Acts, whereby Provision was made for the much better and more efficient Drainage thereof than was contemplated or provided for by the Corporation Acts; and the Duties and Works now performed and kept up by the Corporation in the Middle Level are very limited; that the Works of Drainage of the Middle Level and South Level are quite distinct, except only in regard to the Outfall, all the Works relating to the Maintenance and Improvement of which are now vested in the "Conservators of the Ouse Outfall;" that the Corporation has not levied any Tax on the Adventurers Lands for several Years past, and the Rents and Revenues of the Corporation arising from the Banks, Forelands, Lands, and Hereditaments belonging to the Corporation within the Middle Level have during that Time been and still are more than sufficient for the Maintenance of the Middle Level Works now kept up by the Corporation, and it is just that the whole of those Rents and Revenues should be applied exclusively to Middle Level Works; and that as well for the more effectually securing the Application thereof accordingly, as also for the Purpose of removing the Inconvenience arising from the Existence of concurrent Jurisdictions in relation to the same Works, it is expedient that all Rivers, Cuts, Drains, and Works, and also all Banks, Forelands, Lands, and Hereditaments, of the Corporation, situate and being within the Middle Level, should be transferred to and vested in the Middle Level Commissioners, but with such Provisions for the Superintendence of Works within or affecting the Sutton and Mepal and Manea and Welney Districts as are in this Act contained; and it is also just, and the Owners of Free Lands within the Middle Level are willing, that upon such Transfer being made the Distinction between Adventurers Lands and Free Lands in the Middle Level should cease, and that the Adventurers Lands in that Level should not after the Commencement of this Act be liable to be taxed by the Corporation or by any other Body or Person, and that the Powers conferred upon the Corporation by the King's Lynn Port Act should be transferred to the Conservators of the Ouse Outfall; that under the Second Middle Level Act certain additional Tolls were granted to the Nene Navigation Commissioners, One Moiety of which additional Tolls they were directed to pay over to the Middle Level Drainage Commissioners; and by the same Act, after reciting that there was then due from the Nene Navigation Commissioners the Sum of 10,000*l.* borrowed on Security of the Tolls, and also 23 Years Interest thereon, and that the Tolls had been found inadequate to the Discharge of the Arrears of Interest, and after defraying the Expenses of collecting the same, and other necessary Charges, and of One Year's Interest, and of the official Salaries, the said Tolls had produced on an Average of the then last Seven Years an annual Surplus of less than 50*l.*, it was enacted, that the Nene Navigation Commissioners should by and out of their Funds pay and satisfy the Interest Monies when and as they should severally become due, and in preference to all other Payments, but that such Funds should not be applicable to the Discharge of the Arrears of Interest or of the Principal Sums, or any Part thereof, to a greater Amount than the Sum of 50*l.* per Annum; that under "The Middle Level Drainage Amendment Act, 1848," a Portion of the Moiety of additional Navigation Tolls by the Second Middle Level Act ordered to be paid to the Middle Level Drainage Commissioners are made payable to the Sutton and Mepal Commissioners; that the said Debt of 10,000*l.* and 30 Years Interest still remain due, and since the passing of the Second Middle Level Act the Nene Navigation Commissioners have paid on an Average the yearly Sum of 133*l.* 2*s.* 7*d.* or thereabouts only on or in respect of Works, and the yearly Sum of 337*l.* 18*s.* 11*d.* or thereabouts in the Collection of Tolls and Establishment Charges, and in Payment of legal and other Expenses; that the Middle Level Drainage Commissioners have under their said Acts concurrent Jurisdiction with the Nene Navigation Commissioners in regard to the Works authorized to be done by the latter Commissioners for maintaining the Navigation under their Control, and by reason of the enlarged Powers and Funds of the Middle Level Drainage Commissioners their Jurisdiction is the more efficient, and for the avoiding of a Diversity and Conflict of Jurisdictions it is expedient that the Nene Navigation Act, so far as regards the Rights and Powers of the Nene Navigation Commissioners, should be repealed, and that such Rights and Powers, with the Tolls, Rights, and Property now vested in the Nene Navigation Commissioners, should, after the Commencement of this Act, be exercised by and be vested in the Middle Level Commissioners, and that such Provision should be made for Payment of the said Debt of 10,000*l.*, and the Arrears of Interest thereon, and for redeeming or purchasing up the same, and in respect of the Portion of Tolls payable to the Sutton and Mepal Commissioners, as are herein-after contained; and also that certain Provisions in the Middle Level Acts should be altered and amended, and that the Middle Level Commissioners should be incorporated, and that additional Provisions in relation to the said Acts should be made; and that it is also expedient that the general Powers of the District Commissioners with regard to their Meetings and Proceedings, the Assessment and Recovery of Taxes, and to the Mode of assessing the Compensation for Lands taken or injured, should be made uniform; and that inasmuch as there are within the Middle Level divers Occupation Roads and Droveways which generally have not been gravelled, or are otherwise out of Repair, and for the Improvement or Repair whereof no Powers or Funds at present exist, it is desirable that the District Commissioners or the Proprietors of Lands not within any District should have such Powers conferred upon them in regard to the improving and repairing of Roads and Ways, not being public Highways, and for facilitating the Dedication thereof as public Highways, and to be thenceforth repaired and maintained accordingly, as are herein-after contained; that it is expedient to repeal Three several Acts (Local and Personal) passed in the 50th Year of George 3d (1810), namely, c. 46., c. 47., and c. 77., commonly called the "Old Bedford Barrier Bank Act, Upper Division," "Old Bedford Barrier Bank Act, Lower Division," and "Moreton's Leam Barrier Bank Act."

Commencement of Act, 1st October 1862, § 1.

5. All the Powers, Liabilities, Duties, Authorities, and Jurisdictions which immediately before the Commencement of this Act were vested in the Corporation under the Corporation Acts, or otherwise, over, and so far as they do not extend over or relate to the South Level, but not further or otherwise, shall be transferred to and vested in the Middle Level Commissioners to all Intents and Purposes, and shall and may, subject to the Provisions of this Act, be by them used and exercised as fully and effectually as they can now be used or exercised by the Corporation, and all Drainage or other Works which the Corporation are now liable to maintain within or for the Purposes of the Middle Level proper, together with all Ways, Roads, and Appurtenances, shall (subject to the Provisions of this Act) be transferred to, vest in, and be maintained by the Middle Level Commissioners.

6. All Banks, Forelands, Drains, Sluices, Bridges, Tolls, Rents, Reversions, Rights of Soil, Herbage, Lands, Tenements, and Hereditaments whatsoever, now belonging to or vested in the Corporation, situate or being, issuing or accruing, within the Middle Level proper, (including all Lands, Tenements, and Hereditaments at or near Guyhirn in the Parish of Wisbeach Saint Peter now vested in or belonging to the Corporation,) and all the Rights, Easements, and Appurtenances belonging thereto, and all Benefit and Advantage thereof, shall be and become vested in the Middle Level Commissioners for all such and the same Estate and Interest, and subject to such Agreements or Leases, Liabilities, Claims, or Rights, if any, as the same were respectively vested in the Corporation or were subject to immediately before the Commencement of this Act; and the Rents, Issues, and Proceeds of the said Banks, Forelands, Herbage, Tolls, Lands, Tenements, and Hereditaments accruing due before the 7th Day of April 1863 shall be received and recoverable by the Corporation, and the Rents, Issues, and Proceeds thereof accruing due after the 6th Day of April 1863 shall be received and recoverable by the Middle Level Commissioners.

7. All and singular the Powers and Authorities of the Middle Level Commissioners in respect of any Drainage or other Works or Properties or Revenues vested in them previously to the Commencement of or by this Act, or in respect of any Rents now receivable or recoverable by them, shall extend and apply to, and be used, exercised, and enjoyed and applied by them to or in respect of, the Works, Properties, Revenues, and other Matters and Things transferred to or vested in them by this Act.

8. No Person shall be or act as a Governor, Bailiff, or Conservator, or vote at any Election of the Governor, Bailiffs, and Conservators, or otherwise act at any Meeting of the Corporation, in respect of any Lands within the Middle Level proper.

9. The present Governor, Bailiffs, and Conservators of the Corporation shall continue and be qualified to act as such until the Election of Governor, Bailiffs, and Conservators which shall take place next after the Commencement of this Act; and at, from, and after such Election the Corporation created by the said Act of the 15th Year of Charles the 2d (1663), Cap. 17, shall consist of One Governor, Six Bailiffs, Ten Conservators and Commonalty; and 300 Acres or more shall be a sufficient Qualification for each Bailiff, instead of the Provisions of the said Act requiring 20 Conservators, and 400 Acres or more for each Bailiff.

10. So far as relates to Lands within the Middle Level proper, it shall not be necessary to enter any Lease, Grant, Conveyance, Will, or other Document with the Registrar or other Officer of the Corporation or of the Middle Level Commissioners.

11. In all Cases in which it is provided by any Act or Acts of Parliament now in force that any Works shall not be executed without the Consent or Approbation of the Corporation, the Corporation shall in every Case where any such Works exclusively relate to or affect the Middle Level proper, or any Part or Parts thereof, before consenting to the Execution thereof, give Notice in Writing to the Middle Level Commissioners of their Intention to consent to the Execution thereof, and if the said Commissioners shall be of opinion that such Works will be prejudicial to the Middle Level proper, or any Part or Parts thereof, they may appeal to the Board of Trade, and if in the Opinion of the Board of Trade, or of a Civil Engineer to be appointed by the Board of Trade to inquire into and report upon the Matter of such Appeal, such Works will be prejudicial to the Middle Level proper, or any Part or Parts thereof, then the same, or such Portion thereof as would in the Opinion of the Board of Trade prejudicially affect the Middle Level proper, or any Part or Parts thereof, shall not be executed without the Consent of the Middle Level Commissioners.

12. All Books, Plans, Sections, Title Deeds, Documents, Papers, and Writings in the Possession of the Corporation or any of its Officers, which exclusively relate to or concern the Middle Level proper, or any Part thereof, or any Lands or Hereditaments of the Corporation wholly situate therein, shall be delivered up to the Middle Level Commissioners; and all Books, Plans, Sections, Title Deeds, Documents, Papers, and Writings which relate to or concern the Middle Level proper, or any Part thereof jointly with any other Part or Parts of the Bedford Level, may be retained by the Corporation or delivered up to the Middle Level Commissioners, as the Corporation think fit, but with full Liberty for the Middle Level Commissioners, if not so delivered up, or any Person or Persons they may appoint from Time to Time, to have free Access thereto, and to take Copies or Extracts therefrom, and to call for the Production thereof at all reasonable Times, on Payment of all reasonable Charges in respect thereof; and if the Corporation so require, the Middle Level Commissioners shall give to the Corporation an Inventory of and a Receipt in Writing for such of the Books, Plans, Sections, Title Deeds, Documents, Papers, and Writings as shall be so delivered up under the Hands of Three of the Middle Level Commissioners.

13. On the 6th Day of April 1863 a full and complete Account shall be made up and stated by the Corporation showing the Balance then due from or to their Receiver and Expenditor General, and such Account shall be credited with the Amount of all Rents, Revenues, and Monies then due to the Corporation, and shall be debited with all Sums of Money then due from the Corporation, and the Deficiency (if any) of such Account shall be raised and paid by the Middle Level Commissioners upon or out of the Funds and Property by this Part of this Act transferred to and vested in them, and by the Corporation out of the Funds and Property remaining vested in them, according to the Proportions in which previous to the passing of this Act the Adventurers Lands in the Middle Level proper and South Level respectively were chargeable to a single Adventurers Tax, and the Surplus, if any, shall be divided between the Corporation and the Middle Level Commissioners in the same Proportions.

14. The Adventurers Lands lying within the Middle Level proper shall after the Commencement of this Act cease to be liable to be taxed by the Corporation, or by any other Body or Person under the Powers of the Corporation Acts, or any or either of them, but without Prejudice to the Rights and Remedies (if any) of the Nene Valley Drainage and Navigation Improvement Commissioners (in this Act called the Nene Valley Incorporated Commissioners) against the Corporation.

15. In case the Sum of 320*l.* which the Corporation are liable to pay to the Nene Valley Incorporated Commissioners or their Successors shall not be paid on or before the 6th Day of April 1863, then the said Sum shall forthwith be raised and paid in the like Manner and Proportions as any Deficiency on the Account to be then made up is herein-before provided and directed to be raised: Provided that nothing in this Act contained shall in any way increase, alter, or vary the Liability of the Corporation under the Nene Valley Acts, or any Award in pursuance thereof, or any of them.

16. The Middle Level Commissioners shall keep a separate and distinct Account, to be called "the Adventurers Account," of all the Rents and Revenues, Income of Property or Hereditaments, and other Funds by this Part of this Act transferred from the Corporation to and vested in or made payable to the Middle Level Commissioners, and of their Application thereof; and such Funds shall and may be applied to the following Purposes in the Order of Priority herein-after expressed; namely,

1. In paying the Middle Level proper Proportion of the Deficiency (if any) of the Corporation Account to be made up on the 6th Day of April 1863:
2. In keeping in repair and insured against Loss or Damage by Fire the said Property and Hereditaments, or any of them, and in Payment of Taxes, Tithe Rentcharges, and other Outgoings and Expenses due from or payable by the Owners thereof, or otherwise in relation thereto:
3. In Payment to the Corporation of the Sum by this Act prescribed towards the Expenses of maintaining the Hundred Feet River and Works connected therewith:
4. In maintaining and supporting in an efficient State the Barrier Banks, Sluices, and Bridges of the Middle Level proper, which immediately before the passing of this Act were maintained by the Corporation, except Welche's Dam Sluice and such Sluices and Bridges as are in this Act specified as Works connected with the Hundred Feet River:
5. In Payment to the Sutton and Manea Committee of the annual Sum of 160*l.* on the Sixth Day of April in every Year, the First Payment thereof to be made on the 6th Day of April 1864:
6. In providing a Reserve Fund, as herein-after directed:
7. And after answering the several Purposes aforesaid, any Surplus from Time to Time thereafter arising shall be transferred to the general Funds of the Middle Level Commissioners."

17. The Middle Level Commissioners shall, out of the Adventurers Account, pay annually to the Corporation the Sum of 250*l.* (the First Payment whereof shall be made on the 6th Day of April 1864), which Sum shall be applied by the Corporation towards the Maintenance by the Corporation of the Hundred Feet River and Works connected therewith, namely, the Cradge Bank from Mepal Bridge to Welmore Lake Sluice, the Seven Holes Sluice, Welmore Lake Sluice, the Great Dyke-pen Sluice, the Bridge over the Old Bedford and Hundred Feet Rivers at Sutton Gault and Mepal, Sutton and Mepal Causeways, and the Great Dyke across the Washes; and no Liability shall attach to the Middle Level Commissioners other than the said annual Payment of 250*l.* in respect of the Hundred Feet River and the said Works connected therewith.

18. Provided, That in no Case whatever shall the Sutton and Manea Committee or the Commissioners of Sutton and Mepal District, or the Commissioners of Manea and Welney District, or the Owners or Occupiers of any Lands in the said Districts, be or hereafter be made liable for any Deficiency in the Funds of the Adventurers Account.

19. It shall be obligatory upon the Middle Level Commissioners to maintain and keep in an efficient State of Repair the Barrier Banks, Sluices, and Bridges of the Middle Level proper, which immediately after the Commencement of this Act are to be maintained by the Middle Level Commissioners; and in case the Funds arising from the Adventurers Account, together with the Reserve Fund then invested, shall in any Year be insufficient for that Purpose, then the Deficiency shall be advanced and paid by the Middle Level Commissioners out of their general Funds: Provided that the Middle Level Commissioners shall not be under any greater or other Liability in respect of a Breach of any Bank, Sluice, or other Work in the Middle Level proper than the Corporation was liable to immediately before the Commencement of this Act.

20. The Middle Level Commissioners shall from Time to Time, when and so often as the Reserve Fund shall be less than 5,000*l.*, invest and accumulate the Surplus of the Adventurers Account until the same shall amount to a Sum not less than 5,000*l.*, and may, if they think fit, from Time to Time increase the same until it amounts to not exceeding 10,000*l.* as a Fund to be called the Reserve Fund, to be immediately applicable, in case of Need, to the Restoration and Maintenance or Repair of the Barrier Banks, Sluices, and Bridges of or for the Protection of the Middle Level proper, which after the Commencement of this Act are to be maintained by the Middle Level Commissioners; and every such Investment may be made in the joint Names of the Chairman and any Two Members of the Middle Level Board herein-after constituted in or upon any of the Public Stocks or Funds or Government Securities of Great Britain, with Power for the Board to cause the same to be called in or converted, sold out, varied, or transposed at any Time or from Time to Time; and neither the Board nor the Middle Level Commissioners or their Treasurer shall be answerable for any involuntary Loss or Deficiency of or in the said Money, Stocks, or Funds.

21. It shall be obligatory on the Middle Level Commissioners to maintain in an efficient State of Repair the Low Bank of the Old Bedford River from Welney Bridge to the Old Bedford Sluice.

22. Inasmuch as the Owner of Lands numbered 11 in the First Schedule hereto, and which lately belonged to John Gamble, deceased, is ratione tenuræ or otherwise liable, or reputed so to be, to maintain the Barrier Bank upon or near the said Lands next the Hundred Feet River, and as it is expedient that such Banks should be under the Control and Charge of the Middle Level Commissioners, therefore the Middle Level Commissioners and the Owner for the Time being of the said Lands may enter into a Contract or Agreement for the Maintenance by those Commissioners of the said Bank in consideration of the Payment by such Owner of such gross or yearly Sum, and upon such Terms and Conditions in other respects, as the Parties may mutually agree, and the Charge of maintaining such Bank shall, after any such Agreement, be placed to the Adventurers Account, and the same Account shall be credited with such gross or yearly Sum.

23. From and immediately after the Commencement of this Act the Powers and Duties granted to, vested in, or conferred upon the Corporation by the "King's Lynn Port Act" shall be transferred to and vested in the Conservators of the Ouse Outfall in the same Manner to all Intents as if the Conservators of the Ouse Outfall had been named in the King's Lynn Port Act instead of the Corporation; and the Conservators of the Ouse Outfall shall and may exercise all such Powers and Rights under or in relation to the King's Lynn Port Act as the Corporation could or might have exercised in case this Act had not been passed.

24. From and immediately after the Commencement of this Act the several Sections of the Nene Navigation Act which are specified in the Third Schedule to this Act annexed are by this Act repealed, except only so far as is otherwise expressed in the same Schedule; provided that the Repeal thereof shall not have any retroactive Operation.

25. From and immediately after the Commencement of this Act, and except only as is by this Act otherwise expressly provided, the Middle Level Commissioners shall to all Intents represent the Nene Navigation Commissioners as if the Nene Navigation Commissioners and the Middle Level Commissioners had originally been and continued without Intermission to be one and the same Body; and the Middle Level Commissioners shall have and may exercise in their own Name all such Powers and Rights of Action as the Nene Navigation Commissioners would have and might exercise in their own Name if this Act were not passed.

Old Officers to continue, § 26.
General Saving of Rights under Nene Navigation Act, § 27.
Conveyances, &c. of Nene Navigation Commissioners to remain, § 28.
Actions by or against the Nene Navigation Commissioners not to abate, &c., § 29.
Debts due by and to Nene Navigation Commissioners to be paid to and by Middle Level Commissioners, § 30.
Books, &c. continued Evidence, § 31.
Penalties to be recoverable, § 32.
Property of Nene Navigation Commissioners vested in Middle Level Commissioners, § 33.
Nene Navigation Commissioners to deliver their Books, &c. to the Middle Level Commissioners, § 34.
Deposit and Production of Books, § 35.

36. From and after the Commencement of this Act, but subject to the Provisions of this Part of this Act, the Middle Level Commissioners shall have the Superintendence of, and shall and may maintain, manage, and regulate, the Navigations which immediately before the Commencement of this Act were under the Superintendence of the Nene Navigation Commissioners, in the same Manner and subject and liable to the same Restrictions to all Intents and Purposes as the Nene Navigation Commissioners had or could have done if this Act had not been passed; and all Powers which under the Nene Navigation Act or otherwise were immediately before the Commencement of this Act vested in or could or might be exercised by the Nene Navigation Commissioners, or any Committee thereof, for the Preservation and Improvement of the said Navigations or in relation thereto, shall become and be vested in or may be exercised by the Middle Level Commissioners, or any Committee thereof in that Behalf appointed by and under or in accordance with the Provisions of this Act, and the Provisions as well of the Middle Level Acts as of the Nene Navigation Act, and of the Wisbech Canal Act, remaining in force: Provided that the Middle Level Commissioners shall not be compellable to do any Act or Work for the Improvement of the Navigation upon the Old Bedford River, or upon that Part of the Forty Feet River or Drain which lies to the East of Horseway Sluice.

37. The Middle Level Commissioners shall keep a separate Account, to be entitled the "Navigation Account," of the Tolls, Rents, and other Income (if any) by this Part of this Act transferred to and vested in the Middle Level Commissioners, and shall yearly and every Year pay and apply the Monies to be received on such Account to the following Purposes and in the following Order; namely,

1st. In Payment to the Middle Level Commissioners of the yearly Sum of 45*l.*, which under the Nene Navigation Act was payable to the Corporation out of the Tolls collected at Standground and Salthirn otherwise Salter's Lode Sluices, and at the Old Bedford Sluice, in order to keep in repair the said Sluices and the Ebb Doors thereof:

2nd. In Payment to the Sutton and Manea Committee of so much of One Moiety of the net Amount of the additional Tolls granted by the Second Middle Level Act as shall be received at the Old Bedford Sluice, and which, under "The Middle Level Drainage Amendment Act, 1848," were made payable to the Sutton and Mepal Commissioners; and as to the Residue of such One Moiety of the said additional Tolls, to pay or transfer the same to the General Account of the Middle Level Commissioners:

3rd. In Payment to the General Account of the Middle Level Commissioners of the yearly Sum of 250*l.* in full of and by way of Compensation for the Works by this Part of this Act transferred to the Middle Level Commissioners, and of the Establishment Charges of and in relation to the Superintendence and Preservation of the Navigation:

4th. In Payment to the Holders of the Mortgages or Securities on the said Tolls of so much and such Part of the Arrears of Interest due to them respectively as shall be sufficient to reduce the Arrear to 30 Years up to the 1st Day of January 1862:

5th. In Payment of the accruing Interest from the 1st Day of January 1862 on the Principal Sums for the Time being remaining due on Mortgages or Securities to the respective Holders or Persons entitled to such Mortgages or Securities respectively:

6th. And shall apply the Surplus in redeeming or paying off and discharging the said Mortgages or Securities.

38. If and when and in case the said Sum of 10,000*l.* and all Arrears of Interest thereof shall become fully paid under the Provisions of this Part of this Act, then the Middle Level Commissioners shall apply and dispose of the Navigation Tolls, Rents, and Income in manner following; (that is to say,) they shall yearly pay One Half of the net Tolls (such net Tolls to be ascertained by deducting from the gross Tolls the yearly Sum of 50*l.*, to be placed to the General Account of the Middle Level Commissioners, in full of Costs incidental to the Collection of the said Tolls and Establishment Charges), to be collected at the Old Bedford Sluice to the Sutton and Manea Committee if and so long as that Committee shall continue, and shall transfer the Residue or the whole (as the Case may be) of such Tolls, Rents, and Income to the General Account of the Middle Level Commissioners; provided that if the said Debt, or any Part thereof, shall in exercise of any of the Provisions of this Act be paid by the Middle Level Commissioners out of their own proper Funds under the Provisions in this Part of this Act contained, then the same shall not be deemed to be satisfied for the Purposes of this present Section until the full Amount of Debt and Interest due to such Creditors shall have been fully repaid and satisfied to the Middle Level Commissioners, and for such Purpose the Middle Level Commissioners shall be deemed entitled to stand in the Place of the Creditors whose Securities shall have been paid by those Commissioners, and whether the same shall or shall not have been transferred to or in trust for them.

Certificates of lost Securities to be issued to the Owners thereof, § 39.
Certificate to be Evidence, § 40.
Certificates to be renewed when destroyed, § 41.

42. Inasmuch as the several Persons mentioned in the Fifth Schedule hereto, being respectively Owners of the several Bonds or Securities referred to in the said Schedule heretofore executed by the Nene Navigation Commissioners, and charged upon the Navigation Tolls, are willing to accept the Sum of 65*l.*, and Interest from the 1st Day of January 1861 to the Time of Payment, at the Rate secured by such Bonds respectively, in full Satisfaction of all Principal and Interest due upon such Bonds respectively, therefore the Middle Level Commissioners shall be and they are hereby authorized and required within Six Months after the Commencement of this Act to pay the Sum of 65*l.*, with Interest as aforesaid from the said 1st Day of January 1861 to the Time of Payment, unto the said Owners, in full Satisfaction of all Principal and Interest due on each and every of the Bonds mentioned in the said Schedule, and thereupon such Owners respectively shall transfer the said Bonds to or in trust for the Middle Level Commissioners, or deliver the same up to be cancelled, as those Commissioners may require; and upon Tender of the Sum of 65*l.* and Interest as aforesaid to the registered Owner thereof for the Time being all future Interest upon any Bond in respect of which such Tender shall be made shall cease.

43. The Middle Level Commissioners shall be and they are hereby authorized from Time to Time or at any Time, as they shall think fit, to agree with the registered Owner for the Time being of any of the Bonds or Securities charged upon the Navigation Tolls not comprised in the said Fifth Schedule hereto for a Sum of Money to be paid by way of Composition in full of the Principal and all Arrears of Interest then owing on such Bonds respectively, and to require and take a Transfer thereof to or in trust for the Middle Level Commissioners, or otherwise deliver the same up to be cancelled, as those Commissioners may require.

44. All Executors and all Committees of the Estates of Idiots and Lunatics who, as such, are for the Time being entitled to any Money charged or secured on the Navigation Tolls, may enter into any such Agreement as last aforesaid as fully as if they respectively were so entitled in their own Right, discharged of all Trusts in respect thereof; and all Executors and Committees so consenting are hereby severally indemnified for so doing: Provided always, that no such Agreement shall be binding if made for a less Sum than 65*l.* for the Discharge of any Bond and full Payment of all Interest which shall have accrued due after the 1st Day of January 1861.

45. For the Purpose of completing and carrying into effect any of the Provisions of this Third Part of this Act the Middle Level Commissioners may from Time to Time apply any Portion of their general Funds, or, if they think fit so to do, they may and are hereby authorized (but without Prejudice to any then existing Mortgage) to exercise all or any of the borrowing Powers granted or given to or vested in them by any of the Middle Level Acts or by this Act, or which immediately before the Commencement of this Act were vested in the Nene Navigation Commissioners.

Repeal of Barrier Banks Acts, § 46.
General Saving of Rights under Barrier Banks Acts, § 47.
Books, &c. continued Evidence, § 48.
Barrier Banks Commissioners to pay Money and deliver Books, &c. to Middle Level Commissioners, § 49.
Conveyances, &c. to remain in force, § 50.
Actions, &c. not to abate, § 51.
Debts due to and by the Barrier Banks Commissioners to be paid to and by the Middle Level Commissioners, § 52.
Repeal of Parts of Middle Level Acts, § 53.
Middle Level Commissioners incorporated, § 54.

55. From and after the Commencement of this Act the Middle Level Commissioners hereby incorporated shall be treated and considered as representing the Middle Level Drainage Commissioners to all Intents and Purposes in the same Manner as if the Middle Level Drainage Commissioners had originally been incorporated and called by the Name "Middle Level Commissioners," and had not been known by any other Name.

56. After the Commencement of this Act every Corporation, or Body of Commissioners, or Trustees for charitable or other public Purposes, being seised or possessed of or entitled to 100 Acres of Land liable to be taxed by the Middle Level Commissioners, shall be and are hereby authorized to act as Middle Level Commissioners in manner herein-after directed.

57. When there are more than One Trustee, Committee, or Guardian for the same Property, only One such Trustee, Committee, or Guardian shall act as a Middle Level Commissioner at One and the same Time; and only One Member or Officer of any Body of Commissioners, or of Trustees for charitable or other public Purposes, to be for that Purpose from Time to Time appointed by or at any Meeting of the Body represented, shall act as a Middle Level Commissioner at One and the same Time; and any Corporation may from Time to Time appoint One of its Members or Officers to act in the Stead and Name and during the Pleasure of the Corporation as a Middle Level Commissioner.

Joint Owners may act or appoint Deputies, § 58.
Deputies to act for One Person only, § 59.
Declaration of Commissioners, § 60.
False Declaration a Misdemeanor, § 61.

62. The Clerk to the Middle Level Commissioners shall make and keep a Register in alphabetical Order of the Names of the Persons for the Time being who shall have claimed and who as far as he knows shall be entitled to act as Middle Level Commissioners, and may and shall from Time to Time erase the Name of every Person who shall be dead, or who shall have parted with his Qualification, or otherwise shall have become disqualified to act as a Middle Level Commissioner.

63. The Person to be elected Chairman of the General Meeting of the Middle Level Commissioners to be held on the First Thursday in November after the passing of this Act, and at the General Meeting to be held on every succeeding First Thursday in November, shall be and continue Chairman of all Meetings of the Middle Level Commissioners to be held thenceforth until the General Meeting of the Middle Level Commissioners to be held on the First Thursday in November then next following; and if at any Meeting of the Commissioners the Chairman be not present, or the Office of Chairman be vacant, One of the Commissioners shall be elected Chairman of such Meeting in the Manner directed by Section 13 of the Second Middle Level Act, and at every General Meeting held on the First Thursday in November the Chairman going out of Office at that Meeting shall, if present and willing to act, be the Chairman.

64. If any casual Vacancy occurs in the Office of Chairman during any Year, the Middle Level Commissioners shall at their next Meeting to be held after the Occurrence of such Vacancy elect another Chairman, to continue in Office until the General Meeting to be held on the First Thursday in November then next following.

65. The Middle Level Commissioners shall at their General Meeting to be held on the First Thursday in November after the passing of this Act, and at their General Meeting to be held on the First Thursday in November in every subsequent Year, elect 14 Commissioners, who, together with the Chairman of the Commissioners for the Time being, shall constitute and shall be called "the Middle Level Board."

66. The following Regulations shall be observed by and be binding on the Middle Level Board; (namely,)

1. The Members of the First and every succeeding Board shall vacate their Offices on the First Thursday in November in each Year succeeding their Election:
2. The Offices of vacating Members shall be filled up by an equal Number of qualified Persons to be elected as herein-before mentioned:
3. Every Member of the Board going out of Office shall be re-eligible, and if at any Time when an Election of Members ought to but the same does not take place, the retiring Members shall continue in Office until the succeeding Year:
4. Any casual Vacancy occurring in the Board may be filled up by the Board, but any Person so chosen shall retain his Office so long only as the vacating Member would have retained the same if no Vacancy had occurred:
5. During any Vacancy in the Board the continuing Members shall act as if such Vacancy had not occurred:
6. If a Member of the Board cease to be a Middle Level Commissioner, or is adjudged bankrupt, or compounds with his Creditors, such Person shall cease to be a Member of the Board, and his Office shall thereupon be vacant:
7. Any Person who acts as a Member of the Board without being duly qualified or after he has become disqualified shall incur a Penalty not exceeding Fifty Pounds; and in any Proceeding for the Recovery of such Penalty the Burden of proving his Qualification shall be upon the Person against whom such Proceeding is taken:
8. All Acts done by any Meeting of the Board or by any Person acting as a Member of the Board shall, notwithstanding it may be afterwards discovered that there was some Defect in the Election of any such Board or Person acting as aforesaid, or that they, or he, or any of them were or was disqualified, be as valid as if every such Board or Person had been duly elected or appointed and was qualified to be a Member.

67. The Proceedings of the Board shall be conducted in accordance with and subject to the following Rules:

1. The Board shall from Time to Time meet for the Despatch of Business, and may make such Regulations with respect to the Summoning, Notice, Place, Management, and Adjournment of Meetings, and generally with respect to the Transaction and Management of Business, as they think fit, subject to the following Conditions:—
   That
   (*a*) No Business shall be transacted at any Meeting unless at least Five Members are present at the Commencement and Close of such Business:
   (*b*) All Questions shall be decided by a Majority of Votes of the Members present:
   (*c*) The Names of the Members present as well as of those voting upon each Question shall be recorded:
2. The Chairman of the Middle Level Commissioners for the Time being shall be Chairman of the Board:
3. If at any Meeting the Chairman is not present at the Time appointed for holding the same, or if the Office of Chairman be vacant, the Members present shall choose some One of their Number to be Chairman of such Meeting:
4. In case of an Equality of Votes at any Meeting the Chairman for the Time being of such Meeting shall have a Second or Casting Vote:
5. The Board may delegate any of their Powers to Committees, consisting of such Members of their Body as they think fit; any Committee so formed shall in the Exercise of the Powers delegated conform to any Regulations that may be imposed on them by the Board:
6. If the Chairman of the Board is a Member of any Committee he shall be the Chairman thereof, and if the Chairman be not a Member then the Committee may elect a Chairman of their Meetings; if no such Chairman is elected, or if the Chairman is not present at the Time appointed for holding the same, the Members present shall choose One of their Number to be Chairman of such Meeting:
7. A Committee may meet and adjourn as they think proper; Questions at any Meeting shall be determined by a Majority of Votes of the Members present, and in case of an equal Division of Votes the Chairman shall have a Second or Casting Vote:
8. The Board shall cause Minutes to be made in Books provided for that Purpose—
   Of the Names of the Members present at each Meeting of the Board and Committees of the Board;
   Of all Orders made by the Board and Committees of the Board; and
   Of all Resolutions and Proceedings of Meetings of the Board and of Committees of the Board;
   And any such Minutes as aforesaid, if signed by any Person purporting to be the Chairman of any Meeting of the Board or Committee of the Board, shall be receivable in Evidence without any further Proof:
9. Section 90 of "The Middle Level Drainage Amendment Act, 1848," shall extend and apply as well to the Middle Level Board or any Committee thereof as to any Committee appointed under the Middle Level Acts or either of them.

68. The Superintendence of all Matters and Affairs belonging to or vested in the Middle Level Commissioners, and the Exercise of all Powers and Duties by this or any other Act authorized to be exercised or performed by them, shall, subject and without Prejudice to the Rights and Powers of the Commissioners at any of their Meetings, and of any Orders or Resolutions to be from Time to Time made or passed thereat, be placed in and may be exercised by the Middle Level Board subject to the following Restrictions; (that is to say,)

1st. That the Board shall not have Power to lay Taxes or to borrow Money on Mortgage or Bond:
2nd. The Board shall not do any Act in contravention of any Order or Resolution made or passed at any Meeting of the Middle Level Commissioners; and,
3rd. Any Person aggrieved by any Order or Act of the Board may appeal therefrom, or shall be entitled to such other Redress in reference thereto as he might have done or been entitled to against any Order or Act of the Commissioners.

69. Sections 11 and 53 of the "Commissioners Clauses Act, 1847," and also the Provisions of the same Act with respect to—

The Contracts to be entered into and the Deeds to be executed by the Commissioners, except Section 57,

shall be incorporated with this Part of this Act, and shall extend as well to the Middle Level Commissioners as to the Middle Level Board; and in the Construction of this Part of this Act and the incorporated Provisions, Part Five of this Act and the Middle Level Acts shall together constitute "the Special Act."

70. When and so long as it shall be found necessary by the Middle Level Commissioners to impose the "Further Tax" and the "Additional Tax" respectively authorized to be imposed by "The Middle Level Drainage Amendment Act, 1848," or either of those Taxes, the Middle Level Commissioners may assess the same in One and the same Instrument of Assessment jointly with the Tax authorized to be imposed by the Second Middle Level Act, and any such Assessment may be according to the Forms given in the Eighth Schedule to this Act, or as near thereto as the Circumstances will admit; and it shall not be necessary for any Purpose to have separate Instruments of Assessment for each of the said Taxes.

71. Whenever the Name of the Occupier or Owner of any Land liable to be assessed to any Tax by the Middle Level Commissioners shall not be known to them, it shall be sufficient to assess and designate him or them (as the Case may be) in the Assessment as "the Occupier" or "the Owner," without further Description.

72. The Middle Level Commissioners may assess the Owner of any Lands in respect of which the Occupier is or would be liable to be taxed by them in any of the following Cases; (that is to say,)

1. In case the Name of the Occupier of any Lands, the "Tax" upon which does not exceed 40*s.*, shall not be known to them at the Time of making the Assessment:
2. In case of Land unoccupied at the Time of making the Assessment:
3. In case the rateable Value of any Occupation shall, according to the last Poor's Rate Assessment thereof, not exceed the Sum of 10*l.*:
4. In case any Owner shall require to be assessed, and shall have paid all previous Rates assessed upon him:

But every such Assessment upon any Owner shall be subject to the following Restrictions:

(*a*) The Right to recover any Arrears of Rates from any future Occupier of the Premises shall not be affected:

(*b*) If the Occupier of any Land whose Name is unknown to the Middle Level Commissioners at the Time of making the Assessment should afterwards become known, or if any Land then unoccupied should afterwards become occupied, the Middle Level Commissioners or their Clerk may, if they or he think fit, insert in the Assessment the Name of any such Occupier, who shall thereupon to all Intents and Purposes be deemed to be properly assessed, and the Taxes thereby assessed and charged upon any such Occupier may be collected and recoverable from him in the same Manner as if he had been originally named therein or assessed thereto.

73. It shall not be necessary to have separate Warrants of Distress for Arrears of separate and distinct Taxes due in respect of the same Land, but all Arrears for the Time being due from the Occupier of any Lands or in respect of the Lands in his Occupation shall and may be recoverable by One and the same Warrant of Distress, and such Warrant may be according to One of the Forms in the Ninth Schedule to this Act annexed, or as near thereto as Circumstances will admit.

74. When and so soon as the Debt due from the Middle Level Commissioners on Mortgage or Bond shall be reduced to the Sum of 300,000*l.*, and whenever the Debt due from those Commissioners on Mortgage or Bond shall not exceed such Amount, it shall not be obligatory on those Commissioners to assess the Tax called the "Further Tax;" and when and so soon as the Debt due from those Commissioners on Mortgage or Bond shall be reduced to the Sum of 150,000*l.*, and whenever the Debt due from them on Mortgage or Bond shall not exceed such last-named Amount, it shall not be obligatory on them to assess the Tax called the "Additional Tax," subject however to the Proviso herein-after contained; to wit,

That the Security and Remedies by the Middle Level Acts or this Act given or intended to be given to any Mortgagee or Bond Creditor shall not by this present Section be in anywise prejudiced or affected, and that no Mortgagee or Bond Creditor shall be hindered or prevented from levying all or any of such Taxes in pursuance of the Provisions in that Behalf herein-after contained.

75. Notwithstanding anything in the Middle Level Acts or either of them contained to the contrary, it shall be lawful for the Middle Level Commissioners or Middle Level Board to correct any Error in the Apportionment of Taxes made under or referred to in the Middle Level Acts or any of them as to the Content of any Lands mentioned therein, and for such Purpose to order a Survey of any such Lands, but no Alteration shall be made in the apportioned Aere Tax chargeable on any such Lands.

76. If any Tax assessed by the Middle Level Commissioners on any Lands shall be unpaid and in arrear for 30 Days after the same shall become due and payable, then it shall be lawful for the Middle Level Commissioners (without Prejudice to any of their other Remedies) to recover the same and the Penalty imposed for Nonpayment thereof, with Costs of Suit, by Action, to be brought against the Person who was the Occupier of the Lands charged with such Tax at the Time the same became due and payable, in any Court having Jurisdiction in Actions of Debt for the Amount claimed in the Parish or Locality in which the Lands are situate, or in the Parish or Place in which the principal Office of the Commissioners shall for the Time being be situate.

77. In case any Tax assessed by the Middle Level Commissioners on any Lands shall be in arrear for the Space of Six Months, and no sufficient Distress can be found upon those Lands, then it shall be lawful for the Middle Level Commissioners at any Meeting to let the same Lands, or so much of the same as they shall judge sufficient and proper, (and for that Purpose to inclose and set apart any Portion of any Common, Lammas, or Half Year Lands,) to such Person, for such Number of Years not exceeding Three, at such Rents, and upon such Terms and Conditions, as to them shall seem meet, and to apply the Rent received for the same in or towards Payment and Discharge of such Arrears and Penalty, and of all Charges and Expenses incurred in or about the letting of the said Lands, rendering the Overplus (if any) to the Person for the Time being appearing to be entitled thereto.

78. Upon Application made by the Middle Level Commissioners or their Clerk, it shall be lawful for any Justice to order any Constable, with proper Assistance, to enter upon any Lands so let under the Powers of the preceding Section, and to deliver the same to the Person to whom the Lands are let, and such Person shall hold and enjoy the same Lands freed and discharged from any Claims and Demands from any Person whomsoever for and during the Term, not exceeding Three Years, for which the Lands are let, and subject to the Rent and Stipulations reserved and made payable in respect thereof.

79. In order that any Owner of Lands liable to be assessed by the Middle Level Commissioners may be enabled to redeem his Share or Proportion of the Debt for the Time being owing by the Middle Level Commissioners on Mortgage or Bond, or any Part thereof, it shall be lawful for the Middle Level Commissioners and they are hereby required, from and thenceforth after any Portion of the Debt shall under the

Provisions herein contained have been redeemed, to apportion the Taxes to be yearly imposed by them, that is to say, to specify in the Instrument of Assessment what Proportion of the Taxes or total Amount of Taxes thereby imposed shall be carried to the "Debt Account," and what Proportion thereof shall be carried to the "General Account;" and the Debt Account shall be credited with the Proportion of Taxes so directed to be carried to that Account, and also with all Monies received for the Redemption of Taxes or otherwise in relation to the Debt, and shall be debited with all Payments in respect of Principal or Interest; and the General Account shall be credited with all Penalties received in respect of Taxes, or any Proportion thereof, and shall be debited with all Expenses in relation to the Transfer or otherwise in relation to any Mortgage or Bond.

80. The Middle Level Commissioners may, with the Consent of the Mortgagees of the Taxes (if any) for the Time being, from Time to Time agree with any Owner of Lands liable to be taxed by them for the Redemption at Par of the pro ratâ Share of the Debt for the Time being owing from them on Mortgage or Bond as shall be payable for or in respect of such Lands, and upon receipt of the Redemption or Consideration Money the Middle Level Commissioners and the Mortgagees of the Taxes (if any) for the Time being shall give a Receipt and Discharge for the same, and shall execute and deliver to such Owner a Certificate under the Common Seal of the Middle Level Commissioners specifying the Proportion of Taxes so redeemed, and describing the Lands whereon the same was chargeable, and which shall thenceforth be exonerated from such Proportion of Taxes accordingly; and every such Certificate shall be registered with the Clerk to the Middle Level Commissioners in a Book to be kept for that Purpose, and to be entitled the "Tax Redemption Book," and for his Trouble in respect of such Certificate the Clerk shall be entitled to a Fee of not exceeding 20*s.*, such Fee to be paid by the Party so redeeming.

81. The Provisions in this Act contained as to the Redemption of Taxes in respect of Debt shall and may be exercised in respect as well of all or any Part of the Debt for the Time being owing on Mortgage or Bond, as of any Sum of Money which the Middle Level Commissioners shall have resolved to borrow on Mortgage or Bond, and those Commissioners may agree upon and determine as to the Tax or Part of a Tax and Term of Years for and in respect of which any such Redemption shall extend.

82. The Middle Level Commissioners may, with the Consent of the Mortgagees of the Taxes (if any) for the Time being, by Notice in Writing require the Owner of any Land liable to be taxed by them, and distinguished by a separate Number on a certain Plan called "Plan of Part of the Bedford Level and Lands adjacent subject to the Eau Brink Tax, by J. G. Lenny, Bury Saint Edmunds, 1833," or any Part or Subdivision of any Land so distinguished, and the yearly Taxes to which the same Land or Subdivision are liable to be assessed by the Middle Level Commissioners shall not exceed 2*s.* 6*d.* per Annum, to redeem the Taxes to which such Lands are so liable to be assessed upon such Terms as to the Middle Level Commissioners and such Owner shall seem reasonable, so that the same be not less than 20 nor more than 30 Years Purchase of the Taxes to which the same are liable to be assessed; and upon the Receipt of the Redemption or Consideration Money the Middle Level Commissioners and the Mortgagees of the Taxes (if any) for the Time being shall give a Receipt and Discharge for the same, and shall execute and deliver to such Owner a Certificate under the Common Seal of the Middle Level Commissioners, describing the Land whereon the Taxes so redeemed were chargeable, and which shall thenceforth be exonerated in perpetuity from Liability to be taxed by the Middle Level Commissioners under the Provisions of the existing Middle Level Acts; and every such Certificate shall be registered with the Clerk to the Middle Level Commissioners in "the Tax Redemption Book," and for his Trouble in respect of such Certificate the Clerk shall be entitled to a Fee of not exceeding 5*s.*

83. Every such Notice may be sent by Post addressed to the usual or last known Place of Abode of such Owner, and shall appoint a Time and Place for such Owner to attend the Middle Level Commissioners for the Purpose of arranging the Terms of Redemption; and in case such Owner shall not attend pursuant to such Notice, or in case he and the Middle Level Commissioners cannot agree upon the Terms of Redemption, then and in either of such Cases the Middle Level Commissioners may fix and determine that the Redemption Money shall be such Sum as shall be equal to not exceeding 25 Years Purchase of the Taxes to which the Lands are liable to be assessed, and Notice of such Determination shall be sent by Post to such Owner addressed as aforesaid; and in case of Nonpayment of the Redemption Money for Six Months after Demand, the same shall be recoverable by the Middle Level Commissioners by any of the Ways and Means by which the Taxes assessed by them are, under the Middle Level Acts or either of them or by this Act, made recoverable; and on Payment or Recovery thereof the Middle Level Commissioners shall give such Receipt and execute and register such Certificate of Redemption as aforesaid.

84. Any Purchase or Compensation Money paid into the Bank of England in respect of any Lands belonging to Parties under Disability under the Authority of any Act or Acts of Parliament, and also any Monies held upon Trusts authorizing the Investment thereof in the Purchase of other Lands to be limited and settled upon the like Uses, Trusts, and Purposes as the Lands in respect of which the Owner for the Time being shall in exercise of any of the Provisions of this Act desire to redeem any Taxes or Proportion of Taxes are limited or settled, or otherwise applicable to such Purpose, may, by Order of the Court of Chancery to be obtained by Petition in a summary Way, be applied in the Redemption of the Taxes or Proportion of the Taxes authorized to be imposed by the Middle Level Commissioners upon the Lands in respect of which such Money shall have been paid, or upon any other Lands settled therewith, or held to or upon the same or like Uses, Trusts, or Purposes; and as to any such Money not amounting to 200*l.*, and which shall have been paid to or shall be held by Trustees or by any such Party under Disability, the same may be applied by the Trustees or such other Party in the Redemption of such Proportion of the Taxes without any Order of the Court of Chancery.

85. All Monies received by the Middle Level Commissioners or their Treasurer under the Provisions of this Act for or in respect of the Redemption of Taxes shall be applied in and towards the Discharge of the Debt (if any) for the Time being owing from the Middle Level Commissioners on Mortgage or Bond, or if there be no such Debt, then in the Construction of any Works for the permanent Benefit of the Middle Level the Expense of which might be paid out of Money borrowed, or such Monies may be invested in Government or Real Securities.

86. In case any Person being Tenant for Life or Lives of any Land subject to be taxed under the Middle Level Acts, or any of them, shall have redeemed the said Taxes or any Proportion thereof, and paid the Consideration Money for the same, then and in such Case every such Person may and is hereby authorized by his last Will to charge such Land with the Payment of the Money which he shall have paid for the

Redemption of such Taxes or any of them, or any Proportion thereof, and to direct and appoint the same to be paid to such Person as he shall by such last Will direct, or to merge and extinguish such Charge; and in case no such Charge shall be made or merged or extinguished, then the Amount of the Redemption or Consideration Money so paid shall be a Charge on the Land for or in respect of which the same shall have been paid, and such Charge shall be paid within 12 Months to the Executors or Administrators of the deceased Tenant for Life by the Tenant for Life in Tail or in Fee next in Succession next after his coming into possession of the said Land, together with Interest for the same at the Rate of 4*l.* per Centum per Annum from that Period, and if not paid within such Period of 12 Months then the Person entitled to receive the same shall and may recover the Interest then due and the future Interest half-yearly, if not paid within 30 Days after the 6th Day of January and the 6th Day of July in each Year, of the Tenant for Life or Years for the Time being, or the Principal and Interest of the Tenant in Tail or in Fee for the Time being, by Action in any Court having Jurisdiction for the Amount claimed in the Parish or Place in which the Lands in respect of which such Claim shall arise shall be situate, or by Entry and Distress upon such Lands in the same Manner and with the same Powers in all respects as Landlords can by Law enter and distrain for Rent in arrear on a common Demise.

87. If any Owner, not being the Occupier of any Lands liable to be taxed or assessed by the Middle Level Commissioners, shall voluntarily or compulsorily redeem such Taxes, or any Part thereof, and if the Tenant or Occupier thereof shall by his Lease or Agreement be liable to the Payment of all Drainage Taxes, or to the Payment of all Taxes, whether Parliamentary or Parochial, except Land Tax, then and in any such Case such Owner shall and may receive and recover from such Tenant or Occupier the Amount of the Tax or Proportion of Tax so redeemed at the same Time, in the same Manner, and by the same Ways and Means, as such Owner is entitled or authorized to receive and recover the Rent of such Land from such Occupier.

88. Without Prejudice to existing Mortgages, the Powers given to the Middle Level Commissioners by Sections 34, 35, and 36 of "The Middle Level Drainage Amendment Act, 1848," may be exercised in respect of any Monies authorized to be borrowed by them by any of the Middle Level Acts or this Act, and upon or in respect of any Taxes authorized to be imposed by the Middle Level Commissioners by any of the Middle Level Acts, or upon any Tolls, Lands, Tenements, or Hereditaments or other Property now vested in them or transferred to or vested in them under the Provisions of this Act; and the Middle Level Commissioners may in any Mortgage declare and agree that the Mortgagee shall be the first or only Mortgagee of the Property comprised therein or thereby mortgaged, and also in what Order the Securities of different Mortgagees of the same Property shall stand; and in regard to any Money to be hereafter borrowed on Security of the said Taxes or any of them the Middle Level Commissioners may, by Order or Resolution at any Meeting, divide the Lands liable to be assessed thereto into Divisions or Districts, so as to give to different Mortgagees a first or only Charge upon the Taxes authorized to be imposed upon or in respect of the Lands in each such Division or District; nevertheless every such Order or Resolution shall be subject to the following Provisoes:

1st. That without Prejudice to the Rights given or by any Mortgage agreed to be given to any Mortgagee, the Taxes to be imposed on all the Lands liable to be assessed by the Middle Level Commissioners, as well those comprised as those not comprised in any such Mortgage, shall be applied by those Commissioners in and towards Liquidation and Satisfaction of any and every such Mortgage; and

2nd. That if, by reason of the Exercise of any of the Powers of any Mortgagee, any Occupier of Lands assessed to the Tax comprised in any such Mortgage shall pay a higher pro ratâ Tax than the Occupier of any Lands not comprised in any such Mortgage, and liable to be assessed thereto, every such Occupier paying such higher pro ratâ Tax shall be entitled to be recouped the Excess paid by him out of the general Funds of the Middle Level Commissioners.

89. In case the Middle Level Commissioners shall, at any Time while any Money shall remain due on any Mortgage made or to be made under the Powers of any of the Middle Level Acts or of this Act, neglect or refuse to exercise all or any of the Powers given to them for assessing, levying, or recovering Taxes so as to meet and provide for the Payment of the Principal Monies or Interest due on any such Mortgage, or any Part thereof respectively, according to the Terms of such Mortgage, then and in every such Case it shall be lawful for any Mortgagee for the Time being of the Taxes, his Executors, Administrators, or Assigns, for the Purpose of obtaining and enforcing the Payment of Interest or the Repayment of Principal Monies due on any such Mortgage (as the Case may require), to have and exercise (so far as regards the Taxes included in his Mortgage) the same or the like Powers, Rights, and Remedies for assessing and taxing the several Lands liable thereto, and for collecting, receiving, and enforcing the Taxes so assessed, as are by any of the Middle Level Acts or this Act given to the Middle Level Commissioners for the like Purpose.

90. It shall be lawful for the Middle Level Commissioners, if and when and as they may think fit, from Time to Time at any General or Special Meeting convened with Notice of such Object, to raise upon Bond instead of Mortgage Security all or any Part of the Monies which they shall then have raised and owe on Mortgage, and which they may be desirous of repaying, or which they may at that Time, under any of the Middle Level Acts or under this Act, be authorized to borrow on Mortgage; and such Bonds may be issued at such Times, upon such Terms, and subject to the Priority of any Mortgage or not, and to any and such Conditions as to Redemption or otherwise, and with such Rights and Privileges, and shall carry such Rate of Interest not exceeding 5*l.* per Centum per Annum, payable half-yearly, to commence at once or at such future Time or Times when and as any such Bonds shall be issued, or otherwise, as the Middle Level Commissioners shall at any such Meeting resolve and determine; and it shall not be necessary for any Person lending any Money on any such Bond to inquire, or see to, or take Notice of the Purpose or Necessity for any such Loan, or of the Application of the Money so to be borrowed.

91. The Bonds to be issued under the Authority of this Act shall be a Charge upon the Taxes, Tolls, Rents, and Hereditaments, and other Funds and Property of the Middle Level Commissioners, and shall be transmissible and transferable as and in other respects have the Incidents of Personal Estate, but the respective Holders of such Bonds shall not, as between themselves, be entitled to any Preference or Priority.

92. The Middle Level Commissioners may, if they think proper, fix a Period for the Repayment of the Principal Money so borrowed on Bond, with the Interest thereof, and in such Case the Middle Level Commissioners shall cause such Period to be inserted in the Bond, and upon the Expiration of such Period the Principal Sum, together with the Arrears of Interest thereon, shall on Demand be paid to the Party entitled

to such Bond; and if no other Place of Payment be inserted in such Bond, such Principal and Interest shall be payable at the principal Office or Residence of the Clerk to the Middle Level Commissioners.

93. If no Time be fixed in the Bond for the Repayment of the Money so borrowed, the Party entitled to the Bond may, at the Expiration or at any Time after the Expiration of 12 Months from the Date of such Bond, demand Payment of the Principal Money thereby secured, with all Arrears of Interest, upon giving Six Months previous Notice for that Purpose; and in the like Case the Middle Level Commissioners may at any Time pay off the Money borrowed on giving like Notice; and every such Notice shall be in Writing or Print, or both, and if given by the Creditor shall be delivered to the Clerk, or left at the principal Office of the Middle Level Commissioners, and if given by the Middle Level Commissioners shall be given either personally to such Creditor or left at his Residence; or if such Creditor be unknown to the Middle Level Commissioners, or cannot be found after diligent Inquiry, such Notice shall be given by Advertisement in the "London Gazette," and in some Daily Newspaper published in London, and also in some Newspaper published and circulating in the County of Cambridge.

Interest to cease on Expiration of Notice by Commissioners, § 94.

Payment of Arrears of Interest to be enforced by Appointment of Receiver; Arrears of Principal and Interest, § 95.

Mode of appointing Receiver, § 96.

Arrears may be recovered by Action, § 97.

Bonds to be registered, § 98.

Mortgages not affected, § 99.

100. Whereas the Works and Portions of Works mentioned in the Agreements herein-after referred to, and which under the Middle Level Acts or some or One of them the Middle Level Commissioners were required to execute, or certain substituted Works in lieu thereof, have, for the Considerations therein expressed and in conformity with the following Agreements; (that is to say,)

1. An Indenture dated the 11th Day of December 1852 between William Wells, Esquire, and the Middle Level Drainage Commissioners relating to the Works which those Commissioners were required to do in certain Drains or Watercourses called Caldecott Dike and Holme Lode, and as to the making and maintaining of a Portion of a new Cut on the Margin of Whittlesea Mere to its Point of Junction with Trundle Mere;
2. An Indenture dated the 6th Day of October 1851 between Edward Fellowes, Esquire, M.P., and divers other Persons being Inhabitants of Ramsey in the County of Huntingdon, and the Middle Level Drainage Commissioners, relating to the Works which those Commissioners were required to do in a certain Drain or Watercourse called "Bill Lode;" and
3. An Indenture dated the 7th Day of November 1850 between the Commissioners acting in execution of an Act of the 41st Year of the Reign of King George the Third relating to Lands in Upwell, Outwell, Denver, and Welney, mentioned in the Second Schedule hereto, of the one Part, and the Middle Level Drainage Commissioners of the other Part, relating to a Portion of the Works which under Section 61 of "The Middle Level Drainage Amendment Act, 1848," and the whole of the Works which under Sections 65 and 72 of the same Act, the Middle Level Drainage Commissioners were required to execute;

been executed, and are to be maintained by the said William Wells, the Inhabitants of Ramsey, and Upwell Commissioners respectively (being the Persons and Parties solely or principally interested in the Works to which such Agreements respectively relate): Therefore the Middle Level Commissioners shall be and they are hereby released from all Liability whatsoever under the Middle Level Acts for and in respect of the making or Maintenance of the several Works to or concerning which such Agreements respectively relate, and such Agreements shall as to the Works to which they severally relate be carried into effect accordingly.

101. Whereas the Middle Level Outfall Sluice which connected the Middle Level Main Drain with the River Ouse has been destroyed by the Tide, and the Destruction thereof has admitted the Flow of the Tide with great Force up the Drain, and by reason thereof Part of the Western Bank of the Drain in Magdalen Fen has been destroyed, and the tidal Waters have flowed through the Breach in the Bank, and a considerable Extent of Land on the Western Side of the Drain has been thereby laid under Water: And whereas in the Interests of the Public it is essential for repairing the Damage so done, and also in the event of any Accident, Damage, or Injury to any Sluice, Bank, or Work connected with the Outfall under the Charge of the Middle Level Commissioners, attended with Danger to the adjacent District, happening or being apprehended, that the Middle Level Commissioners should have such Powers for entering upon, taking, and using Lands and executing Works as by the Act of the Session of the Fifth and Sixth Years of Her Majesty, Chapter 55, with respect to Railways are conferred on Railway Companies in case of Accidents or Slips happening or being apprehended to their Cuttings, Embankments, or other Works: Therefore the Powers and Provisions of Sections 14 and 15 of that Act shall extend and apply (mutatis mutandis) to the Middle Level Commissioners as if they were a Railway Company, and to the entering upon, taking, and using by them of Lands, and the Execution by them of Works, for repairing the Damage which has so happened to the Outfall Sluice and the Western Bank of the Middle Level Main Drain, and for repairing or preventing Accident, Damage, or Injury to their Works connected with the said Outfall, and for providing a temporary Passage for the Waters of and through the said Drain; and the Works which the Middle Level Commissioners from Time to Time may so execute shall comprise all such Dams, Banks, Sluices, Cuts, and other Works as they think requisite and the Board of Trade sanction; and the Expression Owners and Occupiers of Lands in the said Sections 14 and 15 shall extend and apply to Drainage Commissioners and Commissioners of Sewers as well as to Owners and Occupiers of Lands; and for the Purposes of those Works the Provisions "with respect to the temporary Occupation of Lands near the "Railway during the Construction thereof," contained in the Railways Clauses Consolidation Act, 1845, are incorporated with this Act (the Expressions "the Company" and "the Railway" in those Provisions meaning for the Purposes of this Act the Middle Level Commissioners and their Works connected with the said Outfall); and, in addition to the other Powers conferred on the Middle Level Commissioners by this Section, they may, if and when they think fit, purchase by Agreement, to be used for the Purposes of their Works, any Lands lying within 400 Yards from either Side of the Middle Level Main Drain, and also within 1,300 Yards from the Point where it joins the River Ouse; and notwithstanding anything in this Act to the contrary, this Section shall be in force and have effect on and after the passing of this Act: Provided that no new Sluice or other Work shall be made or erected for the Purpose of discharging the Water from the

Middle Level Main Drain into the River Ouse nearer to the Marshland Smeeth and Fen Sluice than the said Drain at its Junction with the River Ouse.

102. Notwithstanding anything contained in the recited Acts or this Act, the Middle Level Commissioners shall with all convenient Despatch after the passing of this Act, at their own Cost, erect a new Bridge, or otherwise provide and make and for ever maintain a good and sufficient continuous Road or Haling-path, over and along or near to that Part of the West Bank of the River Ouse where recently stood the Sluice Bridge and Roadway made by the said Commissioners, and referred to in the 155th Section of the Second Middle Level Act: Provided that no Alteration shall be made in the Site of the said Bridge, Road, or Haling-path unless with the Consent of the Commissioners acting in execution of the Act of the Thirtieth Year of King George the Third, Cap. 83, intituled "An Act for empowering Persons navigating Boats, Barges, "and other Vessels in the River Ouse in the County of Norfolk "to hale or tow with Horses or other Beasts on the Banks or "Sea Walls of the said River, and for making Satisfaction to "the Owners of the said Banks or Sea Walls," or with the Consent and Approval of the Board of Trade, but 14 Days previous Notice shall be given to the River Ouse Haling Commissioners or their Clerk by the Middle Level Commissioners of any Application intended to be made by them to the Board of Trade for such Consent and Approval.

103. A Committee (in this Act referred to as the Sutton and Manea Committee) of Seven Commissioners of the Sutton and Mepal and Manea and Welney Districts shall be constituted, Four Members whereof shall be elected or appointed by the Sutton and Mepal District Commissioners, and Three by the Manea and Welney District Commissioners, at any Half-yearly or other General or Special Meeting of the Commissioners of those Districts respectively convened and held in conformity with the Provisions of the Act or Acts of Parliament relating to such Districts respectively.

104. A Copy of the Minutes of the Proceedings of the Meeting at which any such Election or Appointment shall be made, or of such Part thereof as shall relate to such Election or Appointment, purporting to be signed by the Chairman, shall be Evidence as well of the Fact as of the Correctness and Validity of every such Election or Appointment.

105. The Sutton and Manea Committee shall have the Superintendence and Management, at the Cost of such Committee, of the Old Bedford River from Welche's Dam to the Old Bedford Sluice, and the Low Bank of the said River from Welche's Dam to Welney Bridge, the Counter-wash Drain and the Bank on the North-west Side thereof, and that Part of the Forty Feet River or Vermuyden's Drain which is to the East of Horseway Sluice, and the Banks of the same (but subject to such Liability only (if any) to repair and maintain such last-mentioned Banks as the Corporation was liable to immediately before the Commencement of this Act), the Welche's Dam Sluice, and (but subject and without Prejudice to the Liability of the Middle Level Commissioners under the Provisions of this Act to repair and maintain the same) the Old Bedford Sluice, and in relation thereto may have and exercise all such and the same Powers as, if such Committee had not been constituted, the Middle Level Commissioners could or might have exercised in relation to such Rivers, Drains, Banks, and Sluices, subject to the following Restriction and Proviso:

1st. The Sutton and Manea Committee shall not widen or deepen the said Rivers or Drains, or do any other Act so as to endanger or injure the Barrier Bank adjoining or near to the Old Bedford River, or any Bridge or Sluice over, in, or adjoining the said Rivers or Drains or either of them, or any Act whereby the Navigation through and along the Old Bedford River or any Part thereof may be impeded or prejudicially affected, without the previous Consent in Writing of the Middle Level Commissioners:

Secondly. Provided that nothing in this Section contained shall alter or vary the Liability of the Middle Level Commissioners to repair and uphold the Barrier Banks, Sluices, and Bridges of the Middle Level proper, which after the Commencement of this Act are to be maintained by the Middle Level Commissioners, according to the Provisions in that Behalf in this Act contained.

106. The Sluice Keeper of the Old Bedford Sluice shall be appointed by and be subject to the Dismissal of the Sutton and Manea Committee; and the Regulation of the said Sluice as well as of the Welche's Dam Sluice shall be under the Direction of the said Committee; and the Salaries of the Sluice Keepers of both the said Sluices, not exceeding the present Amount of such Salaries, with the Perquisites, shall be paid by the Middle Level Commissioners.

107. Notwithstanding anything in the Middle Level Acts or any of them contained to the contrary, the Middle Level Commissioners, and the Sutton and Manea Committee, and the Commissioners of Upwell South District, may agree to allow fresh Water to be taken into the Upwell North and South Districts at any Time they may think proper.

108. The Regulations which by the Fifth Part of this Act are directed to be observed by and binding on the Middle Level Board shall be observed by and be binding on the Sutton and Manea Committee, subject to and with the following Additions and Variations; (that is to say,)

1. The Members of the Sutton and Manea Committee shall vacate their Offices on the First Thursday in June in each Year:
2. The Election of new Members shall take place at the General Meeting of each of the said Districts immediately preceding the First Thursday in June in each Year:
3. Any Person ceasing to be a Commissioner of the District for which he was elected shall cease to be a Member of the Sutton and Manea Committee:
4. A Member of the Sutton and Manea Committee need not be a Middle Level Commissioner.

109. The Proceedings of the Sutton and Manea Committee shall be conducted in accordance with and subject to the following Rules:

1. The Committee shall from Time to Time meet for the Despatch of Business, and may make such Regulations with respect to the Summoning, Notice, Place, Management, and Adjournment of Meetings, and generally with respect to the Transaction and Management of Business, as they think fit, subject to the following Conditions:—That
   (*a*) No Business shall be transacted at any Meeting unless at least Three Members are present at the Commencement and Close of such Business:
   (*b*) All Questions shall be decided by a Majority of Votes of the Members present:
   (*c*) The Names of the Members present as well as of those voting upon each Question shall be recorded:
2. The Committee shall at their First Meeting, and afterwards at their First Meeting after each annual Election, appoint One of their Number to be Chairman for the Year following:
3. If at any Meeting the Chairman is not present at the Time appointed for holding the same, or if the Office of

Chairman be vacant, the Members present shall choose some One of their Number to be Chairman of such Meeting:

4. In case of an Equality of Votes at any Meeting the Chairman for the Time being of such Meeting shall have a Second or Casting Vote:

5. The Committee shall cause Minutes to be made in Books provided for that Purpose—

Of the Names of the Members present at each Meeting of the Committee;

Of all Orders made by the Committee and of all Resolutions and Proceedings of Meetings of the Committee;

And all such Minutes shall be signed by the Chairman of the Meeting at which the Proceedings took place, and such Entries so signed shall be primâ facie Evidence of the Facts therein stated without Proof of the Signature of the Chairman:

6. The Committee may appoint such Officers as they may deem necessary, and shall cause a Minute of every such Appointment to be entered in their Minute or Order Book.

110. The One Moiety of such of the additional Navigation Tolls granted by the Second Middle Level Act as are collected at the Old Bedford Sluice, and which under "The Middle Level Drainage Amendment Act, 1848," (Section 17,) are made payable to the Sutton and Mepal Commissioners, shall after the Commencement of this Act be payable to the Sutton and Manea Committee, and shall be applied by the said Committee to the same Purposes as the same were applicable to immediately before the Commencement of this Act; and all other Funds and Monies by this Act made payable to such Committee shall and may be expended by them in and about any Works by this Act authorized to be done or executed by them, or in or about the Exercise of any of the Powers hereby granted to the Sutton and Manea Committee.

111. The Commissioners of the Sutton and Mepal and Manea and Welney Districts respectively may contribute from and out of the Taxes and Funds payable to or vested in them respectively to and in aid of the Funds of the Sutton and Manea Committee in such Proportions, for such special or other Purposes, and on such Terms, as the Commissioners of the said Districts respectively may resolve or agree; and the Sutton and Manea Committee may in like Manner from Time to Time pay or divide the surplus Monies or Funds vested in them or any Part thereof to and among the said Commissioners respectively in such Proportions as they may deem just.

112. It shall be lawful for the Sutton and Manea Committee at any Time and from Time to Time to invest any surplus or unapplied Funds or Monies, not exceeding the Sum of 2,000*l.*, until required for any of the Purposes aforesaid, in the joint Names of their Chairman, Clerk, and Treasurer for the Time being, or any Two of them, in or upon any of the Public Stocks or Funds or Government Securities of Great Britain, with Power for the Sutton and Manea Committee to call in or convert the same, or to sell out, vary, or transfer the Stocks, Funds, or Securities in or upon which any such Investment shall be made as Occasion may require, and the Sutton and Manea Committee or their Treasurer shall not be answerable for any involuntary Loss or Deficiency of or in the said Money, Stocks, or Funds.

113. In case the Sutton and Manea Committee shall at any Time be dissatisfied with the State of the Barrier Bank in or adjoining to the Sutton and Mepal and Manea and Welney Districts, or any Part thereof, they may from Time to Time, when and as they shall think fit so to do, require that a joint Meeting of the Middle Level Board and of the said Committee be convened and held to consider the State of the last-mentioned Barrier Bank or any Part thereof; and the said joint Meeting may thereupon pass such Resolutions and make such Orders, and give such Directions respecting the Repair or Maintenance of the same Bank as may be thought advisable; and every such Request shall be in Writing, and signed by the Chairman or any Two Members of the said Committee, and a Statement of the Names and Addresses of the then Members of the Committee shall be appended or annexed thereto, and the same shall be sent by Post to or served upon the Clerk to the Board, or left at his Office; and such joint Meeting shall be held within One Month after the sending or Service of such Request; and Notice of the Time and Place of holding of every such Meeting shall be sent by the Clerk of the Board as well to the Members of the Board as to the Committee; and every such joint Meeting shall be subject to the same or similar Rules and Regulations as are in and by the Fifth Part of this Act contained and provided in regard to the Meetings of the Board.

114. If no such joint Meeting of the Board and Committee shall be held within One Month after such Request, or if the Committee shall be dissatisfied with the Result of any such Meeting, then and in every such Case the Committee may, by Notice in Writing signed by the Chairman or Two Members of the Committee, to be sent by Post to or served on the Clerk to the Board, or left at his Office, require that the Question as to the State and Necessity for Repair of the said last-mentioned Barrier Bank be referred to a Civil Engineer to be in that Behalf appointed by the Board and the Committee, or in case they cannot agree upon an Appointment, then by the Board of Trade, on the Request of either of the Parties; and the Decision of such Engineer shall be final, and any Works reported by him as necessary shall be forthwith executed by the Board, or in case of their refusing or neglecting to do so, then by the Committee; and all the Expenses incurred by the Committee about or in relation to any Works so to be executed by them shall be deemed a Debt due to them from the Middle Level Commissioners, and be recoverable by Action at Law in any Court of competent Jurisdiction for Recovery of Sums of the like Amount.

115. If and when and so long as the Lands in the Sutton and Mepal and Manea and Welney Districts shall, under the Provisions of "The Middle Level Drainage Amendment Act, 1848," be wholly drained into or through any of the Cuts, Rivers, Drains, or Watercourses of or under the Management of the Middle Level Commissioners, then and during such Time the Sutton and Manea Committee shall cease to act, and shall not thereafter during such Term be appointed; and the Provisions of this Act as to those Districts, and as to the said Adventurers Account, and as to the Appointment of and all other Provisions of this Act in relation to the said Committee, shall during such Time be wholly inoperative, and the whole of the Rents, Revenues, and Income by this Act transferred to and vested in the Middle Level Commissioners, together with the said Moiety of additional Navigation Tolls collected at the Old Bedford Sluice, and all other Monies by this Act made payable to the Sutton and Manea Committee, shall be carried over to the general Account of the Middle Level Commissioners.

116. The Provisions of the "Commissioners Clauses Act, 1847," with respect to—

(1.) The Contracts to be entered into and Deeds to be executed by the Commissioners;

(2.) The Liabilities of the Commissioners, and to legal Proceedings by or against the Commissioners;

(3.) The Appointment and Accountability of Officers of the Commissioners;

(4.) The Accounts to be kept by the Commissioners;
(5.) The giving Notices and Orders;
shall be incorporated with this Part of this Act; and the Sutton and Manea Committee shall, for the Purpose of this Incorporation, be deemed Commissioners within the Meaning of the said incorporated Provisions; and in the Construction of this Part of this Act, and the incorporated Provisions in connexion therewith, Part Six of this Act shall constitute the Special Act.

117. The Provisions of the "Commissioners Clauses Act, 1847," with respect to—

1. Meetings and other Proceedings of the Commissioners, and their Liabilities (except Sections 36, 40, 42, 43, 48, 53, and 54);
2. Contracts to be entered into and the Deeds to be executed by the Commissioners (except Section 57);
3. The Liabilities of the Commissioners, and to legal Proceedings by or against the Commissioners;
4. The Accounts to be kept by the Commissioners (except Sections 92 to 95 inclusive);
5. The making of Byelaws;
6. Giving Notices and Orders;
7. Proofs of Debts in Bankruptcy or Insolvency;
8. Tender of Amends;
9. Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matters referred to Justices;

shall be incorporated with the Act or Acts of Parliament relating to each of the Districts constituted by or mentioned or referred to in any Act of Parliament comprised in the Second Schedule hereto, subject to the following Provisoes:

1. That the First Meeting of the Commissioners referred to in Section 37 of the "Commissioners Clauses Act, 1847," shall mean the First General Meeting of the respective District Commissioners to be held after the Commencement of this Act, and the Annual Meeting of the Commissioners shall mean such General Meeting as the District Commissioners respectively shall appoint to be deemed the Annual Meeting for the Purpose of such Section; and
2. The respective District Commissioners may require such Notice as they respectively shall from Time to Time direct to be given of Special Meetings, not being less than Seven Days.

118. Any District Commissioners may, by Resolution at any General or Special Meeting, of which Notice of the Intention to take the Subject into consideration shall have been given, resolve and order that they adopt the Provisions of the "Commissioners Clauses Act, 1847," with respect to—

1. The Appointment and Accountability of Officers of the Commissioners; and
2. Mortgages to be executed by the Commissioners:

And thenceforth after the passing of any such Resolution, or at the Time thereby appointed for that Purpose (as the Case may be), the Provisions referred to in such Resolution shall be incorporated with the Act or Acts relating to such District, subject to the following Proviso:

That instead of paying off or providing a Sinking Fund equal to One Twentieth Part of the Principal Money borrowed on Mortgage yearly and every Year, any District Commissioners may arrange with any Mortgagee for the Liquidation of the whole Amount of Principal and Interest by equal annual Payments during the Term of 20 Years or any less Term.

119. A Copy of the Proceedings of the Meeting at which any such Resolution or Order shall be made, or of such Part thereof as shall relate to such Resolution or Order, purporting to be signed by the Chairman, shall be Evidence as well of the Fact as of the Correctness and Validity of every such Resolution or Order.

"Special Act" defined, § 120.
Inconsistent Provisions repealed, § 121.

122. Any District Commissioners may from Time to Time purchase a Piece or Pieces of Land lying within or near to the District for which they shall be acting, to be used as and for a Site or Sites of an Engine House or Engine Houses and Residences of the Engine Driver or other Servant of such Commissioners, so that the total Quantity of Land for this Purpose to be held at any One Time by the Commissioners of any District shall not exceed Two Acres, and to cause the same by proper Assurances to be conveyed to the Use of the said Commissioners, or any Five or more of them, their Heirs and Assigns, upon trust for the Commissioners for the Time being of such District and for the Purposes of the District.

123. Any District Commissioners may, if they think fit so to do, at any Time or Times and from Time to Time sell or cause to be sold all and every the Engines and Mills or other Works already or which shall at any Time hereafter be erected within the District for which they shall be acting, and also all their Right and Interest in the Site of the said Engines and Mills or other Works, for the best Price that can be gotten for the same, and apply the Money arising from every such Sale to and for the Purposes of such District.

124. In case any Person liable to pay any Rate or Tax made by any District Commissioners under the Powers of any District Act shall neglect to pay such Rate or Tax or any Part thereof to the Person authorized to receive the same, either before or within or at the Time and Place appointed for Payment thereof, then such Person shall forfeit and pay to such Commissioners such further Sum by way of Penalty as in that Behalf is stated in the District Act under which the same Rate or Tax shall be assessed or imposed, and in case such District Act contains no such Provision in that Behalf then such Sum not exceeding One Sixth Part of the Rate or Tax as the District Commissioners may at the Time of assessing or imposing such Rate or Tax determine and order, and such Penalty or further Sum shall be recoverable and applied in like Manner as the Rate or Tax.

125. Every Rate or Tax assessed or imposed by any District Commissioners shall be recoverable in the Manner provided by the District Act or Acts under which the same shall be assessed or imposed, or, at the Option of the Commissioners, may be recoverable in like Manner as any Taxes authorized to be assessed or imposed under the Authority of the Middle Level Acts or any of them are by those Acts or either of them or by this Act authorized to be recovered; and all and singular the Provisions contained in the Fifth Part of this Act with respect to the Assessment, Collection, and Recovery of Taxes and Penalties assessed or imposed by the Middle Level Commissioners shall (mutatis mutandis) apply and extend to Taxes or Rates assessed or imposed by any District Commissioners.

126. Any District Commissioners may at any Special Meeting duly convened for that Purpose resolve to repair all or any of the Roads or Droveways (not being public Highways, or which shall not be repaired by the Surveyor of the Highways, or Corporation or Person discharging the Duties of that Office) within the Limits of or leading to or from such District, and after the passing of any such Resolution they may apply any of the District Funds, and exercise any of their Powers of assessing and recovering Taxes and borrowing Money, for the Purpose of defraying the Costs and Expenses of and incident to the carrying into effect any such Resolution, and if and when they may think it necessary so to do they

may determine whether the whole or any and what Proportion of any Tax or Rate to be imposed by them, or of any Money to be borrowed by them, shall be deemed applicable to that Purpose; but subject to the following Restriction:

When a Part only of the Owners or Occupiers of Land in the District are directly interested in the Repair of any Road or Droveway therein it shall be the Duty of the District Commissioners to come to such Determination as aforesaid, and to exempt every Tax or Ratepayer not directly interested in the Repair from any such Tax or Rate or Proportion of Tax or Rate (as the Case may be) determined to be applicable for the Purpose of such Repair, and to repay any Money borrowed for that Purpose out of Taxes or Rates to be levied solely on the Owners or Occupiers directly interested in the Repair.

127. If any Person shall feel himself aggrieved by any Determination, Act, or Proceeding of any District Commissioners under the last preceding Section he may appeal to Two or more Justices in Petty Sessions assembled, who shall have full Power to determine whether or not such Person is or is not directly interested in the Repair of any such Road or Droveway, and shall confirm or annul the Proceedings of the District Commissioners accordingly.

128. In exercise of the Powers by this Part of this Act granted to or conferred upon District Commissioners as to the Repair of Roads or Droveways, such District Commissioners may do all or any of the following Acts or Proceedings:

1. They may form and make, repair and keep up, permanent Carriageroads or Tramways of or upon any Roads or Droveways within the Limits of the District for which they are acting, and may gravel or metal and quickfence or inclose the same, and form, make, repair, and keep up Footpaths upon or along the Sides of any such Road or Droveway:
2. They may take and dig Gravel or other Materials in or from any Road or Droveway in the District for which they are acting:
3. They may dig, clamp, and burn any Clay or other Materials found or being in or upon any Road or Droveway within the District for which they are acting, and suitable for forming or making permanent Roads:
4. They may cut, dig, and sell any Turf or Peat suitable for Fuel being in any such Road or Droveway or the Sides thereof, and sell and demise, or grant Leave or Licence to any other Person so to do, and apply the net Proceeds of every such Sale and the Purchase or Consideration Money to be paid for such Leave or Licence towards the Expenses of forming, making, or repairing any such Carriageroad, Tramway, or Footpath in the District wherein such Turf or Peat shall be found:
5. They may, by Agreement, as herein-after mentioned or provided for, form, make, and keep in repair any such permanent Carriageroad, Tramway, or Footpath upon or along any existing Road or Droveway leading to or from but which extends beyond the Limits of any such District:
6. They may do all other Works in connexion with and necessary to the effectual forming, making, and repairing any such permanent Carriageroad, Tramway, or Footpath, and exercise any other Powers in relation thereto by this Part of this Act conferred upon them:
7. They may make Byelaws for regulating the Use of any such Tramway or Footpath, and impose such reasonable Penalties upon all Persons offending against such Byelaws as they may think fit, not exceeding Two Pounds for any One Offence.

129. In case any Road or Droveway shall extend into the Limits of and be common to Two or more Districts, or shall extend beyond the Limits of any District, and be common to the same and the Owners and Occupiers of any other Lands, the District Commissioners acting for such Districts respectively may agree with the District Commissioners of any other District, or with the Owners of such other Lands, as the Case may be, for the Repair of any such Road or Droveway under the Provisions of this Act, out of a Tax or Rate or Fund to be levied, borrowed, or contributed by the District Commissioners of such several Districts respectively, or such District Commissioners and Owners of such other Lands, as the Case may be, at such Times, in such Proportions, and to continue for such Term, and upon and subject to such Terms and Conditions, as the Parties so agreeing may think fit; and the Repairs contemplated or provided for by any such Agreement may be executed by or under the Superintendence of any of the Parties to such Agreement, or of any Committee of the respective District Commissioners, or other Persons, as may be determined; and such Parties or Committee shall have such and the same Powers for collecting and enforcing the Payment of any Money so agreed to be paid, when and in case the same shall be in arrear and unpaid, as any District Commissioners have, or are by this Part of this Act entitled to, for Recovery of Taxes or Rates authorized to be imposed by them when in arrear.

130. After any such Road or Droveway shall have been made a permanent Road and put into a substantial State of Repair by or at the Expense, or partly at the Expense, of any District Commissioners, such District Commissioners may and they are hereby authorized, if they think fit so to do, to give such Notice as for the Time being may, by any Act or Acts of Parliament then in force relating to Highways in England, be authorized to be given of an Intention to dedicate such Road or Droveway as a Highway, to the Use of the Public; and every such Notice shall be valid if signed by Three of the District Commissioners; and thereupon such Proceedings shall be had and taken for determining the Utility of any such proposed Highway, or otherwise in relation thereto, as in and by any such Act or Acts of Parliament shall or may be contained or provided.

131. In case the Herbage upon any Road or Droveway which, under the Provisions in that Behalf of this Part of this Act, may be repaired by any District Commissioners, or to the Expense whereof they may contribute, shall be liable to be let under the Provisions of any Act of Parliament, and the Rents or Proceeds whereof shall be applicable to the Repair of such Road or Droveway, or in case any Road or Droveway shall have been let by any District Commissioners for a Period of 20 Years or upwards immediately preceding the passing of this Act, and the Rents or Proceeds thereof shall have been so applied, then and in any such Case such Rents or Proceeds shall immediately from and thenceforth after such Repairs shall be commenced by any District Commissioners, or to the Expense whereof they shall have agreed to contribute, be paid to them, to be applied towards the Expense of such Repairs; and in case more than One Body of District Commissioners or other Persons shall be contributing towards the Expense of such Repairs, the same Rents or Proceeds shall be paid to such One of the contributing Parties or Body of Commissioners as they together shall appoint to receive the same, and after and in case any such Road or Droveway shall be dedicated and adopted as a public Highway, such Rents and Proceeds shall thenceforth be paid to the Surveyor of the Highways having Charge of such Highway, or to the Corporation or Person filling that Office, to be applied as Part of the Highway Funds.

132. Nothing in this Part of this Act contained shall extend to take away any Right of Pasturage on any such Road or Droveway, or to prejudice or affect the Title of any Person or Corporation to any Lands; and in the Execution of the Powers by this Part of this Act given to or conferred upon District Commissioners as to the Repair of Roads or Droveways, they shall do as little Damage as may be, and for any Damage done or Injury caused to any Person by any of their Acts or Proceedings they shall make Satisfaction according to the Provisions of the "Lands Clauses Consolidation Act, 1845:" Provided that as to any Claim for Compensation that may be made for or in respect of Damage or Injury to any Right of Pasturage, any District Commissioners shall not be liable to make any Compensation for the same unless the Injury caused to any such Right shall be of greater Amount or Value than the permanent Benefit to such Herbage to be conferred or caused by the Acts or Proceedings of the District Commissioners; and in case of Difference between any Claimants and District Commissioners as to whether the permanent Injury or Benefit to such Herbage will be the greater, the Question so in difference shall be referred to and finally determined by Two or more Justices in Petty Sessions assembled.

133. Any District Commissioners or other Persons having the Power of letting the Herbage of any such Road or Droveway may let the same from Year to Year, or for any Term not exceeding Three Years, either by Public Auction or Private Contract, and at any such Auction they may fix such Reserve Bid as they may think reasonable.

134. The Provisions of the "Railways Clauses Consolidation Act, 1845," with respect to—

The Settlement of Disputes by Arbitration,

shall be incorporated with this Act.

135. If under the Powers by this Act transferred to or conferred upon the Middle Level Commissioners or the Sutton and Manea Committee, or if under the Powers conferred upon any District Commissioners by any Act set forth or referred to in the Second Schedule hereto, the Middle Level Commissioners, or the Sutton and Manea Committee, or any District Commissioners, shall take or enter upon the Lands of any Person for the Purposes and in pursuance of the Powers given by this or any such Act, then and in every such Case the Compensation to be paid for or in respect of any Lands so taken or injured shall, in case of Dispute, be settled and determined in manner provided by the "Lands Clauses Consolidation Act, 1845;" and for such Purpose, and for the Purchase of Lands by Agreement, the "Lands Clauses Consolidation Act, 1845," shall be deemed to be incorporated with this Act; and the Middle Level Commissioners, or the Sutton and Manea Committee, or the particular District Commissioners (as the Case may be) for the Time being exercising such Powers, shall be deemed to be the "Promoters of the Undertaking" within the Meaning of the "Lands Clauses Consolidation Act, 1845."

136. Any of the Powers by this Act given to or authorized to be executed by any Owner of Lands in regard to the Redemption of Taxes, or the making or Repair of Roads or Droveways, or otherwise, may be exercised by any of the Parties under Disability enabled to sell and convey Lands by the Seventh Section of "The Lands Clauses Consolidation Act, 1845."

137. And whereas in order to enable the Proprietors of the Lands in Chatteris Byal Fen, and certain Lands adjoining called Witchford Parts and Wentworth Parts, herein-after referred to as Byal Fen, containing altogether about 550 Acres, to convey the Waters from the said Fen and Lands into the Forty Feet River or into the Sixteen Feet River, the Middle Level Drainage Commissioners were by "The Middle Level Drainage Amendment Act, 1848," Section 51, required at their own Cost and Charges to make and maintain a Drain, to commence at such Point, and to proceed in such Direction, and to be of such Size and Dimensions, as the Engineer of the Middle Level Drainage Commissioners in his Discretion should think proper: And whereas it having been found that the Drainage of the last-mentioned Lands could be effected by the Commissioners of Wimblington Second District, by their draining the same in common with their own District, the Middle Level Drainage Commissioners have not yet made the Drain so provided for, but have paid the Commissioners of Wimblington Second District the annual Sum of *50l.* for conveying the Waters from Byal Fen into the Drains of the said Wimblington Second District, and it is expedient that the following Provisions in relation to the Drainage of the said Fen and Parts should be made: Therefore the Middle Level Commissioners may either make such Drain as is provided for by "The Middle Level Drainage Amendment Act, 1848," or the Middle Level Commissioners and the Commissioners of Wimblington Second District may from Time to Time agree that on Payment by the former to the latter Commissioners of such yearly or gross Sum, and for such Term as may be agreed upon, the Commissioners of Wimblington Second District shall provide an effectual Drainage for Byal Fen, and convey into the Drains of the Wimblington Second District, or some of them, the Waters from that Fen, and during the Continuance of every or any such Agreement the Middle Level Commissioners shall be free from all further or other Liability in respect of the Drainage thereof.

138. In order to provide for Arrangements between the Owners of the said Lands in Byal Fen and the Middle Level Commissioners as to the Drainage of that Fen, and to enable those Owners to avail themselves of the Provisions in this Act contained with respect to the Repair and Dedication of Roads and Droveways, all Owners of 10 Acres of Land lying within that Fen are hereby constituted a Committee for those Purposes, to be called "Byal Fen Committee."

139. The Byal Fen Committee may exercise all or any of the following Powers:

1. They may agree with the Middle Level Commissioners, on Payment of a specified gross yearly or other Sum, to exonerate those Commissioners from all Liability to make a Drain or provide for the Drainage of Byal Fen:
2. Or they may from Time to Time by special Order provide for the Drainage, or for improving the Drainage thereof, in such other Manner and by such other Means as they may think fit, and cut any Drain (not exceeding 11 Feet in Width at the Bottom), or do any Works which they may deem necessary for that Purpose:
3. They may, by special Order, make Byelaws requiring the Occupiers of Lands in Byal Fen to make their Division Dikes of such Width and Depth as may be deemed sufficient for the proper Drainage thereof, and may enforce the Observance of such Byelaws by a Penalty to be stated in any such Order, but not exceeding in any Case the Sum of *40s.*
4. They may exercise all or any of the Powers by this Act conferred upon the Commissioners of Districts constituted by any of the Acts referred to in the Second Schedule hereto with respect to the Repair and Dedication of Roads or Droveways within the Limits of or leading to or from Byal Fen:
5. They may assess and levy an equal Acre Tax not exceeding *5s.* per Acre in any Year on each and every Acre of Land in Byal Fen, which Tax shall be payable at such Place and Time as they may appoint, and shall, with the like Penalty in case of Nonpayment thereof for

Three Months after the same shall become due, be recoverable in the like Manner and by the same or similar Ways and Means as any Taxes authorized to be imposed by the Middle Level Commissioners are by the Middle Level Acts or any of them or by this Act authorized to be recovered:

6. They may, by special Order only, borrow not exceeding 1,500*l.* on Mortgage of the Tax which they are authorized to levy.

140. The Provisions of "The Commissioners Clauses Act, 1847," which under the Provisions of this Act are or are authorized to be incorporated with the Act or Acts of Parliament mentioned in the Second Schedule hereto, together with Sections 36 and 104 of the same Act, and so much of Section 40 as provides for an Annual Meeting of Commissioners, shall be binding on and be observed by the Byal Fen Committee; and in the Construction of this Section, and the Provisions so incorporated in connexion therewith, the Provisions of this Act relating to the Byal Fen Committee shall constitute the "Special Act."

141. The Conservators of the Ouse Outfall shall and may exercise all such and the same or similar Powers with regard to the voluntary or compulsory Redemption of Taxes authorized to be assessed by them upon any Land distinguished by a separate Number on the aforesaid "Lenny's Plan," or any Part or Subdivision of any Lands so distinguished, and the yearly Taxes to which the same are liable to be assessed by those Conservators shall not exceed 2*s.* 6*d.* per Year, as by this Act are conferred upon the Middle Level Commissioners in regard to Taxes which they are authorized to assess not exceeding the like Amount; and all and singular the Provisions contained in this Act with respect to the voluntary or compulsory Redemption of any such Taxes by the Middle Level Commissioners shall, mutatis mutandis, apply and extend to Taxes authorized to be assessed by the Conservators of the Ouse Outfall.

142. Whereas by the Act of the 31st Year of George the 3d, c. 81, relating to Lands in the Parishes of Chatteris, Doddington, and Wimblington, recited in the Second Schedule hereto, certain Owners of Lands were constituted Commissioners for embanking (inter alia) the North and North-west Sides of a Drain called Thurloe's or the Sixteen Feet Drain, and certain other Owners of Land were constituted Commissioners for draining, and certain Persons were appointed Commissioners for inclosing, and a certain Strip of Land, Part of the Low or Cow Common in Wimblington, next to the said Sixteen Feet Drain, 100 Feet wide, and in Length the Extent of the said Common next the said Drain, was authorized to be and was afterwards set out for repairing the Bank of the said Drain next the said Common, and the Commissioners for embanking were empowered to let the said Bank and to apply the Money arising therefrom for and towards the Repair of the said Bank: And whereas under the Middle Level Acts, some or One of them, the Sum of 175*l.* was on or about the 7th Day of September 1849 paid to certain Persons as Trustees for the Purchase of Part of the said Bank and Strip of Land, which under the Powers of the Middle Level Acts was required and taken for the Purpose of widening and deepening the said Sixteen Feet Drain, and the further Sum of 100*l.* was at the same Time paid to certain other Persons as Trustees as Compensation for Injury caused by Severance, and for the Use and Occupation by the Middle Level Commissioners as long as might be necessary of other Part of the said Bank and Strip of Land for depositing thereon temporarily or permanently the Earth, Soil, and Materials taken out of the said Sixteen Feet Drain: And whereas no Tax hath been laid by the Commissioners for embanking, nor hath any Money been expended by them in or about embanking for some Years past: And whereas the Commissioners for draining the District within which such Common is situate (usually called "The Wimblington Common District") are willing to undertake the Maintenance and Repair of the said Bank from a certain Bridge in Wimblington aforesaid, called Boots Bridge, to the Parish of Chatteris, on receiving the future Rents of the said Strip of Land and of the said Bank, and it is considered just that they should be allowed and authorized so to do, and that the said Sums of 175*l.* and 100*l.* should be paid and expended as herein-after authorized: Therefore so much of the said recited Act as authorizes the Commissioners for embanking to let the said Strip of Land, and receive and apply the Rents thereof, shall be and the same is hereby repealed, and instead thereof the said Strip of Land and the said Bank, the whole Length of the said Strip of Land, shall be and the same are hereby vested in the Commissioners of the said Wimblington Common District; and such last-mentioned Commissioners shall and may, subject to any existing Demise or Agreement for the Occupation thereof, let the same from Year to Year or for any Term not exceeding Seven Years, to be fed or depastured with Sheep or young Cattle under Two Years old only, at such Rents and upon such Terms in other respects as such Commissioners may think fit, and to receive the Rents thereof and apply the same as Part of their District Funds, and they shall from Time to Time and at all Times out of their District Funds maintain and keep in repair the said Bank, from Boots Bridge aforesaid to the said Parish of Chatteris, in such Manner as if this Act had not been passed the said Commissioners for embanking would have been liable to maintain and keep the same, and the said Commissioners for embanking shall, from and after the Commencement of this Act, be released from all Liability or Obligation whatsoever for the future Maintenance or Repair of the said Bank from Boots Bridge aforesaid to the said Parish of Chatteris, or otherwise in respect thereof.

143. The said Sum of 100*l.* shall, on or before the 31st Day of May 1863, be paid over to the Commissioners of the said Wimblington Common District on the Receipt of any Three or more of them (which shall be a sufficient Discharge for the same), to be by those Commissioners applied in aid of their District Funds, or for the common Benefit of such District in or about the Repair and Improvement of the Occupation Roads or Droveways therein, or in or towards some other Work of a permanent kind in or relating to the said District; and the said Sum of 175*l.* shall belong and be paid to the said Commissioners for embanking, and be applied by them in or about the Repair or Improvement of the Occupation Roads or Droveways in the said District for embanking, or in or towards any other Work or Works, or otherwise for the general Benefit of the said District for embanking, as at any Time or from Time to Time the Commissioners for embanking shall, at any Meeting of those Commissioners duly convened, order or direct; provided that no Part of the said Sum of 175*l.* shall be expended in or for the Benefit of the said Wimblington Common District, nor shall any Owner or Occupier of Land in that District in his Capacity of a Commissioner for embanking or otherwise have any Voice in the Application thereof.

Saving Fresh Water Rights, § 144.
Saving Rights of Wisbech Canal Company and Canal and Nene Trustees, § 145.
Saving Rights of Haling Commissioners, § 146.
Saving Rights of the Admiralty, § 147.
Provisions of Acts relating to the Admiralty to remain in force, § 148.
Middle Level Commissioners not exempted from future General Acts relating to Navigations, § 149.
Schedules (Descriptions of Lands; List of Bondholders; Parts of Acts repealed; Forms, &c.).

Cap. clxxxix.

"The North British, Edinburgh, Perth, and Dundee, and West of Fife Railways Amalgamation Act, 1862."

Recites that by "The North British Railway Consolidation Act, 1858," the Acts relating to the North British Railway Company were consolidated and amended, and by several subsequent Local Acts further Powers were conferred upon the Company; that the Capital of the North British Railway Company amounts to the Sum of 4,590,532*l.* 8*s.* 4*d.*, and is divided into the following Classes of Shares or Stock, which have been fully called up; that is to say,

Act confirming or authorizing Creation.	Ordinary.	Preference.	Amount of Preference Dividend per Cent. per Annum.	Date of Creation.
	£ s. d.	£	£	
North British Railway Consolidation Act, 1858	2,502,060 8 4	780,200 223,272	5 5	Prior to Act.
Selkirk Amalgamation Act, 1859	18,660 0 0	2,880	-	Prior to Amalgamation.
		8,460	-	1861.
Border Union Act, 1859	100,760 0 0	394,240	-	1859.
Jedburgh Railway Amalgamation Act, 1860		30,580 4,420	4 with contingent Increase.	Prior to Amalgamation.
Stations Act, 1860		30,000		
Border Counties Amalgamation Act, 1860	241,060 0 0	108,940		
Galashiels and Peebles Act, 1861		95,000		1861.
Wansbeck Railway Act, 1860		50,000		
	2,862,540 8 4	1,727,992		
	1,727,992 0 0			
	4,590,532 8 4			

that by "The North British Railway, Silloth Railway and Dock (Lease) Act, 1862," Provision is made for the Lease of the Undertaking of the Carlisle and Silloth Bay Railway and Dock Company to the North British Railway Company for a Term of 999 Years at an annual fixed Rent of 2,000*l.*, and a further contingent Rent, to commence from the 1st February 1863, equal to the same Rate per Centum on 165,000*l.*, as the Dividend for the Time being on the North British ordinary Stock; and such fixed and contingent Rent is to be a First Charge upon the Undertaking of the Carlisle and Silloth Bay Railway and Dock Company next after the Mortgages of that Company not exceeding 55,000*l.* (which are to be Debts of the North British Railway Company), but such fixed and contingent Rent is to be subject and without Prejudice to the Mortgages of the Undertaking of the North British Railway Company and to the Preference Stocks of that Company created or authorized to be created by any Act passed prior to the passing of this Act; that by "The North British Railway, Port Carlisle Dock and Railway (Lease) Act, 1862," Provision is made for the Lease of the Undertaking of the Port Carlisle Dock and Railway Company to the North British Railway Company for a Term of 999 Years at a fixed annual Rent of 3,100*l.*, and an additional contingent Rent when the Dividend on the ordinary Stock of the North British Railway Company exceeds Four per Centum per Annum equal to such an Amount per Centum on 70,600*l.* as shall be the Difference between Four per Centum per Annum and the Rate of Dividend on such ordinary Stock; and such fixed and contingent Rent is to be a First Charge upon the Undertaking leased, and to be subject to the Mortgages of the North British Railway Company and to the Preference Stocks of that Company created or authorized to be created by any Act passed prior to the passing of the said Act; and the Preference Stock of the Port Carlisle Dock and Railway Company, amounting to 35,000*l.*, redeemable as in the said Act mentioned, is to become Preference Stock of the North British Railway Company, and that Company are authorized to raise a further Sum of 40,000*l.* by Preference Stock, including 7,380*l.* already created by the Port Carlisle Dock and Railway Company; that by "The North British Railway (Branches) Act, 1862," the North British Railway Company are authorized to make certain Branch Railways from their Railway in the Parish of Inveresk, and to raise 220,000*l.* by Preference Shares or Stock, and 73,300*l.* by Mortgage of their Undertaking; that a Bill is now pending in Parliament for making a Railway from the Hawick Branch of the North British Railway near Newtown Saint Boswells to Dunse, by which (if passed into a Law) the North British Railway Company will be authorized to contribute 50,000*l.* towards that Undertaking, and to raise the Amount of such Contribution by Preference Shares or Stock; that the North British Railway Company are authorized to borrow and have borrowed on Mortgage, under the Powers of the recited Acts or some of them, Sums amounting in the whole to 1,512,558*l.*, of which the Sum of 15,224*l.* 8*s.* has been converted into Debenture Stock, and they are also authorized to borrow 20,000*l.* on Mortgage of the Undertaking of the Peebles Railway Company leased to the North British Railway Company for renewing Mortgages of the Peebles Railway Company during the Continuance of the Lease; that by "The Edinburgh, Perth, and Dundee Railway Consolidation Act, 1851," the Acts relating to the Edinburgh, Perth, and Dundee Railway Company were consolidated and amended; and by subsequent Local Acts further Powers were conferred upon the Edinburgh, Perth, and Dundee Railway Company; that the Capital of the Edinburgh, Perth, and Dundee Railway Company amounts to the Sum of 2,553,260*l.* (including 53,000*l.* applicable to the Kinross-shire Railway), and is divided into the following Classes of Shares or Stock; that is to say,

Act by which Capital is authorized or confirmed.	Ordinary.	Preference.	Amount per Cent. per Annum of Preference Dividend.	Date of Creation.
	£	£	£	
Edinburgh, Perth, and Dundee Consolidation Act, 1851	1,852,540	647,720	4 5	Prior to the Act.
Edinburgh, Perth, and Dundee Railway Act, 1861	- -	53,000	On Revenues of Kinross-shire Railway only.	Prior to Act of 1861.
		700,720 1,852,540		
		2,553,260		

that the whole of the said Capital has been created, but 601,113*l.* thereof has not been raised, and besides the said Capital the said Company have Power to raise 40,000*l.* by Shares or Stock bearing a preferential Dividend not exceeding 7*l.* per Centum per Annum, which Power has not been exercised; that the total Sum which the said Company are authorized to raise by Mortgage, including Sums authorized to be raised by the Kinross-shire Railway Company, amounts (after deducting the Sum of 274,786*l.* 18*s.* realized by the Sale of 5*l.* Preference Shares, as provided for under "The Edinburgh, Perth, and Dundee Railway Company (Arrangements) Act, 1853,") to 1,557,512*l.* 14*s.* 2*d.*, whereof the Sum of 1,088,388*l.* 12*s.* 2*d.* is entitled to a First Charge on the Undertaking of the Edinburgh, Perth, and Dundee Railway Company, and Part thereof, amounting to 11,696*l.* 17*s.* 5*d.* or thereabouts is not at present borrowed, and other Part thereof amounting to 1,069*l.* is represented by Debenture Stock, and the Sum of 451,458*l.* 2*s.* is entitled to a Second Charge upon the same Undertaking, but Part

thereof, amounting to 100,343*l.* 16*s.* 8*d.* or thereabouts has not been raised, and other Part thereof, amounting to 302,934*l.* is represented by Debenture Stock, and the Sum of 17,666*l.*, Residue of the said Sum of 1,557,512*l.* 14*s.* 2*d.*, was authorized to be raised under the Kinross-shire Railway Act, of which last Sum 5,616*l.* or thereabouts has not been raised; that by the Local Act 24 & 25 Vict. c. ccxxvi., the West of Fife Railway and Harbour Company were constituted by the Amalgamation of the West of Fife Mineral Railway Company and the Charleston Railway and Harbour Company, and subsequent Local Acts relate to the Undertakings of the Companies so amalgamated; that the Capital of the West of Fife Railway and Harbour Company amounts to the Sum of 136,000*l.*, divided into 13,600 Shares of 10*l.* each, whereof 7,600 Shares, representing a Capital of 76,000*l.*, are called "West of Fife Shares," and 2,763 of such Shares, representing a Capital of 27,630*l.*, have not been issued; and the remaining 6,000 of the said 13,600 Shares, representing a Capital of 60,000*l.*, are called "Charleston Shares," and are fully called up; that the Profits of the Undertaking are divisible amongst the Holders of the West of Fife Shares and Charleston Shares in the Proportions and Manner in "The West of Fife Railway Act, 1861," mentioned; that the West of Fife Railway and Harbour Company are authorized, under "The West of Fife Railway Act, 1861," to borrow on Mortgage 45,300*l.*, whereof 4,000*l.* have not been raised; that the Undertakings of the said Three Companies could be worked with greater Convenience and Advantage to the Public if they were placed under One Management, and the said Companies have agreed, subject to the Approval of Parliament, that they should be amalgamated upon certain Terms and Conditions; and it is expedient to extend the Time limited by certain of the Acts relating to the said Companies for the Sale of superfluous Lands.

Companies dissolved, and Shareholders re-incorporated, § 1.
Incorporation of Consolidation Acts, § 2.
Undertakings of dissolved Companies vested in new Company, § 4.
Actions not to be affected, § 5.
Acts relating to dissolved Companies to apply to the Company, § 6.
Saving Rights, Debts, Contracts, Liabilities, &c. of dissolved Companies, §§ 7 to 21.

22. The Capital of the Company shall consist of the several Classes of Stock and Shares in the Capitals of the dissolved Companies, and shall be subject to Increase by the Exercise of such Powers of creating new Shares or Stock as have been conferred upon the dissolved Companies by Act of Parliament, and have not been exercised by them, and by any new Shares or Stock which may be created by them under any Act of the present Session, as herein-after mentioned; and all Debenture Stock or Debenture Shares of the dissolved Companies shall become Debenture Shares or Debenture Stock of the Company.

23. Notwithstanding the Amalgamation separate Registers shall be kept of the several Preference, Guaranteed, and Debenture Stocks of the dissolved Companies, and of the Ordinary Stock of the dissolved North British Railway Company (herein-after called North British Ordinary Stock), and of the Ordinary Stock of the Edinburgh, Perth, and Dundee Railway Company (herein-after called Edinburgh, Perth, and Dundee Ordinary Stock), and of the Ordinary Shares of the West of Fife Railway and Harbour Company, which shall be Preference Shares of the Company, and are herein-after called West of Fife Preference Shares.

24. The Debenture, Guaranteed, and Preference Stocks and Shares of the dissolved North British Railway Company, and of the dissolved Edinburgh, Perth, and Dundee Railway Company, shall have Preference and Priority of and over the Ordinary Shares and Stock of the said dissolved Companies and of the Company, and (without Prejudice to the Lien herein-after created) of and over the West of Fife Preference Shares upon the Revenues of the Company; and if after Payment of Interest upon the Mortgages, and of other prior Charges of the Company for the Time being, there shall be a Deficiency in the net Revenues of the Company applicable to the Payment of Dividend on the said Debenture, Guaranteed, and Preference Stocks and Shares to pay the said Dividend in full, then and whenever the same shall happen the net Revenues so applicable shall be divisible among the Debenture, Guaranteed, and Preference Shareholders of the said North British and Edinburgh, Perth, and Dundee Railway Companies respectively in the Proportion which the Amount of Dividend payable on the entire Debenture, Guaranteed, and Preference Stocks and Shares of the One Company bears to the Amount of Dividend payable on the entire Debenture, Guaranteed, and Preference Stocks and Shares of the other Company; and the several Classes of Debenture, Guaranteed, and Preference Shareholders of the dissolved North British Railway Company, and of the dissolved Edinburgh, Perth, and Dundee Railway Company respectively, shall be ranked upon the respective Proportion of the net Revenue of the Company which shall in the Manner above mentioned be allocated to them respectively according to the Order of Ranking and Preference prescribed by the several Acts of the said Companies respectively.

25. The Proprietors of the West of Fife Preference Shares shall be entitled to preferential Dividends at the Rate of 5*l.* per Centum per Annum on the Amount for the Time being paid up on such Shares, but shall not have Priority in Payment of such Dividends out of the Profits of the Company over any Preference Shares which may be created by the Company under any Act which may be passed in the present Session of Parliament authorizing the North British Railway Company to raise Capital for making certain new Branch Railways, and for the general Purposes of their Undertaking; but if the Revenue of the Company available for Dividend in any Year ending the 31st Day of January shall be insufficient to pay the Dividend due upon the West of Fife Preference Shares, the Deficiency, or any Part thereof, shall not be chargeable against the Revenue of the Company available for Dividend in any subsequent Year, or against any other Funds of the Company.

26. The Terms and Conditions to which the West of Fife Preference Shares are subjected by the Provisions of this Act shall be clearly stated upon every Certificate of such Preference Shares which shall be given by the Company after the passing of this Act.

27. Notwithstanding the Amalgamation, the Proprietors of West of Fife Preference Shares shall respectively have a Real Lien or Real Security for the Payment of the Preferential or Guaranteed Dividends on such Shares, declaring always that the said Lien or Right in Security shall be rendered available in the Manner herein-after mentioned.

28. If and whenever the Company fail to pay the half-yearly Dividend upon any of the said West of Fife Preference Shares within Four Weeks after the Day fixed for Payment thereof, it shall be lawful for any of the Proprietors of the Shares, the Dividend upon which shall be so in arrear, to render effectual their said Lien or Security by the Appointment of a Judicial Factor upon the several Railways, Harbour, and Works which at the Time of the passing of this Act

constituted the Undertaking of the West of Fife Railway and Harbour Company, and the Revenues derived therefrom, such Judicial Factor to be appointed in manner herein-after mentioned.

29. The Application for the Appointment of a Judicial Factor shall be made by summary Petition to the Court of Session, or in Time of Vacation to the Lord Ordinary on the Bills, in Name of the Proprietor or Proprietors to whom the said preferential Dividend ought to have been paid; and the Court of Session, or the Lord Ordinary on the Bills, as the Case may be, is hereby authorized and required, on such Application being made, to appoint some Person as Judicial Factor to the Effect and with the Powers herein-after mentioned; and a certified Copy of the Interlocutor making such Appointment shall be a sufficient Warrant for the Judicial Factor thereby appointed entering upon his Office.

30. The Person appointed Judicial Factor under this Act on the Application of Proprietors of West of Fife Preference Shares shall be entitled to receive the whole or a competent Part of the Tolls or Sums liable to the Payment of the preferential Dividends in arrear upon such Shares until such preferential Dividends, and any preferential Dividends which may subsequently become due upon West of Fife Preference Shares during the Continuance of the Judicial Factory, together with all Costs, including the Charges for receiving the Tolls or Sums aforesaid, be fully paid; and all such Tolls and Sums of Money as aforesaid shall be paid to and received by or to the Use of the Parties following; that is to say,

First, all Parties to whom any Interest upon Mortgages of the Company shall be then due:

Secondly, subject to such Interest, all Parties to whom any Dividend upon Debenture Stock of the Company shall be then due:

Thirdly, subject to such Interest and Dividend, all Parties to whom any Dividends on West of Fife Preference Shares shall be then due:

And such Tolls and Sums of Money shall not be liable in the Hands of the Judicial Factor to any other Debts or Obligations of the Company; and after such Interest, Dividends, and Costs as aforesaid have been so received the Power of such Judicial Factor shall cease, and he shall be bound to account to the Company for his Intromissions on the Sums received by him, and to pay over to their Treasurer any Balance that may be in his Hands.

31. In the event of a Judicial Factor having been appointed as aforesaid, it shall be lawful for him to require the Directors of the Company to keep, and upon the said Requisition being made the Directors of the Company shall keep, during the Continuance of the Judicial Factory, at the Expense and in the Books of the Company, separate detailed Accounts of the gross Revenues drawn from Week to Week from the Railways and Works subject to the Judicial Factory.

32. The Directors of the Company shall also, in the event and during the Period aforesaid, and upon being required as aforesaid, keep in the Books of the Company, and at their Expense, separate detailed Accounts of the Working Expenses incurred during each Half Year upon the Railways and Works subject to the Judicial Factory.

33. The Judicial Factor shall have Right of Access to all Books of the Company containing any detailed Accounts of gross Revenues or Working Expenses by this Act directed to be kept for the Purposes of the Judicial Factory, and to all States, Invoices, and Accounts of Traffic, for the Purpose of checking the Accuracy of such detailed Accounts or either of them, and shall be entitled at all Times to examine and check such detailed Accounts respectively or either of them, and all Vouchers and Entries connected therewith respectively, and to enforce in the most summary Way Compliance with the Provisions of this Act for keeping separate detailed Accounts of Revenue and Working Expenses as aforesaid.

34. The Profits which the Company shall half-yearly appropriate to the Payment of Dividends upon their Ordinary Capital shall be apportioned amongst the Proprietors of the respective Classes of such Capital as follows; that is to say, in Payment of Dividends upon the North British Ordinary Stock, and upon the Edinburgh, Perth, and Dundee Ordinary Stock, in the Proportion of Six Eighth Parts per Centum on the North British Ordinary Stock, and Two Eighth Parts per Centum on the Edinburgh, Perth, and Dundee Ordinary Stock; but if and whenever in any Half Year the Amount of Profits divisible between the said Two Classes of Stock shall be more than sufficient to yield Dividends on the North British Ordinary Stock at the Rate of Three Pounds per Centum per Annum, and Dividends on the Edinburgh, Perth, and Dundee Ordinary Stock at the Rate of One Pound per Centum per Annum, then the Surplus beyond what would be sufficient to pay the said Dividends of Three Pounds per Centum per Annum and One Pound per Centum per Annum shall be applied in Payment of Dividends at an equal Rate per Centum upon the North British Ordinary Stock, and Edinburgh, Perth, and Dundee Ordinary Stock.

35. The Company may borrow on Mortgage of the whole of their Undertaking, or any Part thereof, the Sums which any of the dissolved Companies might, but for the passing of this Act, from Time to Time have borrowed on Mortgage of their separate Undertaking, not exceeding in the whole, exclusive of Sums authorized by the recited Acts of the present Session, 2,796,143*l.*; but all Mortgages granted by the dissolved Companies, or any of them, prior to the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall, as regards the Undertaking comprised in and assigned by such Mortgages, have Priority over all Mortgages granted by virtue of this Act.

Meetings; Directors, &c., §§ 39 to 45.

Tolls, § 46.

Maximum Charges for certain Articles on West of Fife and Edinburgh, Perth, and Dundee Lines, § 47.

As to Waggons and Trucks on West of Fife and Edinburgh, Perth, and Dundee Lines, § 48.

Short Distance Charges on West of Fife Railway, § 49.

As to Tolls for Ferries, Harbours, &c., § 50.

Extending Time for Sale of superfluous Lands, § 51.

As to Acts passed in the present Session conferring Powers upon any of the dissolved Companies, § 52.

Act not to affect Agreements between Edinburgh, Perth, and Dundee and St. Andrew's Railway Company, § 53.

For keeping open the Route viâ Larbert, § 54.

As to Granton and Leith Traffic of Edinburgh and Glasgow, and Scottish Central Railway Companies, § 55.

Cap. cxc.

"The West Cheshire Railways Act, 1862."

Recites that in 1861 the West Cheshire Railway Company were incorporated with a Capital of 200,000*l.*, and Power to borrow not exceeding 66,600*l.*, and to make the West Cheshire Railway, consisting of a Railway (No. 1) commencing by a Junction near to Northwich with the authorized Line of the Cheshire Midland Railway, and terminating in the Township of Mouldsworth, and a Railway (No. 6) commencing by a Junction with the Railway (No. 1) at the Termination thereof in that Township, and terminating by a Junction with the authorized Line of the Hooton and Helsby Railway of the Birkenhead Railway Company, and the Manchester, Sheffield, and Lincolnshire Railway Company were

required to work the Line by the recited Act authorized as an integral Portion of a Through Line as between Sheffield and Helsby for Birkenhead, and also as between Stockport and Helsby for Birkenhead, and Working and Traffic Arrangements between the Company and the Cheshire Midland Railway Company, the Sheffield Company, and the Great Northern Railway Company, or either of them, were authorized, and the Sheffield Company and the Great Northern Company respectively were authorized to contribute towards the Funds of the Company; that it is expedient that the Company be authorized to make and maintain a Deviation from the Line of their Railway (No. 1), and to abandon the making of Part of that Railway, and to make and maintain a Railway (in this Act called the Winsford Branch, commencing by a Junction with the Railway (No. 1), and terminating in the Township of Over, and a Railway commencing by a Junction with the Railway (No. 1), and terminating in the Township of Winnington; that it is expedient that the Company and the Sheffield Company and the Great Northern Company be authorized to enter into Working and Traffic and other Arrangements as herein-after provided; that the Company be authorized to raise further Monies; and that the Sheffield Company and the Great Northern Company be authorized to contribute Capital.

Incorporation of Lands and Railways Clauses Acts and of Part of Companies Clauses Act, §§ 2 to 4.
Power to take and use Lands for Works authorized by Act, § 5.
Three Years for compulsory Purchase of Lands, § 6.
Power to make Works authorized by Act, §§ 8, 9.
Power to alter Engineering Works, § 11.
Four Years for Completion of Railways, §§ 12, 13.
Court of Chancery to order Transfer to Company of Monies in respect of reduced Estimate, § 14.
Company may abandon Portion of Railway (No. 1) superseded by Deviation; Compensation, §§ 15 to 17.
Railways to form West Cheshire Railway, § 18.
Sections 32, 33, 34, and 35 of Act of 1861 applied to Railway thirdly described, § 19.
Tolls, §§ 20 to 22.
Power for Company and Sheffield and Great Northern Companies to enter into Agreements, §§ 23 to 30.
Power for Company to raise additional Capital of 63,000*l.* by new Shares, §§ 31 to 40.
Power for Company to borrow 21,000*l.*, §§ 41 to 44.
Power for Sheffield Company to contribute 21,000*l.* and for Great Northern Company to contribute 8,000*l.* to Funds of Company, §§ 45, 46.
Power for those Companies to attach a Preference not exceeding 5*l.* per Cent. to new Shares, §§ 47 to 50.
Saving Rights of the Crown, § 53.

Cap. cxci.

"The Waterford and Limerick Railway Act, 1862."

Recites that by "The Waterford and Limerick Railway Act, 1860," that Company were authorized to make and maintain a Tramway in the City of Limerick, and it is expedient that they should be authorized to divert the said Tramway to the Extent herein-after authorized; that by "The Limerick, Ennis, and Killaloe Junction Railway Act, 1846," a Company was incorporated by the Name of "The Limerick, Ennis, and Killaloe Junction Railway Company," for the Purpose of making and maintaining a Railway from the City of Limerick to the Borough of Ennis, with Branches to the Towns of Clare and Killaloe, and to join the Great Southern and Western Railway of Ireland near Limerick; that by "The Limerick and Ennis Railway Act, 1853," the Name of the said last-named Company was changed, and such Company is now called "The Limerick and Ennis Railway Company;" and the said Company were authorized and required to abandon the Formation of the said Branch Railways to the Town of Killaloe and to the Great Southern and Western Railway, and to divert a Portion of their Main Line; and Powers were granted to the said Company to form Two Junctions with the Waterford and Limerick Railway; that the Ennis Company in pursuance of the Powers of the said recited Acts constructed the said Railway from Limerick to Ennis and the said Junctions with the Waterford and Limerick Railway; that the respective Undertakings of the Company and the Ennis Company are now mortgaged to the Public Works Loan Commissioners; that it is expedient that the Undertakings of the Ennis Company and of the Company should be worked together as One Undertaking; that an Agreement, bearing Date the 23d April 1861, has been made between the said Two Companies for the working by the Company of the Undertaking of the Ennis Company among other Purposes, which Agreement is contained in the Schedule; that it is expedient that the said Agreement should be confirmed, and that such Powers as are herein-after contained should be granted for enabling the Company to lease the Undertaking, and to purchase the Plant and Rolling Stock of the Ennis Company.

Incorporation of Consolidation Acts, § 2.
Power to take Lands, § 4.
Compulsory Purchases to be made before 23d July 1863, § 5.
Power to make Tramways according to Plans, § 6.
Tramways to be open for Traffic by 23d July 1864, § 7.
Level Crossings, § 8.
Locomotive Power not to be used, § 9.
Power to abandon Line authorized by Company's Act of 1860; Compensation to Landowners, §§ 11 to 13.
Saving Rights of Secretary of State for War, § 14.
Agreement with the Ennis Company confirmed, § 15.
Power to lease Undertaking of Ennis Company, §§ 16 to 23.
Power to raise 23,000*l.* by Creation of Shares, with preferential Dividend of Five per Cent., § 24.
Power to borrow 7,000*l.*, § 25.
Conditions of issuing preferential Shares, §§ 26, 27.
Saving of existing preferential Rights, § 28.

Cap. cxcii.

"The London, Chatham, and Dover Railway (Additional Powers) Act, 1862."

Recites that by "The East Kent Railway Act, 1853," a Company was incorporated by the Name of "The East Kent Railway Company," (but now, by virtue of "The London, Chatham, and Dover Railway Act, 1859," styled "The London, Chatham, and Dover Railway Company," for making a Railway from Strood to Canterbury, with Branches to Faversham Quays and Chilham; that by "The East Kent Railway (Extension to Dover) Act, 1855," the Company were authorized to make a Railway from Canterbury to Dover, and a Branch Railway or Tramway to connect that Railway with the Admiralty Pier at Dover, and other Works; that they have constructed the Railway but have not constructed the Branch Railways or Tramways, by the Second Act authorized, and the Period by that Act limited for the Exercise of the Powers of the Company for making the same has expired; that it is expedient that the Powers of the Company for making the Branch Railway or Tramway to connect their Railway with the Admiralty Pier at Dover be renewed; that by the Second Act it was enacted, that it should not be lawful for the Company to carry the Railway across the Road called Black Horse Lane, and numbered on the Plans deposited as in that Act men-

tioned 7 in the Parish of Charlton, on the Level thereof, but that in lieu of so doing the Company should carry that Road over the Railway by means of a Bridge, and that for that Purpose it should be lawful for the Company to make a Diversion of that Road in the Field numbered on the said Plans 8 in the Parish of Charlton, but that no Part of such Diversion should be made or extend beyond the Limits of Deviation marked on the said Plans; that in order to conform to the Restrictions of that Act relating to that Diversion the Company have made the diverted Road of an Inclination of 1 in 13, but they are willing to improve the same if empowered so to do, but for that Purpose it is necessary that they be authorized to alter the Line and Levels of that Road, and of a Portion of Black Horse Lane aforesaid, extending beyond the said Limits of Deviation, and beyond the Field numbered 8 in the Parish of Charlton aforesaid; that the Road numbered on the said Plans 16 in the Parish of River crosses the Railway constructed under the Dover Act on the Level thereof; and it is expedient that the Portion of that Road on which that level Crossing occurs be stopped up, and another Road substituted therefor; that it is expedient to confirm the Heads of an Agreement contained in the Schedule to this Act annexed between George Gunnell Newman acting as Agent for the Company and Filmer Phipps acting as Agent for Christopher Phipps; that by "The East Kent Railway (Western Extension) Act, 1858," the Company were empowered to make a Railway from their Bridge over the River Medway to join the Mid Kent Railway (Bromley to St. Mary's Cray), and called "the Western Extension"; that by "The London, Chatham, and Dover Railway (Metropolitan Extensions) Act, 1860," the Company were authorized to make certain Railways and Works embracing Three Sections, one of which Sections, called "the City Section," included a Railway, No. 2, with a Bridge in the Line of that Railway for carrying the same over the River Thames at Blackfriars, and another of which Sections, called "the West End Section," included a Railway, No. 3, commencing at Herne Hill, and terminating, in manner in that Act provided, in the Parish of Saint Mary Battersea and County of Surrey by a Junction with the Line of Railway leading to the Line of the Victoria Station and Pimlico Railway Company; that by the Metropolitan Extension Act it was enacted that the Bridge for carrying the Railway across the River Thames should be executed according to a Plan and Elevation and upon a Site to be approved by the Conservators of the River Thames, and deposited at their Office, and that the Works in the River Thames and adjoining thereto should be executed and performed to the Satisfaction of the Engineer for the Time being of the Conservators, and that the clear Height of the Headway under the Soffit of the said Bridge should be nowhere less than 27 Feet above Trinity High-water Mark; that by the same Act the Plans of the said Bridge are also required to be approved by the Admiralty and by the Lord Mayor, Aldermen, and Commons of the City of London in Common Council assembled; that the Definition of the Headway, by reference to the Soffit of the said Bridge, is inexpedient and unnecessary, and it is expedient that the same be repealed, and that other Provisions be made with reference to the Headway under that Bridge; that it is expedient that the Company should be empowered to make and maintain a Railway to connect the Line of the aforesaid Railway, No. 3, included in the West End Section of the Metropolitan Extensions with the West London Extension Railway; and that they be authorized to purchase and take compulsorily or by Agreement, for Station Accommodation and other Purposes of their Undertakings, certain Lands and Houses in several Parishes in the Counties of Kent and Surrey, and to lay down Rails across Holland Street in the Parish of Christchurch for the Purpose of connecting the Stations and Premises of the Company on each Side of that Street; that by "The London, Chatham, and Dover Railway (Capital) Act, 1860," the general Capital of the Company (exclusive of Capital for the Purposes of the Western Extension Act, and subject to any Increase under any other Act of that Session) was declared to be the Sum of 1,580,000*l.*, consisting of 700,000*l.* Ordinary Capital (by the Act now in recital converted into Ordinary Capital Stock), 500,000*l.* First Preferential Capital authorized by the Dover Act (by the Act now in recital converted into First Preferential Capital Stock), and 80,000*l.* Preferential Capital authorized by "The London, Chatham, and Dover Railway Act, 1859," and 300,000*l.* Preferential Capital by the Act now in recital authorized, and the Capital of the Company for the Purposes of the Western Extension was declared to be the Sum of 390,000*l.*, consisting of the Capital of 300,000*l.* by the Western Extension Act authorized, and the further Capital of 90,000*l.* by the Act now in recital authorized; that by the Metropolitan Extensions Act the Company were authorized to raise 1,650,000*l.* for the Purposes of the Metropolitan Extensions by Metropolitan Extension Shares or Stock, and 100,000*l.* for the Purchase of Steam Boats and other Purposes by Preferential Shares or Stock in their general Undertaking, and to borrow on the Security of the Metropolitan Extensions 550,000*l.*, and on the Security of their general Undertaking (excluding the Metropolitan Extensions and the Western Extension) 33,000*l.*; that the Metropolitan Extensions Act enacted, that the Profits of the Metropolitan Extensions applicable to Dividend from Time to Time should be applied, in the first place, in Payment of Dividend on the Metropolitan Extension Shares until a Dividend of such Amount (not exceeding Six per Centum per Annum) as the Company at any Meeting should attach to those Shares should have been paid on the total Amount from Time to Time paid up on those Shares, and that (subject thereto, and also to such (if any) additional Capital for any Purposes in connexion with the Metropolitan Extensions as Parliament might thereafter sanction,) the Residue of those Profits should fall into and become Part of the general Profits of the Company, and that Act excluded the Holders of Metropolitan Extension Shares from Interest or Dividend out of any Profits of the Company except the Metropolitan Extensions; that under the Powers of the Metropolitan Extensions Act, the Company have created and issued the said Sum of 1,650,000*l.* in Shares of 10*l.* each, whereof 82,500 are denominated "Metropolitan Extension Half Shares A," and 82,500 are denominated "Metropolitan Extension Half Shares B," and such last-named Shares are entitled to a preferential Dividend of Six per Centum per Annum; that by "The West London and Crystal Palace Railway (Transfer of Farnborough Extension and Dissolution of Company) Act, 1860," an Agreement for the Sale of the completed Portion of the Extension to Farnborough Railway (being Part of the Undertaking of the West End of London and Crystal Palace Railway Company) to the Company was confirmed, and the Company were empowered to complete the Remainder of that Railway, and for the Purposes of that Act the Company were authorized to raise, either wholly by Stock (to be distinguished as Farnborough Extension Stock), or partly by such Stock and partly by borrowing on Mortgage, 190,000*l.*; that the Transfer Act enacted, that the Profits of the said Extension to Farnborough Railway applicable to Dividend should be applied, in the first place, in Payment

of Dividend on the Farnborough Extension Stock until a Dividend of such Amount (not exceeding Six per Centum per Annum) as the Company at any Meeting should attach to that Stock should have been paid on the total Amount of that Stock from Time to Time created, and that, subject thereto, and also subject to any further Capital for the Purposes of that Extension which Parliament might thereafter sanction, the Residue of the Profits should fall into and become Part of the general Profits of the Company, and that Act excluded the Farnborough Extension Stock, and Mortgages granted by the Company under that Act, from any Charge or Lien upon, or Interest, Dividend, or other Payment out of, any Profits of the Company, except the Profits of the said Extension to Farnborough Railway; that by "The London, Chatham, and Dover Railway (Various Powers) Act, 1861," the Company were authorized to raise the further Sum of 320,000*l.* by new Shares in their general Undertaking, and 170,000*l.* by new Shares in the Western Extension, or (after the Union thereof with their general Undertaking) in their general Undertaking; that by the same Act the Company were authorized to raise a further Sum of 60,000*l.* by new Shares in their general Undertaking, and to attach thereto a preferential Dividend, not exceeding the Rate of 5*l.* per Centum per Annum, out of their general Profits pari passu with the current and future Dividends on the First Preferential Capital created under the Dover Act, and which Sum was to be applied to the Discharge of Arrears of guaranteed Interest on the said First Preferential Capital, and to be redeemed by a Sinking Fund of 5,000*l.* per Annum to be set apart out of the general Profits of the Company; that the Company, with the unanimous Sanction of an Extraordinary Meeting of the Shareholders, created 2,400 new Shares of 25*l.* each for raising the said Sum of 60,000*l.*, and attached to those Shares a fixed preferential Dividend of 5*l.* per Centum out of the general Profits of the Company pari passu with the current and future Dividends on the Dover Extension Capital of 500,000*l.*, and to be redeemable as aforesaid; that by the Various Powers Act, 1861, Powers were given for the Union and Merger of the Western Extension, and the Profits thereof, with and in the general Undertaking and general Profits of the Company (from which the same had in previous Acts been to some Extent severed and distinguished), for a Consideration by way of perpetual Rentcharge, and which Rentcharge was to be subject and without Prejudice to all Mortgages, Bonds, and Debenture Stock granted or created by the Company before the Time at which such Union was to take effect, and then charged or attaching, or by the Act now in recital charged or attached, on the Profits of the general Undertaking, but to be paid before Payment of Dividend or Interest on any other Stock or any other Shares entitled to Dividend or Interest out of those Profits; that in execution of the Powers in that Behalf given by the Various Powers Act, 1861, the Western Extension, and the Profits thereof, have been united to and merged in the general Undertaking and Profits of the Company, as from the 1st January 1862, in consideration of a Rentcharge, being the aggregate of an annual Sum equal to the Interest payable in and for each Year upon the existing Mortgages, Bonds, and Debentures charged on or attaching to the Western Extension, and amounting to 186,600*l.*, and the further annual Sum of 28,800*l.* for Payment of Interest or Dividend upon the Shares or Stock in the Western Extension; that at the separate Meetings of the Holders of Shares and Stock entitled to Dividend or Interest out of the Profits of the Western Extension and out of the general Profits of the Company held for the Purpose of effecting the Union authorized by the Various Powers Act, 1861, it was resolved that the said annual Sum of 28,800*l.* should be payable half-yearly, and should be applied as follows; (to wit,) 14,400*l.* in Payment of Dividend at the Rate of Six per Centum per Annum upon 150,000*l.* represented by the Western Extension Half Shares B, and upon 90,000*l.* represented by the Western Extension (Bromley Section) Shares, and 6,750*l.* in the Payment of Dividend at the Rate of 4*l.* 10*s.* per Centum per Annum upon 150,000*l.* represented by the Western Extension Half Shares A, and 7,650*l.* in Payment of Dividend at the last-mentioned Rate upon 170,000*l.* represented by 6,800 Western Extension new Shares, 1861, and that the Holders of Shares or Stock in the Western Extension should not participate further or otherwise in the Profits of the Company; that 6,800 Western Extension new Shares, 1861, representing the said Sum of 170,000*l.*, had been previously created by a General Meeting of the Company, with a preferential Interest or Dividend of Six per Centum per Annum out of the Profits of the Western Extension, but had not been issued, and at the aforesaid separate Meetings it had been resolved to cancel those Shares, and to create others entitled to Dividend at the Rate of 4*l.* 10*s.* per Centum per Annum, and it is expedient that Effect be given to those Resolutions; that by "The London, Chatham, and Dover Railway (Works) Act, 1861," the Company were authorized to construct a Railway, therein named the Long Hedge Junction, in connexion with the Metropolitan Extensions, but were not authorized to raise any Money for that Purpose, and by the same Act they were authorized to construct other Railways, and to raise for the Purposes of that Act (except the Long Hedge Junction and the Railways therein named respectively, "the Bromley Deviation" and "the Bromley Junction") and by the Creation of new Shares in their general Undertaking the further Sum of 129,000*l.*, and the Monies by the Transfer Act authorized to be raised were made applicable to the Construction of the Bromley Deviation and Bromley Junction, and the Monies by the Metropolitan Extensions Act authorized to be raised were made applicable to the Construction of the Long Hedge Junction; that the Company have created and issued new Shares bearing a preferential Dividend of 6*l.* per Centum per Annum for the Purpose of raising the additional Capital of 80,000*l.* authorized by the Act of 1859, and 300,000*l.* authorized by the Capital Act, 1860, and have also created and issued 4,000 new Shares of 25*l.* each for the Purpose of raising the additional Capital of 100,000*l.* authorized by the Metropolitan Extensions Act, and 12,800 new Shares of 25*l.* each for the purpose of raising the additional Capital of 320,000*l.* authorized by the Various Powers Act, 1861; that at the General Meeting which created the said 4,000 new Shares, and 12,800 new Shares, the Company resolved that those Shares respectively should be entitled to a fixed preferential Dividend not exceeding 6*l.* per Centum per Annum out of the Profits of the general Undertaking pari passu with the Dividends upon the said additional Capitals of 80,000*l.* and 300,000*l.*, subject to the Consent of the Holders of the Shares in the Two last-mentioned Capitals being obtained; that it is expedient that the aforesaid additional Capitals of 80,000*l.*, 300,000*l.*, 100,000*l.*, and 320,000*l.*, in the general Undertaking, making together 800,000*l.*, be (with the Consent of the Holders of all the Shares in the said Capitals of 80,000*l.* and 300,000*l.* respectively, but not otherwise,) consolidated, and form the Second Preferential Capital of the general Undertaking; that the Company have not created any Farnborough Extension Stock, and it is expedient that their Powers for creating the same be repealed, and that the Extension to Farnborough

Railway be made Part of their general Undertaking, and that the Company be authorized for the respective Purposes of the Transfer Act, and of this Act, and for other Purposes in connexion with their general Undertaking, to raise additional Capital as the Third Preferential Capital of the general Undertaking; that for the Purpose of raising the additional Capital of 129,000*l.* authorized by the Works Act, 1861, the Company in the Month of April 1862 created 5,160 Shares of 25*l.* each, with a fixed preferential Dividend of 6*l.* per Centum per Annum out of the Profits of the general Undertaking, and it is expedient, and the Holders of those last-mentioned Shares have consented, that the Dividends thereon should rank pari passu with the Dividends on all other Monies by this Act authorized to be raised as Part of the Third Preferential Capital of their general Undertaking, and also that the Company be authorized to raise further Capital for the Purposes of the Metropolitan Extensions; that they have incurred and must incur a very large Expenditure in and about the Construction of Terminal, Passenger, and Goods Stations, Assorting Stations, Workshops, Factories, Buildings, Engine Sheds, Works, and Conveniences for the Accommodation of Through and International Traffic of all Descriptions, and in and about other Purposes for the common Benefit of the Metropolitan Extensions and of their general Undertaking; and in order to raise Money for defraying such Expenditure it is expedient that Part of the Charges in respect of Traffic arising from both Undertakings be reserved as a common Fund to be appropriated to the Payment of Dividend and Interest thereon, and that the recited Acts be in other respects amended.

Incorporation of Lands and Railways Clauses Acts and Parts of Companies Clauses Consolidation Act, §§ 2 to 5.

Provision as to Height of Bridge over Thames repealed, § 6.

Other Provisions substituted, § 7.

Saving Conservators Rights, § 8.

Appointment of new Bridge Trustees, § 9.

Power to make Works, § 10.

Description of new Lines, § 11.

Power to alter Engineering Works, § 12.

Tramways may be carried across certain Roads on the Level, § 13.

Provisions as to level Crossings at Dover, § 14.

Trains not to shunt on level Crossings, § 15.

Rails not to be laid within a certain Distance of the Lord Warden Hotel, § 16.

Inclination of Road, § 17.

Applying Sections of Dover Act relating to War Department, § 18.

Admiralty Provisions, §§ 19 to 23.

Company not to enter upon Lands, &c. without Consent of Dover Harbour Board, § 24.

Tramway to Admiralty Pier to be constructed according to Plan signed by Chairman of Committee, § 25.

Quay Walls to be constructed and Little Cross Wall to be removed by the Company; old Materials may be made use of by the Company, § 26.

Quay Walls to be vested in the Dover Harbour Board, § 27.

Fences, &c. to be constructed by the Company, § 28.

Engines, &c. not to remain on Tramway, § 29.

Regulations as to Carriages, &c. passing the Lord Warden Hotel, § 30.

If certain Property purchased the Hard to be filled up, § 31.

No Coke Ovens to be erected on such Lands, § 32.

Elevation, &c. of Buildings to be approved of by the Board, § 33.

Company to erect Walls, &c. for Protection, &c. of Buildings, &c. of the Board, § 34.

Rights of Wharfage purchased by the Company to be released to the Dover Harbour Board, § 35.

Saving of the Rights of the Board, § 36.

Line of Tramway as shown on Plan to be strictly adhered to, § 37.

Plans to be deposited with Clerk of the Peace of the County of Kent, § 38.

Tramway not to extend beyond Wing of Graving Dock, § 39.

Provisions for Messieurs Lees Works, § 40.

Mode of effecting Communications with the West London Extension Railway, § 41.

Signals, &c. and Watchmen for preventing Danger at Junctions, § 42.

Company to acquire only Easements in Lands of West London Extension Railway Company, § 43.

Saving Rights of the West London Extension Railway, § 44.

For Protection of Works of Southwark and Vauxhall Water Company, §§ 45 to 48.

Restrictions on taking Land in Christchurch, §§ 50 to 52.

Hawkesbury Street or Round Tower Street not to be interfered with until other Streets altered, § 53.

Strond Street not to be interfered with until other Streets altered, § 54.

Certain other Streets not to be interfered with until others are altered, § 55.

Provision for future widening of Strond Street and Snargate Street, § 56.

Finnis Hill Roadway not to be interfered with until another Street widened, § 57.

Land for widening Streets vested in Local Board, § 58.

Arbitration, § 59.

For Payment of local Rates, § 60.

Provision as to Sewers, &c. at Dover, § 61.

Two, Three, and Four Years respectively for Purchase of Lands, § 62.

Three and Five Years respectively for Completion of Works, §§ 64, 65.

Company to purchase certain additional Land from Metropolitan Board, § 67.

Prescribing Mode of passing over new Street, § 68.

Company not to execute Station and other Works so as to prejudice the Public Convenience, § 69.

Arches to be lighted, § 70.

For Protection of Sewers of Metropolitan and other Boards, § 71.

Clause in Metropolitan Extension Act as to Stoppage of Streets to apply to this Act, § 72.

For Payment of local Rates, § 73.

Tolls, § 74.

Heads of Agreement confirmed, and made binding on the Company and Christopher Phipps, § 75.

Company may stop up Portion of Road in River, § 76.

Provision as to Rails across Holland Street, § 77.

Prescribing Width of Railway over new Street, § 78.

The Archway in Holland Street to be lighted, § 79.

80. The 6,800 Western Extension new Shares, 1861, of 25*l.* each, shall be deemed to have been well and duly created by the separate Meetings aforesaid, and well and duly issued, and to be entitled to Dividend or Interest out of the Western Extension, as provided by the Resolutions by which such Rentcharge was created, at the Rate of 4*l.* 10*s.* per Centum per Annum, as from the 1st Day of January 1862, on the Amount paid upon those Shares.

81. The Capital of the Company for the Purposes of the Western Extension, and entitled to participate in the Western Extension Rentcharge in the Proportions and at the Rates specified in the Resolutions of the separate Meetings aforesaid,

is the Sum of 560,000*l.*, consisting of (first) 150,000*l.* represented by Western Extension Half Shares B, (secondly) 90,000*l.* represented by Western Extension (Bromley Section) Shares, (thirdly) 170,000*l.* represented by the said Western Extension new Shares, 1861, and (fourthly) 150,000*l.* represented by Western Extension Half Shares A, and those Shares are entitled to participate in that Rentcharge in the Rank and Order mentioned in this Section.

82. The Company may from Time to Time convert or consolidate into Stock all or any Class of the Shares entitled to participate in the Western Extension Rentcharge, and shall divide such Stock among the registered Holders of the Shares by the Conversion whereof it is formed in proportion to their Interests therein.

83. Every Class of such Stock shall be distinguished by a Name corresponding with the Name of the Shares by Conversion whereof it is formed, and shall entitle the Holders thereof to participate in the Western Extension Rentcharge to the same Extent and in the same Rank and Order as those Shares, if in existence, would entitle their Holders to participate; and the 62d and 63d Sections of "The Companies Clauses Consolidation Act, 1845," shall apply to all such Stock: Provided always, that any such Stock, or any other Stock of the Company, shall not be transferable in Sums less than 1*l.*

84. The Holders of the Shares or Stock representing the said Sum of 560,000*l.* shall not be entitled to Dividend or Interest out of any Profits of the Company, but only out of the Western Extension Rentcharge.

85. All Mortgagees, Bondholders, and registered Holders of Shares or Stock entitled to participate in the Western Extension Rentcharge shall have, and any One or more of them may exercise for the Recovery thereof when in arrear, the Powers and Remedies given by the 11th Section of "The Lands Clauses Consolidation Act 1845," with respect to the Rents there mentioned, and all Monies so recovered by any Person shall be deemed so much Money received by or to the Use of the several Persons interested in the Western Extension Rentcharge according to their respective Priorities.

86. After the Western Extension Half Shares A are converted or consolidated into Stock every or any of the registered Holders of other Stock or Shares entitled to participate in the Western Extension Rentcharge may require the Company to issue, and (upon Delivery by him to the Company of the Certificates for the Stock or Shares which he proposes to exchange, or Proof given to their Satisfaction of the Loss or Destruction of such Certificates,) the Company may and shall issue to him, in Exchange for any such other Stock or Shares, such an Amount of Stock, to be deemed fully paid up, and to be entitled to Dividend or Interest at the Rate of 4*l.* 10*s.* per Centum per Annum out of the Western Extension Rentcharge only, and pari passu with the Stock formed by the Conversion or Consolidation of the Western Extension Half Shares A as will at that Rate give a Dividend or Interest equal in aggregate Amount to the Dividend or Interest on the Stock or Shares given in Exchange by such Holder.

87. For the Purposes of such Exchanges the Company may from Time to Time create and issue Consolidated Western Extension Ordinary Stock, to be deemed fully paid up, and to bear Dividend or Interest at the Rate of 4*l.* 10*s.* per Centum per Annum out of the Western Extension Rentcharge only, and not out of the Profits of the Company, and pari passu with the Stock formed by the Conversion or Consolidation of the Western Extension Half Shares A.

88. On every such Exchange the Stock or Shares taken by the Company in Exchange, and all Rights and Liabilities in respect thereof, shall be extinguished, and the Company shall forthwith enter in the Register thereof a Memorandum of the Exchange and Extinction thereof.

89. The said additional Capitals of 80,000*l.* by the Act of 1859, of 300,000*l.* by the Capital Act, 1860, of 100,000*l.* by the Metropolitan Extensions Act, and of 320,000*l.* by the Various Powers Act, 1861, authorized to be raised for the Purposes of the general Undertaking of the Company, and making an aggregate of 800,000*l*, shall (upon the Consent thereto of the Holders of all the Shares in the said additional Capitals of 80,000*l.* and 300,000*l.* being obtained) be consolidated, and together form the Second Preferential Capital of the general Undertaking of the Company, and the several new Shares and Stock representing the same shall entitle the registered Holders thereof, pari passu, to the preferential Interest or Dividend at the Rate of 6*l.* per Centum per Annum attached to the same out of the general Profits.

90. Provided always, That the preferential Interest or Dividend attached as aforesaid to the new Shares or Stock representing the said Second Preferential Capital when so consolidated shall be subject and without Prejudice to and shall be payable next after the preferential Dividends or Interest on the 500,000*l.* Stock representing the Capital authorized by the Dover Act, and on the Shares representing the Sum of 60,000*l.* authorized by the Various Powers Act, 1861, and the Fund for the Redemption of those Shares.

91. All Holders of Shares in the said additional Capitals of 80,000*l.* and 300,000*l.* shall, as soon as may be after such Consolidation, deliver up the Certificates or Vouchers for such Shares to be cancelled, and thereupon the Secretary of the Company shall deliver to them in lieu thereof Certificates of Shares of corresponding Number and Amount in the said Second Preferential Capital, and from the Time of such Consolidation until Delivery of such first-mentioned Certificates or Vouchers for Cancellation the Company shall not be bound to register any Transfer of those Shares.

92. Every new Share or Portion of Stock which under the Powers of this Act is issued to any Person or Corporation in exchange or substitution for other Shares or Stock shall vest in such Person or Corporation upon the same Trusts, and subject to the same Powers, Provisions, Charges, and Liabilities, which immediately before the Exchange or Substitution attached upon or affected such other Shares or Stock, and so as to give effect to and not to revoke any Will or other Testamentary Instrument of or affecting such other Shares or Stock.

93. All Powers of raising Money by the Creation of new Shares or Stock, and by borrowing, given to the Company by the Transfer Act, are hereby repealed.

94. The Sections of the Transfer Act numbered respectively 13, 14, 15, 16, and 17 (relating to the Farnborough Extension Stock, the Application of the Profits of the Extension to Farnborough Railway, the Rights of the Holders of such Stock, and of the Holders of Mortgages and Bonds of the Company, the Disposition and Transfer of such Stock, and the Application of Monies raised under that Act,) are hereby repealed; and the Extension to Farnborough Railway shall be and be deemed to have been (as from the passing of the Transfer Act) Part of the general Undertaking of the Company.

95. The Company may from Time to Time (in addition to any other Sums of Money which they are by this or any other Act authorized to raise) raise the Sums following; (to wit,)

For the Purposes of their general Undertaking, including the Purchase of the Extension to Farnborough Railway and the Works authorized by the Works Act of 1861, except the Long Hedge Junction, and by the Creation of new Shares in the general Undertaking, any further Sums not exceeding in the whole 671,000*l.*:

For the Purposes of the Metropolitan Extensions, and by the Creation of new Shares in that Undertaking, any further Sums not exceeding in the whole 1,050,000*l.*:

For Purposes common to their general Undertaking and the Metropolitan Extensions any further Sums not exceeding in the whole 750,000*l.*

96. The respective new Shares created under this Act for raising each of those Sums of 671,000*l.*, 1,050,000*l.*, and 750,000*l.*, may be created at One Time or different Times, in One or more Classes, and of such Amounts as will allow the same to be conveniently apportioned or disposed of according to the Resolutions of any Ordinary or Special Meeting of the Company.

97. All new Shares in the general Undertaking created under the Powers of this Act for raising the said Sum of 671,000*l.* are herein-after designated "Third Preference Shares," and shall entitle the Holders thereof to Dividend or Interest only out of the general Profits of the Company as defined in this Act; and all those Shares, whether created at One Time or in One Class, or at different Times or in different Classes, and also the Shares representing the additional Capital of 129,000*l.*, created under the Powers of "The Works Act, 1861," making an aggregate of 800,000*l.*, shall together form the Third Preferential Capital of the general Undertaking, and shall entitle the Holders thereof to Dividend or Interest pari passu, and without any Preference or Priority inter se (except the Preference or Priority inter se of Half Shares (if created) bearing the same Number).

98. All new Shares in the Metropolitan Extensions Undertaking created under the Powers of this Act are herein-after designated "Metropolitan Extension New Shares, 1862," and whether created at One Time or in One Class, or at different Times or in different Classes, shall entitle the Holders thereof to Dividend or Interest pari passu, but only out of the Profits of the Metropolitan Extensions applicable to Dividend as defined in the Metropolitan Extensions Act, and not out of any other Profits of the Company.

99. All new Shares created under the Powers of this Act for raising the said Sum of 750,000*l.* for Purposes herein-before specified as common to the Two Undertakings, or any Part of that Sum, are herein-after designated "Common Fund Shares," and whether created at One Time or in One Class, or at different Times or in different Classes, shall entitle the Holders thereof to Dividend or Interest pari passu, but only out of the Common Fund as herein-after defined, and not out of any other Profits of the Company, and any other Shares or Stock in the Company shall not entitle the Holders thereof to Dividend or Interest out of the Common Fund.

100. The Common Fund shall consist of those Charges which the Board of Directors of the Company, under the Authority of an Extraordinary General Meeting of the Company specially convened with Notice of the Object of the Meeting, shall determine to be the Charges to be deducted in the Nature of Terminal Charges from the Receipts on the Company's Railways, or from the Receipts belonging to the Company arising from the Railways worked and leased by the Company, in respect of the Matters and Things upon or in respect of which the said Sum of 750,000*l.* shall be expended for the Common Benefit of the Metropolitan Extensions and the General Undertaking of the Company.

101. The Board of Directors shall, with the like Authority, determine whether all or any and (if any) what Part of the Expenses of constructing, maintaining, repairing, managing, manning, and working the Terminal Passenger and Goods Stations and Assorting Stations, or any of them or any Parts thereof, or any Workshops, Factories, Buildings, Engine Sheds, or Works and Conveniences connected therewith, shall be defrayed out of the Common Fund, and the same shall be defrayed accordingly.

102. The Company shall keep full and separate Accounts of the Charges and Monies from which the Common Fund is derived, and of the Expenditure thereof, and of the Assets and Liabilities of the Common Fund.

103. If after having created any new Shares under the Powers of this Act the Company resolve not to issue the same, or any Class or Part thereof, they may cancel the Shares to which such Resolution applies, and in lieu thereof may create and issue other new Shares, not exceeding the aggregate Amount of the Shares so cancelled.

104. Subject to the Provisions herein-after contained for the Protection of existing preferential Shares, the Company may from Time to Time with the Consent of Two Thirds of the Votes of the Shareholders voting, personally or by Proxy, at any Extraordinary Meeting convened with Notice of this Purpose, attach to any Third Preference Shares or any Metropolitan Extension new Shares, 1862, or any Class of such Shares created under the Powers of this Act, before the Issue thereof, any perpetual, terminable, fixed, variable, contingent, or absolute Preference or Priority of Interest or Dividend, not exceeding the Rate of 6*l.* per Centum per Annum, as to the Company shall seem fit, payable out of the Profits or Revenue of the Company applicable to Dividend on the respective Shares to which such Preference or Priority is attached.

105. Any Preference or Priority in the Payment of Interest or Dividend which may be granted by the Company in pursuance of this Act on any Third Preference Shares or Metropolitan Extension new Shares, 1862, created under the Powers of this Act, or on any Stock substituted for such Shares, shall not (except to the Extent of the Consolidation of the Shares representing the additional Capital of 129,000*l.*, authorized by the Works Act, 1861, with the Shares representing the additional Capital of 671,000*l.* authorized by this Act, and to the Extent of the Postponement by this Act authorized of the Metropolitan Extension Half Shares A, and Stock substituted for those Half Shares,) prejudice or affect any Preference or Priority in the Payment of Interest or Dividends on any other Shares or Stock payable out of the same Profits or Revenue which may have been granted by the Company by or in pursuance of or which may have been confirmed by any Act of Parliament passed prior to the passing of this Act, or which may otherwise be lawfully subsisting.

106. And whereas no Stock has yet been substituted for any Metropolitan Extension Half Shares A: And whereas all the Holders of Metropolitan Extension Half Shares A have consented to the Provisions of this Act: Therefore the Interest or Dividend on the Metropolitan Extension new Shares, 1862, from Time to Time created, shall rank and be payable either before or after, or in part before and in part after, the Interest or Dividend on the whole or any Part of the Metropolitan Extension Half Shares A, as the Meeting creating any such new Shares shall determine, and the Clauses and Provisions of the Metropolitan Extensions Act and of this Act with reference to Preferences or Priorities shall be construed and take effect accordingly.

107. The Company may, if they think fit, create and issue in preferred Half Shares and deferred Half Shares, or, after Issue, may, with the Consent of the registered Holders thereof, divide into preferred Half Shares and deferred Half Shares, in accordance with the Provisions of the Acts now in force relating to the Company, all or any Part of the Capital which they are by this Act authorized to raise.

108. The respective new Shares or Stock created under the Powers of this Act shall be entitled to the preferential

Dividend, if any, which may have been attached to them by the Company as aforesaid out of the Profits or Revenue of the Company in each Year applicable to Dividend thereon respectively, according to the Provisions of this Act, but if in any Year ending the 31st Day of December there shall not be Profits or Revenue of the Company so applicable thereto available for the Payment of the full Amount of such preferential Dividend for that Year, no Part of the Deficiency shall be made good out of the Profits or Revenue of any subsequent Year, or out of any other Funds of the Company.

Disposition of new Shares, §§ 109 to 111.
Authorized Capital may be raised by Stock, § 112.
Stock to carry same Preference as Shares, § 113.
Application to Stock of Part of Companies Clauses Consolidation Act, § 114.

115. In addition to the Powers of borrowing Money by any other Acts given to the Company they may from Time to Time borrow, for the Purposes of the general Undertaking, and on Mortgage of that Undertaking and the general Profits,—

In respect of the additional Capital of 671,000*l.* by this Act authorized to be raised by Third Preference Shares, any Monies not exceeding in the whole 223,600*l.*:

And they may also from Time to Time borrow for the Purposes of the Metropolitan Extensions, on Mortgage of that Undertaking and the Tolls arising thereon,—

In respect of the additional Capital of 1,050,000*l.* by this Act authorized to be raised by Metropolitan Extension new Shares, 1862, any Monies not exceeding in the whole 350,000*l.*:

And they may also from Time to Time borrow for the common Purposes of the Two Undertakings, on Mortgage of the Common Fund,—

In respect of the additional Capital by this Act authorized to be raised by Common Fund Shares any Monies not exceeding in the whole 250,000*l.*

Restrictions on borrowing Powers, §§ 116 to 118.
Schedule (Agreement).

Cap. cxciii.

"The Dulas Valley Mineral Railway Act, 1862."

Proposes to authorize the Construction of a Railway in the Counties of Glamorgan and Brecon, to be called "The Dulas Valley Mineral Railway."
Consolidation Acts incorporated, § 2.
Incorporation of Company with Capital of 60,000*l.*, and Power to borrow 20,000*l.*, §§ 4 to 10.
Meetings; Directors, &c., §§ 11 to 16.
Power to acquire Lands and construct Works, §§ 17, 18.
Company to construct Siding to Tennant Canal, § 19.
Communications with Vale of Neath Railway, §§ 20 to 23.
Rails on Broad and Narrow Gauge to be laid down, § 24.
Three Years for compulsory Purchase of Lands, § 26.
Five Years for Completion of Works, §§ 27, 28.
Tolls, §§ 29 to 37.
Power to enter into Traffic Arrangements with Vale of Neath Company, §§ 38 to 47.

Cap. cxciv.

"Cannock Chase Railway (Extension) Act, 1862."

Proposes the Construction of a Railway from the Norton Branch of the South Staffordshire Railway to the Eastern Terminus of the Railway, authorized by "The Cannock Chase Railway Act, 1860," and to authorize Agreements with the London and North-western Railway Company.
Incorporation of Companies, Lands, and Railways Clauses Consolidation Acts, § 1.
Incorporation of Company with a Capital of 30,000*l.*, and Power to borrow 10,000*l.*, §§ 3 to 10.
Meetings; Directors, &c., §§ 11 to 15.
Power to make Railway and Works, §§ 16 to 18.
Communications with other Railways, §§ 19 to 21.
Two Years for compulsory Purchase of Lands, § 24.
Three Years for Exercise of other Powers, § 25.
Tolls, §§ 27 to 33.
Railway not to be Passenger Line, § 34.
Power to enter into Working and Traffic Arrangements with the North-western Company, §§ 35 to 39.

Cap. cxcv.

"The Eastern Union Railway Act, 1862."

Recites that by "The Eastern Union Railway Amendment Act, 1853," the Company were required to redeem certain Preference Shares enumerated in the Preamble to the said Act, and amounting in the whole to 359,900*l.*, by the Payment to the Holders thereof of 109*l.* for every 100*l.* of the nominal Value of such Shares, and the Company were also compelled by legal Decision to pay to the Holders of the said Shares, in addition to the said Premium of Nine per Centum, the Arrears of Dividend on the said Shares, to an Amount in the whole of about 80,000*l.*; that by the same Act they were authorized to "create and issue Shares in the Stead of "and to the nominal Amount of the Redemption Money so "paid or to be paid," and such Shares were to be deemed paid in full, and they were authorized to attach to them a preferential Dividend, but at a Rate not exceeding Four per Centum per Annum; that a large Number of the Holders of the Preference Shares refused to accept the said new Shares in the Stead of their former Shares, and the Company found it impossible to issue to the Public Shares at that limited Rate of Dividend, and in fact they only created and issued such Shares to the Amount of about 330,000*l.*, instead of to the requisite Amount of about 490,000*l.*, and being required as aforesaid to redeem the said Sum of 359,900*l.* upon the Conditions aforesaid within Six Months after the passing of the said Act, they were compelled to borrow Money for the Purposes of such Redemption, and have been in consequence subject to pecuniary Liabilities to the Extent of nearly 200,000*l.*, bearing Interest at fluctuating Rates, and it is expedient that they should be authorized to create and issue Shares bearing a preferential Dividend not exceeding Five per Centum per Annum to discharge the said Liabilities, and instead of the Shares which remain to be issued under the Powers of the said Act of 1853; that the State of the Capital of the Company is set forth in a Schedule to this Act; that by "The Waveney Valley Railway Act, 1851," a Company was incorporated "for con- "structing a Railway from the Tivetshall Station of the "Eastern Union Railway to Bungay, in Suffolk," and by an Act passed in the following Session of Parliament the same Company was authorized to extend their Railway from Bungay to Beccles, and various Acts have been since passed extending the Time granted to the Waveney Valley Railway Company for the Construction of their Railway, and in other respects varying and extending the Powers of the Company, and under the Authority of the said Acts the Railway is completed between the Eastern Union Railway and Bungay, and it is desirable to complete the Construction of the remaining Portion of the Undertaking between Bungay and Beccles; that the Waveney Valley Railway was originally projected as a Branch of the Eastern Union Railway, and as

a Means of Communication between that Railway and the Ports of Yarmouth and Lowestoft, and the Eastern Union Railway Company have advanced a Sum of 50,000*l.* towards the Undertaking of the Waveney Valley Railway Company, and have received Shares in the Capital of the same Company on account of such Subscription; that the said Subscription has not been authorized by Parliament, and it is fitting that the Eastern Union Railway Company should obtain Authority for the same.

Power to raise 250,000*l.* by Shares with or without a preferential Dividend not exceeding 5*l.* per Cent., §§ 1 to 4.

Incorporation of Parts of Companies Clauses Consolidation Act, § 5.

200,000*l.* to be applied in Discharge of Liabilities, § 6.

50,000*l.* to be applied as Contribution to the Waveney Valley Railway Company, § 7.

8. Provided always, That until the said Sum of 50,000*l.* shall be fully repaid to the Eastern Union Railway Company there shall be set aside every Half Year a Sum of not less than 500*l.* out of the Profits of the same Company, applicable to Dividends upon their ordinary Stocks, and the said Sums shall from Time to Time be applied to the Purchase and Extinction of Preference Shares of the Eastern Union Railway Company, or to the Purchase and Redemption of Mortgages charged upon the Undertaking of the same Company; and the borrowing Powers of the said Company shall to that Extent be extinguished: Provided also, that if the Eastern Union Railway Company shall, in the present Session of Parliament, be amalgamated with the Eastern Counties Railway Company by that or any other Name, then the Company incorporated by such Amalgamation shall deduct the said half-yearly Sums from the Dividends payable to the Eastern Union Division of ordinary Shareholders, and shall apply the said Sums as hereinbefore prescribed.

SCHEDULE containing a Statement of the Capital of the Eastern Union Railway Company.

Class or Name of Stock.	Preference per Cent. per Annum.	Total Amounts.
	£ s.	£ s. d.
Creditors Stock	3 10	23,750 0 0
Creditors Stock	4 0	223,650 0 0
Four per Cent. Guaranteed Stock	4 0	132,380 0 0
Five and a Half per Cent. Guaranteed Stock	5 10	30,000 0 0
Five per Cent. Guaranteed Stock (redeemable July 1862)	5 0	304,556 0 0
Five per Cent. Guaranteed Stock (redeemable July 1865)		
Ordinary Stock, Class A	- - -	287,050 0 0
Ordinary Stock, Class B	- - -	774,425 0 0
Borrowed on Mortgage	- - -	769,966 13 4

Cap. cxcvi.

"The Great Western, Hereford, Ross, and Gloucester, and Ely Valley Railways Act, 1862."

Recites that in 1851 the Hereford, Ross, and Gloucester Railway Company were incorporated with Powers to construct the Railways and Works in that Act mentioned, and to raise by the Creation of Shares the Sum of 275,000*l.*, and by borrowing the Sum of 91,000*l.*, and by "The Shrewsbury and Hereford Railway (Stations) Act, 1854," to raise by the Creation of Shares the further Sum of 30,000*l.*, and to assign Preference Dividends thereto; that their Capital now stands as follows; (that is to say,)

	£
Preferential Capital.	
1,500 Shares of 20*l.* each entitled to Dividends at the Rate of 5*l.* per Centum, fully paid up	30,000
Ordinary Capital.	
10,649 Shares of 20*l.* each, fully paid up	212,980
3,101 Shares unissued or forfeited	62,020
	£305,000

and they have exercised to the full Extent their borrowing Powers; that by "The Great Western, &c. Railway Companies (Traffic Arrangements) Act, 1852," the Great Western Railway Company and the Hereford Company were authorized to enter into Agreements concerning the Use and Management of the Undertakings belonging to or on Lease to them respectively, and as to the Collection and Delivery and general Conduct and Interchange of the Traffic thereon, and the Receipt and Apportionment of the Tolls and Profits arising from such Traffic, and by the same Act an Agreement of the 26th December 1851, between the Great Western Company of the one Part and the Hereford Company of the other Part, was declared to be binding on those Two Companies, but with Power to make Alterations therein as in the same Act mentioned and provided; that under that Act and the Agreement of 1851 the Railway of the Hereford Company is now worked by the Great Western Company; that the Great Western Company are Lessees for a long Term of Years of the Gloucester and Dean Forest Railway, which forms a Communication between the Railway of the Great Western Company and the Railway of the Hereford Company; that it has been agreed by the Great Western Company and the Hereford Company that the Undertaking, Property, Estate and Effects, Rights, Powers, Privileges and Authorities of the Hereford Company should be transferred to and vested in the Great Western Company on the Terms and Conditions in this Act mentioned; that by "The Ely Valley Railway Act, 1857," the Ely Valley Railway Company were incorporated with Powers to construct the Railways and Works in that Act mentioned, and by "The Ely Valley (Mwyndy Branch) Act, 1858," to construct the Works in that Act mentioned; that the Great Western Company, under the Authority of Parliament, work by Agreement the Line of the South Wales Railway Company, which forms a Means of Railway Communication between the Railway of the Great Western Company and that of the Ely Valley Company; that it is expedient that the Ely Valley Company should be empowered to grant and the Great Western Company to accept a Lease of the Undertaking of the Ely Valley Company; and that the Great Western Company should be empowered to acquire and hold Shares in the Capital of that Company, and to raise additional Capital for such Purpose.

Incorporation of Provisions of Railways Clauses Act, § 2.

Dissolution of Hereford Company, § 3.

4. On the passing of this Act all the Shares in the Capital of the Hereford Company, except the 10,649 ordinary Shares and the 1,500 preferential Shares, are cancelled; but notwithstanding the Dissolution of the Hereford Company, the aforesaid 10,649 ordinary Shares and the aforesaid 1,500 Preference Shares in the Capital of that Company shall for the Purposes of this Act continue to subsist until converted as by this Act provided; and the Great Western Company or the Directors thereof may from Time to Time exercise all the Powers with reference to such Shares which the Hereford Company or their

Directors might have exercised if that Company had not been dissolved: Provided also, that the Great Western Company shall within 12 Months after the passing of this Act, and in accordance with the Clauses and Provisions with respect to the Consolidation of Shares into Stock of "The Companies Clauses Consolidation Act, 1845," consolidate those ordinary Shares into a general Capital Stock, to be called "The Hereford, Ross, and Gloucester Railway Ordinary Stock," and those Preference Shares into a general Capital Stock, to be called "The Hereford, Ross, and Gloucester Railway Preference Stock," and those Clauses and Provisions shall be in force and apply to such Stock and the Holders thereof respectively.

5. On the passing of this Act and on the Execution by the Hereford Company of a Deed of Conveyance to the Great Western Company, in which the Consideration, namely, annual Dividends on the Amount of the preferential Capital of the Hereford Company, amounting to the Sum of 30,000*l.*, and annual Dividends on the Amount of the ordinary Capital of the same Company, amounting to 212,980*l.*, at the respective several Rates, and payable in the Manner and during the respective Periods herein-after mentioned and set forth, and also the Principal Sums secured by the Mortgages, Bonds, or otherwise of the same Company, amounting to the Sum of 91,000*l.*, shall be fully and truly stated and set forth, and such Deed of Conveyance being duly stamped for denoting the proper ad valorem Stamp Duty in respect of such Considerations respectively, all the Undertaking, Railway, Estates, Property and Effects, Rights, Powers, Interests, Claims, and Demands whatsoever of the Hereford Company shall be and remain vested in the Great Western Company.

Saving of Rights and Liabilities, §§ 6 to 15.

Power of levying Tolls transferred to Great Western Railway Company, § 16.

Register, &c. of Hereford Company to be preserved by Great Western Railway Company, § 17.

18. In consideration of the Transfer to the Great Western Company of the Undertaking of the Hereford Company as by this Act provided, the Great Western Company shall yearly and every Year after the passing of this Act pay to the Holders of the 1,500 Preference Shares in the Capital of the Hereford Company, until the Conversion thereof, a Dividend or fixed Sum after the Rate of 5*l.* per Centum per Annum, upon the Amount of that Capital represented by the Shares held by them respectively; and after the Conversion of those Shares into Hereford, Ross, and Gloucester Railway Preference Stock a fixed annual Sum of 5*l.* in respect of each 100*l.* of such Stock held by them respectively; and the Great Western Company shall also yearly and every Year after the passing of this Act pay to the Holders of the 10,649 ordinary Shares in the Capital of the Hereford Company, until the Conversion thereof, a Dividend or fixed Sum after the Rate of 3*l.* per Centum per Annum upon the Amount of that Capital represented by the Shares held by them respectively; and after the Consolidation of those Shares into Hereford, Ross, and Gloucester Railway ordinary Stock a fixed Sum of 3*l.* in respect of each 100*l.* of such Stock held by them respectively.

Mode and Time of Payment of yearly Sums, § 19.

Remedies for Recovery of yearly Sums, § 20.

Power to lease the Ely Valley Railway, §§ 21 to 28.

Power for Great Western Railway Company to take Shares in the Ely Valley Company to the Extent of 35,000*l.*, to apply their present Funds to that Purpose, or to raise by Shares additional Capital with or without a Preference not exceeding 4*l.* 10*s.* per Cent., §§ 29 to 39.

Saving Rights of Llantrissant and Taff Vale Railway Companies, § 43.

Cap. cxcvii.

"The Kent Coast Railway Act, 1862."

Recites that in 1857 a Company was incorporated by the Name of the Herne Bay and Faversham Railway Company (but now by virtue of "The Kent Coast Railway Act, 1861," styled "The Kent Coast Railway Company," with a Capital of 80,000*l.*, in 4,000 Shares of 20*l.* each, and with Power to borrow 26,000*l.*, for the Purpose of making a Railway commencing from and out of the London, Chatham, and Dover Railway in the Parish of Preston next Faversham, in the County of Kent, and terminating in the Parish of Herne, in the same County; that by "The Margate Railway Act, 1859," the Company were authorized to extend their Line of Railway from Herne Bay to Margate, and to raise the further Sums of 105,000*l.* by ordinary Shares, and 35,000*l.* by borrowing; that by "The Kent Coast Railway Act, 1861," the Company were authorized to extend their Line of Railway from Margate to Ramsgate, and to raise for the Purposes of the Undertaking by that Act authorized the Sums of 96,000*l.* by ordinary Shares, and 32,000*l.* by borrowing, and for the Purposes of the Undertaking, by "The Herne Bay and Faversham Railway Act, 1857," and "The Margate Railway Act, 1859," authorized, the further Sums of 60,000*l.* by Shares, with or without a preferential Interest or Dividend (payable only out of the Profits applicable to Dividend of the Railways by those Acts authorized), and 20,000*l.* by borrowing, and the Company have accordingly created and issued Shares for raising that Sum of 60,000*l.*; that the original Line is complete and open for Traffic, except a Bridge for crossing a Road in the Parish of Herne, and the Powers of the Company for the Construction of that Bridge have expired, and it is expedient that further Powers for the Construction thereof be conferred upon them; that it is also expedient that the Company be authorized to purchase for Station Accommodation and other Purposes of their Undertaking additional Lands in the Parishes of Herne and Saint George's, Ramsgate; and that the Company or any other Company or Persons interested in the Trade of Ramsgate Harbour should be empowered to enter into Contracts with the Board of Trade for the Use or for the Construction and Use of Horse Railways or Tramways upon the Quays and the East Pier of the said Harbour; and that the Company should be authorized to raise further Monies.

Incorporation of Consolidation Acts, §§ 2 to 4.

Power to make Works according to deposited Plans, § 5.

Saving Lady Truro's Property, § 6.

Description of Works, § 7.

Level Crossing, § 8 and § 12.

Road from Pier to Sands at Ramsgate, § 9.

Road from Western Pier Gate to Station at Ramsgate, § 10.

Power to construct other Works by Agreement with Board of Trade, § 11.

Power to alter Engineering Works, § 13.

Admiralty Approval to Works below High-water Mark, §§ 14 to 16.

Lands of Board of Trade not to be taken without Consent, § 19.

Three Years for compulsory Purchase of Land, § 20.

Five Years for Completion of Works, §§ 21, 22.

Power to take Tolls, § 23.

Power to create new Shares to Amount of 264,000*l.*, § 25.

Power to cancel unissued Shares, § 26.

27. And whereas it is expedient that the Shares representing the said Sum of 60,000*l.*, created under the Powers of "The Kent Coast Railway Act, 1861," should with the Consent

of all the Holders of those Shares, but not otherwise, be amalgamated with and form Part of the ordinary Capital of the Company, and be entitled to Dividend out of the general Profits of the Company without any Preference: Therefore, when the Consent thereto of all the Holders of the Shares representing the said Sum of 60,000*l.* shall have been obtained, the said Sum of 60,000*l.* shall be amalgamated with and form Part of the ordinary Capital of the Company, and the Shares and Stock representing the same shall (subject to the Preference or Priority inter se of Half Shares bearing the same Number) entitle the registered Holders thereof to Interest or Dividend in common with other ordinary Shares and Stock of the Company out of all the Profits of the Company applicable to Dividend, anything in "The Kent Coast Railway Act, 1861," to the contrary notwithstanding.

Evidence of such Consents, § 28.
Certificates to be exchanged, § 29.
Disposal of new Shares, §§ 30 to 32.

33. Provided always, That the Company may, if they think fit, create and issue in preferred Half Shares and deferred Half Shares, and after Issue may, with the Consent of the registered Holders, divide into preferred Half Shares and deferred Half Shares, in accordance with the Provisions of the Acts now in force relating to the Company, all or any Part of the Capital which they are by this Act authorized to raise.

Power to borrow 88,000*l.* more, §§ 34, 35.
Agreement of 11th June 1861 referred to in "The Kent Coast Railway Act, 1861," not to be affected, § 40.

Cap. cxcviii.

"The Shrewsbury and Hereford Railway (Leasing) Act, 1862."

Recites Acts of 9 & 10 Vict., 13 & 14 Vict., and Two Acts of 17 & 18 Vict. relating to the Company; that by "The Shrewsbury and Hereford Railway Act, 1856," the Powers and Provisions of the said recited Acts were consolidated, and certain Amendments made therein, and further Powers were granted to the Company; that it is expedient that such Powers should be granted to the Company to lease their Undertaking as are herein-after contained; that for the Accommodation of the Traffic upon the Railway the Company or their Lessees should be enabled to take certain Lands; that it is expedient that the Time for the Sale of superfluous Lands by the Company should be extended; also that the Company, or their Lessees, and the Leominster and Kington Railway Company should be empowered to enter into Agreements with respect to the Working, Use, and Management of the Undertaking of the said last-named Company, and with respect to the Interchange of Traffic between the Railways of the Two Companies, and the Division and Apportionment of the Profits arising in respect of such Traffic; and that Powers should be granted to the Company or their Lessees to subscribe to and to hold Shares in the Undertaking of the Knighton Railway Company and Central Wales Railway Company, or either of them.
Incorporation of Consolidation Acts, § 2.
Lease of the Undertaking of the Company to the London and North-western Railway Company, §§ 3 to 7.
Power to Great Western Railway Company and West Midland Company to use the Railway, § 8.
Power of Arbitrators or Umpire, § 9.
Local Traffic not to be interfered with, § 10.
Byelaws to be observed, § 11.
The West Midland, Great Western, and London and North-western Companies to book, &c. Through Passengers, Goods, &c. on Railways herein named, § 12.
Rates and Fares receivable in respect of Traffic booked, &c., § 13.
Arbitration Clause, § 14.
Providing for Cesser of preceding Powers of User in event of Lease to other Companies, § 15.
Confirming Agreement in Schedule (B.) between Shrewsbury and Hereford, London and North-western, Great Western, and West Midland Railway Companies, § 16.
Provision for Lease to London and North-western, Great Western, and West Midland Railway Company, § 17.
Provision for doubling the Railway throughout, § 18.
Power to acquire additional Lands, § 19.
Restricting Lands to be taken from the Estate of Mr. Salwey, § 20.
Three Years for compulsory Purchase of Lands, § 21.
Power to stop up Footway in the Borough of Leominster, § 23.
Extending Period for Sale of Company's superfluous Lands for Seven Years, § 24.
Power for the Leominster and Kington Company to use Portion of Shrewsbury and Hereford Railway, §§ 25 to 27.
The Shrewsbury and Hereford Company and their Lessees to give Leominster and Kington Company Accommodation at the Station, § 28.
Power to enter into Agreements with Leominster and Kington Railway Company, §§ 29 to 36.
Power for Tenbury Railway Company to use Portion of Shrewsbury and Hereford Railway and vice versâ, §§ 37 to 41.
Power for Company or London and North-western Company to subscribe to Knighton and Central Wales Railway Company 30,000*l.*, § 42.
Power to those Companies to create Shares with or without a Preference Dividend not exceeding 5*l.* per Cent. for Purpose of Subscription, §§ 43 to 46.

48. Neither the Company nor their Lessees shall exercise any Power by this Act given to raise or apply further Capital, nor shall they under any Powers vested in them by any of the said recited Acts relating to the Shrewsbury and Hereford Railway raise or apply any further Capital, either by Shares or by borrowing, nor shall the Lessees lay out any Money for any Purposes connected with the Undertaking of the Company, or subscribe to the Knighton or Central Wales Railway, until the Company shall have called up the Money remaining unpaid upon the several Shares issued by virtue of a Resolution passed at a Meeting of the Company on the 23d of August 1859; but this Restriction shall not prevent the Company from renewing Debentures for Sums hereafter falling due in respect of Monies borrowed before the 25th of March 1862, nor compel the Company to call up more Money upon the said last-mentioned Shares than shall for the Time being be required for the Purposes of the Undertaking.

Schedules A. and B. (Agreements for Leases.)

Cap. cxcix.

"The Spalding and Bourn Railway Act, 1862."

Recites that the Construction of a Railway connecting the Norwich and Spalding, the Bourn and Essendine, and the Great Northern Railways would be of local and public Advantage; and that it is expedient that the Company and the Great Northern Railway Company be authorized to enter into the Working and Traffic and other Arrangements described.

Incorporation of Companies, Lands, and Railways Clauses Acts, §§ 2, 3.
Incorporation of Company with a Capital of 98,000*l.*, §§ 4 to 6.
Power to borrow 32,500*l.*, §§ 7 to 9.
Meetings; Directors, &c., §§ 12 to 19.
Power to make Railway according to deposited Plans, §§ 20, 21.
Power to alter Engineering Works, § 22.
Level Crossings, §§ 23 to 26.
Regulating the Junction with the Great Northern and the Bourn and Essendine Railways, §§ 27 to 30.
For Protection of Bourn Eau Navigation, § 31.
Three Years for compulsory Purchase of Land, § 33.
Five Years for Completion of Works, §§ 34, 35.
Tolls, §§ 36 to 43.
Power to use Part of Great Northern Railway, § 44.
Power to contract with Great Northern Railway Company, §§ 45 to 52.
Traffic Facilities to be afforded by Bourn and Essendine Company and their Lessees, § 53.

Cap. cc.

"The Tottenham and Hampstead Junction Railway Act, 1862."

Proposes the making of a Railway from Tottenham to join the Hampstead Junction Railway and of the several Junction Lines in connexion therewith as herein-after described, and to authorize Agreements with the London and North-western and Eastern Counties Railway Companies.
Incorporation of Consolidation Acts, §§ 2, 3.
Incorporation of Company with a Capital of 160,000*l.*, §§ 4 to 6.
Power to borrow 53,300*l.*, §§ 7 to 9.
Meetings; Directors, &c., §§ 12 to 19.
Power to make Railway according to deposited Plans, §§ 20, 21.
Power to alter Engineering Works, § 22.
Railway No. 4 to be opened at the same Time as Railway No. 1, § 23.
Company to construct Sidings, § 24.
Communications with and Protection of Great Northern Railway, §§ 25 to 36.
Mode of crossing Edgware, Highgate, and London Railway, §§ 37 to 43.
As to Communications with Hampstead Junction Railway, §§ 44 to 47.
With Northern and Eastern Railway, §§ 48 to 52.
Works connected with the Archway and Kentish Town Junction Road to be constructed to the Satisfaction of the Trustees, §§ 53 to 55.
Regulating the Crossings of the Metropolis Turnpike Roads, §§ 56 to 58.
For Protection of Sewers of Metropolitan and other Boards, § 59.
Provisions as to Payment of certain Rates in the Parish of Saint Mary Islington, § 60.
For preventing Stoppages or Obstructions to Traffic, § 61.
As to Bridge over Gordon House Lane, § 62.
Bridges to be Watertight, § 63.
A certain Footpath not to be interfered with, § 64.
Local Rates to be made good, § 65.
As to certain Sewers, § 66.
As to Settlement of Differences between the Company and the Parish Surveyor, § 67.
Regulating the crossing of Hermitage Road, § 68.
Three Years for compulsory Purchase of Lands, § 70.
Four Years for Completion of Works, § 71.
Tolls, §§ 73 to 79.
Power to make Traffic Agreements with London and North-western and Eastern Counties Railway Companies, §§ 80 to 85.

Cap. cci.

"The Great Northern and Western (of Ireland) Railway Act, 1862."

Recites that it is expedient to enable the Great Northern and Western (of Ireland) Railway Company to make a Railway to Ballina, and to agree with the Midland Great Western Railway Company for the working of the same.
Incorporation of Consolidation Acts, § 2.
Power to make the Railway, §§ 3 to 6.
Level Crossings, §§ 7 to 9.
Compulsory Purchase of Lands limited to Three Years, § 10.
Five Years for Completion of Works, §§ 11, 12.
Power to raise by Shares a further Capital of 90,000*l.*, § 14.
Power to borrow on Mortgage 30,000*l.*, §§ 15, 16.
Powers of the Company to agree with Midland Great Western Company contained in former Acts extended to Railway hereby authorized, § 17.

Cap. ccii.

"The Carnarvonshire Railway Act, 1862."

Proposes the making of a Railway from Carnarvon to Port Madoc, in the County of Carnarvon.
Consolidation Acts incorporated, § 1.
Incorporation of Company with Capital of 200,000*l.*, and Power to borrow 66,500*l.* §§ 3 to 11.
Meetings; Directors, &c., §§ 12 to 17.
Power to make Railways, §§ 18 to 20.
Communications with Bangor and Carnarvon Railway, §§ 21 to 24.
Power to alter Engineering Works, § 25.
Level Crossings, §§ 26 to 29.
Three Years for compulsory Purchase of Lands, § 32.
Four Years for Completion of Works, §§ 33, 34.
Tolls, §§ 35, 44.
Power to make Working Arrangements with London and North-western and Aberystwith and Welsh Coast Railways, §§ 45 to 50.
Transmission of Traffic on Aberystwith and Welsh Coast Railway, §§ 51, 52.
Admiralty Provisions as to crossing the Mouth of Carnarvon Harbour, §§ 53 to 57.
Provisions against Obstruction of Traffic of Nantlle Railway, § 64.
Saving Rights of the Crown, § 65.
Schedule (Agreement with Trustees of Carnarvon Harbour).

Cap. cciii.

"The Aberdeen Police and Waterworks Act, 1862."

Recites 10 Geo. 4. c. xli., being an Act for better paving, lighting, watching, and improving the City of Aberdeen, and proposes to enact enlarged Powers for cleansing, lighting, watching, draining, and improving the said City and adjacent Districts, for regulating the Police thereof, for supplying the Inhabitants with Water, and for other Purposes.
Repeal of recited Act and Commencement of this Act, § 3.
Incorporation of Lands Clauses Acts, of Commissioners Clauses Act, of Waterworks Clauses Act, of certain Clauses of Railways Clauses Act, and of Gasworks Clauses Act, §§ 4 to 8.

Transfer of Property to the Commissioners, and Reservation of existing Rights, §§ 9 to 19.
Saving Rights of Council and Harbour Commissioners over Harbour, § 20.
Saving Rights of Town Council, § 21.
Jurisdiction of Magistrates and Town Council, Dean of Guild, Sheriff, and Justices reserved, § 22.
Limits of Act and Division into Wards, §§ 23 to 33.
Mode of extending Act to other Portions of Parliamentary Limits, § 25 and § 34.
Mode of extending Act beyond compulsory Limits to a Burgh or Place where General Act has been adopted, §§ 34 to 39.
Alteration or Division of Wards on Extension of Limits, § 40.
Election of Commissioners before extended Territory included in a Ward, § 41.
Boundaries of new or altered Wards to be advertised, § 42.
Commissioners for carrying this Act into execution, § 43.
Time of electing Commissioners, § 44.
Qualification of Electors, and Persons who may be elected Commissioners, §§ 45 to 50.
Proceedings at Election of Commissioners, §§ 51 to 57.
Commissioners to become disqualified, §§ 58, 59.
Vacancies of Commissioners to be filled up, § 60.
Commissioners not to hold Places of Profit under this Act, § 61.
Meetings of the Commissioners; their general Powers and Duties; Appointment and Duties of Treasurer, Collector, and Clerk; Books, Accounts, and Balances, §§ 62 to 84.
Power to estimate and fix general Assessments, § 85.
Power to estimate and fix the District Assessments for Sewer Rates, § 86.
Power to impose private Assessments for Drainage of Houses, § 87.
Limitation of Expenditure for House Drains, § 88.
General Assessments, § 89.
Assessment on Railways, § 90.
Exemption on the Ground of Poverty, § 91.
Power to exempt Places beyond compulsory Limits from Provisions of this Act, wholly or partially, § 92.
Period of calculating Assessments, § 93.
Majority of Commissioners to be present when Assessments imposed, § 94.
Assessments on Premises occupied for Part of a Year, § 95.
Houses unfurnished and unoccupied, § 96.
Assessment on Premises let for less than a Year, § 97.
Yearly Value of Premises to be fixed by Valuation Roll, § 98.
Where Valuation Roll insufficient, the Commissioners may appoint a Valuator, § 99.
Penalty for refusing Access to Valuator, § 100.
Roll of Ratepayers and Value of Premises to be annually made up and authenticated, § 101.
Commissioners may alter and amend the Roll, § 102.
Notice of Assessments to be given to Ratepayers, § 103.
Appeals against Assessments, §§ 104, 105.
Mode of Recovery of Assessments, §§ 106 to 108.
Application of Assessments and of Sewer Rates, §§ 109 to 111.
Superintendent of Police and Constables, their Appointment, Powers, and Duties; Police Offices, &c., 112 to 123.
Surveyor, Inspector, and Officer of Health, their Appointment and Duties, §§ 124 to 130.
Power to prevent Obstructions in the Streets during public Processions, § 131.
Power to impound and sell stray Cattle, §§ 132, 133.
Penalty for Offences in the Streets, § 134.
Commissioners may make Byelaws for Markets, § 136.
Penalties for Nuisances, §§ 137 to 140.
Measures to be taken in case of Epidemics, § 141.
Commissioners to be the Authority under Nuisances Removal Act, § 144.
Dogs or other Animals, if a Nuisance, to be restrained, § 145.
Penalty on drunken Persons, &c., § 146.
Suppression of Fires and Maintenance of Fire Engines, §§ 147 to 158.
Slaughter-houses, §§ 159 to 165.
Offensive Trades newly established to be subject to Regulation of Commissioners, § 166.
Provision against Sale of adulterated Food, § 167.
Regulations as to Gunpowder, §§ 168 to 172.
Weighing of Articles and Prevention of Frauds, §§ 173 to 179.
Licensing of Hackney Carriages, Carters, and Porters, §§ 180 to 213.
Brokers to be licensed, § 214.
Brokers to furnish a Description of their Premises and keep Books, § 215.
Brokers to retain Articles for Seven Days after having received them, § 216.
Brokers to produce Articles on Demand, § 217.
Pawnbroker to produce his Books on Demand, § 218.
Brokers, &c. to report stolen Goods, under a Penalty for Neglect, § 219.
If stolen Articles be altered or defaced by Broker, he shall be held to be Receiver of stolen Goods, § 220.
Brokers not to carry on Business of Publicans, nor to purchase Tickets of Pawnbrokers, § 221.
Brokers not to take Articles in Pledge, § 222.
Pawnbroker and Broker not to carry on Business in the same Premises, § 223.
Penalty on Brokers transacting Business with Persons under 14 Years of Age, § 224.
Penalty on Brokers transacting Business between certain Hours, § 225.
Penalty on Pawnbrokers, &c. purchasing Tickets issued by Charitable Institutions, § 226.
Brokers to have their Names painted over Shop Doors, § 227.
Brokers and others may detain Persons offering Articles suspected to be stolen, § 228.
Goods or Articles stolen or fraudulently disposed of to be delivered up to the Owners, § 229.
Unclaimed Goods to be disposed of, § 230.
Articles found to be reported and deposited with the Police, § 231.
Penalty on Victuallers entertaining Constables while on Duty, § 232.
Penalty for harbouring Prostitutes or Thieves, § 233.
Penalty on letting Premises to Harbourers of Thieves, &c. § 234.
Vagrants and Beggars to be apprehended and imprisoned, § 235.
Procedure as to Persons sending out Children to beg, § 236.
Beggars and Vagrants to be handed over to the Parochial Authorities, § 237.
Keepers of Lodging Houses for Mendicants to report Persons resorting thereto, § 238.
Penalty for keeping Places for baiting Animals, § 239.
Provisions as to Chain Droppers and Swindlers, § 240.
Bathing Machines and Bathing, § 241.
Cleansing of Streets, Collection and Disposal of Manure, §§ 242 to 257.
Streets to be lighted, §§ 258 to 265.
Precautions during the Construction and Repair of Sewers, Streets, and Houses, §§ 266 to 270.

Surveys and Plans to be prepared by Commissioners, §§ 271 to 276.
Sewers, &c. vested in Commissioners, § 277.
Power to purchase private Sewers, § 278.
Private Sewers, &c. not to be used without Consent, § 279.
Drainage Districts to be formed, § 280.
Provision for Re-arrangement of Drainage Districts on Extension of Limits of Act, § 281.
Power to Commissioners to construct Sewers where none exist, making Compensation to Owners of Property, § 282.
Drains may be made to discharge below High-water Mark, § 283.
Commissioners may alter Sewers, § 284.
Commissioners not to destroy existing Sewers, &c. without providing others, § 285.
Expense of new Sewers, how to be defrayed, § 287.
Penalty for making unauthorized Drains, § 288.
Vaults and Cellars under Streets not to be made without Consent of Commissioners, § 289.
Sewers to be covered with Traps, § 291.
Sewers may be used by Owners and Occupiers of Land beyond Limits of Act, § 292.
Commissioners may construct Drains from Houses, charging Owners with the Expense, § 293.
No House to be hereafter built without Drains being constructed, § 294.
Where Houses are rebuilt, the Level shall be sufficient to allow a Drain to be constructed, § 295.
Notice of Buildings and Rebuildings to be given to the Commissioners, § 296.
Commissioners may signify Disapproval, § 297.
Commissioners may cause Houses built without Notice, or contrary to Provisions of this Act, to be altered, § 298.
If Commissioners fail to signify their Approval, Parties may proceed, § 299.
Commissioners may require Owners of Houses to provide Sinks, Waterclosets, or Privies; Penalties, §§ 300 to 305.
Penalty on Persons making or altering Drains, &c. contrary to Orders of Commissioners, § 306.
Streets; paving and maintaining, forming, naming, and improving, §§ 307 to 317.
Provisions of this Act to extend to Turnpike and Statute Labour Roads, § 318.
Commissioners may contract for Removal of Toll Bars and Assumption of Turnpike Roads as Streets, § 319.
Right to levy Tolls reserved, § 320.
Commissioners may contract with Statute Labour Road Trustees for Assumption of Roads as Streets, § 321.
Turnpike and Statute Labour Road Trustees not to be relieved of Maintenance of Roads, § 322.
Proceedings in case of laying out new Streets, §§ 324 to 332.
Power to widen Streets and purchase Land for Improvements, § 333.
Commissioners may fix Line of new Buildings and remove Projections, §§ 334 to 345.
Power to remove ruinous and dangerous Buildings; Prevention of Fire; and Provisions for Ventilation, §§ 346 to 358.
Regulating Construction of Buildings intended as Places for Public Meetings, §§ 359, 360.
Cellars not to be occupied as Dwellings, §§ 361 to 363.
Power to Commissioners to provide public Clocks, § 364.
Construction of Works by the Commissioners or by Owners or Occupiers, and Appeal to the Sheriff, §§ 365 to 377.
Respecting existing Contracts for building, § 378.
Respecting Contracts for Leases, § 379.
Commissioners to hold and preserve existing Supplies of Water, § 380.
No Erections save Well House West of Bridge of Dee in connexion with Water Supply there, § 381.
Limitation as to Property of the late John Menzies, Esq., § 382.
Limitation of Quantity of Water to be taken from the Dee at Kemhill, § 383.
Power to construct Waterworks and to take Supply of Water from the River Dee at Cairnton, § 384.
Quantity of Water to be taken from the Dee at Cairnton, § 386.
Limiting Quantity to be taken at Kemhill and Cairnton, § 387.
Works to prevent a greater Quantity of Water being taken, § 388.
Commissioners to erect and maintain a Gauge, §§ 389 to 391.
Grating to be erected to prevent Par or Smolts from entering Conduit, § 392.
Diversion of the Line of Conduit in the Estate of Crathes, § 393.
Right of Fishing, &c. in Reservoir on Invercannie reserved, § 394.
Lands to be taken for extraordinary Purposes, § 395.
Three Years for purchasing Land, § 396.
Five Years for completing Works, § 397.
For Protection of the Reservoirs against Accidents, §§ 398 to 406.
Works not required may be disposed of, § 407.
For the Protection of Turnpike and Statute Labour Roads, § 408.
Power to distribute Water, and to maintain Waterworks and public Fountains, § 409.
Supply of Water for domestic Use, § 410.
Payment and Apportionment of Water Rents, §§ 411 to 413.
Supply for other Purposes than domestic or beyond Limits of Act, §§ 414, 415.
Commissioners may cause Communication Pipes to be joined to the Mains, § 416.
Commissioners may make Orders for preventing Waste of Water, § 417.
Penalty for Waste of Water by Non-repair of Pipes, § 418.
Commissioners may let Meters for Hire, § 419.
For ascertaining Quantity consumed by Meter, and for removing Meters, § 420.
Penalties for wrongful Use of Water, §§ 421 to 424.
Water Rents payable in advance, and to be a preferable Debt, § 425.
Recovery of Water Rent, §§ 426, 427.
Wells may be maintained for Supply of Ships, § 428.
Penalty for taking Water for Ships except from such Wells, § 429.
Wells for the Supply of Ships may be let, § 430.
Ships in Her Majesty's Service exempted, § 431.
Exceptions to constant Supply and High Pressure, § 432.
Application of Water Rents, § 433.
Commissioners may resolve to purchase Gasworks, § 434.
Before Resolution is carried into effect, Meeting of Ratepayers to be called, §§ 435 to 437.
Power to enter into Contracts for Purchase of Gasworks, § 438.
Dividend payable by Commissioners to be secured over Gasworks and Gas Rates, § 439.
Appointment of Judicial Factor, §§ 440, 441.
Power to manufacture and supply Gas, §§ 442 to 444.
Commissioners to fix Rates for Gas, § 445.
Mode of Recovery of Rates for Gas, § 446.
Application of Money received for Gas, § 447.
Application of surplus Monies, § 448.
Commissioners may provide Slaughter-houses, § 449.
Places for public Recreation, § 450.
Public Bathing Places and Drying Grounds, § 451.

Proportions of Baths for the Working Classes, § 452.
Charges for the Use of Baths, § 453.
Recovery of Charges for the Use of Wash-houses, &c., § 454.
Publication of Byelaws in regard to Baths, &c., § 455.
Sale of Baths, &c. on discontinuing them, § 456.
Money to be borrowed, 40,000*l.* for general Purposes, 130,000*l.* for Water Supply, § 457.
Borrowing Powers for Purchase of Gasworks, § 458.
Borrowing Powers for the making of Sewers, § 459.
Public Notice to be given before exercising certain borrowing Powers, § 460.
Power to re-borrow, § 461.
Form of Bonds and Assignations, § 462.
Money may be borrowed on Cash Account, § 463.
Saving Priority of Bonds and Assignations granted under recited Act, § 464.
Bonds and Assignations may be transferred by Indorsation, § 465.
Notice of Repayment, § 466.
Power to borrow in anticipation of Assessments, § 467.
Sinking Fund for Waterworks, § 470.
Sinking Fund for Gas Undertaking, § 471.
Sinking Fund for paying off Loans for Construction of Sewers, § 472.
Sinking Fund for paying off Loans for other Purposes, § 473.
Mode of investing Sinking Funds, § 474.
Power to make Byelaws, §§ 475 to 483.
Jurisdiction of Provost and Bailies, § 485.
Police Court and Judges thereof, § 486.
Offences which are not to be taken cognizance of in Police Court, § 487.
In Cases of Theft, &c. Complaint and Conviction to bear that the Value of Articles stolen did not exceed 10*l.*, § 488.
Prosecutors in Police Court, § 489.
Actions to be brought by Prosecutors, § 490.
Bail may be accepted, § 491.
Persons in Custody to be taken before a Magistrate, § 492.
Prisoners may be remanded to find Caution or for further Examination, § 493.
For Recovery of forfeited Bail Bonds and Bonds of Caution, § 494.
Book to be kept for entering Pledges, § 495.
Summary Form of Process to be established, § 496.
Witnesses; Penalties; Imprisonment, &c., §§ 497 to 513.
No Appeal to the Principal Sheriff, § 514.
Proceedings before Magistrate to be final, unless appealed from on certain Grounds, § 515.
Regulations as to Appeals, §§ 516 to 518.
Limitation of Actions in Police Court, § 519.

Cap. cciv.

"The Glasgow Police Act, 1862."

Recites 6 & 7 Vict. c. x., intituled "An Act to consolidate, "amend, and extend the Provisions of several Acts for the "better paving, watching, lighting, and cleansing, and for "regulating the Police of the City of Glasgow and adjoining "Districts, and also for managing the Statute Labour of the "said City, and for other Purposes in relation thereto," by which Act Commissioners were appointed to carry the same into effect; also 9 & 10 Vict. c. cclxxxix., intituled "An Act "to extend the Municipal Boundaries of the City of Glasgow, "to amend the Acts relating to the Police and Statute "Labour of the said City and adjoining Districts, and for "other Purposes in relation to the Municipality and Police "of the said City," by which Act the Powers previously vested in the said Commissioners were transferred to a Committee of the Magistrates and Town Council of the said City; also 19 & 20 Vict. c. lvi., intituled "An Act for "better paving the City of Glasgow, and for other Purposes "in relation to the Statute Labour of the said City;" and that it is expedient that the Provisions of the said Acts relating to the Police and Statute Labour of the said City should be amended and consolidated, and that further Powers should be granted for the Improvement of the said City, and its better Regulation and Government.
Limits of Act, § 2.
Lands Clauses Acts (Scotland), 8 & 9 Vict. c. 19. and 23 & 24 Vict. c. 106. incorporated, § 3.
Interpretation of Words, § 4.
Certain Portions of private Streets to be deemed separate Streets, § 5.
Repeal of former Acts, § 6.
Transfer of Property and Rights of Police and Statute Labour Committee to new Board, § 7.
Rights of Action, Decrees, Agreements, Books, &c. of the Committee transferred to Board, §§ 8 to 16.
Powers of River Bailie and of Clyde Trustees and their Byelaws reserved, §§ 17, 18.
Saving Rights of Canal Companies, § 19.
Powers of Board, § 20.
Constitution of Board; Supply of Vacancies; Meetings; Chairman, &c., §§ 21 to 36.
Parts of Commissioners Clauses Act incorporated, § 37.
Accounts and Audit, §§ 38 to 43.
Assessments:—1. Statute Labour Assessment; 2. Police Assessment; Mode of Valuation; Assessment on Keepers of Horses; Appeals; Recovery of Assessments; Appropriation of Assessments, §§ 44 to 66.
Power to borrow on Mortgage of Rates, § 67.
Power to grant Annuities; Sinking Fund, §§ 68 to 71.
Officers to be appointed by Board and by Town Council of Glasgow; Compensation to Town Clerks, §§ 72 to 76.
Appointment of Chief Constable by Magistrates and Sheriff, §§ 77, 78.
Chief Constable to appoint subordinate Officers, §§ 79 to 82.
Provision for securing Efficiency of Discipline; Power of Dismissal; Salaries, §§ 84 to 86.
Appointment of Special Constables, §§ 87 to 89.
Powers and Duties of Constables; Penalties, §§ 90 to 103.
Police Courts; Powers and Duties of the Officers attending them; Penalties, &c., §§ 104 to 114.
Jurisdiction of and Procedure before Magistrates, and Enforcement and Review of their Sentences, §§ 115 to 144.
Offences against good Order, and Punishment thereof, §§ 145 to 157.
Offences in Turnpike Roads, Streets, Courts, and Common Stairs, § 158.
Offences against Acts relating to Public Houses, § 159.
Prevention and Suppression of Fires, §§ 160 to 170.
Provisions as to Certificates and Licences for certain Occupations and Trades, § 171 to 189.
Regulations as to Weights and Measures; as to Sale and Delivery of Coal, §§ 190 to 202.
Pawnbrokers and general Brokers; Regulations and Penalties, §§ 203 to 207.
As to Sale and Storage of Fireworks and Gunpowder, §§ 210 to 221.
Licensing and Regulation of Stage and Hackney Carriages, 222 to 247.
Byelaws as to Porters, public Carters, and Chimney Sweeps, § 248.

Prevention and Removal of Nuisances; Inspectors of Lodging Houses; Execution of Powers of the Nuisances Removal Act (Scotland), §§ 249 to 270.
Penalties for Exposure or Sale of unwholesome or adulterated Food, § 271 to 276.
Jurisdiction of and Procedure before the Dean of Guild, §§ 277 to 282.
Powers and Duties of Master of Works, §§ 282, 283.
Formation, Improvement, and Maintenance of Streets and Courts; Removal of Turnpike Gates; naming and numbering of Houses; laying of Tramways, &c., §§ 284 to 331.
Construction and Repair of public and private Sewers; Contamination of Streams, §§ 332 to 347.
Cleansing of Streets, Courts, &c.; Removal of City Manure, &c., §§ 348 to 362.
Lighting of the City and Turnpike Roads within the same, §§ 363 to 368.
Erection, Alteration, and Use of Buildings, §§ 369 to 395.
Public Baths and Wash-houses; Regulations as to Erection and Maintenance, §§ 396 to 400.
Procedure; Forms of Notice; Claims of Relief of Proprietors, Occupiers, and other Persons; Recovery of Damages; Byelaws, §§ 401 to 422.
Offences against the Glasgow Markets and Slaughter-houses Act, 1850, to be tried as Police Offences, § 423.
Power to Magistrates and Council to make Byelaws for Regulation of Glasgow Green, § 424.
Act to continue in force for Five Years only, § 426.

Cap. ccv.

"The Salford Improvement Act, 1862."

Recites that under "The Salford Improvement Act, 1830," and "The Salford Improvement Act, 1844," certain Commissioners thereby constituted were empowered to improve and regulate the Township of Salford, in the County of Lancaster, and to establish Gasworks and Markets there; that by a Charter of Incorporation, dated the 16th April 1844, the Inhabitants of the Township of Salford and Part of the Township of Broughton were incorporated by the Name or Title of "the Mayor, Aldermen, and Burgesses of the Borough of Salford, in the County of Lancaster," and under the Authority of the last-mentioned Act the Properties and Powers of the Commissioners were vested in the Corporation; that by "The Salford Waterworks and Improvement Act, 1850," Powers were given to the Corporation of Salford to purchase Water from the Corporation of Manchester, and to distribute the same within the Borough, and to levy and receive Rates and Rents in respect thereof, and to make Improvements within the Borough; and by "The Salford Extension and Improvement Act, 1853," the Remainder of the Township of Broughton, the Township of Pendleton, and Part of the Township of Pendlebury were added to and now form Part of the Borough of Salford, and the Borough was divided into Three Districts, called respectively "the Salford District," "the Broughton District," and "the Pendleton District," and the Corporation were authorized to purchase a further Quantity of Water from the Corporation of Manchester, and to supply Water within the Pendleton District as well as within the then Borough; that by "The Salford Gasworks Act, 1859," further Provisions were made in respect to the Supply of Gas by the Corporation of Salford and the Profits accruing therefrom; and that under the Provisions of the said Acts for the Improvement, Government, and Regulation of the Borough of Salford the Corporation of Salford have borrowed considerable Sums of Money, and the total Amount due by them upon their various Securities amounted, on the 31st August 1861, to the Sum of 111,778*l.*; that the Powers and Provisions of the last-mentioned Acts are insufficient, and it is expedient that the same be enlarged, and that the Corporation be empowered to raise additional Monies; that such other Powers and Provisions in reference to the Borough be enacted as are by this Act provided; and that the recited Acts be repealed and in part re-enacted; also that by "The Manchester Division Stipendiary Justice Act, 1854," Provision was made for the Sittings of the said Justice, and it is expedient to amend such Act in respect to such Sittings.
Interpretation of Terms, §§ 4 to 6.
Repeal of Acts of 1830, 1844, 1850, 1853, 1859, § 7.
Saving of Rights, Contracts, Byelaws, &c. of Corporation under repealed Acts, §§ 8 to 17.
Certain Sections of repealed Acts reserved, § 18.
Limits of Borough; Division into Wards; Constitution of Council, §§ 19 to 27.
Powers and Proceeding of Council, Officers, &c., §§ 28 to 35.
As to Waterworks and Water Supply; Rents for Water; Fire-plugs; Meters; Recovery of Water Rents, §§ 36 to 80.
Powers of Corporation to supply Gas; Limits of Supply; Quality and maximum Price of Gas; Recovery of Gas Rents; Penalties, 81 to 103.
Markets; Fairs and Slaughter-houses; Chancellor and Council of the Duchy of Lancaster authorized to sell the Rights of holding Markets, § 104.
Powers of Council in respect to Markets; Tolls for Slaughter-houses; Penalties, §§ 105 to 119.
Regulations as to Weighing Machines, §§ 120 to 127.
Powers of the Act, 22 & 23 Vict. c. 56. extended to the Borough, § 128.
Payment and Recovery of Tolls and Stallages for Use of Markets; Byelaws, §§ 129 to 138.
Public Sewers and House Drainage, §§ 139 to 151.
Regulations as to Construction of Buildings, §§ 152 to 155.
As to Lodging Houses and Cellars, §§ 156 to 160.
Byelaws may be made by Corporation with respect to Streets, Buildings, &c., § 161.
Corporation to be Surveyors of Highways, § 162.
As to paving and sewering of Streets; Projections and Obstructions, §§ 163 to 197.
Revision and Execution of Works ordered by Corporation or required by this Act, and Recovery of Charges and Expenses, §§ 198 to 207.
Cleansing and scavengering, §§ 208 to 219.

220. And whereas the River Irwell passes through and adjoins the Borough, and the free Flow of the Water on the River is impeded and obstructed by certain Erections and Obstructions upon or by the Sides thereof, and by large Quantities of Rubbish and other solid Substances being cast or permitted to fall or flow into the same, and the sanitary Condition of the Borough may eventually become injuriously affected thereby: Be it enacted, That every Person who shall after the Commencement of this Act within the Borough construct or erect any Dam, Weir, or other Erection across or in or upon the River Irwell, or make or cause any Obstruction therein, or extend, add to, or increase any Erection or Obstruction heretofore erected or existing, whereby the Flow of Water shall be obstructed or any Nuisance created, shall for every such Offence be liable to a Penalty not exceeding 50*l.*, and to a further Penalty of 10*l.* for every Day during which the Offence shall continue; and such Person shall, within One Month after Notice from the Corporation so to do, take down and remove such Erection or Obstruction, or such Part thereof as shall have been erected, created, and made after the Commencement of this Act.

221. All Erections or Obstructions which respectively impede the free Flow of Water shall, within One Month after Notice from the Corporation to the Owner or Occupier, or the Person claiming or having the Benefit thereof, requiring such Erection or Obstruction to be taken down and removed, be taken down and removed accordingly, and every Person refusing to comply with such Notice or offending against the Provisions in this Section contained shall for every Offence be liable to a Penalty not exceeding 50*l.*, and to a further Penalty of 10*l.* for every Day during which such Offence shall continue; and the Corporation may take down and remove or demolish such Erection or Obstruction, or such Part thereof as they shall deem expedient, and recover the Expenses incurred thereby from such Person: Provided always, that no such Erection or Obstruction to which any Person may have before the Commencement of this Act acquired a legal Right shall be taken down, demolished, or removed without Compensation being made for any Damage or Injury which the Owner or Occupier, or the Person claiming or having the Benefit thereof respectively, may sustain, the Amount of such Compensation in case of any Disagreement respecting the same to be ascertained and settled in the Manner herein provided for the Settlement of Disputes as to Compensation.

222. The Corporation may from Time to Time remove all Rubbish and other Materials, Matters, and Things which have fallen, flowed, or been cast into the River within the Borough: Provided always, that nothing in this Act contained shall be held or construed to authorize the Corporation to do any Act which may injure or prejudicially affect any Bridge over such River.

223. All Costs, Charges, and Expenses incurred by the Corporation incidental to the several Things authorized to be done in relation to the River Irwell shall be paid out of the Borough Fund of the Borough.

224. In order to prevent Encroachments on the River Irwell within the Borough and to secure Regularity in the Banks thereof, the Corporation may at any Time within Six Months after the Commencement of this Act cause a Survey of the said River to be made all along its Course through or adjoining the Borough, and a Plan to be prepared showing the Width of the River and the Property immediately adjoining thereto, together with such other Particulars as the Corporation may think fit, and the Corporation may define and describe upon such Plan what shall be the Boundaries of the River, and no Person shall build any Wall or other Structure which shall project into the River as so defined, save such Structures as are or shall be authorized by Act of Parliament, and such as are herein-after mentioned, and such Plan shall be lodged at the Town Hall, and shall be accessible to the Inhabitants of the Borough at all reasonable Times: Provided always, that the Corporation shall, within One Month after the Completion of the said Survey and Plan, give notice thereof to the Right Honourable the Lord Egerton of Tatton, and to William Legh Clowes, Esquire, of Broughton Hall in the said Borough, who are respectively Owners of Lands adjoining the said River, or their respective Heirs and Assigns, and shall also give public Notice thereof by Advertisement in Two Newspapers circulating in the Borough; and if within One Month from the Service and Publication of such Notice the said Lord Egerton of Tatton or the said William Legh Clowes, or their respective Heirs or Assigns, or the Owners of Lands adjoining such River to the Extent in the whole of One Mile in Length, shall give Notice that they are not satisfied with the Boundaries of the River as so defined, the Board of Trade may and they are hereby required, on Application of the Corporation or of the said Lord Egerton of Tatton or William Legh Clowes, Esquire, or their respective Heirs or Assigns, or such Landowners, to appoint some Person to inquire into the Matter, and to ascertain and define the Boundaries of the River, for which Purpose such Person shall have Power to hear the Corporation or such Landowners by their Counsel, Agents, or Witnesses, and to call for Books or Documents in the Possession of such Landowners or the Corporation, and to examine Witnesses on Oath and to administer the Oaths necessary for that Purpose; and the Boundaries of the River which shall be defined by such Person shall thenceforth be and be deemed to be the Boundaries of the River; and the Costs of such Inquiry shall be in the Discretion of the Arbitrator.

225. If any Building or Erection, save as aforesaid, be begun to be put up, built, or erected in the River as defined on such Plan, the Offender shall be liable to a Penalty not exceeding 20*l.*, and shall, within Seven Days after Notice in Writing from the Corporation requiring him so to do, cause such Building or Erection to be taken down or altered to the Satisfaction of the Corporation.

226. Every Person who shall cast, deposit, or put, or permit or suffer to be cast, deposited, or put, or cause to fall or flow, into the River within the Borough, any Earth, Cinders, Ashes, Filth, Offal, Carrion, Fish, Rubbish, or refuse Materials, shall for every such Offence be liable to a Penalty not exceeding 20*l.*, upon the Information or Complaint of or by or by the Direction of the Corporation, or of or by or by the Direction of the Company of Proprietors of the Mersey and Irwell Navigation, or their principal Agent for the Time being: Provided always, that this Section shall not be deemed to extend or apply to any Works or Operations of the Company of Proprietors of the Mersey and Irwell Navigation, or to any Matter or Thing which may unavoidably fall into the River during the Progress of any Works in relation to the Repair or Reconstruction of the Walls or Banks of such River, or to prohibit any Rights of Sewerage or Drainage existing before the Commencement of this Act or authorized by this Act.

227. No Person shall be liable to any Penalty under this Act for any Erection or Obstruction across or in or upon the River for the Purposes of repairing or reconstructing the Walls or Banks of such River, or for any other temporary Purpose, and every Person who shall make any such Erection or Obstruction shall, as soon as practicable after the Completion of the Work for which the same shall have been made, remove such Erection or Obstruction, and in default the Corporation may remove the same, and recover the Expenses from such Person: Provided always, that the Corporation shall not be empowered to take down or remove any present or future Erection or Obstruction which, but for the passing of this Act, any Person would have had a legal Right to construct in the said River, without making full Compensation to such Person for all Damage or Injury he may sustain.

Furnaces to consume their own Smoke, §§ 228 to 230.
Public Parks; Power to purchase Land for Extension of Peel Park or for Formation of new Parks, § 231.
Expenses to be paid out of Borough Fund, § 232.
Byelaws as to Park, § 233.
Management of Park vested in Museum Committee, § 234.
Washing-houses and Drying Grounds; public Clocks, §§ 235, 236.
Appointment and Duties of Constables, §§ 237 to 244.
Restoration of Goods unlawfully sold or pawned, §§ 245 to 249.
Obstructions in the Streets; Routes of Stage Carriages, &c., §§ 250, 251.
As to impounding Cattle, §§ 252, 253.

Public Offences and Annoyances in the Streets; Penalties on Drivers of Carts; Fireworks; Street Musicians; Drunkenness, &c., §§ 254 to 269.
Powers of Corporation for preventing and extinguishing Fires, §§ 270 to 281.
Regulations respecting Public Houses and Places of Public Resort, §§ 282 to 289.
Hackney Carriages; Porters; Chairs, &c., §§ 290 to 324.
Corporation may make Byelaws for Regulation of Pleasure Boats on the Irwell, § 325.
Licensing of Brokers, §§ 326 to 336.
Sale of Gunpowder, § 337.
Extension of 23 & 24 Vict. c. 84. concerning adulterated Food to Borough, § 338.
Power to Corporation to purchase by Agreement and sell Lands for Purposes of Act; Lands Clauses Act incorporated, §§ 339 to 346.
Rates; Estimates for each District to be made; Power to levy District Rates; Exemptions; Domestic Water Rate to be levied; Owners may be rated in certain Cases; Recovery of Rates; Appeals, §§ 347 to 382.
Borrowing Powers; Money may be raised on Credit of Rates; Sinking Fund; Regulations as to Mortgages, §§ 383 to 405.
Provision for District Property becoming Borough Property, § 406.
As to Mode of Payment and Application of Money to Purposes of Act, §§ 408 to 416.
Power to make Byelaws, §§ 417 to 422.
As to Settlement of Disputes; Compensation for Damage, &c., §§ 423 to 427.
Appeals; Service of Notices, &c., §§ 428 to 435.
Saving Rights of Crown, of Corporations of Manchester and Salford, of Mersey and Irwell Navigation Company, of Railway Companies, and Trustees of Turnpike Roads, §§ 436 to 441.
Schedules:—
A. Sections of repealed Acts reserved.
B. Market Tolls, Stallages, &c.
C. to L. Forms of Mortgages, Rates, Warrants, Conveyances, &c.

Cap. ccvi.

"The East Gloucestershire Railway Act, 1862."

Recites that the making and maintaining Railways from Cheltenham to Faringdon and to Bourton-on-the-Water would be of public and local Advantage; and that it is expedient that the Great Western Railway Company and the West Midland Railway Company be authorized to subscribe towards the Funds of the Company, and to appoint Directors of the Company, and to enter into Agreements, as herein-after provided.
Incorporation of Consolidation Acts, § 2.
Company incorporated, with Share Capital of 600,000*l.*, and Power to borrow 200,000*l.*, §§ 4 to 8.
Meetings; Directors, &c., §§ 10 to 16.
Three Years for compulsory Purchase of Lands, § 18.
Company to acquire only Easements in Land of the Faringdon and Bourton-on-the-Water Railway Companies, § 20.
Power to execute Works, §§ 21, 22.
Power to alter Engineering Works, § 23.
Level Crossings, §§ 24 to 27.
Gauge of Railway, § 29.
Junctions with other Railways, §§ 30 to 32.
Five Years for Completion of Railway, §§ 33 to 34.
Tolls, §§ 35 to 45.
Company empowered to run over the Lines of the Faringdon and Bourton Railway Companies, §§ 46, 47.
Company to afford Facilities for Traffic of those Companies, §§ 48, 49.
Agreement with those Companies confirmed, § 50.
Power to make other Agreements with Companies above named, §§ 52 to 58.
Great Western and West Midland Companies may subscribe 450,000*l.* to Company's Capital, and may guarantee Interest on their Shares, §§ 59, 60.
Regulations as to voting at Meetings, §§ 61 to 65.
Subscribing Companies may raise new Capital by Shares bearing preferential Dividend of Five per Cent., §§ 66, 67.
Disposal of new Shares, §§ 70 to 75.

81. All the Powers given by this Act shall be conditional on the Company obtaining from Parliament, in the Year 1863, Power to make an Extension of the Line into Cheltenham, North or South of the Lines Nos. 1 and 2 proposed in the present Session; and if such Extension shall not be sanctioned, all the Powers granted and Conditions sanctioned by this Act shall absolutely cease and determine, and the said Sum of 48,000*l.* deposited as aforesaid, or the Stocks, Funds, or Securities in or upon which the same may have been invested, and the Interest or Dividends thereof, shall, on the Application of the Person or Persons named in the Warrant or Order lodged in pursuance of the said Act of the 9th and 10th Victoria, Chapter 20, or the Survivor or Survivors of them, or the Majority of such Persons, be transferred or repaid according to the Powers and Provisions of that Act, as if this Act, or the Bill upon which this Act is founded, had been withdrawn or not allowed to proceed.

Schedule (Agreement between the Company and the Great Western and West Midland Companies).

Cap. ccvii.

"The East Grinstead, Groombridge, and Tunbridge Wells Railway Act, 1862."

Recites the Expediency of making a Railway from East Grinstead to Groombridge in the County of Sussex, of enabling the Company and the London, Brighton, and South Coast Railway Company and the South-eastern Railway Company, or One of them, to enter into Contracts and Agreements with respect to the Working, Use, Management, and Maintenance by the Company and such other Companies, or either of them, of the Railway, and with respect to the Payment and Contribution by and between the Companies Parties to any such Contracts or Agreements, or any or either of them, towards the Costs, Charges, and Expenses of such Working, Use, Management, and Maintenance.
Consolidation Acts incorporated, § 1.
Incorporation of a Company, with Share Capital of 75,000*l.*, and Power to borrow 25,000*l.*, §§ 4 to 10.
Meetings; Directors, &c., §§ 11 to 18.
Power to make and alter Works, Stations, &c., §§ 19 to 24.
Communications with East Grinstead and other Railways, §§ 25 to 35.
Three Years for compulsory Purchase of Lands, § 36.
Five Years for Completion of Works, §§ 37, 38.
Tolls, §§ 39 to 47.
Regulations as to Interference with Surrey and Sussex Roads, §§ 49 to 58.
Power to make Working Arrangements with London, Brighton, and South Coast and South-eastern Companies, §§ 59 to 66.

Cap. ccviii.

"The London and North-western Railway (Additional Powers) Act, 1862."

Recites that it is expedient that the London and North-western Railway Company should be empowered to construct certain new Railways and Works in order to connect the Company's Railways with certain other Railways and with Ironworks and other Undertakings, also to stop up and to divert certain public Roads, and to purchase some additional Portions of Land; that it is also expedient that the Company and the Cheshire Midland Railway Company should be empowered to enter into and carry into effect Agreements with reference to the Construction by the said Companies or either of them on the Lands now or hereafter belonging to them or either of them of a Station or Stations at Knutsford for the Use of the Two Companies jointly, or of each or either of the Two Companies separately, and with reference to the Management, Working, Maintenance, and Use of the said Station or Stations or any of them, and the Cost thereof, and that the Agreement between the Two Companies, a Copy of which is contained in Schedule (D.) to this Act, should be confirmed; and that it is also expedient that the Fifth and Sixth Sections of "The London and North-western Railway (Additional Works) Act, 1858," relating to the Construction by the Company of certain Works in the Boroughs of Manchester and Salford, should be repealed, and that the Company should be empowered to stop up and discontinue as a Thoroughfare the Footpath in the said Sections mentioned in lieu of which such Works were directed to be made; that by the 293d Section of 7 & 8 Vict. clxv., authorizing the Construction of the Chester and Holyhead Railway, it is provided that the Bridge for carrying that Railway over the River Foryd shall be a Drawbridge, and that a prescribed Depth of Water shall be maintained in the said River or Parts thereof; that the Traffic upon the said River is extremely unimportant, and there is no Necessity for maintaining the said Bridge as a Drawbridge, and for retaining the prescribed Depth of Water in the said River, but the Retention of the said Bridge as a Drawbridge is attended with Danger to the Traffic on the said Railway, and it is therefore expedient that the recited Provision should, subject as herein-after mentioned, be repealed; that it is also expedient that so much of "The Midland Railway (Burton Branches) Act, 1860," as prohibits the Use across the Roads referred to in Section 34 of that Act of the Railways therein described as "Connexion Railway, No. 1," and "Connexion Railway, No. 2," with Engines or Carriages drawn or propelled by Steam or Atmospheric Agency, or drawn by Ropes in connexion with Stationary Engines, or otherwise than by ordinary Animal Traction, should be repealed; also that the Company on the one hand, and the Monmouthshire Railway and Canal Company on the other hand, should be empowered to enter into and carry into effect Arrangements and Agreements with reference to the Use by the Company of the Undertaking or any Part thereof of the Monmouthshire Railway and Canal Company, and with reference to the Transmission of Traffic upon and over the Railways or any Parts thereof of the Companies Parties to any such Agreement, and to the Interchange of Traffic between their respective Railways, and to the dividing and apportioning between such respective Companies of the Tolls, Rates, and Charges arising from such Traffic; that the Company, the Great Northern Railway Company, and the Manchester, Sheffield, and Lincolnshire Railway Company respectively have acquired certain Lands, and are empowered to acquire certain other Lands, in the Township of Wavertree and Parish of Childwall, in the County of Lancaster, for the Purposes of Station and other Accommodation, and a more convenient Arrangement of the Premises of the respective Companies might be effected if the said respective Companies were empowered to transfer the one to the other, or to make Exchanges of some of the Lands so acquired or to be acquired by them respectively; that the Undertaking of the Cannock Mineral Railway Company is, under the Authority of Parliament, agreed to be leased to the Company in consideration of a fixed annual Rent, and it is expedient that Provision be made for converting such Rent into fixed Annuities, or for redeeming the same by the Creation and Issue of Stock in the Company bearing a fixed perpetual preferential Dividend, or for empowering the Company to distribute by their own Officers and Servants the said Rent rateably amongst the Holders of Shares in the Capital of the Cannock Mineral Railway Company, and for enabling the Company to keep the Register of Shareholders in such Capital; that the Holders of Shares in the Stour Valley Railway are entitled to receive from the Company a Dividend in a certain Proportion to the Dividend payable on the ordinary Stock of the Company, and it would be convenient if Provision were made for the Conversion into ordinary Stock of the Company of the Shares or Stock in the Capital of the Stour Valley Railway Company; also that the Company should be empowered to raise further Capital, and that their Powers in relation to their Debenture Stock and the Rights of the Holders thereof should be amended; that by "The Nuneaton and Hinckley Railway Act, 1859," a Company was incorporated by the Name of the Nuneaton and Hinckley Railway Company, with Power to construct the Railway and Works in that Act mentioned, and Powers were granted for enabling the Nuneaton and Hinckley Railway Company and the Company to enter into Agreements for the Use and Working by the Company of the Railway or any Part thereof of the Nuneaton and Hinckley Railway Company, and for other Purposes in relation thereto; that by "The Nuneaton and Hinckley Railway Extension Act, 1860," the Name of the Nuneaton and Hinckley Railway Company was changed to "The South Leicestershire Railway Company, and their Railway was called "The South Leicestershire Railway," and they were empowered to make the Railway and Works in that Act mentioned, which were thereby declared to form Part of their Undertaking; that under the Provisions of "The Nuneaton and Hinckley Railway Act, 1859, the Company and the South Leicestershire Railway Company have entered into an Agreement for the Use and Working by the Company of the South Leicestershire Railway; that the Company and the South Leicestershire Railway Company are desirous that an Alteration should be made in the Line of Railway authorized by "The Nuneaton and Hinckley Railway Extension Act, 1860," and that a Portion of that Railway as at present authorized should be abandoned.

Incorporation of Consolidation Acts, § 2.

Power to take Lands and to make Railways, §§ 4, 5.

Power to cross a certain Road on the Level on certain Conditions, §§ 6 to 9.

Power to alter Engineering Works, § 10.

Power to make an Embankment at Holyhead, § 11.

Lands and Water Frontage in the Inner Old Harbour of Holyhead not to be vested in the Company, but same may be leased to the Company by the Admiralty, § 12.

Saving existing Rights of Parties in respect of Foreshore in Old Harbour of Holyhead, § 13.

Before Commencement of Works affecting Harbour at Holyhead, Plans, &c. to be deposited at Admiralty, § 14.

Admiralty may order local Survey, § 15.
Works abandoned or suffered to fall into Decay may be removed by Admiralty, § 16.
Power to make Deviations in certain Roads, § 17.
Power to discontinue level Crossing at Holyhead, § 18.
Lands to be purchased by Compulsion within Two Years, § 19.
Five Years for Completion of Works, §§ 20, 21.
As to Lands forming Part of Wormholt Scrubbs, § 22.
Company may maintain a Tramway across the Road from St. Helen's to Newton, § 23.
Footbridge across Holyhead Station, § 24.
Abandonment of Part of Line from Chelford to Knutsford; Compensation, §§ 25, 26.
Arrangements with respect to Station at Knutsford, § 27.
Confirming Agreement between the Company and the Cheshire Midland Railway Company, § 28.
Communications with Cheshire Midland Railway, §§ 29 to 32.
Power to discontinue certain Footpaths, § 33.
Repeal of Provisions in "The London and North-western Railway (Additional Works) Act, 1858," with respect to the Construction of Works in Manchester and Salford, § 34.
Repeal of Provisions of 7 Vict. c. lxv. (Chester and Holyhead Railway Act), with reference to the River Foryd, § 35.
Any Land reclaimed by the Works not to be taken without the Consent of the Commissioners of Woods, &c., § 36.
Repeal of certain Provisions of "The Midland Railway (Burton Branches) Act, 1860," with respect to level Crossings, § 37.
Agreements with Monmouthshire Railway and Canal Company and Taff Vale Railway Company, §§ 38 to 42.
In case Agreements entered into with London and North-western Company, same not to operate until like Facilities granted to West Midland Railway Company, § 43.
Agreements with the Great Northern and Manchester, Sheffield, and Lincolnshire Companies with respect to Sale and Exchange of Lands at Edge Hill, § 44.
Power to create Annuities in lieu of Rent payable to the Cannock Mineral Railway Company, § 45.
Regulations as to Granting, Payment, and Registration of Annuities, §§ 46 to 56.
Company and Cannock Mineral Company may agree for Redemption of Rent in consideration of Grant of Preference Stock, § 57.
Company may create Stock, § 58.
New Stock to be assigned to Holders of Shares in the Cannock Mineral Railway, § 59.
Saving Rights of Holders of existing Preference Shares, § 60.
Power to agree for the Retention of Part of Rent for Payment of Interest on Debenture Debt of Cannock Mineral Railway Company, § 61.
In the event of Annuities not being granted, the Company may pay the Rent to the Shareholders in the Cannock Mineral Railway rateably, § 62.
Power to convert Stour Valley Railway Stock into Stock of the Company, § 63.
As to Shares in the Stour Valley Railway Company held by Birmingham Canal Company, § 64.
Provision with respect to Debenture Stock, § 65.
Power to raise additional Capital of 180,000*l.*; Regulations as to the same, §§ 66 to 70.
Power to borrow on Mortgage, 60,000*l.*, § 71.
Former Mortgages to have Priority, § 72.
Power to apply Corporate Funds to Purposes of this Act, § 73.
Power for South Leicestershire Railway Company to make Deviation Railway according to deposited Plans, § 74.
Description of Deviation Railway, § 75.
Lands to be purchased for same within Two Years, § 76.
Three Years for Completion of Deviation Railway, § 78.
Level Crossing, §§ 80 to 83.
Application of Money by South Leicestershire Railway Company, § 84.
Abandonment of Part of authorized Line of South Leicestershire Railway, § 86.
Compensation, § 87.
Saving Rights of Her Majesty's Principal Secretary of State for the War Department, § 91.
Saving Rights of the Crown, § 92.
Schedules (Forms; Heads of Agreements).

Cap. ccix.

"Merthyr, Tredegar, and Abergavenny Railway (Leasing) Act, 1862."

Recites that it is expedient to enable the Merthyr, Tredegar, and Abergavenny Railway Company to lease their Railway to the London and North-western Railway Company.
Power to lease Railway to London and North-western Railway Company, § 2.
Terms, &c. of Lease, § 3.
Effect of Lease, § 4.
Application of Rents on Lease, § 5.
The London and North-western Railway Company to book, &c. Through Passengers, Goods, &c. on West Midland Railways, § 7.
As to laying down Second Line of Rails on Merthyr Railway, § 8.
Power to West Midland Railway Company to use the Merthyr, Tredegar, and Abergavenny Railway when Line doubled; Restriction thereon, §§ 9, 10.
Arbitration Clause, § 11.
Schedule (Articles of Agreement between the Companies).

Cap. ccx.

"The Mid-Sussex and Midhurst Junction Railway (Sale or Lease) Act, 1862."

Recites that by "The Mid-Sussex and Midhurst Junction Railway Act, 1859," the Mid-Sussex and Midhurst Junction Railway Company were incorporated for making a Railway from the Coultershaw Branch of the Mid-Sussex Railway to the Town of Midhurst in the County of Sussex, with Power to raise a Capital of 70,000*l.*, to be divided into 7,000 Shares, the Amount of each Share to be 10*l.*, with the Power of borrowing 20,000*l.*; and that by "The Mid-Sussex and Midhurst Junction Railway Act, 1860," the Company were authorized to divert a Portion of their said Railway; that the Company are proceeding with the Construction of the said Railway, which will soon be completed, and have raised Money for that Purpose; that a certain Notice, dated the 5th January 1860, has been given by the Company to treat for the Purchase of certain Lands belonging to the Earl of Egmont in the Parishes of Selham, Easebourne, and South Ambersham, which Lands the said Earl objects to the Company taking, as inconsistent with a subsisting Agreement between the said Earl and the Company, and which Notice therefore it is expedient to rescind, the Company making Compensation in respect thereof; that for the Purpose of enabling the Company to carry into effect the said Agreement, it becomes necessary to purchase certain other Lands belonging to the said Earl, the Power to purchase which has in the said last-mentioned Act been omitted by Mistake; and also to extend the Period granted by the said Acts for

the Purchase of Lands and the Completion of the Works thereby authorized; and that it is also expedient that a Sale, Transfer, or Lease of their Undertaking be authorized by the Company to the London, Brighton, and South Coast Railway Company upon such Terms and Conditions as may be agreed upon between the Two Companies.

Incorporation of Consolidation Acts, § 2.
Company not to deviate on Lord Egmont's Land, § 4.
Extension of Six Months for compulsory Purchase of Lands; One Year for Completion of Works, § 6.
Notice to treat for Lands of Lord Egmont annulled; Compensation to be made, §§ 7, 8.
Power to sell Undertaking to London, Brighton, and South Coast Company, §§ 10, 11.
Contracts, Rights, and Liabilities reserved, §§ 13 to 15.
London, Brighton, and South Coast Company may apply their Capital to purchase, § 16.
Power to lease Railway to Brighton Company; Effect and Conditions of Lease, §§ 18 to 25.

Cap. ccxi.

"The West Riding and Grimsby Railway Act, 1862."

Recites that it is expedient to authorize the Construction of a Railway from the Bradford, Wakefield, and Leeds Railway at Wakefield to the South Yorkshire Railway at Barnby-upon-Don, and of certain Branch Railways, to be called "The West Riding and Grimsby Railway," and to permit certain other Companies to maintain and work the same.
Incorporation of Consolidation Acts, § 1.
Incorporation of Company with Share Capital of 360,000*l.*, and Power to borrow 120,000*l.*, §§ 3 to 7.
Meetings; Directors, &c., §§ 8 to 13.
Power to make Railways; Description of Works, §§ 14 to 16.
For Protection of Lancashire and Yorkshire Railway, §§ 17, 18.
Power to alter Engineering Works, § 19.
Level Crossings, §§ 20 to 23.
Communications with other Railways, §§ 26, 27.
Protection of Barnsley Canal Bridge over River Dun, §§ 28 to 30.
As to Streets in Wakefield, § 31.
Three Years for compulsory Purchase of Lands, § 33.
Five Years for Completion of Works, § 34.
Power to use Railways of other Companies, §§ 35 to 37.
Communications and Interference with Midland Railway, §§ 38 to 44.
Protection of Glebe Lands of Duchy of Lancaster, §§ 45 to 47.
Tolls, §§ 49 to 57.
Confirming Agreements with South Yorkshire and River Dun Company, and Manchester, Sheffield, and Lincolnshire Railway Company, §§ 58, 59.
Power to enter into Traffic Arrangements with last-named Companies, §§ 60 to 67.
Schedule (Heads of Agreements with Companies above named).

Cap. ccxii.

"The Dovey Reclamation Act, 1862."

Recites that there is within and near to the Estuary of the River Dovey, in the Counties of Cardigan and Merioneth or One of them, a large Tract of Land over the whole or the greater Part of which the Tide now flows, and which is in its present State incapable of Cultivation; that the Reclamation of that Tract of Land and the bringing of it into Cultivation would be of local and public Advantage; and certain Persons in this Act named are willing at their own Expense to undertake the Reclamation of that Tract of Land; that Part of the Works by this Act authorized to be made and maintained by the Company are near to Works which the Aberystwith and Welsh Coast Railway Company are authorized to make and maintain, and some of the Works of the Railway Company might, at a slightly increased Expense, be so constructed as to be of great Benefit to the Undertaking of the Company, and it is expedient that such Powers of Subscription to the Capital of the Railway Company as are herein-after contained should be conferred upon the Company.

Incorporation of Companies Clauses and Lands Clauses Acts, § 2.
Dovey Reclamation Company incorporated with Capital of 110,000*l.*, and Power to borrow on Mortgage 33,000*l.*, §§ 4 to 9.
Meetings; Directors, &c., §§ 10 to 15.
Company to make Compensation for Lands taken or injuriously affected, § 16.
Works not to be proceeded with until Plans of all Alterations authorized by Parliament deposited, § 18.
Clerks of the Peace, &c. to receive Plans of Alterations and allow Inspection, § 19.
Copies of Plans, &c. to be Evidence, § 20.
Power to take Lands for Purposes of Act, § 21.
Five Years for compulsory Purchase of Lands, § 22.
Seven Years for Completion of Embankment, § 23.
Purchase of Lands and of Easements by Agreement, §§ 24, 25.
Power for incapacitated Persons to sell Easements, § 26.
Power to make Works authorized by Act, §§ 27 to 29.
Power for Company to reclaim Lands, § 30.
Consent of Commissioners of Woods and Forests to Works on Land below High-water Mark, § 31.
Admiralty Provisions, §§ 32 to 36.
Company not to interfere with Drainage of adjoining Lands, § 37.
Company to make Roads to Embankment in continuation of existing Roads, § 38.
Parishes in which Reclaimed Lands are to be deemed situate, § 39.
Lands vested in Company for Purposes of Act, § 40.
Company to have no Property in Seashore, Seaweeds, or Shells, § 41.
Power for Company to dispose of Lands, § 42.
Disposal of superfluous Lands, § 43.
Commissioners to be appointed for maintaining Embankments, § 44.
Chairman to be appointed, § 45.
Officers to be appointed, § 46.
How Expense of Salaries to be provided for, § 47.
How Contributions to be assessed, § 48.
For Recovery of Assessment, § 49.
Purposes for which Contracts may be made, § 50.
Sanction of Shareholders for Contracts, § 51.
Meetings, how convened, § 52.
Power for Company to contribute towards Undertaking of Railway Company not exceeding 10,000*l.*, §§ 53, 54.
Power for Company to nominate Persons to vote at Meetings of Railway Company, §§ 55 to 57.
Saving Rights of the Crown, § 58.
Saving Rights of Admiralty, § 59.
Saving Rights of Lords of Manors and Landowners, § 60.
Saving Rights of Aberystwith and Welsh Coast, and of Newtown and Machynlleth Railway Companies, §§ 61, 62.

Cap. ccxiii.

"The Dagenham (Thames) Dock Act, 1862."

Recites the Expediency of extending the Time for the Purchase of Lands and the Completion of the Works authorized by "The Dagenham (Thames) Dock Act, 1855," and of authorizing the Company to raise further Capital by Shares and borrowing.
Extension of Time for compulsory Purchase of Lands for Three Years, § 2.
Period for Construction of Works extended to Five Years, § 3.
Extension of Time not to prejudice Contracts, § 4.
Power to raise additional Capital not exceeding 210,000*l.*, § 5.
New Shares to form Part of general Capital, § 6.
Capital to be applied to Purposes only of this and recited Acts, § 7.
Power to borrow 20,000*l.* on Mortgage, § 8.
Number of Directors not to exceed 12, § 9.

Cap. ccxiv.

"The Redditch Railway Act, 1862."

Recites the Expediency of authorizing the Redditch Railway Company to raise further Monies.
Parts of Companies Clauses Act incorporated, § 2.
Power to raise additional Capital of 15,000*l.*, § 4.
Power to cancel forfeited Shares and to create new Shares in lieu thereof bearing a preferential Dividend not exceeding Six per Cent., §§ 5 to 12.
Power to borrow on Mortgage 5,000*l.*, §§ 13, 14.
Power to create Debenture Stock; Terms of such Creation and Mode of distributing the Stock, §§ 18 to 24.

Cap. ccxv.

"The Kensington Station and North and South London Junction Railway Act, 1862."

Recites that it is expedient to extend the Time for making the Railway of the Kensington Station and North and South London Junction Railway Company.
Incorporation of Consolidation Acts, § 2.
Power for compulsory Purchase of Lands extended for Two Years and for Completion of Works for Three Years, §§ 5, 6.
Land of Lord Kensington not to be taken without Consent, § 7.
Saving Rights of C. Aldin, § 8.

Cap. ccxvi.

"The Abingdon Railway Act, 1862."

Recites that it is expedient to authorize the Abingdon Railway Company to raise further Monies.
Incorporation of Parts of Companies Clauses Act, § 1.
Company empowered to raise by new Shares 5,000*l.*, § 4.
Power to cancel forfeited Shares and issue new Shares in lieu thereof, bearing a preferential Dividend of 5*l.* per Cent., §§ 5 to 13.
Power to create Debenture Stock, § 14.
Conditions of such Creation and Mode of disposing of the Stock, §§ 15 to 20.

Cap. ccxvii.

"The Waterford and Passage Railway Act, 1862."

Recites the Expediency of making a Railway from the Waterford and Tramore Railway near the City of Waterford to the Town of Passage, in the County of Waterford.
Incorporation of Consolidation Acts, § 1.
Incorporation of Company, with Share Capital of 60,000*l.* and Power to borrow 20,000*l.*, §§ 3 to 10.
Meetings; Directors, &c., §§ 11 to 22.
Power to make Railway, §§ 23 to 25.
Provision for Protection of Lands of J. P. Fitzgerald, Esq., § 26.
Admiralty Provisions for Protection of Waterford Harbour, §§ 27 to 31.
Communications with Waterford and Tramore Railway, §§ 32 to 34.
Two Years for compulsory Purchase of Land, § 36.
Three Years for Completion of Works, §§ 37, 38.
Tolls, §§ 39 to 47.
Power to make Traffic Arrangements with Waterford and Tramore Railway Company, §§ 48 to 60.
Saving Rights of the Crown, § 61.

Cap. ccxviii.

"The Oswestry, Ellesmere, and Whitchurch Railway (Extension) Act, 1862."

Recites that by "The Oswestry, Ellesmere, and Whitchurch Railway Act, 1861," the Oswestry, Ellesmere, and Whitchurch Railway Company were incorporated, with a Capital of 150,000*l.* in Shares of 10*l.* each, and with Authority to borrow on Mortgage not exceeding 50,000*l.*, and were authorized to make and maintain a Railway called Railway No. 1, commencing by a Junction with the Oswestry and Newtown Railway at Oswestry, in the County of Salop, and terminating at Whitchurch, in that County, by a Junction with the Shrewsbury and Crewe Line of the London and North-western Railway, and also a Branch Railway in the Parish of Whittington, and it was provided that the Powers of that Act with respect to so much of the Railways as lay West of the Town of Ellesmere should be suspended till the 1st September 1862, and if an Act had then passed authorizing a Deviation of the Railways by the reciting Act authorized, or the making of a new Railway, either by the Company or any other Company, to give continuous Communication from Ellesmere to Oswestry, Ruabon, and Shrewsbury, avoiding as much as possible residential Damage, then those Powers should cease and determine; provided always, that any Bill which might be introduced for accomplishing that Object should contain proper Clauses for securing to any Company whose Railway should communicate with the Railway of the Company, or the Railway or Railways proposed by such Bill, such full Facilities as might be necessary for the Traffic of any such Company passing or intended to pass thereon and on the Line by the reciting Act authorized, or any Part thereof, and Working and Traffic Agreements between the Company on the one hand and the Oswestry and Newtown Railway Company and the London and North-western Railway Company (in this Act called the North-western Company), or either of them, on the other hand, were authorized to be entered into, and Provision was made with respect to the Interchange of Traffic with the North-western Company, and with respect to the Transmission of Traffic passing over the Great Western Railway and the Railways of the Company respectively; that it is expedient that the Company be authorized to make and maintain the Railway by this Act authorized, which would be of local and public Advantage; that the Railway by this Act authorized forms a new Railway, which partially meets the Requirements of the recited Act, by affording a continuous Communication between Ellesmere and Shrewsbury; that the Provisions of this Act with

respect to Facilities for the Interchange and Transmission of Traffic meet the Requirements in that Behalf of the recited Act; and that it is expedient that the Company be authorized to raise further Monies for the Purposes of their Undertaking.

Incorporation of Consolidation Acts, §§ 2, 3.
Power to purchase Lands not to be exercised after Two Years, §§ 5, 6.
Power to make Railways, §§ 7 to 10.
Junction with Shrewsbury and Crewe Line, §§ 12 to 15.
For Protection of Canal and other Works of Shropshire Union Company, §§ 16 to 19.
Company not to take Land of London and North-western Company without Consent, § 20.
Works to be completed within Three Years, §§ 21, 22.
Tolls, §§ 23 to 26.
Provisions of recited Act extended hereto, § 27.
Power to raise additional Capital of 60,000*l.* by new Shares, § 27.
Power to cancel unissued Shares and issue new Shares in lieu thereof, § 28.
Terms on which new Shares are to be raised, §§ 29 to 31.
Power to borrow 20,000*l.* on Mortgage, §§ 32 to 34.

Cap. ccxix.

"The Newcastle (County Down) Railway Act, 1862."

Recites that it is expedient to authorize the Construction of a Railway in the County of Down from the Downpatrick and Newry Railway to Newcastle.
Incorporation of Consolidation Acts, § 1.
Company incorporated, with a Capital of 20,000*l.* and Power to borrow 6,600*l.*, §§ 3 to 6.
Meetings; Directors, &c., §§ 7 to 11.
Power to make Railway, § 12.
Communications with Downpatrick and Newry Railway, §§ 15 to 17.
Three Years for compulsory Purchase of Lands, § 19.
Four Years for Completion of Works, §§ 20, 21.
Tolls, §§ 22 to 30.
Power to contract with Downpatrick, Newry, and Belfast, and with County Down Railway Companies with respect to Use of the Railway, § 31.

Cap. ccxx.

"The Charing Cross Railway (City Terminus Bridge) Act, 1862."

Recites that by "The Charing Cross Railway (City Terminus) Act, 1861," the Charing Cross Railway Company were authorized to make and maintain a Railway and other Works, including a Bridge between Southwark Bridge and London Bridge, for carrying the Railway over the River Thames, and it was enacted as follows; (that is to say,)

Section 15. Before commencing the Bridge across the River Thames by this Act authorized, or the Works connected therewith, the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the Bridge and Works connected therewith, for the Approval of the Admiralty, to be signified in Writing under the Hand of the Secretary of the Admiralty, and the Bridge and Works shall be made only in accordance with that Approval; and when the Bridge or Works are commenced or made the Company shall not at any Time alter or extend the same, without obtaining, before making the Alteration or Extension, the like Approval:

Section 19. The Company shall not make or commence any Works whatsoever on the Shore or Bed of the River Thames, or of any Creek or Inlet thereof, without the Consent of the Conservators of the River Thames in Writing under the Hand of their Secretary first had and obtained:

Section 20. The Bridge across the River Thames by this Act authorized shall be made according to a Plan and Elevation and on a Site to be approved by the Conservators of the River Thames, and deposited at their Office, and the Works thereof in the River Thames and adjoining thereto shall be executed to the Satisfaction of the Engineer of the Conservators; and the clear Height of the Headway under the Soffit of the Bridge shall be nowhere less than 27 Feet above Trinity High-water Mark, and the Foundations of the Piers and Abutments of the Bridge shall be sufficient to allow of any future Deepening of the River to the Extent of at least 30 Feet below the Level of Trinity High-water Mark; and the Traffic of the River shall not be interrupted more than is absolutely necessary in the making of the Works, and the Plan for the Coffer-dams for the Piers and Abutments of the Bridge shall be approved by the Conservators before the same shall be carried into Execution:

that the Company have deposited at the Admiralty Office Plans, Sections, and Working Drawings of the Bridge and Works connected therewith, for the Approval of the Admiralty, and the Admiralty, by Writing under the Hand of the Secretary of the Admiralty, have signified their Approval of the Plans, Sections, and Working Drawings so deposited; that the Conservators of the River Thames have declined to approve the Plans so approved by the Admiralty; and the Act does not contain any Provision with respect to the Conflict of Authority between the Admiralty and Conservators of the River Thames which has thus arisen, and in order that the Bridge may be made it is expedient that all such Conflict of Authority be obviated.

2. Where the Admiralty and the Conservators of the River Thames fail to agree on any Matter with respect to which the Approval or Consent of both of them is by "The Charing Cross Railway (City Terminus) Act, 1861," required or authorized, all Differences between them thereon may and (if they or either of them or the Company so require) shall be with all practicable Despatch referred to and determined by the Board of Trade, and their Determination thereon, after hearing the Admiralty and the Conservators and the Company respectively, or such of them as desire to be heard thereon, shall be final, and the Company (without any further Approval or Consent in that Behalf) may proceed in the Matter in accordance with such Determination.

3. Whereas by "The Charing Cross Railway (City Terminus) Act, 1861," it was enacted (Section 24) that before the Bridge across the River Thames by that Act authorized was commenced the Company should invest in the Consolidated 3*l.* per Centum Annuities, in the Names of Jonathan Thorp, Rear Admiral Gordon, Lord Alfred Paget, and the Honourable James Byng, or the Survivors of them, the Sum of 3,000*l.*, which Sum when so invested, with all Dividends to accrue thereon, (and which Dividends should from Time to Time as they become payable be invested in like Manner and accumulated therewith,) should be and continue a Fund in trust for the Purposes therein expressed: And whereas Rear Admiral Gordon has declined to act as Trustee of the Fund to be so formed: And whereas it is expedient that Provision be made for ensuring that there shall be a sufficient Number of Trustees of the Fund: Therefore the 3,000*l.* and the Dividends to be

so invested may be invested in the Names of Jonathan Thorp, William Pigott, Lord Alfred Paget, and the Honourable James Byng, or the Survivors of them, and they shall accordingly be the Trustees of the Fund.

Cap. ccxxi.

"The Wrexham, Mold, and Connah's Quay Railway Act, 1862."

Recites the Expediency of incorporating a Company for making and maintaining a Railway to be called the Wrexham, Mold, and Connah's Quay Junction Railway.
Consolidation Acts incorporated, § 1.
Incorporation of Company, with Share Capital of 150,000*l.*, and Power to borrow 50,000*l.*, §§ 4 to 8.
Meetings; Directors, &c., §§ 10 to 16.
Three Years for compulsory Purchase of Lands, §§ 17, 18.
Five Years for Completion of Works, § 19.
Power to execute Works; Description of Railways, §§ 21, 22.
Junctions with other Railways, §§ 23 to 25.
Power to alter Engineering Works, § 26.
Level Crossings, §§ 28 to 31.
Tolls, §§ 33 to 43.
Mutual Facilities for Transmission of Traffic on Railways of Company and London and North-western Railway, § 44.
The Company and other Railway Companies to afford Traffic Facilities to each other, §§ 45, 46.
Exchange of mutual Running Powers with the Great Western Railway, § 47.
Saving Rights of the Crown, § 52.

Cap. ccxxii.

"The Mersey, &c. Protection Act, 1862."

Recites that there are many large and important Towns and Villages and Places of Trade and Manufacture situate upon and near to the Rivers Mersey and Irwell respectively, and their respective tributary Rivers and Streams herein-after mentioned; that by reason of large Quantities of Rubbish and other solid and bulky Materials being from Time to Time wilfully deposited or thrown into those Rivers and their said Tributaries respectively the Flow of their respective Waters has been and is greatly obstructed and prejudicially interfered with, and from the Accumulation of Banks and Shoals thereby occasioned in the Beds of the same Rivers and their Tributaries respectively serious Injury has been and still is done, and the Navigation of the said Rivers respectively has been and is impeded and rendered less serviceable, and it is apprehended that unless an effectual Remedy be applied such Injury will increase and become permanent, and it is expedient that Provision be made by means more prompt and efficient than at present exist for preventing and remedying the Evils aforesaid.

2. In this Act, unless there be something in the Context inconsistent therewith, the Words and Expressions hereinafter mentioned shall have respectively the Meanings hereby assigned to them; that is to say,

"Person" shall include any Person or Body of Persons, corporate or unincorporate:

"Justice" shall mean any Justice of the Peace having Authority, either under this Act or otherwise, to act in or for the Place where the Matter requiring the Cognizance of such Justice arises; and when any Matter is authorized or required to be done by or before Two Justices the Expression "Two Justices" shall mean Two Justices met and acting together or One Stipendiary Magistrate:

The Words "River," "Stream," and "Brook" shall respectively include the Bed and Course and the Water of the same and the Banks thereof respectively within the Range of ordinary Flood; provided that the Word "River," "Brook," or "Stream" shall not extend to or include any Land abutting on or near to any River, Brook, or Stream not being or constituting the Bank thereof, although such Land may be occasionally overflowed with Water.

3. The Limits of this Act shall extend to and include the River Irwell and the River Mersey above Warrington Bridge, and also the several Rivers, Brooks, and Streams, Tributaries to the said Rivers Irwell and Mersey respectively, above the Junction of the said Rivers.

4. Every Person who shall deposit, put, or throw, or knowingly cause to be deposited, put, or thrown, or to fall into or upon, any River, Brook, or Stream within the Limits of this Act, any solid or bulky Substance consisting of the Refuse of any Brickyard, Cinders, Clinkers, Ashes, or Refuse from Quarries, Mines, or Pit Shafts, or from the Foundation or Site of any Building or Road, or consisting of the Substances aforesaid or any of them, separately or conjointly, shall be and be deemed to be guilty of an Offence within the Intent and Meaning of this Act, and shall incur the following Penalties, to be recovered by summary Conviction upon the Information or Complaint of or by the acting Conservator under the Commissioners of Conservancy of the River Mersey, or by the Clerk of the Mersey Docks and Harbour Board, or by the Direction of the Town Clerk or other legal Officer of the Municipal Corporation or Board of Health or of Improvement Commissioners of any Borough or Town through or past which any River, Brook, or Stream within the Limits of this Act shall flow, if the Cause of such Information or Complaint arises within the Limits of such Municipal Borough or Board of Health or Improvement Commissioners, but not otherwise, or of or by or by the Direction of the Company of Proprietors of the Mersey and Irwell Navigation, or their Agents for the Time being, such Information or Complaint to be laid or made within Three Months after the Commission of the Offence; (that is to say,)

1. Upon the First Conviction, a Penalty not exceeding 5*l.*
2. Upon a Second Conviction for the like Offence, a Penalty not exceeding 10*l.*
3. Upon a Third and every subsequent Conviction for the like Offence, a Penalty not exceeding 20*l.*

Provided that, notwithstanding anything in this Act contained, no Person shall be or be deemed or taken to be guilty of an Offence within the Intent and Meaning of this Act for doing or causing to be done any of the following Acts; that is to say,

1. For constructing in or across any River, Brook, or Stream any Building, Weir, Dam, or other permanent Work, with necessary temporary Coffer-dams, which but for the passing of this Act he would have a legal Right to construct:
2. Or for pitching or depositing Stones or any other suitable or solid Materials (not likely to be washed or carried away by the Stream or Current rising to the Line of an ordinary Flood) at the Side or on the Bank of any River, Brook, or Stream, for the express and bonâ fide Purpose of reclaiming Land washed away by the Action of any such River, Brook, or Stream, or of supporting or protecting the Side or Bank of such River, Brook, or Stream, or of repairing the same, or of erecting or repairing any Building, Drain, Sewer, or Watercourse upon or within the Banks of such River, Brook, or Stream, or the Slopes or Walls thereof, at or convenient to the Point at which the same shall be so pitched or deposited:

3. Or for putting into any such River, Brook, or Stream any Sand or Gravel or other natural Deposit which shall have flowed from or been deposited by the Current of any such River, Brook, or Stream :

4. Or for allowing to fall into any River, Brook, or Stream Stones or Rubbish which in the ordinary and proper working of Quarries immediately adjoining any such River, Brook, or Stream may fall therein.

5. Provided always, That, notwithstanding anything hereinbefore contained, the Penalties imposed by this Act shall be recoverable from and against the Company of Proprietors of the Mersey and Irwell Navigation in case they, their Agents or Servants, or any of them, shall deposit, put, or throw, or knowingly cause to be deposited, put, or thrown, or to fall into or upon, any River, Brook, or Stream within the Limits of this Act, any Substance which shall have been dredged or taken from or out of any River, Brook, or Stream within the Limits of this Act.

6. When any Offence under this Act shall be committed in or upon any River, Brook, or Stream, or in or upon any Part of any River, Brook, or Stream, forming the Boundary between any Two Counties or Districts of Quarter Sessions, Special Sessions, or Petty Sessions, such Offence may be prosecuted before any Justices in either of such Counties or Districts.

7. All the Provisions contained in the Act passed in the 11th and 12th Years of the Reign of Her present Majesty, Chapter 43, intituled "An Act to facilitate the Performance "of the Duties of the Justices of the Peace out of Sessions "within England and Wales with respect to summary Con- "victions and Orders," and all Provisions which are or shall be contained in any Act or Acts amending the same, relating to the Proceedings for the Recovery of Penalties by summary Conviction, and to Appeals against such Convictions, and the levying and enforcing of Penalties, and the Costs of such Proceedings, shall be applied and put in force in relation to the Penalties by this Act imposed.

8. If any Party shall feel aggrieved by any Determination or Adjudication of any Justice with respect to any Penalty or Forfeiture under the Provisions of this Act such Party may appeal to the General Quarter Sessions for the County or Place in which the Cause of Appeal shall have arisen ; but no such Appeal shall be entertained unless it be made within Four Months next after the making of such Determination or Adjudication, nor unless 10 Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal shall be brought, nor unless the Appellant forthwith after such Notice enter into Recognizances, with Two sufficient Sureties, before a Justice, conditioned duly to prosecute such Appeal, and to abide the Order of the Court thereon.

9. At the Quarter Sessions for which such Notice shall be given the Court shall proceed to hear and determine the Appeal in a summary Way, or they may, if they think fit, adjourn it to the following Sessions ; and upon the Hearing of such Appeal the Court may, if they think fit, mitigate any Penalty or Forfeiture, or they may confirm or quash the Adjudication, and order any Money paid by the Appellant, or levied by Distress upon his Goods, to be returned to him, and may also order such further Satisfaction to be made to the Party injured as they may judge reasonable, and they may make such Order concerning the Costs, both of the Adjudication and of the Appeal, as they may think reasonable.

10. Nothing in this Act contained shall prevent any Person who shall for the Time being be otherwise legally entitled so to do from deepening the Bed of or diverting or altering the Course or Direction of any such River, Brook, or Stream within the Limits of this Act, provided that every such deepening, Diversion, or Alteration, and every deepened, diverted, or altered River, Brook, or Stream, and the Course and Bed thereof respectively, which shall be made in lieu or substitution of any River, Brook, or Stream, or of any Part or Parts of any River, Brook, or Stream within the Limits of this Act, shall from the Commencement of any such deepening, Deviation, or Alteration be and be deemed to be within the Limits of this Act as fully and effectually, to all Intents and Purposes, as if such deepening, Deviation, or Alteration had been made before the passing of this Act.

11. Nothing in this Act shall exempt the Rivers hereinbefore mentioned from the Provisions of any General Act with reference to the Navigation of Rivers or Canals now in force, or to be in force in the present or in any future Session of Parliament.

12. Nothing in this Act contained shall extend or operate to prejudice, diminish, alter, take away, or affect any Jurisdiction, Right, Privilege, Power, or Authority vested in or enjoyed by the Commissioners acting in execution of the "Bury Improvement Act, 1846," anything in this Act contained to the contrary notwithstanding.

13. Nothing in this Act contained shall extend or operate to prejudice, diminish, alter, or take away any Jurisdiction, Right, Privilege, Power, or Authority vested in or enjoyed by the Queen's most Excellent Majesty in right of Her Crown or of Her Duchy of Lancaster, or the Commissioners for the Conservancy of the River Mersey, or any Powers lawfully exercised by the Owner or Owners, Undertakers, Trustees, Proprietors, or Board of any Canal or other Inland Navigation constituted or authorized by Act of Parliament, or the Owner or Owners, Undertakers, Proprietors, Trustees, Commissioners, or Board of any Harbour or Dock, or any Municipal Corporation, or the Right, Power, or Authority of any public Body to exercise the Sanitary Powers of the Local Government Act, 1858, or the Local Government Act (1858) Amendment Act, 1861.

14. The Provisions in this Act contained shall come into force on the 5th Day of April in the Year 1863.

Cap. ccxxiii.

"The Great Eastern Railway Act, 1862."

Recites the Eastern Counties Railway Acts, and specifies the several Railways, Pier, and Stations constituting the Eastern Counties Undertaking ; that the present Capital of the Eastern Counties Railway Company consists of the following Classes and Amounts of Stock ; (that is to say,)

Class of Stock.	Preference Dividend per Cent. per Annum.	Total Amount.
	£	£
Extension Stock, No. 1 -	5	960,000
Extension Stock, No. 2 -	5	960,000
Six per Cent. Preference Stock	6	641,817
Ordinary Stock - - -	—	5,854,015
		£8,415,832

that by the 24 & 25 Vict. c. ccxxxi. the Company were authorized to raise a further Capital of 600,000*l.* in Shares or Stock, which have not yet been created ; that by the Act 19 & 20 Vict. c. lxxxi. the Eastern Counties Railway Company were authorized to borrow on Mortgage Sums not exceeding in the whole 3,195,270*l.*, and by the said Act 24 & 25 Vict. c. ccxxxi., the said Company were authorized to borrow on Mortgage the further Sum of 200,000*l.*, and their present Mortgage Debt amounts to

3,112,979*l.* 2*s.* 3*d.*, or thereabouts, and under the Powers of the recited Acts or some of them they have created Debenture Stock amounting to 39,535*l.*; recites that by the Local Act 10 & 11 Vict. c. cclxxv., relating to the East Anglian Railways Company, the Ely and Huntingdon, Lynn and Ely, and Lynn and Dereham Railway Companies were amalgamated by the Name of the East Anglian Railways Company; and recites the several Local Acts relating to the East Anglian Railways Company; and specifies the several Railways, Stations, Landing Places, Jetties, Wharves, Works, and Conveniences constituting the East Anglian Undertaking; that the Capital of the East Anglian Railways Company consists of the following Classes and Amounts of Shares and Stock; (that is to say,)

Class of Shares or Stock.	Number of Shares of which Classes consist.	Amount of Shares.	Preference per Cent. per Annum.	Total Amounts.
		£	£	£ s. d.
Class A. Stock	- - -	- -	5	86,640 0 0
	- - -	- -	7	9,780 0 0
Class B. Stock	- - -	- -	6	120,000 0 0
Class C. Stock	- - -	- -	7	70,873 10 0
Ordinary Stock	- - -	- -	- -	1,033,606 10 0
			£	1,320,900 0 0

that the East Anglian Railways Company were authorized by their said Acts to borrow on Mortgage or Bond Sums amounting in the whole to 345,200*l.*, and their present Mortgage or Bond Debt is 279,100*l.* or thereabouts; that by an Agreement dated the 2d February 1852, and confirmed by the Local Act 15 & 16 Vict. c. cviii., relating to the East Anglian Railways Company, it was agreed between the East Anglian Railways Company and the Eastern Counties Railway Company that the Eastern Counties Railway Company should work the Undertaking of the East Anglian Railways Company for 999 Years from the 4th July 1852, upon the Terms in the said Agreement mentioned; recites the several Local Acts relating to the Newmarket and Chesterford Railway Company, and specifies the Railway, Stations, Works, and Conveniences constituting the Newmarket and Chesterford Undertaking; that the Capital of the Newmarket Company consists of the following Shares and Amount; (that is to say,)

Class of Share.	Number of Shares.	Amount of Shares.	Amount of Capital.
		£ s. d.	£ s. d.
Newmarket and Bury Shares	22,788	6 5 0	142,425 0 0

that under an Agreement dated the 28th March 1854, and confirmed by the Local Act 17 & 18 Vict. c.ccxx., the Undertaking of the Newmarket Company is worked, managed, and maintained by the Eastern Counties Railway Company, and the Eastern Counties Railway Company pay to the Newmarket Company an annual Rent or Sum of 5*l.* per Centum per Annum upon the Capital expended upon the Undertaking, amounting to 142,425*l.*; recites 10 & 11 Vict. c. clxxiv., whereby the Eastern Union and Ipswich and Bury Railway Companies were amalgamated by the Name of the Eastern Union Railway Company, and the several Local Acts relating to the Eastern Union Railway Company; and specifies the several Railways, Stations, Works, and Conveniences constituting the Eastern Union Undertaking, whereof the Harwich Branch is leased to the Eastern Counties Railway Company for 999 Years, at an annual Rent equal to 4*l.* per Centum per Annum on the Cost of and attending the Construction thereof, and the Eastern Union Railway Company are entitled, under an Agreement dated the 6th February 1854, to Interest at the Rate of 4*l.* per Centum per Annum on the Cost of and attending the Construction of the Woodbridge Branch, and the Amount of such Cost has not yet in either Case been ascertained, but the Eastern Union Railway Company have up to the 31st December 1861, paid on account of such Cost the Sum of 489,728*l.* 17*s.* 4*d.*, and Stocks called respectively Harwich Stock and Woodbridge Stock, bearing Interest at the Rate of 4*l.* per Centum per Annum, have been created by the Eastern Union Railway Company to the Extent of 316,330*l.*, in part Payment of the said Sum of 489,728*l.* 17*s.* 4*d.*; that the Capital of the Eastern Union Railway Company consists of the following Classes and Amounts of Stock; (that is to say,)

Class or Name of Stock.	Preference per Cent. per Annum.	Total Amounts.
	£ s.	£
Creditors Stock - - - -	3 10	23,750
Creditors Stock - - - -	4 0	223,650
Four per Cent. Guaranteed Stock - -	4 0	132,380
Five and a Half per Cent. Guaranteed Stock	5 10	30,000
Five per Cent. Guaranteed Stock (redeemable July 1862) - - - -	5 0	304,556
Five per Cent. Guaranteed Stock (redeemable July 1865) - - - -		
Harwich Stock - - - -	4 0	128,880
Woodbridge Stock - - - -	4 0	187,450
Ordinary Stock, Class A. - - -	- - -	287,050
„ Class B. - - -	- - -	774,425
		2,092,141

that the Eastern Union Railway Company were authorized by their recited Acts or some of them to borrow on Mortgage or Bond Sums amounting in the whole to 769,966*l.* 13*s.* 4*d.*, and their present Mortgage Debt is 769,966*l.* 13*s.* 4*d.* or thereabouts; recites that by 8 & 9 Vict. c. xli. the Yarmouth and Norwich and Norwich and Brandon Railway Companies were amalgamated by the Name of the Norfolk Railway Company, and recites the Local Acts relating to the Norfolk Railway Company, and specifies the several Railways, Tramways, Bridge, Navigation, and Harbour, and the several Stations, Works, and Conveniences, constituting the Undertaking of the Norfolk Company; that the Capital of the Norfolk Railway Company consists of the following Classes and Amounts of Shares and Stock; (that is to say,)

Class of Shares or Stock.	Amount of Share.	Preference per Cent. per Annum.	Total Amounts.
	£	£ s.	£
Consolidated Five per Cent. Extension Stock, 1846.	- -	5 0	300,000
Consolidated Five and a Half per Cent. Preference Stock, 1847.	- -	5 10	105,000
Consolidated Five per Cent. Waveney Valley Extension Stock, 1847.	- -	5 0	36,980
New Five Pounds Five per Cent. Preference Shares, 1856.	5	5 0	14,690
Ordinary Stock - - -	- -	- -	1,002,190
			1,458,860

that the Norfolk Railway Company were authorized by their said Acts to borrow on Mortgage Sums amounting in the whole to 531,045*l.*, and their present Mortgage Debt is 79,510*l.* or thereabouts, and under the Powers of their said Acts or some of them they have created Debenture Stock amounting to 451,535*l.*; that by an Agreement dated the 6th February 1854, between the Eastern Counties Railway Company of the First Part, the Eastern Union Railway Company of the Second Part, and the Norfolk Railway Company of the Third Part, after referring, amongst other things, to the herein-before mentioned Agreements between the Eastern Counties Railway Company and the East Anglian and Newmarket Railway Companies respectively, it was agreed that the Eastern Counties Railway Company should work the Undertakings of the Eastern Union Railway Company and the Norfolk Railway Company upon the Terms therein mentioned, and Provision was made for the future Amalgamation of the Companies Parties thereto; that by the Local Act 17 & 18 Vict. c. ccxx., the recited Agreements of the 2d February 1852 between the East Anglian and Eastern Counties Railway Companies, the 6th February 1854 between the Eastern Counties, the Eastern Union, and the Norfolk Railway Companies, and the 30th March 1854 between the Newmarket and Eastern Counties Railway Companies, were confirmed, and the said Companies were authorized to enter into Agreements for any of the Purposes of the Act, and it was amongst other things enacted, that the Eastern Counties Railway Company should deposit in the Private Bill Office of the House of Commons for the Session of Parliament next after the 31st December 1861 a Bill for an Amalgamation of the Five Companies and their respective Undertakings, on such Terms and Conditions, framed on the Basis of the therein-recited Agreements, as the Five Companies should agree upon, or as in case of Difference, should be settled by the Board of Trade; and that it is expedient that the Provisions of the said Act with respect to the Amalgamation of the Five Companies should be carried into effect, subject to the Provisions of this Act, and that Provision should be made for the Redemption of the Preference Stocks of the said Companies; that by reason of the disproportionate Amount of the fixed Charges affecting the Undertakings of the Eastern Counties Railway Company, the Norfolk Railway Company, and the Eastern Union Railway Company respectively, and from other Causes, the joint Profits are divisible amongst the Proprietors of the ordinary Stocks of the said Companies at different Rates per Centum per Annum, and the Proportion of Profits applicable to the Eastern Union ordinary Stockholders are divisible at different Rates per Centum per Annum between the Proprietors of Class A. and Class B. of such ordinary Stock; and in order to amalgamate the said Companies upon the Basis of the said Agreement of the 6th February 1854, and to place the Proprietors of all the said ordinary Stocks upon a fair and equitable Footing, it is expedient that the total aggregate Amount of such ordinary Stocks should be altered, and that a Preference Stock should be created, and divided in certain Proportions between the Proprietors of the ordinary Stocks of the Eastern Counties and Norfolk Railway Companies respectively; that the Liabilities of the Eastern Union Railway Company in respect of all fixed annual Charges are estimated at the Sum of 72,000*l.*, but the actual Amount of such Charges and Liabilities has not been arrived at, and it is just that if the same shall exceed that Amount the Excess shall be borne by the Proprietors of ordinary Stock in the Eastern Union Railway Company, or that if such fixed Charges and Liabilities shall be ultimately proved to be less than 72,000*l.* a Year, the said Proprietors shall be allowed the Benefit of the Reduction of such Charges and Liabilities in their Participation in the Profits of the Company incorporated by this Act; recites that by "The East Suffolk Railway Company's Amalgamation Act, 1858," the Yarmouth and Haddiscoe Railway Company and the Lowestoft and Beccles Railway Company and the East Suffolk Railway Company were amalgamated by the Name of "The East Suffolk Railway Company;" and recites other Acts relating to the Undertaking of the East Suffolk Railway Company, and specifies the Railways, Stations, Works, and Conveniences constituting the East Suffolk Undertaking; that by "The East Suffolk Railway Act, 1861," Provision is made for the Creation of new Shares or Stock of that Company to the nominal Amount of 177,860*l.*, bearing preferential Dividends not exceeding the Rate of 5*l.* per Centum per Annum, and for the Substitution of the same for ordinary Shares or Stock of that Company of the like nominal Amount, or for the Redemption of the same ordinary Shares or Stock by Cash at Par; that the ordinary Shares or Stock of the East Suffolk Railway Company which are not so redeemable are specified in the Schedule to "The East Suffolk Railway Act, 1861," and are of the aggregate nominal Amount of 759,380*l.*, but are paid up or deemed to be paid up only to the aggregate Amount of 560,000*l.*; that the Shares or Stock of the East Suffolk Railway Company which are so redeemable are the whole of their Shares or Stock, except their Shares or Stock specified in that Schedule, and are of the aggregate nominal Amount of 177,860*l.*; that the East Suffolk Railway Company are indebted on Mortgage to the Amount of 340,000*l.*, and on Simple Contract Debts to the Amount of 86,488*l.*, and inasmuch as they might, under the Acts relating to the East Suffolk Railway Company, redeem their ordinary Shares or Stock to the aggregate nominal Amount of 177,860*l.* by Payment of that Sum in Cash, those Three Sums, making together the total Sum of 604,348*l.*, are for the Purposes of this Act regarded as fixed Liabilities of that Company, and as being represented by the yearly Sum of 27,000*l.*; that under "The East Suffolk Railway Company's Amalgamation Act, 1858," the East Suffolk Railway Company have entered into an Agreement with Sir Samuel Morton Peto, Baronet, for a Lease to him of their Railways, and by "The East Suffolk Railways Act, 1861," Provision has been made for the Determination of that Agreement; that Arrangements with the East Suffolk Railway Company have been made by the Eastern Counties, the Norfolk, and the Eastern Union Railway Companies, for the working by them of the Railways of the East Suffolk Railway Company; and it has been agreed that the Undertaking, Railways, and Property of the East Suffolk Railway Company shall on the passing of this Act be amalgamated with the Undertakings, Railways, and Property of the Company incorporated by this Act, on the following Terms and Conditions.

A. The Mortgage Debts of the East Suffolk Railway Company amounting to 340,000*l.*, and their Simple Contract Debts amounting to 86,488*l.*, and their ordinary Shares or Stock not specified in the Schedule to "The East Suffolk Railway Act, 1861," shall be provided for by the Issue to the East Suffolk Railway Company or their Nominees by the Company incorporated by this Act of Debenture Stock and Preference Stock of that Company to the aggregate nominal Amount of 675,000*l.*, to be deemed fully paid up:

B. By means of the Debenture Stock and Preference Stock to be so issued the East Suffolk Railway Company shall satisfy their said fixed Liabilities:

C. In consideration of the Issue of that Debenture Stock and Preference Stock by the Company incorporated by this Act to the East Suffolk Railway Company or their Nominees, that Company shall indemnify and save harmless the Company incorporated by this Act against the said fixed Liabilities of the East Suffolk Railway Company, and all Claims and Demands in respect thereof:

D. The ordinary Shares or Stock of the East Suffolk Railway Company, specified in the Schedule to the East Suffolk Railway Act, 1861, to the aggregate nominal Amount of 759,380*l.*, and paid up or deemed to be paid up to an aggregate Amount not exceeding 560,000*l.*, shall be provided for by the Issue to the East Suffolk Railway Company or their Nominees by the Company incorporated by this Act of so much of the ordinary Stock of that Company to be deemed fully paid up as Captain Douglas Galton, R.E., or, failing him, an Arbitrator, to be, on the Application of the Two Companies or either of them, named for the Purpose by the Board of Trade, shall determine to be the Amount of that ordinary Stock, which, taking into consideration the probable natural future Development of the Traffic of the East Suffolk Railway Company's Railways and Undertakings, ought to be so issued:

E. The Dividends on the Debenture Stock and Preference Stock to be so issued to the East Suffolk Railway Company or their Nominees shall fall due in equal half-yearly Sums on the 30th June and 31st December in every Year, and the First Payment thereof shall fall due on the 31st December 1862, and every Payment thereof shall be made free from all Deductions, except only for Income Tax, at the same Times as the Dividends on the other Preference Stock of the Company:

F. The Dividends on the ordinary Stock to be so issued shall fall due and be paid by the Company incorporated by this Act half-yearly with the Dividends on their other ordinary Stock, and the First Payment thereof shall fall due and be made in respect of the Half Year ending with the 31st December 1862, and every Payment thereof shall be made free from all Deductions, except only for Income Tax:

G. The Accounts between the East Suffolk Railway Company and the Eastern Counties, the Norfolk, and the Eastern Union Railway Companies, with respect to the working of the Railways of the East Suffolk Railway Company, shall be made up and settled to the 30th June 1862 inclusive, and those Railways shall be deemed to be worked after that Day at the Expense and Risk and for the Benefit of the Company incorporated by this Act:

that under the Powers of the said Act 10 & 11 Vict. c. clvi., the Pepper Warehouses and Wharves of the East and West India Dock Company are leased to the Eastern Counties Railway Company; that under the Powers of the Local Act 7 & 8 Vict. c. xx., the Undertaking of the Northern and Eastern Railway Company is leased to the Eastern Counties Railway Company for a Term of 999 Years at an annual Rent of 61,716*l.* (being 5*l.* per Centum upon a Capital of 910,800*l.*, and 6*l.* per Centum upon a Capital of 269,600*l.*); that by the said Act 24 & 25 Vict. c. ccxxxi. Provision is made for the Colne Valley and Halstead Railway being worked by the Eastern Counties Railway Company; that under the Powers of certain of the above recited Local Acts the Stowmarket and Ipswich Navigation is leased to the Eastern Union Railway Company for 42 Years from the 1st January 1846 at an annual Rent of 1,050*l.*, and the Undertaking of the Colchester, Stour Valley, Sudbury, and Halstead Railway Company is leased to the Eastern Union Railway Company for 999 Years at an annual Rent of 9,500*l.*; that under the Powers of certain of the above-recited Local Acts the Undertaking of the Lowestoft Harbour and Railway Company is vested in the Norfolk Railway Company, as to Part thereof (that is to say, the Norwich and Lowestoft Navigation,) for a Term of Years, and as to the Remainder thereof (that is to say, the Lowestoft Railway and Harbour,) in perpetuity, in consideration of annual Rents, Dividends, or Payments equal to 4*l.* per Centum per Annum, and contingent Participation in surplus Profits upon 120,000*l.*, and 6*l.* per Centum per Annum upon a further Sum of 120,000*l.*; that the Eastern Counties Company are authorized to subscribe 22,000*l.* towards the Undertaking of the Ware, Hadham, and Buntingford Railway Company, and 40,000*l.* towards the Undertaking of the Bishop Stortford, Dunmow, and Braintree Railway Company, and it is expedient that the Company amalgamated by this Act should be authorized to guarantee Interest on all or any of the Mortgages and Debentures of those Companies respectively; that the Eastern Counties Company work the Undertaking of the Wells and Fakenham Railway Company, and it is expedient that the said Undertaking should be amalgamated with that of the Company hereby incorporated, and it also expedient that Provision should be made for the future vesting of the Undertakings of the Ware, Hadham, and Buntingford Railway Company, and of the Colchester, Stour Valley, Sudbury, and Halstead Railway Company, by Amalgamation, Sale, or Lease, in the Company amalgamated by this Act; and that Provision should also be made for the complete Amalgamation with the said Company's Undertaking of the Pepper Warehouses and Wharves of the East and West India Dock Company; that it is expedient that the Company amalgamated by this Act should for all or any of the Purposes of the Act, and for the general Purposes of their Undertaking, be authorized to raise more Money by the Creation of Shares or Stock, and by borrowing on Mortgage; and that the Provisions of the recited Acts relating to the Undertakings of the Companies to be amalgamated should be repealed, and their Provisions consolidated and amended.

1. The Eastern Counties Railway Company, the Norfolk Railway Company, the Eastern Union Railway Company, the East Anglian Railways Company, and the Newmarket Railway Company shall for all Purposes, except so far as regards the Newmarket Railway Company for the Payment of the Debts and Liabilities of that Company, cease to exist, and all the Provisions of the recited Acts relating to those Companies respectively (except such of the Provisions of the 10th and 11th of Victoria, Chapter clvi., as relate to a Lease of the Pepper Warehouses and Wharves of the East and West India Dock Company, and except such of the Provisions of the 15th and 16th of Victoria, Chapter cxlviii., as relate to a Lease of the Undertaking of the Colchester, Stour Valley, Sudbury, and Halstead Railway Company, and except such of the Provisions of the Acts hereby repealed as are set forth in Schedule (A.) to this Act) shall be and are hereby repealed; but nothing herein shall be held or construed to repeal the Provisions of the 8th and 9th of Victoria, Chapter xlv., 9th and 10th of Victoria, Chapter cxxxii., and 10th and 11th of Victoria, Chapter xcviii., relating to the Lowestoft Railway and Harbour Company, or the Provisions of the 9th and 10th of Victoria, Chapter cvi., relating to the Stowmarket and Ipswich Navigation, or of the 10th of Victoria, Chapters xi., xviii., or xxi., relating respectively to the Colchester, Stour Valley, Sudbury, and Halstead Railway, or (except only as is by this Act ex-

pressly provided) of the 21st and 22nd of Victoria, Chapter cxi., relating to the East Suffolk Railway.

2. The Provisions contained in the 7th and following Section to the 24th Section inclusive of the Seventh of Victoria, Chapter xx., relating to the Appointment of Directors of the Eastern Counties Railway Company by the Northern and Eastern Railway Company, and to the Capital and Borrowing Powers of the Eastern Counties Railway Company, are hereby repealed.

Companies, Lands, and Railways Clauses Acts, and Harbours, Docks, and Piers Clauses Act incorporated, § 3.

6. The several Persons and Corporations who at the Time of the passing of this Act are Proprietors of Shares in any of the Companies hereby dissolved, and all other Persons or Corporations who shall hereafter subscribe towards the Undertaking, or take or hold Shares or Stock of the Capital of the Company, and the Executors, Administrators, Successors, and Assigns of such Persons and Corporations respectively, shall be united into a Company for the Purpose of completing, maintaining, and working the Undertaking, and for other the Purposes of this Act, and shall be incorporated by the Name of "The Great Eastern Railway Company," and shall have perpetual Succession, a Common Seal, Powers to sue and be sued, and to purchase, hold, sell, and dispose of Land, subject to the Provisions of this Act, and all other Incidents of an incorporated Company.

7. The East Suffolk Arrangement is by this Act confirmed and made binding on the East Suffolk Railway Company and the Company respectively, and from and after the passing of this Act full Effect may and shall be given thereto.

8. All Railways, Tramways, Bridges, Harbours, Piers, Navigations, Stations, Warehouses, Wharfs, Quays, Cuts, Canals, Basins, Reservoirs, and other Works, Buildings, Lands, Tenements, Ferries, Rights, Privileges, Exemptions, Easements, Hereditaments, and Real Estate whatsoever, and also all Choses in Action and Personal Estate and Effects whatsoever, which immediately before the passing of this Act were vested in or belonged to any of the Companies hereby dissolved and the East Suffolk Railway Company respectively in Fee Simple or in perpetuity, or for a Term of Years or other limited Interest, or would have become vested in or belonged to any of the said Companies if this Act had not been passed, and all the Estate, Right, Title, Interest, Property, Claim, and Demand of the Companies hereby dissolved, or any of them, in, to, upon, or over the same, and all their Rights and Remedies in respect thereof, shall be and become in like Manner and Degree vested in and belong to and be available for the Company; and in respect of the Railways, Property, and Effects of the East Suffolk Railway Company by this Act vested in the Company, they shall from and after the passing of this Act to all Intents represent the East Suffolk Railway Company: Provided that the East Suffolk Railway Company shall retain all their Registers, Books, Papers, Writings, and Chattels requisite for the carrying on of their Affairs, and all Monies belonging or due to them, and all their Rights and Remedies in respect thereof.

9. All Works, Buildings, Lands, Tenements, and Hereditaments which by any of the Acts hereby repealed were vested in any Body Corporate, Commissioners, Trustees, or other public Body, or any private Company or Individual, other than any of the Companies hereby dissolved, shall, notwithstanding the Repeal of the said Acts, continue and be vested in such Body Corporate, Commissioners, Trustees, public Body, or private Company, their Successors or Assigns respectively, in like Manner, and upon and subject to the same Trusts, Powers, Conditions, Provisions, and Restrictions, as they would have continued or been vested if this Act had not been passed.

Conveyances to remain in force, § 10.

Continuing certain Sections of repealed Acts set forth in Schedule A., § 11.

Unrepealed Provisions of recited Acts and other Acts relating to dissolved Companies to apply to the Company, § 12.

13. All Rivers, Outfalls, Drains, Sewers, Ditches, Culverts, and Watercourses of any Description, and all Railways, Bridges, Roads, Embankments, Fences, Towing-paths, and Works of any Description whatsoever, which, under any of the Sections or Provisions of any of the Acts hereby repealed, any of the Companies hereby dissolved or the East Suffolk Railway Company were required to construct, maintain, scour, dredge, cleanse, renew, or keep in repair or free from Obstruction, or to maintain, without making or occasioning any Obstruction or Impediment, whether on behalf of any Owner, Lessee, or Occupier of Land, or of any Municipal or Drainage Corporation, Commissioners, or Trustees, or of any other Person, public Body or private Company, or not, shall be constructed, maintained, scoured, dredged, cleansed, renewed, and kept in repair and free from Obstruction, and so maintained as not to make or occasion any Obstruction or Impediment by the Company; and every Owner, Lessee, or Occupier of Land, all Municipal or Drainage Corporations, Commissioners, or Trustees, and every other Person, public Body or private Company, shall have the same Rights and Remedies for compelling the Company to construct, maintain, scour, dredge, renew, or keep in repair or free from Obstruction, or to maintain, without making or occasioning any Obstruction or Impediment, any such River, Outfall, Drain, Sewer, Ditch, Culvert, Watercourse, Railway, Bridge, Road, Embankment, Fence, Towing-path, or Work, or for or in respect of any Refusal, Neglect, or Default of the Company to construct, maintain, scour, dredge, cleanse, renew, or repair, or keep free from Obstruction, or maintain, without making or occasioning any Obstruction or Impediment, any such River, Outfall, Drain, Sewer, Ditch, Culvert, or Watercourse, Railway, Bridge, Road, Embankment, Fence, Towing-path, or Work, as he, she, or they might or would have had against any of the Companies hereby dissolved or the East Suffolk Railway Company if this Act had not been passed.

14. It shall not be lawful for the Company, in or for the Purpose of repairing or maintaining any Bridge or Work, or for any other Purpose, to alter the Line or Level of any River, Canal, Cut, Drain, Watercourse, or Work of Drainage, or to contract or diminish the Breadth, Depth, or Capacity of the Channel or Waterway thereof, or to divert, abstract, take, diminish, or use any of the Waters thereof, or to obstruct, stop, interrupt, or impede the full and free Use of any Navigation or navigable Canal or Cut, or the Towing-path thereof, or the Drainage of any Lands, which respectively any of the dissolved Companies or the East Suffolk Railway Company were for any such Purpose by any of the Acts hereby repealed restricted from altering, or from contracting or diminishing, or from diverting, abstracting, taking, diminishing, or using, or from obstructing, stopping, interrupting, or impeding; and the Company shall be subject and liable to all such and the same Penalties and Liabilities for every and any Act committed by them contrary to this Provision as any of the dissolved Companies or the East Suffolk Railway Company would have been subject or liable to if such Act had been committed by them, and the recited Acts were not hereby repealed, and every Body Corporate, Commissioners, Trustees, or other public Body, private Company, or Individuals shall have the same Powers, Rights, and Remedies, Compensation and Satisfaction, for or

in reference to or in consequence or on account of any such Act, as they respectively would have had if the recited Acts were not hereby repealed.

15. Notwithstanding the Repeal of the recited Acts, and except only as is by this Act otherwise expressly provided, everything before the passing of this Act done and suffered under or confirmed by any of the repealed Acts shall be as valid as if such Acts were not repealed; and the Repeal thereof, and this Act respectively, shall accordingly be subject and without Prejudice to everything so done or suffered, and to all Rights, Liabilities, Claims, and Demands, both present and future, which if the said Acts were not repealed, and this Act were not passed, would be incident to or consequent on any and every thing so done or suffered; and the Company shall be liable in respect to all such Rights, Liabilities, Claims, and Demands in the same Manner and to the same Extent as any of the Companies hereby dissolved (except the Newmarket Railway Company) or as the East Suffolk Railway Company would have been liable in respect of such Rights, Liabilities, Claims, and Demands in case this Act had not passed; and the Newmarket Railway Company shall be liable in respect to all such Rights, Liabilities, Claims, and Demands in the same Manner and to the same Extent as that Company would have been liable in respect of such Rights, Liabilities, Claims, and Demands in case this Act had not passed: Provided always, that the Generality of the Provisions in this Enactment shall not be confined or restricted by any special Provision in this Act.

16. The Lease of the Undertaking of the Northern and Eastern Railway Company to the Eastern Counties Railway Company, and the Lease of the Pepper Warehouse of the East and West India Dock Company to the Eastern Counties Railway Company, and the Lease of the Stowmarket and Ipswich Navigation to the Eastern Union Railway Company, and the Lease and Transfer of the Undertaking of the Lowestoft Harbour and Railway Company to the Norfolk Railway Company, shall respectively, notwithstanding the passing of this Act, continue in force, and shall apply to the Company after the Amalgamation in like Manner in all respects as but for the Amalgamation the same respectively would have applied to the Eastern Counties Railway Company, or to the Eastern Union Railway Company, or to the Norfolk Railway Company, as the Case may be; and the Lease of the Undertaking of the Colchester, Stour Valley, Sudbury, and Halstead Railway Company to the Eastern Union Railway Company shall, after the Amalgamation, and notwithstanding this Act, continue in force, and shall thenceforth be read and construed, operate and take effect, and the Company shall be bound by and take the Benefit thereof in all respects and for all Purposes, as if the Name of the Company were inserted therein instead of the Name of the Eastern Union Railway Company.

Actions, &c. not to abate, § 17.
Debts due to and by the Company to be paid to and by them, § 18.
Shareholders to pay Calls, § 19.
Monies paid into the Bank of England, § 20.
Officers to continue, § 21.
Books to be Evidence, § 22.
Byelaws, &c. to remain in force, § 23.

24. All Sums applicable to Revenue Account received or accrued due by or to the dissolved Companies respectively prior to the 1st Day of July 1862 shall be applicable as Revenues of the dissolved Companies respectively as if this Act had not been passed; and with respect to each of the dissolved Companies, the Directors thereof at the Time of the passing of this Act shall form a separate Committee, with Powers to receive, divide, and apply the Portion of the gross Amount of such Sums to which their respective Company was entitled; and from Sums applicable to Revenue Account received on or subsequently to the 1st Day of July 1862 so much as shall be required to pay the Portion of preferential Dividend upon the Preference Stocks of the Norfolk Railway Company for the Months of July and August 1862 shall be paid to the Committee for applying the Revenues of that Company, and such Committee shall pay the Dividend on such Preference Stocks for the Half Year ending in July or August, as the Case may be, and the Residue of all Sums applicable to Revenue Account which accrued on or subsequently to the said 1st Day of July shall belong to the Company, and be applicable as Revenues of the Company, as if the Amalgamation had taken place from and after the 30th Day of June 1862.

25. The Capital of the Company shall be 14,830,699*l.*, but may be increased as herein-after provided for.

26. Such Capital shall consist of the following Classes of Stock; (that is to say,)

	£	s.	d.
The several herein-before mentioned Classes of Preference Stock in the Capital of the Eastern Counties Railway Company, amounting together to	2,561,817	0	0
The several herein-before mentioned Classes of Creditors and Guaranteed Stock in the Capital of the Eastern Union Railway Company, amounting together to	1,030,666	0	0
The several herein-before mentioned Classes of Preference or Guaranteed Stock in the Capital of the Norfolk Railway Company, amounting together to	441,980	0	0
The several herein-before mentioned Classes of Preference Stock in the Capital of the East Anglian Railways Company, amounting together to	287,293	10	0
Stock, herein-after called Newmarket and Bury Stock, amounting to	142,425	0	0
Stock, herein-after called Norfolk Five per Cent. Preference Stock, 1856, amounting to	14,690	0	0
Stock, herein-after called East Anglian Stock, amounting to	1,033,606	10	0
Stock, herein-after called Great Eastern Preference Stock, amounting to	1,122,600	0	0
Ordinary Stock - 6,990,621 0 0 Great Eastern A Stock - - 1,205,000 0 0	8,195,621	0	0
	£14,830,699	0	0

27. The several herein-before mentioned Classes of Preference, Creditors, or Guaranteed Stock, amounting respectively to 2,561,817*l.*, 1,030,666*l.*, 441,980*l.*, and 287,293*l.* 10*s.* shall respectively belong to the same Persons, and be entitled to the same Amount of Preference or Guaranteed Dividends, and confer the same Rights, Powers, and Privileges (except as herein-after mentioned), and be subject to the same Condition or Right of Redemption, and to the same Trusts, Powers, Charges, Liens, and Liabilities, as they respectively belonged or were entitled to, conferred, or were subject to immediately before the passing of this Act, and no Disposition of any such Stock by Will or other testamentary Instrument shall be revoked or affected by this Act.

28. The Proprietors of the Newmarket and Bury Shares, at the Time of the passing of this Act, shall for each such Share belonging to them respectively be entitled to 6*l.* 5*s.* of the Newmarket and Bury Stock created by this Act, and (in lieu of the Rent payable to them by the Eastern Counties Railway Company, under the said Agreement of the 28th Day of March 1854) shall be entitled to preferential Dividends upon such Stock at the Rate of 5*l.* per Centum per Annum on the Amount thereof, having the same Priority with respect to Payment as the said Rent.

29. The Proprietors of "The Norfolk New Five Pounds Five per Centum Preference Shares, 1856," at the Time of the passing of this Act, shall for each such Share belonging to them respectively be entitled to 5*l.* of the Norfolk Five per Centum Preference Stock, 1856, created by this Act, and shall be entitled to preferential Dividends upon such Stock at the Rate of 5*l.* per Centum per Annum on the Amount thereof.

30. Every Proprietor of East Anglian ordinary Stock at the Time of the passing of this Act shall in lieu of such Stock be entitled to a like Amount of East Anglian Stock created by this Act, and shall be entitled, from and after the 1st Day of January 1863, to Dividends upon such Stock at the Rate of 1*l.* per Centum per Annum on the Amount thereof, and to such Increase of Dividend as is herein-after mentioned; that is to say, if and whenever for any Half Year ending the 30th Day of June or the 31st Day of December after the 1st Day of January 1863 the Dividends declared upon the ordinary Stock of the Company shall exceed the Rate of 3*l.* per Centum per Annum, the Proprietors of the East Anglian Stock shall be entitled to receive an Increase of Dividend equal to Two Fifths of the Amount of Dividend exceeding 3*l.* per Centum per Annum, which shall be so declared upon the ordinary Stock of the Company.

31. And whereas by the said Agreement of the 6th Day of February 1854 the gross Revenues of the Companies hereby amalgamated, after certain Deductions made therefrom, were divisible into Seven equal Parts, and One of such Parts was chargeable with the Mortgages and the several Creditors Stocks and Guaranteed Stocks of the Eastern Union Railway Company and another of such Parts was chargeable with the Mortgages and several Debenture and Preference or Guaranteed Stocks of the Norfolk Railway Company, and the remaining Five Parts were chargeable with the Mortgages and several Debenture and Preference Stocks of the Eastern Counties Railway Company: And whereas it is expedient to provide for the Security of the said Stocks, and that they should retain, as near as may be, their present relative Positions with respect to the Revenues of the Company: And whereas after making the Deductions from the said gross Revenues required by the said Agreement, and also deducting the Interest and Dividends upon the Mortgages and Debenture Stocks of the said Companies, Seven equal Parts of the residue of such gross Revenues were found to amount on an Average to a Sum equal to 31*l.* 10*s.* per Centum, as near as may be, upon the whole Amount of such gross Revenues: Therefore (subject and without Prejudice to the Payment of the Interest and Dividends upon the Mortgages and Debenture Stock for the Time being of the Company, and of the preferential Dividends on the Newmarket and Bury Stock, and on the East Anglian Stocks) in each and every Half Year after the Commencement of the Amalgamation 31*l.* 10*s.* per Centum of the gross Revenues of the Company for the Half Year shall be set apart and chargeable as follows; (that is to say,) a Sum equal to One Seventh Part of such 31*l.* 10*s.* per Centum shall in the first instance be liable for and chargeable with the Payment of the guaranteed or preferential Dividends upon the said several Classes of Creditors Stock and Guaranteed Stock of the Eastern Union Railway Company, amounting to the said Sum of 1,030,666*l.*, according to the Priorities inter se of such Dividends respectively as such Priorities existed at the Time of the passing of this Act; and a Sum equal to One other Seventh Part of the said 31*l.* 10*s.* per Centum shall in the first instance be liable for and chargeable with the Payment of the preferential Dividends upon the said several Classes of Preference or Guaranteed Stocks of the Norfolk Railway Company, such Preference or Guaranteed Stocks amounting together to 441,980*l.*, and of the said "Norfolk Five per Centum Preference Stock, 1856," according to the Priorities inter se of such Dividends respectively as such Priorities existed at the Time of the passing of this Act; and a Sum equal to the remaining Five Seventh Parts of the said 31*l.* 10*s.* per Centum shall in the first instance be liable for and chargeable with the Payment of the preferential Dividends upon the said several Classes of Preference Stock of the Eastern Counties Railway Company, amounting together to 2,561,817*l.*, according to the Priorities inter se of such Dividends respectively as such Priorities existed at the Time of the passing of this Act; and the Residue of the said 31*l.* 10*s.* per Centum, after Payment of the Dividends chargeable on the said One Seventh Part, One Seventh Part, and Five Seventh Parts thereof respectively, shall be applicable as general Revenues of the Company.

32. Five million eight hundred and fifty-four thousand and fifteen Pounds of the ordinary Stock created by this Act shall be divided rateably amongst the Proprietors of the ordinary Stock of the Eastern Counties Railway Company in proportion to the respective Rights and Interests therein of such Proprietors respectively; and 1,136,606*l.* of the ordinary Stock created by this Act shall be divided rateably amongst the Proprietors of the Ordinary Stock of the Norfolk Railway Company in proportion to the respective Rights and Interests therein of such Proprietors respectively; and 430,575*l.* of the Great Eastern A Stock created by this Act shall be divided rateably amongst the Proprietors of Class A ordinary Stock of the Eastern Union Railway Company in proportion to the respective Rights and Interests therein of such Proprietors respectively; and the remaining 774,425*l.* of Great Eastern A Stock created by this Act shall be divided rateably amongst the Proprietors of Class B ordinary Stock of the Eastern Union Railway Company, according to the respective Rights and Interests therein of such Proprietors respectively.

33. The Profits of the Undertaking applicable to the Payment of Dividends upon ordinary Stock shall be divided at an equal Rate per Centum per Annum amongst the Proprietors of the ordinary Stock and the Great Eastern A Stock, subject to the following Additions and Reductions with respect to the last-mentioned Stock; (that is to say,)

The Proprietors of the Great Eastern A Stock shall be entitled annually to an Addition of 6,936*l.*, being 4*l.* per Centum per Annum on the Amount over and above 316,330*l.* expended by the Eastern Union Railway Company in the Construction of the Harwich and Woodbridge Branches:

If the Eastern Union Liabilities in respect of all fixed annual Charges, exclusive of the Dividends on the said Sum of 316,330*l.*, shall be found to be less than 72,000*l.* per Annum, the Proprietors of Great Eastern A Stock shall be entitled annually to such an Addition as shall be equal to the Difference between the Amount of such fixed Charges and Liabilities and 72,000*l.*:

If such Liabilities in respect of all fixed annual Charges shall be found to be more than 72,000*l.* per Annum, the Share per Annum of the Proprietors of Great Eastern A Stock in the divisible Profits shall be less by the Difference between 72,000*l.* and the Amount of such fixed Charges and Liabilities.

34. It shall be lawful for the Company and any of the Holders of Great Eastern A Stock, by Agreement between themselves, to commute all or any such A Stock belonging to such Holders respectively into ordinary Stock of the Company, on such Terms as the said Company and the said Holders of Stock respectively agree:

35. The Great Eastern Preference Stock shall be considered as fully paid up, and shall be entitled to preferential Dividends at the Rate of 5*l.* per Centum per Annum on the Amount thereof, and 826,520*l.* shall be divided rateably amongst the Proprietors of the existing ordinary Stock in the Capital of the Eastern Counties Railway Company at the Time of the passing of this Act, and the remaining 296,080*l.* of the Great Eastern Preference Stock shall be divided rateably amongst the Proprietors of the existing ordinary Stock in the Capital of the Norfolk Railway Company at the Time of the passing of this Act, and the Executors, Administrators, Successors, and Assigns of such Proprietors respectively, in proportion to the Amount of such existing ordinary Stock then held by them respectively.

36. The Newmarket and Bury Stock, the Norfolk Five per Centum Preference Stock, 1856, the East Anglian Stock, the ordinary Stock, and the Great Eastern A Stock created by this Act, shall vest in the Persons and Corporations respectively entitled thereto under the Provisions of this Act, and subject to the same Trusts, Powers, Charges, Liens, and Liabilities as the original Shares or Stock for or in respect of which they are so vested, and so as to give Effect to and not revoke any Will or other Testamentary Instrument disposing of such original Shares or Stock.

37. In addition to the ordinary Stock of the Company amounting to 8,195,621*l.*, there shall be created by the Company, and issued to the East Suffolk Railway Company or their Nominees, such an Amount of ordinary Stock of the Company as shall be determined by Arbitration in pursuance of the East Suffolk Arrangement, and the East Suffolk Railway Company or their Nominees shall be Stockholders of the Company accordingly; provided that the ordinary Stock so issued to the East Suffolk Railway Company or their Nominees shall be applied or disposed of by them for the exclusive Benefit of the Holders of their ordinary Shares or Stock specified in the Schedule to "The East Suffolk Railway Act, 1861," and in proportion to the Amounts paid up or deemed to be paid up thereon.

38. The Dividends on the ordinary Stock to be so created and issued to the East Suffolk Railway Company or their Nominees shall be paid at the same Times as and on a rateable Equality in all respects with the Dividends on the other ordinary Stock of the Company, and no Payment of Dividend on any Part of the ordinary Stock of the Company shall be made of any Profits or Monies accruing after the 30th Day of June 1862 unless Payment of a like Rate of Dividend on the ordinary Stock to be so created and issued be made therewith.

39. The Company may at any Time or Times and from Time to Time hereafter, subject to the Provisions of this Act, redeem at Par, and at no higher Rate of Interest, and extinguish, all or any Classes of the Preference, Creditors, or Guaranteed Stocks in the Capital of the Company; but no such Power shall be exercised unless with relation to Stocks or Shares which at the Time of the Creation thereof were declared to be redeemable, nor shall the said Power be exercised in a Manner inconsistent with any of the Terms or Conditions upon which the Stock to be redeemed was created by virtue of the repealed Acts; and the Company may raise the Sums required for such Redemption by the Creation of new Shares or Stock as herein-after mentioned.

40. The Company may at any Time and from Time to Time purchase up or redeem at Par, and at no higher Rate of Interest, any Shares or Stock in any Class of Preference, Creditors, or Guaranteed Shares or Stock of the Company which the Owners of such Shares or Stock may be willing to sell or agree to be redeemed, for such Price or Consideration as may be agreed upon between the Company and such Owner, and may raise the Sums required for such Purchase or Redemption by the Creation of new Shares or Stock as herein-after mentioned.

41. The Company, with the Consent of Three Fifths of the Votes of the Shareholders present, in Person or by Proxy, at a General Meeting convened with special Notice of the Purpose, may at any Time or from Time to Time raise by the Creation of new Shares or Stock such Sum or Sums of Money as they may require for Purposes authorized by the said Act 24th and 25th of Victoria, Chapter ccxxxi., not exceeding in the whole 600,000*l.*, and such further Sums as they may require for the general Purposes of their Undertaking, or as they may by this Act be authorized to raise for any of the Purposes thereof, not exceeding in the whole (exclusive of Sums required for the Purchase or Redemption of Shares or Stock, and exclusive of Sums required for the Amalgamation, Purchase, or Lease of the Undertaking or Work of any other Company, as herein-after mentioned,) 600,000*l.*

42. All new Shares or Stock created under the Powers of this Act shall, subject to the Provisions of this Act, form Part of the general Capital of the Company.

43. The Company, with such Consent of the Shareholders as aforesaid, may from Time to Time attach to all or any new Shares or Stock, or any Class of new Shares or Stock, which may hereafter be created by them under the Powers of this Act, preferential Dividends not exceeding the Rate of 5*l.* per Centum per Annum for the Time being paid thereon in priority to the ordinary Stock or Shares of the Company:

44. If the Revenue of the Company available for Dividend in any Year ending the 31st Day of December shall be insufficient to pay the preferential Dividends due upon the Great Eastern Preference Stock, or upon any Preference Shares or Stock which may hereafter be created by the Company under the Powers of this Act, the Deficiency or any Part thereof shall not be chargeable against the Revenue of the Company available for Dividend in any subsequent Year, or against any other Funds of the Company.

45. The Terms and Conditions on which any such preferential Shares shall be issued by the Company shall be clearly stated on the Certificates of such Shares.

46. If the Company redeem any Class of Preference Shares or Stock under the Powers of this Act, and for such Purpose create a new Class of Shares or Stock, with preferential Dividends not exceeding in Amount the preferential Dividends of the Shares or Stock redeemed, they may assign to the new Class of Shares or Stock the same Priority in Payment of preferential Dividends as the Shares or Stock redeemed; but, except in such Case, no Guarantee of preferential Dividend which may be granted by the Company, under the Powers of this Act, on any Shares or Stock, shall prejudice or affect any Preference or Priority in the Payment of Dividend or Interest on any other Shares or Stock which may have been granted by any of the Companies hereby dissolved, in pursuance of or which may have been confirmed by any Act of Parliament previously passed, or which may otherwise be lawfully subsisting.

Amount and issuing of Shares, § 47.
Limit of Amount and Number of Calls, § 48.
Issuing of Stock, § 49.

50. The Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the Consolidation of the Shares into Stock, so far as they are not inconsistent with the Provisions of this Act, shall apply to the Newmarket and Bury Stock, and to the Norfolk Five per Centum Preference Stock, 1856, and to the East Anglian Stock, and to the Great Eastern Preference Stock, and to any Stock which may be created under this Act, as if such Stock had been created for the Consolidation of Shares into Stock.

Company may cancel unissued new Shares, § 51.
Company may cancel forfeited new Shares, § 52.
Evidence for Cancellation, § 53.
Shareholder liable to pay Calls, &c. notwithstanding Cancellation, § 54.
Value of Share to be deducted, &c., § 55.
Company may cancel forfeited Shares with Consent of Holders, § 56.
Company may issue new Shares in lieu of such cancelled Shares, § 57.
Receipt for Persons under Disability, § 58.

59. And whereas the Sums which the Companies hereby amalgamated were authorized, under Acts passed before the present Session, to raise by Mortgage or Bond, after deducting 491,070*l.*, the Amount of Debenture Stock created by them, and exclusive of the 200,000*l.* which the Eastern Counties Railway Company were authorized to borrow under the said Act 24 & 25 Vict. c. ccxxxi., but including Sums borrowed on Mortgage or Bond by the said Companies respectively, amounted in the aggregate to 4,350,411*l.* 13*s.* 4*d.*; therefore the Company may from Time to Time borrow on Mortgage of their Undertaking any Sums not exceeding in the whole, including Sums borrowed on Mortgage by the Companies hereby amalgamated, 4,550,411*l.*; but the Company shall not borrow or have outstanding on Mortgage or Bond more than 4,350,411*l.* of the said Sum of 4,550,411*l.* until 600,000*l.*, Part of the additional Capital by this Act authorized, shall have been subscribed for or taken, and One Half of that Amount shall have been actually paid up, nor until the Company shall have proved to the Justice who is to certify, under the 40th Section of "The Companies Clauses Consolidation Act, 1845," (before he so certifies,) that the whole of the said additional Capital of 600,000*l.* has been subscribed for or taken bonâ fide, and is held by the Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same (of which Proofs having been given the Certificate of such Justice under that Section shall be sufficient Evidence).

Priority of existing Mortgages, § 60.
Arrears may be enforced by Appointment of a Receiver, § 61.
Nothing in Act to affect Priority of Northern and Eastern Shareholders, § 62.
Application of Sums raised under Act, § 63.

64. All Debenture Stock created by the Companies hereby dissolved, or any of them, prior to the passing of this Act, shall become Debenture Stock of the Company.

65. Instead of borrowing the Money which the Company are by this Act authorized to borrow on Mortgage of their Undertaking, or any Part thereof, or for the Purpose of paying off any Mortgages, the Company, with the Consent of Three Fifths of the Votes of the Shareholders present, in Person or by Proxy, at a General Meeting or General Meetings of the Company, convened with special Notice of the Purpose, may from Time to Time raise, by the Creation of Debenture Stock, such Sum or Sums of Money as they think fit, not exceeding in the whole the Amount which the Company may for the Time being be authorized to borrow on Mortgage under the Powers of this Act, and, with such Consent as last aforesaid, may guarantee such fixed Amount of Dividend on any such Debenture Stock, not exceeding 4*l.* 10*s.* per Centum per Annum on the Amount for the Time being paid thereon, as they think fit, and may attach such other Privileges to any such Debenture Stock, in the way of Preference or Priority in Payment of Dividend, or the Time of paying such Dividend, over all other Stock or Shares in the Capital, as they may think fit.

66. The Company may and shall, within One Month after the passing of this Act, create and issue to the East Suffolk Railway Company or their Nominees, in pursuance of the East Suffolk Arrangement, the Sum of 340,000*l.* Debenture Stock, bearing a fixed guaranteed Dividend at the Rate of 4*l.* per Centum per Annum, and the further Sum of 335,000*l.* Preference Stock, bearing a preferential Dividend at the Rate of 4*l.* 10*s.* per Centum per Annum, and the Dividends thereon respectively shall fall due in equal half-yearly Sums on the 30th Day of June and the 31st Day of December in every Year, and shall be paid at the same Times as the Dividends on the other Preference Stocks of the Company, and the First half-yearly Dividend thereon shall fall due on the 31st Day of December 1862.

67. In consideration of the Issue by the Company to the East Suffolk Railway Company of the said Sums of 340,000*l.* Debenture Stock and 335,000*l.* Preference Stock, making together the Sum of 675,000*l.* Debenture Stock and Preference Stock, that Company shall, in pursuance of the East Suffolk Arrangement, fully and freely indemnify the Company against all Claims and Demands in respect of the said fixed Liabilities of the East Suffolk Railway Company and every Part thereof, and that Company shall apply and dispose of that Debenture Stock and Preference Stock so as to effect that Indemnity.

68. The Company may take, in exchange for Debenture Stock, any Mortgage of equal nominal Amount for which the Company may be liable at the Time of the Creation of such Stock, or, instead of any such Mortgage as aforesaid, the Company may take a Release or Acquittance for any Part of the Principal Money secured by such Mortgage; and every Mortgage so taken in exchange shall be forthwith cancelled, and the Principal Money secured thereby, or for which any Release and Acquittance as aforesaid shall be given to the Directors, shall for the Purposes of this Act be considered as repaid by Money raised by means of the Debenture Stock.

69. All Monies raised by the Creation and Issue of Debenture Stock under this Act, other than the Debenture Stock of 340,000*l.* to be issued to the East Suffolk Railway Company, shall be applied in paying off Mortgages of the Company, or to the Purposes to which Money to be raised on the Security of such Mortgages could be lawfully applied, so far as such Monies have not been raised by Mortgage, and to no other Purpose.

Mortgaging Powers to cease to the Extent of Sums raised by Debenture Stock, § 70.
Transfer of Debenture Stock, § 71.
Register of Holders of Debenture Stock to be kept, § 72.
Power to close Transfer Books at certain Periods, § 75.
General Meetings, § 76.
Holders of Preference or Debenture Capital not to vote at Meetings of the Company, § 77.
Scale of voting, § 78.
Proxies to be transmitted to the Secretary Three clear Days before the Meeting, § 79.
Quorum of General Meetings, § 80.
Proprietors for calling Extraordinary Meetings, § 81.

82. Subject to the Provisions of this Act, the Number of Directors shall be Fifteen, of whom Three shall be Directors of the Northern and Eastern Railway Company, and appointed as herein-after mentioned, and Two shall be Directors appointed

by the Proprietors of East Anglian Stock, herein-after called East Anglian Proprietors.

83. The Qualification of every Director of the Company not appointed by the Directors of the Northern and Eastern Railway Company shall be the Possession in his own Right of ordinary Capital of the Company in Shares and Stock, or either, amounting in the whole to not less than 2,000*l.*

Candidates for Directorship to give 14 clear Days Notice to the Secretary, § 84.

85. At the First General Meeting of the Company which shall be held after the passing of this Act the Company shall appoint 10 Persons duly qualified to be Directors of the Company; and within One Month after the passing of this Act the Directors of the Northern and Eastern Railway Company shall appoint Three of their Body to be Directors of the Company, and the East Anglian Proprietors shall appoint Two Persons duly qualified pursuant to the Provisions of this Act to be Directors of the Company.

Old Directors to continue in Office till new Directors appointed, § 86.

Directors to go out of Office by Rotation, § 87.

For supplying occasional Vacancies in Board of Directors, § 88.

Appointment of Directors by Northern and Eastern Railway Company in the Place of Directors going out of Office by Rotation, § 89.

For supplying Vacancies by Death, &c. of Directors appointed by Northern and Eastern Railway Company or by East Anglian Proprietors, § 90.

Appointment of East Anglian Directors, § 91.

Evidence, § 92.

Directors to have equal Rights, § 93.

Power to increase or reduce Number of Directors, § 94.

Quorum to be Five, § 95.

Power to Company to declare Dividends, § 96.

Committee of Directors, § 97.

98. The following Railways, Tramways, Stations, Bridge, and Pier, as now respectively constructed, and Harbour, together with the several Tramways, Stations, Wharves, Jetties, Warehouses, and Works connected therewith respectively, and belonging to any of the Companies hereby amalgamated, shall, with the Railways not made, and herein-after referred to, and the Railways and Works for the Time being vested in the Company by Lease or for any Term of Years, during the Continuance of such Lease or Term, form the Undertaking of the Company; (that is to say,) the Railways and Works hereinbefore described as the Colchester Line, the Thames Branch, the North Woolwich Branch, the North Woolwich Loop Line, the Pepper Warehouses Branch, the Thames Branch Fork Line, the Hackney Branches, the Maldon and Braintree Branches, the Loughton Line, the Enfield Branch, the Cambridge Line, the Shepreth Branch, the Cambridge and Saint Ives Railway, the March and Wisbech Line, the Peterborough Branch, the Bishopsgate and Stratford Stations, the Huntingdon Line, the Lynn and Ely Line, the Wisbech Branch, the Lynn and Dereham Line, the King's Staith Quay Branch, the Newmarket Line, the Bury Saint Edmund's Line, the Ipswich Line, the Hadleigh Branch, the Harwich Branch, the Ipswich and Bury Line, the Norwich and Trowse Branches, the Woodbridge Branch, the Yarmouth Line, the Norwich and Brandon Line, the Dereham Branch, the Fakenham Branch, the Yarmouth Tramways and Bridge, the Lowestoft Branch, the East Suffolk Main Line, the Haddiscoe Branch, the East Suffolk Lowestoft Branch, the Mutford Branch, the Snape Branch, the Aldborough Extension and the Framlingham Branch, also the Thames Pier, and the Lowestoft Harbour.

Obligations in respect to level Crossings authorized by the various Acts, §§ 99, 100.

Restrictions in respect to crossing Trowse Millgate, §§ 101, 102.

As to Roads numbered 50 in East Dereham and 10 in Fakenham, § 103.

Trains not to be shunted across level Crossings, § 104.

Lands for extraordinary Purposes, § 105.

Power to purchase or take on Lease Lands or Buildings for Offices, &c., § 106.

Superfluous Lands to be sold within 10 Years, § 107.

Power to lease superfluous Lands prior to their Sale, § 108.

Hackney Branches Junction to be under Control of North London Railway Company, § 109.

For the Protection of the British Gaslight Company, § 110.

Alterations to be made at Expense of Railway Company (British Gaslight Company), § 111.

Regulating the Construction of Works over Pipes (British Gaslight Company), § 112.

For Protection of Works of the East London Waterworks Company, §§ 113 to 119.

Saving of Rights and Protection of Works of Regent's Canal Company, §§ 120 to 123.

For securing the Construction of new Banks in a proper Manner (Levels of Havering, &c.), § 124.

For causing the Removal of accumulating Waters by making fresh Openings (Levels of Havering, &c.), § 125.

Penalty for Company neglecting to do the necessary Work (Levels of Havering, &c.), § 126.

Bridge over River Lea to be kept open at certain Periods, § 127.

Provisions for Protection of Navigation of the River Lea, §§ 128 to 133.

Trains not to stop at any Station in St. Mary, Leyton, during Morning Service on Sundays, § 134.

Railway not to obstruct Extension of the Pipes of the Cambridge Gas Company, § 135.

Against Injury to the Springs and Sources supplying Cambridge with Water, § 136.

Penalty on Company for obstructing Supply of Water to the University and Town of Cambridge, § 137.

The Company to make good all Injury occasioned by the Works of the Railway to the Cam Navigation, § 138.

Conservators of the River Cam may sue in the Name of their Clerk, § 139.

Officers of the University of Cambridge to have Access to Railway Stations, § 140.

Company to take up and set down Members of University at appointed Stations only, § 141.

Company to obey Instructions of University Officers as to the Conveyance of Members, § 142.

Company not to take up or set down Passengers at the Cambridge Station between certain Hours on Sundays (Cambridge University), § 143.

For Protection of the Drainage and Navigation of the Bedford Level, §§ 144 to 150.

Nothing herein to prejudice the Rights of Middle Level Drainage Commissioners established under 7 & 8 Vict. c. 106, §§ 151 to 155.

Saving Rights and Protection of Property of the Ouze Navigation Proprietors, §§ 156 to 158.

As to Construction of Bridge over Channel of River Nene in case the same is improved, § 159.

Preserving Rights of Drainage in Great and Little Waldersey, § 160.

As to the making or erecting any new Bridge, Culvert, or Tunnel (Great and Little Waldersey), § 161.

Openings under Railway in case of Inundation (South Level Cut), § 162.
Costs of repairing of Bridges over the Nar to be borne by the Company (River Nar), § 163.
Costs of repairing Bridge and Archways over the Nar to be borne by the Company (River Nar), § 164.
Further Provisions for Protection of Works connected with River Nar, §§ 165 to 168.
As to Rights of Haulage at Lynn Harbour, § 169.
Securing running Powers over Lynn and Ely Line, Wisbech Branch, Dereham Line to East Dereham, if Railway made to unite Lynn or Wisbech and the Great Northern Railway, § 170.
Power of Pre-emption if the Railway be discontinued, § 171.
Communications to be made over Railway to the River Ouze, § 172.
Company may divert Haling-path under certain Restrictions, § 173.
Company not to detain Vessels navigating Rivers (River Nar), § 174.
Provisions as to Repair of Bridges and Removal of Impediments in the Harbour, § 175.
No Locomotive to be used on King's Staith Quay Branch, § 176.
For preventing Obstructions to Railways, &c., § 177.
Company not to close Victoria Station at Norwich, § 178.
Company not to close Vauxhall or South Town Stations at Yarmouth, § 179.
Remedy for Neglect of preceding Enactments, § 180.
Company to keep proper Persons to open and shut the Bridge, § 181.
Light to be affixed to Bridges, § 182.
For protecting the Waters of the Rivers Wensum and Waveney to the like Extent as at present, § 183.
Protection of Yarmouth and Norwich Navigation, § 184.
Power to Admiralty to order Bridge to be made to open, § 185.
Power to alter Lines of Tramways, with Consent of Corporation, § 186.
Power for Corporation to take up Tramways for certain Purposes, § 187.
Penalty for removing Tramways without Authority, § 188.
Power to use Tramways, § 189.
Power to the Corporation of Yarmouth to make Byelaws for regulating Use of Tramways; Confirmation and Publication of Byelaws, §§ 190 to 195.
Charges on Yarmouth Tramways, § 196.
Application of Acts relating to East Suffolk Railways, § 197.
As to Tramways at Ipswich, § 198.
Tramways may be altered, § 199.
Power to make Railways authorized by 24 & 25 Vict. c. ccxxxi., § 200.

201. The Railways by this Act authorized to be made and maintained comprise the following:

The Long Melford Line, being a Railway commencing in the Parishes of Sudbury Saint Gregory and Great Cornard, in the County of Suffolk, or in One of those Parishes, by a Junction with the Colchester, Stour Valley, Sudbury, and Halstead Railway, and terminating in the Parish of Long Melford, in the County of Suffolk, in or near a Field numbered 48 in that Parish on the Plans deposited as in "The Sudbury and Clare Railway Act, 1860," mentioned:

The Melford and Clare Line, being a Railway commencing from and out of the intended Long Melford Line in the said Parish of Long Melford at or near the Termination of that Railway as before described, and terminating in the Parish of Clare in the County of Suffolk in or near a Field called "The Bailey:"

The Clare and Shelford Line, being a Railway commencing from and out of the intended Melford and Clare Line in the said Parish of Clare at or near the Termination of that Railway as before described, and terminating by a Junction with the Cambridge Line in the Parish of Great Shelford in the County of Cambridge:

The Melford and Bury Line, being a Railway commencing from and out of the said intended Melford Line in the said Parish of Long Melford at or near the Termination of that Railway as before described, and terminating in the Parish of Saint James, Bury St. Edmund's, in the County of Suffolk by a Junction with the Ipswich and Bury Line:

The Haverhill Branch, being a Railway wholly in the Parish of Haverhill in the County of Essex commencing from and out of the said intended Clare and Shelford Line, and terminating by a Junction with the Haverhill Extension of the Colne Valley and Halstead Railway:

The Wisbech Saint Peter Branch, being a Railway diverging from the Wisbech Branch at Walsoken, in the Parish of Walsoken, in the County of Norfolk, and terminating in the Parish of Wisbech Saint Peter near the Shore of the River Nene or Wisbech River.

Regulations as to level Crossings, §§ 202 to 205.
As to Inclination of certain Roads, § 206.
Power to alter Engineering Works, § 207.
Authorizing Sale of Glebe Lands of the Vicarage of Clare for a Rentcharge, § 208.
Junction with Stour Valley Railway, and Arrangements with Stour Valley Company, §§ 209 to 212.
Communications with the Colne Valley and Halstead Railway Extension, how to be made, § 213.
Restricting Interference with Nene River and Roads, § 214.
Company to provide Openings for Flood Waters of River Stour, § 215.
Land for extraordinary Purposes, § 216.
Compulsory Purchase of Land to be made within Two Years from passing of 24 & 25 Vict. c. ccxxxi., § 217.
As to Purchase of Lands of E. A. S. Walton, Esq., for Purposes of Haverhill Branch, § 218.
New Works to be completed within Three Years from passing of 24 & 25 Vict. c. ccxxxi., § 219.
Dividends suspended if Railways not opened within Period limited, § 220.
For securing Completion of Railway from Haverhill Junction to Cambridge, § 221.
Traffic not to be obstructed, § 222.
How Duty to be enforced, § 223.
Tolls for Passengers, Animals, Goods, &c., §§ 224 to 233.

234. Where any Goods shall have been conveyed from any Place on the Railway to any other Place on the same Railway, and any Charge shall have been made by the Company in respect thereof, on Application in Writing, within One Week of the Payment of the said Charge, made to the Secretary of the Company by the Person who shall have paid the same, the Company shall, within Fourteen Days, render an Account to the Person so demanding the same, distinguishing how much of the said Charge is for the Conveyance of the said Goods on the Railway, including therein Tolls for the Use of the Railway, for the Use of Carriages, and for locomotive Power, and how much of such Charge is for loading and unloading, covering, Collection, Delivery, and for other Expenses, but without particularizing the separate Items of which the last-mentioned Portion of the Charge may consist.

235. No Station is to be considered a Terminal Station in regard to any Goods conveyed on the Railway which have not been received thereat direct from the Consignor of such Traffic, or are not directed to be delivered thereat to the Consignee.

Rates between Norwich or Yarmouth and London to be charged by shortest Route, § 236.

Tolls on Yarmouth Line, Norwich and Brandon Line, and Dereham and Lowestoft Branches to be charged according to geographical Distance, § 237.

Maintaining Equality of Tolls, Bury St. Edmund's, § 238.

As to Bury St. Edmund's Traffic, § 239.

As to Traffic between Bury St. Edmund's and London, § 240.

Penalty on Owners of Goods not removing them after Notice, § 241.

Company may erect certain Works, with Consent of Owners, &c. of Frontages in connexion with King's Staith Quay Branch, § 242.

Damage done to Moorings to be made good by Company, § 243.

Harbour Moorings Commissioners may take up and put down Posts in Lynn Harbour, if necessary, § 244.

Works below High-water Mark not to be executed without Consent of the Admiralty, § 245.

As to Construction of Works below High-water Mark, § 246.

Saving Rights of Corporation of King's Lynn, § 247.

Tolls for Use of Landing Places, &c., § 248.

Officers of Customs to be Toll-free, § 249.

Company may regulate Use of Pier, &c., § 250.

Penalty in not complying with Directions, § 251.

Power of Company to remove Vessels, § 252.

Penalty on Master for obstructing Officer, § 253.

Officer of Company may remove Ropes, &c., § 254.

Powers limited, § 255.

Remedies for Damage to Pier, &c., § 256.

Owners to recover from Servants, § 257.

Damages to be made good, § 258.

Rates on Passengers using Pier, § 259.

Rates on Goods shipped or unshipped at the Pier, § 260.

Saving the Rights of Her Majesty, § 261.

As to Payment to Corporation of Harwich, and vesting of their Works in the Company, § 262.

Power to construct Works of Lowestoft Harbour and Navigation, § 263.

Company not to construct Works to contract Water of Lake Lothing without Consent of Admiralty, § 264.

Powers to raise or reduce Tolls in respect of Lowestoft Navigation, § 265.

Lowestoft Harbour Rates to be charged equally, § 266.

Company to take increased Toll for Vessels entering the Harbour for Refuge, and remaining beyond a certain Period, § 267.

Tolls on Stowmarket Navigation, § 268.

Extending Provisions of "Harbours, Docks, and Piers Clauses Act, 1847," as to Byelaws for the Navigation, § 269.

General Exemptions, § 270.

Exemption of certain Vessels from Tolls, § 271.

Admiralty may order a local Survey at the Cost of the Company, § 272.

If Works affecting tidal Waters, &c. fall into Disuse, Admiralty may remove them at Expense of Company, § 273.

Company to work Colne Valley Railway, if required, § 274.

Terms of working, § 275.

Conditions of such Agreements, § 276.

Agreement between Companies may be modified if required by Board of Trade, § 277.

Public Notice of Expiration of decennial Period, § 278.

Alternative Provision for facilitating the Traffic of the Colne Valley Company, § 279.

Terms upon which Facilities are to be afforded, § 280.

Provision for Arbitration, § 281.

282. The Company, with the Consent of Three Fifths of the Votes of the Shareholders present, in Person or by Proxy, at a General Meeting convened with special Notice of the Purpose, may from Time to Time guarantee such Amount of Interest as they may think proper, not exceeding the Rate of 5*l.* per Centum per Annum, on any Mortgages or Debentures that may be created by the Bishop Stortford, Dunmow, and Braintree Railway Company, or by the Ware, Hadham, and Buntingford Railway Company, under the Powers of the Acts relating to those Companies respectively.

283. All Capital which the Company may raise under the Provisions of the Acts authorizing the Eastern Counties Railway Company to contribute to the Undertakings of the Bishop Stortford, Dunmow, and Braintree Railway Company, or of the Ware, Hadham, and Buntingford Railway Company, shall be added to the Capital of the Company.

284. And whereas by "The Wells and Fakenham Railway Act, 1854," Power is given to the Wells and Fakenham Railway Company to enter into Agreements with the Norfolk Railway Company for the Use and Working by the last-named Company of the Wells and Fakenham Railway, and by "The Wells and Fakenham Railway Act, 1859," the Norfolk Railway Company were authorized to guarantee Interest or Dividends upon the additional Capital of 3,800*l.* authorized to be raised by the said Act, and an Agreement was entered into between the Promoters of the Wells and Fakenham Railway and the Norfolk Railway Company for the working in perpetuity by the last-named Company of the Wells and Fakenham Railway: And whereas by the hereinbefore recited Act of 1854, and of the Agreement whereon that Act is founded, the Powers of the Norfolk Railway Company have been exercised by the Eastern Counties Railway Company, and the Undertaking of the Wells and Fakenham Railway Company has since the same was completed been worked by the Eastern Counties Railway Company, and an Agreement has been entered into between the Wells and Fakenham Railway Company and the Eastern Counties Railway Company, which is set forth in Schedule (C), to this Act: Be it enacted, That the said Agreement be and the same is hereby confirmed, and the Undertaking of the Wells and Fakenham Railway Company shall be amalgamated as and from the 1st Day of September 1862 with the Undertaking of the Company upon the Terms and Conditions therein set forth, which Terms and Conditions the Parties thereto are hereby required to observe and perform.

285. The Undertaking of the Ware, Hadham, and Buntingford Railway Company, with the Consent of Three Fourths of the Votes of the Shareholders of that Company present, in Person or by Proxy, at a General Meeting specially convened for the Purpose, and the Undertaking of the Colchester, Stour Valley, Sudbury, and Halstead Railway Company, with the like Consent of the Shareholders of that Company, and the Pepper Warehouses and Wharves of the East and West India Docks Company (now leased to the Eastern Counties Railway Company), with the like Consent of the Shareholders of the East and West India Dock Company, may severally and respectively be at any Time hereafter transferred to and vested in the Company, by Amalgamation, Sale, or Lease, for such Price or Consideration or Rent, and upon such Terms and Conditions, as may be agreed upon between the Company and the Company Proprietors of the Undertaking or Work

to be transferred or vested as aforesaid, subject nevertheless to the Provisions of this Act.

Amalgamation, &c. to be approved by Board of Trade, § 287.

Capital of amalgamating or selling Company not to be increased, § 288.

Amalgamation, &c. to be by Deed and Copies to be deposited with Clerks of the Peace, § 289.

Amalgamation, &c. not to take effect till after Publication of certain Notices, § 290.

Undertaking or Work to form Part of the Company's Undertaking, and Acts to apply to the Company, § 291.

As to Shares of amalgamating Company, § 292.

As to Shares of amalgamating Companies not paid up, § 293.

Shares to be Part of the general Capital, § 294.

Company may raise Capital which amalgamating, selling, or leasing Company had Power to raise, but had not raised, § 295.

Provisions of Act with respect to new Shares or Stock of the Company to apply to Shares or Stock created for Purposes of Amalgamation, &c., § 296.

In case of Sale Company to be dissolved, except for certain Purposes, § 297.

Selling Company to wind up their Affairs and to be dissolved, §§ 298 to 300.

Saving of Rights and Liabilities under Acts of amalgamating, &c. Companies, §§ 301 to 307.

Tolls, &c. on Railways in connexion with Railways of the Company, § 308.

Byelaws and List of Tolls or Rates may be painted or printed, § 309.

Penalty for defacing Board to be used for such Publication, § 310.

Delivery of Matters in Possession or Custody of Toll Collector at Removal, § 311.

312. All Railways and other Works which the Eastern Counties Railway Company, the Eastern Union Railway Company, the Norfolk Railway Company, the East Anglian Railways Company, or the Newmarket Railway Company may be authorized to make by any Act or Acts passed or which may be passed in the present Session of Parliament shall form Part of the Undertaking of the Company; and all Capital in Shares or Stock which the said Companies or any of them may be authorized to raise by any such Act or Acts may be raised by the Company with and as Part of the Capital by this Act authorized to be raised, but nevertheless subject to the Terms and Conditions prescribed by the Act or Acts respectively authorizing the Creation of such Capital, and the Amount of such Capital shall be in addition to the Amount by this Act authorized to be raised, and all such Capital shall form Part of the general Capital of the Company, and the Dividends upon all such Capital shall be paid and payable out of the Profits of the Company in like Manner in all respects as if such Capital had been authorized by this Act, anything in the Acts authorizing the Creation of such Capital to the contrary notwithstanding; and in all other respects all Acts passed or which may be passed in the present Session of Parliament conferring Powers upon or otherwise in any way relating to the Eastern Counties Railway Company, the Eastern Union Railway Company, the Norfolk Railway Company, the East Anglian Railways Company, or the Newmarket Railway Company shall apply to the Company in like Manner as but for the passing of this Act they would have applied to the first-mentioned Companies respectively.

For Protection of Sewers of Metropolitan and other Boards, § 313.

Saving Rights of Northern and Eastern Shareholders, § 314.

Saving Rights of Colchester, Stour Valley, and Halstead Railway Company; of East Suffolk Company; of Lowestoft Harbour and Railway Company; and of various other Corporations and Parties, § 315 to 318.

Saving Provisions in favour of the Admiralty, of Rights of the Crown, and of the Duchy of Lancaster, §§ 319 to 322.

Schedules:—

A. Sections of repealed Acts continued in force.

B. Rates in respect of Thames Pier.

C. Agreement with Wells and Fakenham Railway Company.

Cap. ccxxiv.

"Mid-Kent Railway (Bromley to Saint Mary's Cray) Leasing and Transfer Act, 1862."

Recites that by "The East Kent Railway Act, 1853," a Company was incorporated by the Name of the East Kent Railway Company, but now, by virtue of "The London, Chatham, and Dover Railway Act, 1859," styled "The London, Chatham, and Dover Railway Company;" that by "The Mid-Kent Railway (Bromley to St. Mary's Cray) Act, 1856," the Mid-Kent Railway (Bromley to St. Mary's Cray) Company were incorporated; that by "The London, Chatham, and Dover Railway (Works) Act, 1861," the Company were authorized to make a Railway called "the Bickley Junction," but it was by that Act enacted that the Company should not open or use the Bickley Junction Railway unless they should in the next Session of Parliament introduce and effectually prosecute a Bill for leasing for 999 Years the Undertaking of the Crays Company, as from the Date of the passing of such Bill into a Law, at a Rent that should amount to the Interest payable by the Crays Company on their Loan Debt of 23,000*l.*, and to Four per Centum per Annum on 61,550*l.* in respect of their Share Capital, (with all Powers, Rights, and Privileges of the last-mentioned Company in relation to such Undertaking, and subject only to the Obligations and Liabilities which on the First Day of that Year were legally affecting the said Undertaking, under the Authority of the Act incorporating the Crays Company,) but without being liable for any pecuniary Obligation affecting or capable of affecting the said Undertaking; that it is expedient that the Undertaking of the Crays Company be leased to the Company from the Period herein-after mentioned; and that the Crays Company be authorized to make, and that the Company be authorized to take, a Transfer of the Undertaking of the Crays Company.

Incorporating certain Provisions of Companies Clauses Consolidation Act, § 2.

Power to lease the Railway, § 4.

Contents of Lease, § 5.

Undertaking vested in Lessees accordingly, § 6.

Lessee may work and manage Railway and take Tolls, § 7.

Lease not to affect Third Parties, § 8.

Rent not to be charged on separate Undertakings, § 9.

Crays Company may sell their Undertaking to the Company, § 10.

Evidence and Effect of Transfer, § 11.

Sanction of Shareholders to Transfers, &c., § 12.

Power to enter into Contracts, § 13.

Provision for Debts and Credits of selling Company, § 14.

Contracts, &c. to remain in force, and Rights and Liabilities under other Acts saved, §§ 15 to 17.

Company may apply Funds and create Shares, § 18.

Unissued Shares may be cancelled, and new Shares created in lieu thereof, § 19.

Preferential Dividend not exceeding Six per Cent. may be attached to new Shares, § 20.
Half Shares may be created, § 21.
Saving existing Preference Shares, § 22.
Defining Profits applicable to preferential Dividends, § 23.
Disposition of new Shares, § 25.
Qualifications of new Shareholders, § 27.
Stock may be created in lieu of Shares, §§ 28 to 30.
Company may borrow to pay off Mortgages and Bonds of Vendors, § 31.
Mortgages not to exceed One Third of existing Share Capital, § 32.
Application of new Shares, &c., § 33.
Application of Money received for Transfer and other Monies by Company, § 34.
Eventual Dissolution of Crays Company, § 37.
Cesser of South-eastern Railway Company's Powers to use Crays Line and Farnborough Extension, § 38.
Facilitating Transmission of other Companies Traffic; Arbitration, §§ 39, 40.

Cap. ccxxv.

"The Somerset and Dorset Companies Amalgamation Act, 1862."

Recites that by "The Somerset Central Railway Act, 1852," the Somerset Central Railway Company were incorporated, and were authorized to make and maintain the Somerset Central Railway, and to acquire the Glastonbury Canal, and the Bristol and Exeter Railway Company were authorized (in the Event which happened) to appoint One Director of the Somerset Company; that by the Somerset Central Railway Act, 1855, the recited Act was repealed, and the Somerset Company were re-incorporated by their original Name of Incorporation, and were authorized to make and maintain the Somerset Central Railway and the Lines of Railway, Pier, and other Works therein specified; and their Capital was declared to be 140,000*l.*, in 7,000 Shares of 20*l.* each, and they were authorized to borrow not exceeding 43,000*l.*; that by "The Somerset Central Railway (Glastonbury to Bruton) Act, 1856," the Somerset Company were authorized to make the Line of Railway and Works therein specified, and to raise by Shares an additional Capital of 100,000*l.*, and to borrow additional Sums not exceeding 33,000*l.*; that by the "Somerset Central (Narrow Gauge) Act, 1859," the Somerset Company were authorized to lay down Narrow Gauge Rails on their Railway, Pier, and Works, and their Capital was declared to be the aggregate of the following Amounts:

1st, the Amount of Debenture Stock, if any, from Time to Time created under the reciting Act:
2dly, the Amount of the preferential Shares, if any, from Time to Time created under the reciting Act:
3dly, the 140,000*l.* Capital by the Act of 1855 authorized:
4thly, the 100,000*l.* additional Capital by their Act of 1856 authorized:
5thly, the Amount of the ordinary Shares, if any, created under the reciting Act:
6thly, the Amount of the Capital, if any, created by the Conversion of Loan into Capital:

and they were authorized to raise a further Capital by Shares not exceeding in the whole 75,000*l.*, and to borrow additional Sums not exceeding in the whole, inclusive of the aggregate Sum of 76,000*l.* which they were already authorized to borrow, 100,000*l.*, and the total Amount which they might raise by Debenture Stock and by Shares and by borrowing was declared to be 415,000*l.*; that by "The Somerset Central Railway Act, 1861," the Somerset Company were authorized to make and maintain additional Works, and to raise by new Shares a further Capital of 85,000*l.*; and the total Amount which the Company were authorized to raise by borrowing was declared to be 173,000*l.*; that by "The Dorset Central Railway Act, 1856," the Dorset Central Railway Company were incorporated and were authorized to make and maintain the Dorset Central Railway; that by the "Dorset Central Railway Act, 1857," the recited Act was repealed and the Dorset Company were re-incorporated by their original Name of Incorporation, and were authorized to make and maintain their originally authorized Railway, and the other Lines of Railway and Works in the reciting Act specified, and their Capital was declared to be 400,000*l.*, consisting of their original Capital of 100,000*l.* in 5,000 Shares of 20*l.* each, and their additional Capital of 300,000*l.* by the reciting Act authorized to be raised by Shares, and they were authorized to borrow not exceeding 133,000*l.*; that by "The Dorset Central Railway Act, 1860," the Dorset Company and the Somerset Company were respectively authorized to work over and use each other's Railways, and the Somerset Company were authorized to take and hold Shares of the Dorset Company's Capital to an Amount not exceeding 50,000*l.*, and to raise by new Shares the Money required for the Purpose, but the Somerset Company have taken and hold Shares of the Dorset Company's Capital only to the Amount of 30,000*l.*; that by an Indenture dated the 1st August 1857, to which the then Holders of 95,560*l.*, Part of the Somerset Company's ordinary Capital (now known as B Shares in that Capital), and the Somerset Company were Parties, an Arrangement was made for giving to the Holders of 17,000*l.*, Part of that ordinary Capital (now known as A Shares in that Capital), then authorized to be issued, a Preference to the Extent of 5*l.* per Centum in respect of Dividend over the Holders of the B Shares; that the Capital and Debenture Debt raised by the Two Companies respectively on the 31st December 1861 stood as follows; that is to say,

Somerset Company.

		£	s.	d.
Preferential Shares bearing 4½ per Cent. per Annum Dividend		27,480	0	0
Ordinary Shares	£76,417 13 10			
A Shares	17,000 0 0			
B Shares	95,560 0 0			
		188,977	13	10
Debenture Stock		Nil.		
Debenture Debt		168,800	0	0

Dorset Company.

		£	s.	d.
Preferential Shares bearing 5 per Cent. per Annum Dividend		64,280	0	0
Ordinary Shares	£129,546 16 0			
Less the Amount subscribed by the Somerset Company and hereafter cancelled	30,000 0 0			
		99,546	16	0
Debenture Debt		79,990	0	0

that it is expedient that Provision be made for an Amalgamation of the Somerset Company and the Dorset Company, and for regulating the Capital and borrowing Powers of the new Company formed by the Amalgamation.

Incorporation of Companies, Lands, and Railways Clauses Acts, § 2.
Amalgamation of old Companies and Incorporation of new Company, § 4.
Members of new Company, § 5.
Undertakings, Railways, Works, and Property of old Companies vested in new Company, § 6.
Capitals of old Companies amalgamated, § 7.
Recited Acts relating to old Companies to relate to new Company, § 8.
Provisions of other Acts applied to new Company, § 9.
New Company to represent old Companies, § 10.
New Company to make and complete Works of old Companies, § 11.
New Company to perform Duties of the old Companies, § 12.
Saving of Rights and Liabilities under recited Acts, §§ 13 to 27.
Meetings; Directors, &c., §§ 28 to 33.
Shares of new Company's Capital to be subject to same Trusts as old Shares, § 34.
New Company to issue Certificates of Shares, §§ 35, 36.
Rateable Equality of preferential Shares of new Company's Capital, § 37.
Ordinary Shares of new Company's Capital, § 38.
Voting at General Meetings of new Company, §§ 39, 40.
Power for new Company to borrow 306,000*l.* in the whole, §§ 41 to 44.
Application of Monies by new Company, § 45.
Tolls, § 48.
Saving Rights of Crown, § 49.
Saving Rights of Admiralty and Board of Trade, § 50.
Saving Rights of Mortgagees, &c. of the Two Companies, § 51.
Saving Rights of the Two Companies, § 52.
Saving Rights of Bristol and Exeter Railway Company and of other Parties, §§ 53, 54.

Cap. ccxxvi.

"The Wellington and Drayton Railway Act, 1862."

Proposes to authorize the Construction of a Railway in Shropshire, to be called "The Wellington and Drayton Railway."
Incorporation of Consolidation Acts, § 1.
Subscribers incorporated with a Capital of 200,000*l.*, and Power to borrow 66,600*l.*, §§ 3 to 7.
Power to Great Western and West Midland Railway Companies to subscribe not exceeding 30,000*l.* each, and to apply their Funds for that Purpose, and to vote at General Meetings, §§ 8, 9.
Power to contributing Companies to raise the requisite Money by the Creation of Shares, § 10.
Meetings; Directors, &c., §§ 11 to 16.
Power to make Railway according to deposited Plans, §§ 17, 18.
Power to alter Engineering Works, § 19.
Communication with other Railways to be made under the Direction of the Engineer of those Railways, § 20.
As to Expense of Signals, Watchmen, &c., § 21.
Company not to take Lands belonging to the London and North-western Railway Company without Consent, § 22.
For Protection of Property of Shropshire Union Railways and Canal Company, § 23.
For preventing Obstructions to Canal, § 24.
Saving Rights of Shropshire Union Company, § 25.
Lands to be bought by Compulsion within Three Years, § 27.
Five Years for Completion of Works, § 28.
Power to use certain Railways on specified Terms, §§ 29 to 31.
Other Companies to afford Facilities to Company's Traffic, § 32.
Tolls, §§ 35 to 42.
Power for Company to work over Nantwich and Market Drayton Railway, § 43.
Power for Nantwich and Market Drayton Railway Company to work over Railway, § 44.
Terms for such working over, § 45.
Tolls may be taken by other Companies subject to Working Agreement, § 46.
Power to enter into Traffic Arrangements with other Companies, §§ 47 to 54.
Confirming Agreement with Nantwich and Market Drayton Railway Company, § 55.
Schedule (Agreement with Nantwich and Market Drayton Company).

Cap. ccxxvii.

"The Sidmouth Railway and Harbour Act, 1862."

Recites that the Construction of a Harbour at Sidmouth, in the Parish of Salcombe Regis in the County of Devon, and a Railway from or near the said Harbour to the London and South-western Railway, near the Ottery Road Station thereon, in the said County, would be of great local and public Advantage; and that it is expedient that the Company on the one hand and the London and South-western Railway Company on the other hand be authorized to enter into Working Arrangements.
Incorporation of Consolidation Acts, § 1.
Subscribers incorporated, with Share Capital of 120,000*l.* and Power to borrow in the whole 40,000*l.*, §§ 3 to 11.
Directors; Meetings, &c., §§ 12 to 19.
Power to make Railway and Harbour; Description of Works, §§ 20, 21.
Limits of Harbour, § 22.
Land reclaimed not to be taken without Consent of Commissioners of Woods, § 23.
Admiralty Provisions, §§ 24 to 27.
Compulsory Purchase of Lands limited to Three Years, § 28.
Works to be completed within Five Years, § 29.
Rates payable on Ships and Goods, and for Cranes, Weighing Machines, &c., §§ 30 to 32.
Officers of Customs to have Access to Docks gratuitously, § 33.
Power to appoint Weighers and Measurers, § 34.
Lifeboat to be provided if required, § 35.
Board of Trade may appoint Auditor of Harbour Accounts, § 36.
Saving Rights of the Crown, § 37.
Power to alter Engineering Works in making Railway; Directions, §§ 39, 40.
Level Crossings, §§ 41 to 43.
Certain Part of Railways not to be worked by locomotive Power, § 44.
Railways to be made on Narrow Gauge only, § 45.
Communications with London and South-western Railway, §§ 46 to 49.
Tolls on Railway, §§ 51 to 60.
Power to enter into Traffic Arrangements with South-western Company, §§ 61 to 66.
Power to lay down Electric Telegraph, § 67.
Railway not to interfere with Grounds of G. D. Wyndham, Esq., § 68.
Schedules (Harbour Rates and Dues).

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

N.B.—*To each of these Acts is annexed a Clause in the Terms following:*

"This Act shall not be a Public Act, but shall be printed by the several Printers to the Queen's most Excellent Majesty "duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so printed by any of them shall be "admitted as Evidence thereof by all Judges, Justices, and others."

Cap. 1.

An Act to confirm certain Contracts for granting Leases made and entered into by *Charles Phillimore* Esquire of Part of the Lands and Hereditaments devised by the Will of *William Robert Phillimore* Esquire, deceased, situate in the Parish of *Saint Mary Abbotts, Kensington*, in the County of *Middlesex*, and to confirm certain Leases granted in pursuance of the said Contracts, and for other Purposes relating to the said Will. [30th *June* 1862.]

Cap. 2.

An Act for incorporating the Trustees under the Will of Captain *William Mackintosh*, for defining and explaining the said Will, and for carrying into effect the Purposes thereof. [29th *July* 1862.]

Cap. 3.

An Act to extend the Powers given to the Trustees of the Will of *William Tufnell* Esquire by an Act of Parliament passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for enabling the Trustee under the Will of the late* William Tufnell *Esquire to reduce the Fines for the Copyholds held of the Manor of* Barnersbury, *devised by his Will, as an Encouragement to the Tenants to build thereon, to grant Building and Repairing Leases of the devised Estates, and for other Purposes.* [29th *July* 1862.]

Cap. 4.

An Act to enable the Mayor and Commonalty and Citizens of the City of *London*, Governors of the Possessions, Revenues, and Goods of the Hospital of *Edward* late King of *England* the Sixth, of *Saint Thomas the Apostle*, commonly called "*Saint Thomas's Hospital*," to convey the Site of the present Hospital to the *Charing Cross* Railway Company, and to acquire a new Site for the same Hospital; and for other Purposes. [7th *August* 1862.]

Cap. 5.

An Act for amending the Powers of leasing and other Powers created by divers Acts relating to the Estates annexed to the Earldom of *Shrewsbury*, and for other Purposes. [7th *August* 1862.]

Cap. 6.

An Act to authorize the Trustees of the Will of *Athelstan Corbet* Esquire, deceased, to grant Building Leases and Mining Leases of the Estates thereby devised, and to raise Five thousand Pounds out of the same Estates, and apply such Sum in the Improvement of the Port of *Aberdovey* and Lands adjoining thereto, and for other Purposes. [7th *August* 1862.]

AN

INDEX TO THE STATUTES

OF

THE UNITED KINGDOM,

VOLUME THE TWENTY-FIFTH,

CONTAINING THE

Acts passed 24 & 25 Vict. and 25 & 26 Vict. (1861, 1862).

☞ In this INDEX the Acts are arranged alphabetically according to the Subject, the Parliamentary Short Title being in most Cases adopted either as a principal Heading or as a cross Reference. Minute References are likewise made from one Head to another, in order that the Subject may be fully traced out.

A List of the "LOCAL AND PRIVATE ACTS" will be found at the End of the Index. These Acts are subdivided into Classes according to the Arrangement adopted in the Index to the Statutes compiled by Order of the Committee of the Library of the House of Lords.

The Acts relating to IRELAND and SCOTLAND are placed under their respective Heads in the general Body of the Index. The Short Titles of those Acts (alphabetically arranged) will likewise be found under the Heads of "*Ireland*" and "*Scotland*" respectively.

The Figures at the End of each Title refer to the Page of the Volume at which the Act will be found; and the Figures at the End of the Paragraphs in smaller type refer to the section of each particular Act.

A.

Aberdeen University.

To alter and amend the Universities (Scotland) Act, 21 & 22 Vict. c. 83. in so far as relates to the Bequest of the late Doctor Alexander Murray in the University of Aberdeen.—25 & 26 Vict. c. 28. Page 603

Abettors. See *Accessories and Abettors.*

Abolition of Contributions by Counties. See *Queen's Prison.*

Abolition of Differential Dues and Passing Tolls. See *Harbours.*

Accessories and Abettors.

To consolidate and amend the Statute Law of England and Ireland relating to Accessories to and Abettors of indictable Offences.—24 & 25 Vict. c. 94. 171

As to Indictment, Trial, and Punishment of Accessories before the Fact; Sects. 1, 2.
As to Indictment, Trial, and Punishment of Accessories after the Fact; 3, 4.
Prosecution of Accessory after Principal has been convicted, but not attainted; 5.
Several Accessories may be included in the same Indictment although principal Felon not included; 6.
Accessories and Abettors in Misdemeanors; 8.
As to Offences committed within Jurisdiction of the Admiralty; 9.
Extent and Commencement of Act; 10, 11.

Accounts (Revenue Departments).

To provide for the Preparation, Audit, and Presentation to Parliament of annual Accounts of the Appropriation of the Monies voted for the Revenue Departments.—24 & 25 Vict. c. 93. 170

Preamble recites 9 & 10 Vict. c. 92. as to Appropriation of Grants for Naval and Military Services.
Officers of Customs, Inland Revenue, and Post Office to furnish annual Accounts of Sums voted by Parliament for their several Departments; Sect. 1.
Certain Sections of recited Act to be applicable to Accounts prepared under this Act; 2.

Acknowledgment of Deeds. See *Common Pleas.*

Administration of Justice. See

Accessories and Abettors.
Admiralty, Court of.
Ascertainment of the Law, &c.
Bankruptcy and Insolvency.
Bills of Exchange.
Chancery.
Coinage Offences.
Common Pleas.
Conjugal Rights.
Corrupt Practices Prevention.
Criminal Law Consolidation.
Criminal Proceedings.
Crown Suits.
Denmark (Surrender of Criminals).
Drunkenness.
East India.
Forgery.
Habeas Corpus.
Juries.
Jurisdiction in Homicides.
Juvenile Offenders.
Landlord and Tenant.
Larceny.
Malicious Injuries to Property.
Oaths.
Offences against the Person.
Peace Preservation.
Statute Law Consolidation.
Statute Law Revision.
Summary Jurisdiction.
Unlawful Oaths.
Whipping of Offenders.
Wills, &c.

Administration, Letters of. See *Probate, Court of (Ireland). Stamp Duties.*

Admiralty. See *Chatham Dockyard. Government of the Navy. Harbours. Port Patrick Harbour. Marine Mutiny. Naval Medical Supplemental Fund Society. Naval and Victualling Stores.*

Admiralty, Court of.

To extend the Jurisdiction and improve the Practice of the High Court of Admiralty.—24 & 25 Vict. c. 10. 19

Short Title.
Interpretation and Commencement of Act; Sects. 1–3.
As to Claims,—for building, equipping, or repairing of Ships, for Necessaries, for Damage to Cargo imported, and for Damage by any Ship; 4–7.
High Court of Admiralty to decide Questions as to Ownership; 8.
Extending 17 & 18 Vict. c. 104. as to Claims for Salvage of Life; 9.
As to Claims for Wages and for Disbursements by Master of a Ship; 10.
Extending 3 & 4 Vict. c. 65., Sections 62 to 65 of 17 & 18 Vict. c. 104., and Part 9 of 17 & 18 Vict. c. 104., to Court of Admiralty; 11–13.
Court to be a Court of Record; 14.
Decrees and Orders of Court of Admiralty to have Effect of Judgments at Common Law; 15.
As to Claims to Goods taken in Execution; 16.
Powers of Superior Courts extended to Court of Admiralty; 17.
Party in Court of Admiralty may apply for an Order for Inspection by Trinity Masters; 18.
Admission of Documents; 19.
Power to Court of Admiralty, when personal Service of Citation has not been effected, to order Parties to proceed; 20.
As to Service of Subpœna out of England and Wales; 21.
Power to issue new Writs or other Process; 22.
Judge and Registrar to have same Power as to Arbitration as Judges and Masters at Common Law; 23.
Extending Section 15 of 17 & 18 Vict. c. 104. to Registrar of Court of Admiralty; 24.
Powers of Registrar and of Deputy or Assistant Registrar; 25.
False Oath or Affirmation deemed Perjury; 26.
Appointment of Registrar and of Deputy or Assistant Registrar, and of Examiners; 27, 28.
Stamp Duty not payable on subsequent Admissions of Proctors or Solicitors; 29.
Proctor may act as Agent of Solicitors; 30.
Repealing 2 Hen. 4. c. 11.; 31.
Power of Appeal in interlocutory Matters; 32.
Bail given in the Court of Admiralty good in the Court of Appeal; 33.
As to the Hearing of Causes and Cross Causes; 34.
Jurisdiction of the Court; 35.

Advances of Public Monies. See *Public Works.*

African Slave Trade.

To carry into effect the Treaty between Her Majesty and the United States of America for the Suppression of the African Slave Trade.—25 & 26 Vict. c. 40. [*Amended by* Cap. 90., *infra.*] 627

Preamble recites Treaty signed at Washington 7th April 1862.
Officers commanding Ships of Her Majesty or of the United States of America, being duly authorized, empowered to visit and search Merchant Ships of the Two Nations; Sect. 1.
Ships suspected of having been fitted out for the Purpose of Traffic in Slaves liable to Search and Detention; 2.
Her Majesty may appoint Judges and Arbitrators to decide Cases of Detention; may also appoint a Secretary or Registrar to the Mixed Court; 3, 4.
Provisions for Death or Incapacity of Judges and Arbitrators; 5–7.
Judges and Arbitrators and Secretary or Registrar to take an Oath; 8.
Judges and Arbitrators may administer Oaths; 9.
Punishing Persons giving false Evidence; 10.
Pendency of Suits before the Mixed Court to be a Bar to any Proceedings instituted for the Recovery of the Vessels detained; 11.
Vessels equipped for Traffic in Slaves to be deemed engaged in the Slave Trade; 5 G. 4. c. 113.;—12.
Captured Negroes to be delivered over; 13.
Vessel condemned to be sold for Her Majesty's Service or broken up; 14.
Captors of Vessels shall, after the same are condemned, be entitled to the Portion of the Proceeds belonging to Her Majesty; 15.
Persons found on board condemned Vessel may be sent to proper Jurisdiction to be tried; 16.
Measures to be taken to secure Attendance of Witnesses; 17.
Bounty for Slaves captured; and on Tonnage of Slave Ships captured and demolished; 18, 19.
Where no Slaves are on board a Ship seized an additional Bounty to be paid; 20.
Bounties to be paid out of Monies to be provided by Parliament; not liable to Payment of Fees; 21, 22.
Proof of Tonnage; 23.
Copy of Sentence of Condemnation to be produced to the Treasury; 24.
One Moiety of Bounty only to be paid in certain Cases; 25.
Parties claiming Benefit under this Act may resort to the Court of Admiralty; 26.
Regulations and Penalties respecting Prize Agents Accounts extended to Bounties and Proceeds under this Act; 27.
Treasury may order Payment of Costs awarded for Vessels of Her Majesty and of the United States detained but not condemned, and may repay to the Seizor of any Vessel not condemned the Expenses incurred by him; 28, 29.
No Compensation when any Articles specified in the Sixth Article of the Treaty are found on board; 30.
Right of Search and Detention only to be exercised within certain Limits, and not to be exercised by one Nation in Ports, &c. of the other; 31, 32.
Actions or Suits for Things done in pursuance of the said Treaty or this Act; 33.

For rectifying a clerical Error in the Act of the present Session, Chapter Forty, with respect to the African Slave Trade Treaty.—25 & 26 Vict. c. 90. 843

Affirmation. See *Oaths.*

Agriculture. See *Drainage of Land.*

Aid to Discharged Prisoners. See *Discharged Prisoners Aid.*

Aid to Poor Law Unions. See *Union Relief Aid.*

Aids, Application of. See *Revenue, Public, &c.*

Alice Maud Mary (Princess).

To enable Her Majesty to settle an Annuity [of 6,000*l.*] on Her Royal Highness the Princess Alice Maud Mary.—24 & 25 Vict. c. 15. 26

Allowances to Militia Officers. See *Militia.*

America. See *African Slave Trade.*

Annoyance Jurors (Westminster).

To repeal certain Enactments relating to nominating and appointing the Householders of Westminster to serve as Annoyance Jurors, and to make other Provisions in lieu thereof.—24 & 25 Vict. c. 78. 136

Preamble recites 27 Eliz. c. 17., 29 Geo. 2. c. 25., and 31 Geo. 2. c. 17.
Repeal of Part of recited Acts; Sect. 1.
Not to extend to Offences committed before passing of Act; 2.
Dean and Court of Burgesses to appoint Inspectors; 3.
Oath to be taken by Inspector; 4.
Powers and Duties of Inspectors; 5, 6.
Power to Court to summon and examine Witnesses; 7.
Summons and Service of Summonses; 8, 9.
Penalty on Witnesses not attending; 10.
Forms of Summons and Conviction; 11.
Penalties for obstructing Inspector, and on Inspector for Misconduct; 12, 13.
Fines to be paid to High Bailiff and Court of Burgesses; 14.
Penalties for obstructing and for Misconduct of Inspector recoverable under Metropolitan Police Act; 15.
Office of Sizer and Sealer to be held during the Pleasure of the Court of Burgesses; 16.
Reserving Rights of Court of Burgesses; 17.

Annual Accounts (Revenue Departments). See *Revenue, Public, &c.*

Annuities, Transfer of. See *Transfer of Stocks, &c.*

Annuity to the Princess Alice. See *Alice Maud Mary (Princess).*

Annuity Tax Abolition. See *Edinburgh Assessments.*

Application of Aids. See *Revenue, Public, &c.*

Appointments in India.

To confirm certain Appointments in India, and to amend the law concerning the Civil Service there.—24 & 25 Vict. c. 54. 102

Appointments not in accordance with 33 Geo. 3. c. 52. valid; Sect. 1.
Vacancies in certain Offices to be supplied by Covenanted Civil Servants; 2.
Persons not Covenanted Civil Servants may, under special Circumstances, be appointed to such Offices; 3.
Appointment in each Case to be reported to Secretary of State; 4.
Certain Offices may be filled up without regard to Restrictions prescribed by recited Act; 5.
Act not to apply to Office of Lieutenant Governor, &c.; 6.
So much of 33 Geo. 3. c. 52. as requires Seniority, &c. for Appointments repealed; 7.
SCHEDULE.

Appropriation of Seats (Sudbury and Saint Alban's).

For the Appropriation of the Seats vacated by the Disfranchisement of the Boroughs of Sudbury and Saint Alban.—24 & 25 Vict. c. 112. 294

Preamble recites 7 & 8 Vict. c. 53. and 15 & 16 Vict. c. 9.
Division of West Riding of Yorkshire; Sect. 1.
Number of Members in future Elections; 2.
Courts and Polling Places; 3.
Provision in case of Dissolution before Construction of new Polling District; 4.
Voters for First and at subsequent General Elections; 5, 6.
Additional Member for Southern Division of Lancashire; 7, 8.
Birkenhead to form a Borough to return One Member; 9.
Provision for Appointment of Returning Officer for such Borough; 10.
Provisions consequent on Formation of such Borough; 11–13.
Writs, &c. to be made conformable to this Act; 14.
Election Laws to remain in force; 15.

Appropriation of Supplies. See *Revenue, Public.*

Army:

1.—*Mutiny.*

For punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.—24 & 25 Vict. c. 7. 8 Similar Act.—25 & 26 Vict. c. 5. 560

2.—*Officers Commissions.*

To enable Her Majesty to issue Commissions to the Officers of Her Majesty's Land Forces and Royal Marines, and to Adjutants and Quartermasters of Her Militia and Volunteer Forces, without affixing Her Royal Sign Manual thereto.—25 & 26 Vict. c. 4. 560

Officers Commissions may be issued without Royal Sign Manual being affixed; Sect. 1.
Saving Her Majesty's Right to sign Commissions; 2.

3.—*British Forces (India).*

To render lawful the Enlistment of Persons transferred from the Indian to the General Forces of Her Majesty, and to provide in certain respects for the Rights of such Persons.—24 & 25 Vict. c. 74. 133

Enlistment of Soldiers transferred from the Indian to the General Forces of Her Majesty to be valid for the unexpired Portions of the Service of such Soldier; Sect. 1.
Persons so transferred to be accounted natural-born Subjects for Purposes of Military Service; 2.
Rights of Persons so transferred to Pensions for Service in Her Majesty's General Forces; 3.
No Enlistment in India invalid by reason of the Absence of a Warrant from the Secretary at War, or because made out of Her Majesty's Dominions; 4.
SCHEDULE.

See also *East India. Jurisdiction in Homicides.*

Arrangements for Relief of Turnpike Trusts. See *Turnpike Roads and Trusts.*

Arsenals and Dockyards. See *Fortifications.*

Art, Works of. See *International Exhibition.*

Articles of War. See *Government of the Navy.*

Artillery Ranges.

To appropriate certain Portions of Land lying between High and Low Water Mark, situate in the Parishes of Shoebury and Wakering (Essex), as Ranges for the Use and Practice of Artillery.—25 & 26 Vict. c. 36. 620

Preamble recites 5 & 6 Vict. c. 94, and 18 & 19 Vict. c. 117.
Spaces for the Practice of Artillery to be kept free and open, and to be marked by Buoys, &c.; Sect. 1.
Rights of Anchorage and Grounding to cease, and Notice to be given to the Admiralty, and advertised in Newspapers, &c.; 2.
No Vessel or Person to pass over Ranges; 3.
Saving Rights of Lords and Ladies of the Manors of South Shoebury and Wakering; 4.
SCHEDULE.

Arts, Fine. See *Copyright.*

Ascertainment of the Law of Foreign Countries.

To afford Facilities for the better Ascertainment of the Law of Foreign Countries when pleaded in Courts within Her Majesty's Dominions.—24 & 25 Vict. c. 11. 22

Preamble recites 22 & 23 Vict. c. 63.
Superior Courts within Her Majesty's Dominions may remit a Case, with Queries, to a Court of any Foreign State with which Her Majesty may have made a Convention for that Purpose, for Ascertainment of Law of such State; Sect. 1.
Court in which Action depends to apply such Opinion to the Facts set forth in Cases, &c.; 2.
Courts in Her Majesty's Dominions may pronounce Opinion on Case remitted by a Foreign Court; 3.
Interpretation of Terms; 4.

Assessed Taxes. See *Inland Revenue.*

Assessments. See *Edinburgh. Parochial Assessments. Poor.*

Associations. See *Companies, &c.*

Asylums. See *Lunacy, &c.*

Attorneys and Solicitors (Ireland).

To amend the Laws relating to Attorneys and Solicitors in Ireland.—24 & 25 Vict. c. 68. 123

Interpretation of Terms; Sect. 1.
Persons having taken Degrees at certain Universities may be admitted after Three Years Service; 2.
Persons having been at the Bar may be admitted after Three Years Service; 3.
Persons having been bonâ fide Clerks to Attorneys or Solicitors for Ten Years may be admitted after Three Years Service; 4.
Certain Apprentices not required to keep Terms; 5.
When the Three or Five Years expire in any Vacation, Examination may take place in Term preceding such Vacation; 6.
Not to prejudice Power of Courts, &c. to dispense with Rules; 7.
Act to extend to Ireland only; 8.

Australian Colonies.

To explain 13 & 14 Vict. c. 59. for better Government of Her Majesty's Australian Colonies.—25 & 26 Vict. c. 11. 575

Acts passed by certain Legislative Councils, and assented to by Governors, to be as effectual as if reserved for Her Majesty's Assent; Sect. 1.
The Term "Council" to apply only to such Legislative Councils; 2.
Acts passed for altering Constitution of Legislative Bodies, so assented to, deemed valid; 3.

See also *Passengers. Queensland. South Australia.*

Aylesbury. See Polling Places, &c.

B.

Bakehouse (Her Majesty's). See *Windsor Castle.*

Ballots for the Militia. See *Militia.*

Bank of England. See *Transfer of Stocks, &c.*

Bank of Ireland. See *Transfer of Stocks, &c.*

Bankruptcy and Insolvency.

To amend the Law relating to Bankruptcy and Insolvency in England.—24 & 25 Vict. c. 134. [*Amended by* 25 & 26 Vict. c. 99., *infra.*] 350

As to the Court of Bankruptcy and Commissioners thereof; Sects. 1–7.
As to the Officers of the Court; 8–18.
As to the Court for the Relief of Insolvent Debtors in England; 19–27.
As to Salaries; 28–32.
As to Retiring Annuities, Compensations, and incidental Expenses; 33–36.
As to Fees and Stamps; 37–44.
As to General Orders; 45–47.
As to the Sittings of the Court; 48, 49.
As to the Practice and Procedure of the Court; 50–68.
As to Persons subject to Act, and as to Acts of Bankruptcy; 69–85.
As to Petitions for Adjudication of Bankruptcy, &c.; 86–97.
As to Adjudication of Bankruptcy, against Pauper and other Prisoners for Debt; 98–105.
As to Lunatic Prisoners for Debt; 106–107.
As to Procedure after Adjudication; 108–115.
As to Creditors Assignee; 116–139.
As to the last Examination; 140–143.
As to Proof of Debts; 144–156.
As to the Discharge of the Bankrupt; 157–172.
As to Audit; 173.
As to Dividend; 174–179.
As to the Discharge of the Creditors Assignee; 180–184.
As to Change from Bankruptcy to Arrangement; 185–191.
As to Trust Deeds for Benefit of Creditors, Composition and Inspectorship Deeds executed by a Debtor; 192–200.
As to Notices and Advertisements; 201, 202.
As to Evidence; 203–206.
As to Affidavits, Declarations, and Affirmations; 207–211.
As to Solicitors; Costs; Orders of Lord Chancellor, &c.; and Attendance of Witnesses out of the Jurisdiction; 212–215.
As to the Powers for mutual Aid of the Courts in England and elsewhere; 216–220.
As to Misdemeanors under this Act; 221–225.
Miscellaneous; 226–232.
SCHEDULES.

To amend the Bankruptcy Act, 1861, (24 & 25 Vict. c. 134.)—25 & 26 Vict. c. 99. 868

Preamble recites 5 & 6 W. 4. c. 42.
Abolition of Offices of Persons named in Schedules, and Grant of additional Allowance to Persons named in First Schedule; Sects. 1, 2.
Calculation of Superannuation Allowance; 3.
Prohibition of Judges of County Courts sitting in Parliament; 4.

Banks for Savings. See *Post Office Savings Banks. Savings Banks (Ireland).*

Barristers. See *Revising Barristers.*

Beer. See *Customs and Inland Revenue.*

Benefices. See *Leases, &c. by Incumbents Restriction.*

Bethlehem Hospital. See *Queen's Prison.*

Bills of Exchange and Promissory Notes (Ireland).

To facilitate the Remedies on Bills of Exchange and Promissory Notes in Ireland by the Prevention of frivolous or fictitious Defences to Actions thereon.—24 & 25 Vict. c. 43. [*Amended by* 25 & 26 Vict. c. 23., *infra.*] 79

All Actions upon Bills of Exchange, &c. may be in the Form prescribed by 16 & 17 Vict. c. 113., &c.; Sect. 1.
Defendant showing a Defence upon the Merits, to have Leave to appear; 2.
Judge may, under special Circumstances, set aside Judgment, and may also order Bill to be deposited with Officer of Court in certain Cases; 3, 4.
Remedy for the Recovery of Expenses of noting Nonacceptance of dishonored Bill; 5.
Common Law Procedure Acts, &c., incorporated; 6.
Judges to frame Rules; 7.
Application of Act, and Short Title; 8, 9.
SCHEDULE.

To amend "The Summary Procedure on Bills of Exchange (Ireland) Act, 1861" (24 & 25 Vict. c. 43).—25 & 26 Vict. c. 23. 595

In Actions upon Bills of Exchange or Promissory Notes, the Days for appearing and filing a Defence to run in Vacation; Sect. 1.
The Days from 1st August to 20th October to be reckoned Days within which Summons, &c. should be filed; 2.

Blackfriars Bridge. See *Thames Embankment.*

Bleachfields.

To prevent the Employment of Women and Children during the Night in certain Operations connected with Bleaching by the open-air Process.—25 & 26 Vict. c. 8. 574

Women and Children not to be employed during the Night; and Act to extend to Occupation of Bleaching as defined by 23 & 24 Vict. c. 78.; —Sect. 1.
Application of Powers, &c. of Factories Act, 7 & 8 Vict. c. 15., to this Act; 2.

Board of Trade. See *Harbours.*

Bonds. See *Mortgages and Bonds.*

Borough of Dublin. See *Dublin.*

Borough Elections. See *Elections (Ireland).*

Boundaries of Burghs Extension (Scotland).

To amend the Boundaries of Burghs Extension (Scotland) Act (20 & 21 Vict. c. 70.).—24 & 25 Vict. c. 36. 58

Extended District may be formed into Wards or annexed to existing Wards by the Sheriff on Application of the Town Council; Sect. 1.
Notice of Limits of Wards and Number of Councillors to be published; 2.
Sheriff may act when extended Boundaries are in another County; 3.
Expenses with respect to Proceedings under this Act to be paid by Town Council; 4.

Brewers Licences. See *Customs and Inland Revenue.*

Bridlington Harbour. See *Harbours.*

Bridges. See *Highland Roads and Bridges.*

Brighton. See *Local Government.*

British Forces in India. See *Army.*

British White Herring Fishery (Scotland).

To make further Provision for the Regulation of the British White Herring Fishery in Scotland.—24 & 25 Vict. c. 72. 131

Preamble recites 23 & 24 Vict. c. 92.
Penalties for selling, &c. Herrings during Close Time, and for selling, &c. Herrings taken contrary to 14 & 15 Vict. c. 26. s. 6; Sects. 1, 2.
Penalty for defacing Marks or Numbers on Boats, &c.; 3.
Herrings, &c. seized to be forfeited; 4.
Regulations may be made suspending Provisions of Act, to admit of Sprat Fishing within Part of Firth of Forth; 5.
Declaring Import of 23 & 24 Vict. c. 92. s. 13., as to Nets, &c.; 6.
Constables acting under Orders of Sheriffs, &c. may exercise Powers of Act; 7.
Powers of recited Acts extended to this Act; 8.

Bromsgrove. See *Local Government.*

Buildings (Metropolis). See *Metropolitan Buildings.*

Buildings, Parochial. See *Parochial Buildings (Scotland).*

Burford Charities.

For confirming a Scheme of the Charity Commissioners for certain Charities in the Town and Parish of Burford (Oxford).—24 & 25 Vict. c. 22. 36

Preamble recites 8th Report of Charity Commissioners, dated 26th February 1861.

Burghs. See *Boundaries of Burghs. Parochial and Burgh Schools.*

Burial Boards (Mortgage of Rates).

To authorize Improvement Commissioners acting as Burial Boards to mortgage certain Rates for the Purposes of the Burial Acts.—25 & 26 Vict. c. 100. 870

Preamble recites 23 & 24 Vict. c. 64.
Commissioners, with Consent of Treasury, may mortgage Improvement Rate and Burial Rate, or either; Sect. 1.
Certain Provisions of 10 & 11 Vict. c. 16. to apply to this Act; 2.

C.

Capitular Estates. See *Ecclesiastical Commission.*

Cards and Dice. See *Customs and Inland Revenue.*

Carriage of Gunpowder. See *Gunpowder.*

Carriages. See *Locomotives.*

Carrickfergus. See *Harbours.*

Central Arsenal. See *Fortifications.*

Chancery, Court of.

To regulate the Procedure in the High Court of Chancery and the Court of Chancery of the County Palatine of Lancaster.—25 & 26 Vict. c. 42. 640

Court shall determine every Question of Law and Fact incident to the Relief sought, and where Questions of Fact may be more conveniently tried at Assizes, Issues may be directed; Sects. 1, 2.
Provisions of 21 & 22 Vict. c. 27., with reference to Trial of Questions of Fact, to apply to this Act; 3.
Proviso in Cases where Object of Suit is to recover or defend Possession of Land under a legal Title; 4.
Court of Chancery may sit with Assistance of a Common Law Judge; 5.
Commencement of Act and Short Title; 6.

Chancery, Court of (Ireland).

For better Regulation in certain Cases of the Procedure in the High Court of Chancery in Ireland.—25 & 26 Vict. c. 46. 644

Short Title and Interpretation of Terms; Sects. 1, 2.
Court shall determine every Question of Law and Fact incident to the Relief sought, and where Questions of Fact may be more conveniently tried at Assizes, Issues may be directed; 3, 4.
Provisions of 21 & 22 Vict. c. 27. to apply to this Act; 5.
Proviso in Cases where Object of Suit to recover or defend Possession of Land under a legal Title; 6.
Court of Chancery may sit with Assistance of Common Law Judge; 7.
Act not to affect general Practice of Court; 8.
Commencement of Act, 1st Nov. 1862; 9.

Charitable Uses.

To amend the Law relating to the Conveyance of Land for Charitable Uses.—24 & 25 Vict. c. 9. [*Amended by* 25 & 26 Vict. c. 17., *infra.*] 18

Preamble recites 9 Geo. 2. c. 36. and 9 Geo. 4. c. 85.
No future Deed, &c. for Charitable Uses to be void by reason of not being indented, or of specified Stipulations for Donor's Benefit, or (as to Copyholds) for Want of Deed; Sect. 1.
Where Charitable Uses of any future Deed, &c. is declared by any separate or other Deed, &c., Enrolment of such Deed requisite; 2.
No past Deed, &c. for Charitable Uses upon valuable Consideration to be void for any Reason if enrolled in Chancery; 3.
Where Charitable Uses of any past Deed, &c. not enrolled are declared by any other Deed, &c., Enrolment of such other Deed, &c. sufficient; 4.
Act not to invalidate certain Deeds, nor to extend to Deeds, &c. already avoided, or to pending Suits; 5.
Act not to extend to Scotland or Ireland, nor to prejudice the Two Universities, &c.; 6.

To extend the Time for making Enrolments under the Act 24 & 25 Vict. c. 9. for amending the Law relating to the Conveyance of Land for Charitable Uses, and to explain and amend the said Act.—25 & 26 Vict. c. 17. 578

Extension of Time for Enrolment of Deeds and Assurances; Sect. 1.
Recited Act comprises all Lands, whether of Freehold or of Customary or Copyhold Tenure; 2.
Deeds, &c. executed prior to passing of recited Act not to require Acknowledgment prior to Enrolment; 3.
Acts to apply to Cases where separate Deed executed as well after as before passing of recited Act; 4.
Provision as to Money expended before passing of Act in permanent Improvements; 5.
Act not to invalidate any Deed, &c. already good; 6.

Charity Commission.

For establishing the Jurisdiction of the Charity Commissioners in certain Cases.—25 & 26 Vict. c. 112. 1000

No Provision in any Act of Parliament, or Decree relating to any Charity under any Order of the Court of Chancery, to exclude any Jurisdiction which might otherwise be exercised by the Charity Commissioners; Sect. 1.

See also *Burford. Guildford. Reading. Temple Balsall.*

Chatham Dockyard.

To enable the Admiralty to acquire Property for the Enlargement of Her Majesty's Dockyard at Chatham (Kent), and to embank Part of the River Medway; and for other Purposes connected therewith.—24 & 25 Vict. c. 41. 73

Interpretation of Terms; Sect. 1.
Certain Clauses of 8 & 9 Vict. c. 18. incorporated; 2.
Power to Admiralty to purchase Lands; 3.
Power to the Commissioners to stop up Creeks and abolish Landing Places, Ferries, and Roads; 4.

Before abolishing certain existing Landing Places, Admiralty to construct a public Wharf at Eastern Side of proposed new Boundary Wall of Dockyard; 5.
Power to the Commissioners to make Embankments, to stop up Sewers, &c., and to survey; 6–8.
Lands purchased to be liable to Land Tax; 9.
Services of Notices, &c.; 10, 11.
Errors on Plan or in Book of Reference may be corrected by Justices, &c.; 12.
Undertaking may be given in lieu of Bond; 13.
Power for the Admiralty to sell and let Lands; 14.
How Purchase Money to be paid; 15.
On Payment of Money, Purchasers to stand seised of Lands purchased 16.
Admiralty may sue and be sued; 17.
Purchase Money, &c., how to be provided; 18.
Provisions of Act may be applied to any of the Lands already purchased; 19.
Nothing to lessen Powers of Admiralty; 20.
Protection to Commissioners; 21.
Any Two Commissioners may execute Powers; 22.
Lord High Admiral to have the same Powers as Commissioners; 23.
Saving Rights of the Crown, of Corporation of Rochester, and of the Corporation of London; 24–26.
Powers for compulsory Purchases limited; 27.
Short Title; 28.

Children. See *Bleachfields. Lace Factories. Poor.*

Civil Service (India). See *East India.*

Civil Services. See *Public Works.*

Coal Mines.

To amend the Law relating to Coal Mines.—25 & 26 Vict. c. 79. 779

Act to apply only to Coal Mines and Ironstone Mines mentioned in Sect. 7 of 23 & 24 Vict. c. 151.; Sect. 1.
Interpretation of Terms; 2.
Prohibition of single Shafts; 3.
Appeal by Owner of existing Mine to Arbitration; 4, 5.
Power to enforce by Injunction Compliance with Act; 6.
Agreements in contravention of Act illegal; 7.
Construction of Act; 8.

Coal and Wine Duties (Port of London).

To continue the Duties levied on Coal and Wine by the Corporation of London.—24 & 25 Vict. c. 42. 77

Preamble recites 5 & 6 W. & M. c. 10., 1 & 2 Will. 4. c. 76., 1 & 2 Vict. c. 101., 8 & 9 Vict. c. 101., and 14 & 15 Vict. c. 146.
Continuation of Wine and Coal Duties until 5th July 1872; Sects. 1, 2.
Metropolitan Police District substituted for the London District; 3.
Commencement of Metropolitan Police District to be marked in Canals, Railways, and Roads; 4.
Application of Duties to the Purposes of the Thames Embankment; 5.
Application of the Duty of 4*d.* to the Payment of the Interest and Principal of Sums charged thereupon for Improvements; 6.
Drawback upon Coals to continue to be allowed; 7.
Duty to be laid out and form an accumulating Fund for Improvements till appropriated by Parliament; 8.
Consolidation of Improvement Funds; 9.
Continuance of above-mentioned Acts, except as altered; 10.
Short Title; 11.

Coinage Offences.

To consolidate and amend the Statute Law of the United Kingdom against Offences relating to the Coin.—24 & 25 Vict. c. 99. 222

Interpretation of Terms; Sect. 1.
Counterfeiting the Gold or Silver Coin; 2.
Colouring counterfeit Coin or any Pieces of Metal with Intent to make them pass for Gold or Silver Coin; 3.
Impairing the Gold or Silver Coin, with Intent, &c.
Unlawful Possession of Filings or Clippings of Gold or Silver Coin; 5.
Buying or selling, &c. counterfeit Gold or Silver Coin for lower Value than its Denomination; 6.
Importing counterfeit Coin from beyond Seas, or exporting counterfeit Coin; 7, 8.
Uttering counterfeit Gold or Silver Coin; 9–12.
Uttering Foreign Coin, Medals, &c. as current Coin, with Intent to defraud; 13.
Counterfeiting, &c. Copper Coin, and uttering base Copper Coin; 14, 15.
Defacing the Coin by stamping Words thereon, and Tender of Coin so defaced not to be a legal Tender; 16, 17.
Counterfeiting and uttering or having in possession Foreign Gold and Silver Coin; 18–23.
Making, mending, or having Possession of any Coining Tools, Felony; 24.
Conveying Tools or Monies out of the Mint without Authority, Felony; 25.
Coin suspected to be diminished or counterfeit may be cut by any Person to whom it is tendered; 26.
Provision for the Discovery and Seizure of counterfeit Coin and Coining Tools; 27.
Venue; 28.
What shall be sufficient Proof of Coin being counterfeit; 29.
Where the counterfeiting Coin shall be complete; 30.
Any Person may apprehend any Person committing any indictable Offence against this Act; 31.
No Certiorari, &c.; 32.
Venue in Proceedings; 33.
Trial of Offences in Scotland; 34.
Punishment of Principal in the Second Degree; 35.
Offences committed within Jurisdiction of the Admiralty; 36.
What shall be sufficient Evidence of Conviction for a previous Offence; 37.
Fine and Sureties for keeping the Peace, Hard Labour and Solitary Confinement; 38–40.
As to Summary Proceedings; 41.
Costs of Prosecutions; 42.
Commencement of Act; 43.

Collection of County Cess. See *County Cess.*

College of Physicians (Ireland).

To define the Powers of the President and Fellows of the King and Queen's College of Physicians in Ireland with respect to the Election of Fellows.—25 & 26 Vict. c. 15. 577

Act to commence on 1st September 1862; and after its Commencement, Part of 40 Geo. 3. c. 84. (I.) repealed; Sects. 1, 2.
Defining Powers of College with respect to Admissions to its Fellowships; 3.

Colonies. For Matters relating specially to the Colonies, see the following Heads:—

Australian Colonies.
East India
Habeas Corpus.
Jamaica.
New Zealand.
Passengers.
Queensland.
Sierra Leone.
South Australia.
West Indies.

Combination of Parishes Dissolution (Scotland).

To make Provision for the Dissolution of Combinations of Parishes in Scotland as to the Management of the Poor.—24 & 25 Vict. c. 18. 27

Preamble recites 8 & 9 Vict. c. 83.
Parochial Board of Combination may appoint Special Meeting for Application for Dissolution; Sect. 1.
Intimation of Special Meeting; 2.
Special Meeting may authorize Application to Board of Supervision, and Board may thereupon dissolve Combination; 3–5.
After Dissolution, Management of Poor to proceed as if Parishes never combined; 6.
If Application refused, not to be renewed till after Lapse of Five Years; 7.

Commissioners of Charities. See *Charity Commission.*

Commissioners of Highland Roads and Bridges. See *Highland Roads and Bridges.*

Commissioners of Works. See *Public Offices Extension.*

Commissions (Army). See *Officers Commissions.*

Commissions of Lunacy. See *Lunacy.*

Common Fund of Unions. See *Poor.*

Common Law Procedure. See *Bills of Exchange, &c. (Ireland).*

Common Pleas.

To render tenable during good Behaviour the Office of the Officer of the Court of Common Pleas by whom the Certificates of Acknowledgment of Deeds of married Women are filed of Record.—25 & 26 Vict. c. 96. 862

Preamble recites 3 & 4 W. 4. c. 74.
Officer to hold Office during good Behaviour; and subject to any Regulations which may be hereafter made by Parliament; Sects. 1, 2.

Commons Inclosure.

To authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales.—24 & 25 Vict. c. 1. 1

Similar Act.—25 & 26 Vict. c. 47. 645

To authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners.—24 & 25 Vict. c. 38. 59

Similar Act.—25 & 26 Vict. c. 94. 860

[*The Lands authorized to be inclosed are set out in the Schedules.*]

Companies, &c.

For Incorporation, Regulation, and Winding-up of Trading Companies and other Associations.—25 & 26 Vict. c. 89. 798

Short Title and Commencement of Act; Sects. 1, 2.
Definition of Insurance Company; 3.
Prohibition of Partnerships exceeding certain Number; 4.
Division of Act into Nine Parts, viz.;—
The First Part,—to the Constitution and Incorporation of Companies and Associations under this Act; 5–21.
The Second Part,—to the Distribution of the Capital and Liability of Members of Companies and Associations under this Act; 22–38.
The Third Part,—to the Management and Administration of Companies and Associations under this Act; 39–73.
The Fourth Part,—To the winding up of Companies and Associations under this Act; 74–173.
The Fifth Part,—to the Registration Office; 174.
The Sixth Part,—to Application of this Act to Companies registered under the Joint Stock Companies Acts; 175–178.
The Seventh Part,—to Companies authorized to register under this Act; 179–198.
The Eighth Part,—to Application of this Act to unregistered Companies; 199–204.
The Ninth Part,—to Repeal of Acts, and temporary Provisions; 205–212.
SCHEDULES.

Confirmation of Sales, &c.

To confirm certain Sales, Exchanges, Partitions, and Enfranchisements by Trustees and others.—25 & 26 Vict. c. 108. 989

Powers of Sale, &c. not to be invalid on the Ground of Want of express Mention of Exception of Reservation of Minerals, &c.; Sect. 1.
Trustees may dispose of Land or Minerals separately, without the Residue, &c.; 2.
Act not to extend to Scotland or Ireland; 3.

Conjugal Rights (Scotland).

To amend the Law regarding Conjugal Rights in Scotland.—24 & 25 Vict. c. 86. 155

Wife deserted by her Husband may apply for an Order to protect her Property; Sect. 1.
Husband or Creditor may apply by Petition for recal of Order; 2.
Interlocutors may be reviewed; 3.
After Interlocutor of Protection is pronounced, Property of Wife to belong to her as if unmarried; 4.
Order of Protection to have Effect of Decree of Separation; 5.
In case of Separation the Property of the Wife to belong to her exclusively of the Jus mariti and Right of Administration; 6.
In Action of Divorce Adulterer to be Co-Defender; 7.
Lord Advocate may enter Appearance in Actions for Nullity of Marriage and Divorce; 8.
In Action for Separation, Court may make Interim Orders with respect to Children; 9.
In every Consistorial Action the Summons to be served on Defender personally when not within Scotland; 10.
Not necessary to institute an Action of Adherence against Defender prior to Action for Divorce; 11.
Terce claimable from Burgage Property; 12.
Lord Ordinary to take Proofs in Consistorial Actions; 13.
Payment to certain Sheriffs; 14.
Actions of Aliment; 15.
When a married Woman succeeds to Property, &c., Husband or Creditor not entitled to claim the same; 16.
Court of Session empowered to make Acts of Sederunt; 17.
Repeal of Laws inconsistent with this Act; 18.
Interpretation of Terms, Short Title, and Commencement of Act, 19–21.

Consolidated Fund. See *Revenue, Public, &c. Public Works, &c.*

Consolidation of the Criminal Law. See *Criminal Statutes Repeal. Accessories and Abettors. Coinage Offences. Forgery. Larceny. Malicious Injuries to Property. Offences against the Person.*

Contested Elections. See *Elections (Ireland).*

Contributions by Counties. See *Queen's Prison.*

Contributions by Parishes. See *Poor.*

Convention. See *Denmark.*

Conveyance of Land. See *Charitable Uses. Transfer of Land.*

Copy of Court Roll. See *Ecclesiastical Leases.*

Copyhold, &c. Commission.

For continuing the Copyhold, Inclosure, and Tithe Commission, and entitling the Commissioners to Superannuation Allowance.—25 & 26 Vict. c. 73. 767

Continuation of Power of Appointment until 1st August 1867; Sect. 1.
Superannuation of certain Officers; 2.

Copyright (Works of Art).

For amending the Law relating to Copyright in Works of the Fine Arts, and for repressing the Commission of Fraud in the Production and Sale of such Works.—25 & 26 Vict. c. 68. 750

Copyright in Works hereafter made or sold to vest in the Author for his Life and Seven Years; Sect. 1.
Copyright not to prevent the Representation of the same Subjects in other Works; 2.
Assignments, Licences, &c. to be in Writing; 3.
Register of Proprietors of Copyright in Paintings, Drawings, and Photographs to be kept at Stationers Hall; 4.
Certain Enactments of 5 & 6 Vict. c. 45. to apply to the Books to be kept under this Act; 5.
Penalties on Infringement of Copyright, and on fraudulent Productions and Sales; 6, 7.
Recovery of Penalties; 8.
Superior Courts in which Action is pending may make Order for an Injunction, Inspection, or Account; 9.

Importation of pirated Works prohibited; 10.
Saving of Right to bring Action for Damages; 11.
Provisions of 7 & 8 Vict. c. 12. to be included in this Act; 12.

See also *International Exhibition*, 1862.

Copyright of Designs.

To amend the Law relating to the Copyright of Designs.—24 & 25 Vict. c. 73. 132

Extending 5 & 6 Vict. c. 100., and other Acts relating to Copyright of Designs; Sect. 1.
Acts not to be construed to apply to Her Majesty's Subjects; 2.

Cork Infirmary.

To authorize the Removal of the Infirmary for the County of Cork from the Town of Mallow to the City of Cork.—24 & 25 Vict. c. 29. 48

Preamble recites 5 Geo. 3. (I.) c. 20., and 11 & 12 Geo. 3. (I.) c. 23.
Grand Jury of County of Cork may remove the Infirmary for the County of Cork from Mallow to the City of Cork; Sect. 1.
Lord Lieutenant may direct the old Cork Lunatic Asylum to be transferred to the Trustees of the South Charitable Infirmary for the Purposes of this Act; 2.
Saving Rights of W. Galwey, Surgeon of County of Cork Infirmary under 5 Geo. 3. (I.) c. 20., as amended by 14 & 15 Vict. c. 68; 3.

Cornwall, Duchy of. See *Crown Suits Limitation. Duchy of Cornwall.*

Corporations, Municipal. See *Municipal Corporations.*

Corrupt Practices Prevention.

To continue the Corrupt Practices Prevention Act, 1854.—24 & 25 Vict. c. 122. 317
Similar Act.—25 & 26 Vict. c. 109. 990

Costs, Payment of. See *Crown Suits.*

Council (East Indies). See *East India.*

Council of Medical Education.

To incorporate the General Council of Medical Education and Registration of the United Kingdom, and for other Purposes.—25 & 26 Vict. c. 91. 843

Preamble recites 21 & 22 Vict. c. 90.
Incorporation of "The General Council of Medical Education and Registration of the United Kingdom;" Sect. 1.
Right of printing Pharmacopœia vested in Council; 2.
Notice to be given in Gazettes when British Pharmacopœia is published; 3.

Counties, Contributions by. See *Queen's Prison.*

County Cess (Ireland).

To continue 11 & 12 Vict. c. 32. relating to the Collection of County Cess in Ireland.—24 & 25 Vict. c. 58. 105

Preamble recites 11 & 12 Vict. c. 32., 16 & 17 Vict. c. 13., 20 & 21 Vict. c. 7., and 22 & 23 Vict. c. 23.
Provisions in first-recited Act relating to Collection of County Cess continued until 1st August 1863, and until End of then next Session; Sect. 1.

County Courts. See *Bankruptcy and Insolvency.*

County Elections. See *Elections (Ireland).*

County Palatine of Lancaster. See *Chancery, Court of.*

County Surveyors, &c. (Ireland):

1.—*Remuneration, &c.*

To enable Grand Juries in Ireland to Increase the Remuneration of County Surveyors, and for other Purposes.—24 & 25 Vict. c. 63. 112

Preamble recites 6 & 7 Will. 4. c. 116.
Short Title and Interpretation of Terms, &c.; Sects. 1–3.
Grand Jury at Summer Assizes held after passing of this Act may resolve that Salary of County Surveyor be altered; 4.
Grand Jury at next succeeding Assizes may adopt or reject such Application; 5.
Grand Jury may, on Increase of Salary to County Surveyor, require that he shall not engage in private Practice; 6.
Grand Juries may increase Salaries of Assistants to Surveyors; 7.
SCHEDULE of Classification of Counties.

2.—*Appointment.*

To amend the Law relating to the Appointment of County Surveyors in Ireland.—25 & 26 Vict. c. 106. 986

Part of Section 39 of 6 & 7 W. 4. c. 116. and of Section 7 of 7 & 8 Vict. c. 106. repealed; Sect. 1.
Persons desirous to act as Surveyors under 6 & 7 W. 4. c. 116., or as District Surveyors under 7 & 8 Vict. c. 106., to be examined by the Civil Service Commissioners; 2.
Persons certified under Acts 7 & 8 Vict. c. 106. and 6 & 7 W. 4. c. 116. eligible for County or District Surveyors; 3.
Commencement of Act; 4.

County Voters (Scotland). See *Voters (Scotland).*

Courts. See *Admiralty. Bankruptcy. Chancery. Common Pleas. Divorce. Foreign Countries. Landed Estates. Probate.*

Cricklade. See *Polling Places, &c.*

Criminal Law Consolidation.

To repeal certain Enactments which have been consolidated in several Acts of the present Session relating to indictable Offences and other Matters.—24 & 25 Vict. c. 95. 172

Repeal of Acts and Parts of Acts mentioned in Schedule. Exception in Cases where Act or Part of Act relates to Scotland; Sect. 1.
Repeal not to affect the Colonies in certain Cases; 2.
Repeal not to affect Offences, &c. committed before the Commencement of this Act; 3.
Repeal not to affect any Authority to amend Registers of Births, &c.; 4.

See also *Accessories and Abettors. Coinage Offences. Forgery. Larceny. Malicious Injuries to Property. Offences against the Person.*

Criminal Proceedings Oath Relief.

To give Relief to Persons who may refuse or be unwilling, from alleged conscientious Motives, to be sworn in Criminal Proceedings.—24 & 25 Vict. c. 66. 115

Persons refusing from conscientious Motives to be sworn in Criminal Proceedings to be permitted to make a solemn Affirmation or Declaration; Sect. 1.
Punishment for making false Affirmation; 2.
Commencement of Act; 3.

Criminals, Surrender of. See *Denmark.*

Crown Private Estates.

To remove Doubts concerning, and to amend the Law relating to, the private Estates of Her Majesty, Her Heirs and Successors.—25 & 26 Vict. c. 37. 621

Recital of 1 Anne, c. 7. ss. 5. 7., 1 G. 3. c. 1., 34 G. 3. c. 75., 39 & 40 G. 3. c. 88., 4 G. 4. c. 18., and 1 & 2 Vict. c. 95. s. 4.
Interpretation of Terms; Sect. 1.
Restrictions of 1 Anne, c. 7, and 1 G. 3. c. 1. and 34 G. 3. c. 75. not to extend to the private Estates of the Sovereign; 2.
Leasehold Estates (other than in Scotland) to be vested in Trustees; 3.

Private Estates of the Sovereign in Scotland held under a Superior or in Lease to be vested in Trustees; 4.
As to testamentary Disposition of the private Estates of the Sovereign other than in Scotland; 5.
As to Disposition of the private Estates of the Sovereign in Scotland; 6.
As to Descent of the private Estates of the Sovereign; 7.
Private Estates of the Sovereign to be subject to Taxes, which are to be paid out of the Privy Purse; 8, 9.
Extension of Trustee Act, 1850, to the private Estates of the Sovereign (except in Scotland), and to the Personal Estate of the Sovereign; 10.
Provision as to legal Proceedings and Trust Estates in Scotland; 11.
Saving of the Rights and Remedies of the Sovereign; 12.

Crown Suits Limitation.

To amend the Act 9 Geo. 3. c. 16., for quieting Possessions and Titles against the Crown, and also certain Acts for the like Object relating to Suits by the Duke of Cornwall.—24 & 25 Vict. c. 62. 111
The Crown not to sue after 60 Years by reason of Lands having been in charge, &c.; Sect. 1.
Provisions of this Act to apply to Actions by the Duke of Cornwall, and to Provisions of 7 & 8 Vict. c. 105. and 23 & 24 Vict. c. 53;—2.
Provision as to the answering of Rent, &c. to the Crown; 3.
Preserving Right to Reversionary Interests; 4.
Act not to apply to existing Suits; 5.

Crown Suits (Isle of Man).

To extend to the Isle of Man the Provisions of 18 & 19 Vict. c. 90. as to the Payment of Costs to and by the Crown.—25 & 26 Vict. c. 14. 576

Customs and Inland Revenue.

To continue certain Duties of Customs and Inland Revenue for the Service of Her Majesty, and to alter and repeal certain other Duties.—24 & 25 Vict. c. 20. 29
Grant of Duties specified in Schedules (A.), (B.), and (C.); Sect. 1.
Provisions of former Acts to apply to this Act; 2.
Persons entrusted with the Payment of Dividends and Interest due since 5th April 1861, and before the passing of this Act, to make Returns thereof to the Special Commissioners, &c.; 3.
Excise Duties, Allowances, and Drawbacks on Paper, and Customs Duties on Articles specified in Schedule (D.), repealed; 4.
Stationers entitled to Allowance of Excise Duty in respect of unbroken Reams, &c. of Paper; 5.
Mode of claiming such Allowance; 6–9.
SCHEDULE A. Rates and Duties of Customs granted, and Drawbacks allowed on certain Articles.
SCHEDULE B. Duties of Excise.
SCHEDULE C. Rates and Duties of Income Tax.
SCHEDULE D. Articles upon which Customs Duties are to cease.

To continue certain Duties of Customs and Inland Revenue for the Service of Her Majesty, and to grant, alter, and repeal certain other Duties.—25 & 26 Vict. c. 22. 584
Grant of Duties of Customs, Excise, Stamps, and Income Tax, as specified in Schedules; Sect. 1.
Provisions of former Acts to apply to this Act; 2.
Licences to Brewers to expire on 10th October in every Year; 3.
Brewer of Beer for Sale, before obtaining a Licence, to make a certain Declaration; 4.
When Licence of Brewer of Beer for Sale exceeds 10*l.*, it may be paid in Moieties; 5.
On Death of a Brewer, or on the Business being discontinued before Expiration of Licence, proportionate Part of Duty may be returned; 6.
When Quantity brewed in any Year shall be less than that for which Licence was granted, the Difference shall be repaid; if the Quantity be greater Brewer shall be surcharged; 7.
Surcharge upon First Licence to become payable immediately upon Death or Bankruptcy; 8.
Brewers of Spruce or Black Beer to continue to pay the Duties imposed by 6 G. 4. c. 81;—9.
Brewers of Beer for Sale omitting to take out Licence to be liable to the Duty; 10.
Persons brewing Beer for others to be deemed Brewers for Sale; 11.
So much of any Act as permits Sale of Beer at Fairs, &c. without Licence repealed, and occasional Licence may be granted to Victuallers to sell Beer, Spirits, &c.; 12, 13.
Charging of Excise Duty on Sugar used in brewing deferred until 1st July 1863; 14.
Licences under 23 Vict. c. 27. and 23 & 24 Vict. c. 107. may be transferred as other Excise Licences in Cases of Removal; 15.
As to the Privilege of the Free Vintners of the City of London to sell Wine without Licence; 16.
Repeal of Excise Duties, &c. on Hops cured after the passing of this Act; 17.
Repeal of Customs Duty on Hops on 16th September 1862; 18.
Drawbacks on Exportation of Hops cured before the passing of this Act to cease on 16th September 1862; 19.
Repeal of Excise Penalties on the Use of Substitutes for Hops; 20.
British Hops re-imported chargeable with Duty for Six Months after 16th September 1862; 21.
Repealing Prohibition on Importation of Extract of Hops; 22.
Allowance of 7*s.* per Cwt. on British Hops in Stock on 15th September 1862; and Mode of claiming such Allowance, &c.; 23–26.
Repealing 9 G. 4. c. 18. granting Duties on Cards and Dice; 27.
Interpretation of "Cards" and "Wrapper"; 28.
The Duty of 3*d.* charged by this Act to be denoted on the Wrapper; 29.
Licences to sell Cards to be granted; 30.
Penalties for selling Cards without Licence, or without stamped Wrappers; 30, 31.
Name of Maker, &c. to be printed on the Wrapper, and Stamp on the Wrapper to be cancelled before Cards are sold; 33, 34.
As to Frauds relating to Wrappers, and what Cards may be sold without Wrappers; 35, 36.
Unstamped Cards may be exported; 37.
Penalty for making unstamped Bonds, Debentures, &c.; 38.
For Probate Duty, Bond Debts to be Assets, as if they were Simple Contract Debts; 39.
Licences to Hawkers with One Horse reduced, and all Licences to Hawkers may be granted half-yearly; 40.
Recovery of Penalties relating to Stamp Duties; 41.
Sums assessed under Schedules A. and B. (Customs and Excise) for Year 1861 to be taken as assessed for 1862; 42.
Persons intrusted with the Payment of Dividends, &c. since 5th April 1862 and before the passing of this Act, to make Returns thereof; 43.
As to Appointment of Assessors and Collectors of Income Tax, &c.; 44, 45.
SCHEDULES.

D.

Deal. See *Harbours.*

Dealers in old Metals.

For regulating the Business of Dealers in old Metals.—24 & 25 Vict. c. 110. 290
Short Title, Commencement of Act, and Definition of Terms; Sects. 1–3.
Penalty on Dealer in old Metals being in possession of stolen Property; 4.
Justices may order Dealer to be registered; 5.
Dealer to give Notice of Change of Place of Business; 6.
Inspectors and Serjeants of Police to visit Places of Business of registered Dealers; 7.
Regulations to be observed by registered Dealers; 8.
Recovery and Application of Penalties; 9, 10.
Appeal; 11.
Limit of Act to England only; 12.
SCHEDULE.

Dean Forest and Hundred of Saint Briavels.

To make further Provision for the Management of Her Majesty's Forest of Dean, and of the Mines and Quarries therein and in the Hundred of Saint Briavels (Gloucester).—24 & 25 Vict. c. 40. 66
Declaration of the Interest conferred on a Galee by the Grant of a Gale; Sect. 1.
Conditions on which all Leases of Stone, Clay, or Sand are held; 2.
Nothing in Act to affect Right of Re-entry, &c.; 3.
Person in actual Possession or Receipt of Proceeds of Gale to pay the Rent; 4.
Empowering the Gaveller to sue in the County Court; 5.

Enlarging the Powers conferred by 25th Section of 1 & 2 Vict. c. 43 as to Leases of Land for Mining Purposes; 6.
Provisions as to the Days for the Cesser and Determination of the Galeage and other Rents; 7.
Extending Powers of the Arbitrator under 27th, 47th, and other Sections of 1 & 2 Vict. c. 43; 8.
Power to Gaveller or Deputy Gaveller to refuse the Registry of any Transfer until Rent has been paid; 9.
As to the Form of Minute of Registry; 10.
Power to refuse the Registry of any Transfer which is imperfect; 11.
Gaveller or Deputy Gaveller empowered to endorse Memorandum of Entry or Transfer on the last preceding Transfer instead of upon the original Certificate of the Grant of a Gale; 12.
Provision as to Fee for Entry of Minute of Transfer; 13.
All unregistered Transfers to be void; 14.
Empowering the Commissioners of Woods to grant Licences to sink Pits and to use or exercise other Rights and Easements, &c. in Inclosures and other Lands in the Forest; 15.
Varying the Powers of the Gaveller as to awarding Compensation for Surface Damage to inclosed Lands; 16.
Commissioners of Woods may grant Leases of any Clay or Sand which may be found in any Mine or Pit; 17.
Varying the Third Rule relating to Surrender of Quarries by substituting Michaelmas Day for Lady Day; 18.
All Gales of Coal or Iron Mines, and all Gales or Leases of Quarries determined by Notice, to be void without any Deed, Surrender, or other Act; 19.
Surrenders other than by Notice may be made and accepted by the Gaveller on behalf of Her Majesty; 20.
Gaveller or Deputy Gaveller, with consent of Owners, may unite or divide Two or more Gales or Parts of Gales, and re-grant them; 21.
All Instruments already made or hereafter to be made by or on behalf of Her Majesty in relation to the Forest or Hundred to be exempt from Stamp Duty; 22.
Gaveller or Deputy Gaveller to settle any Dispute as to Boundaries, and may alter Boundaries of any adjoining Gales; 23.
Power to the Gaveller or Deputy Gaveller to license the working and disposing of the Coal in any Barrier; 24.
Explaining the Provisions of the 10 Geo. 4. c. 50. and 1 & 2 Vict. c. 43. as to Trespasses in the Forest; 25.
Provisions as to Woodmen's or Labourers Cottages in the Forest; 26.
All Acts authorized to be done by Commissioners of Woods, &c. may be done by One Officer, &c.; 27.
1 & 2 Vict. c. 43. and this Act to be construed as One; 28.
SCHEDULE.

Declaration of Title.

For obtaining a Declaration of Title.—25 & 26 Vict. c. 68. 750

Parties claiming to be entitled to Land may petition Court of Chancery for Declaration of Title; Sects. 1–3.
Petition as to Copyhold, &c. Lands not admitted; 4.
Court may require to be served with Petition, and may investigate Petitioner's Title. If Court dissatisfied, Petition to be dismissed, but Petitioner may appeal; 5–7.
When Investigation is satisfactory, Court may order a Declaration of Title to be made; 8.
Order not to be made until Security for Costs is given; 9.
Before Order is made Petitioner to file Affidavit that all Documents have been produced; 10.
Notice of Order to be advertised in Newspapers; 11.
Court may hear Petition against Declaration of Title; 12.
On hearing of Petition Court may qualify or refuse Declaration of Title or reserve Rights; 13.
Court may reserve Rights of Persons under lost Deeds; 14.
Where Court sees no Reason for Refusal, Declaration of Title to be made; 15.
Appeal may be made to Court of Appeal within Six Months after Declaration; 16.
Parties may appeal from Court of Appeal to House of Lords; 17, 18.
Where Court refuses Title, Petitioner may appeal to Court of Appeal and House of Lords; 19.
Declaration of Title not to be set aside for Informality; 20.
Declaration of Title to be registered as an indefeasible Title; 21.
Certificate of Court to be given to Party obtaining final Declaration of Title; 22.
Production of Deeds before sealing of Certificate; 23.
Declaration of Title to be deemed to have correctly declared Land therein referred to; 24.
Court may make separate Declarations or Certificates of Title; 25.
Court may cancel original Certificate, and give Certificates to separate Parts of Land comprised in cancelled Certificate; 26, 27.
If Certificate of Title is lost a Duplicate may be issued; 28.
Declaration of Title not to affect certain Claims, &c.; 29.
Registration of Lands with Declaration of indefeasible Title; 30.
Court may hear Petition for Recal or Variation of Declaration of Title; 31.
For Prevention of dealing with Land until Petition disposed of; 32.
Proceedings on Petition liable to Right of Appeal; 33.
Court to order Costs; 34.
Person alienating to invest Trust Money in Purchase of Lands to be settled to certain Uses; 35.
Provision as to married Women, and for other Persons under Disability; 36, 37.
Proceedings not to abate by Death, &c.; 38.
Register of Estates, Titles, &c. to be kept; 39.
Power to Lord Chancellor, &c. to make Rules and Orders; 40.
Court of Chancery to adopt Rules in Schedule until General Rules are framed; 41.
Lord Chancellor may appoint additional Clerks; 42.
Rules and Orders to be laid before Parliament; 43.
Penalty on making false Statement and Suppression of Deeds and Evidence on fraudulent Alterations, &c.; 44, 45.
Conviction not to affect Civil Remedy; 46.
Enactment of Penalty not to exclude Obligation to make Discovery; 47.
Construction of Terms, &c.; 48.
Extent of Act and Short Title; 49.
SCHEDULE.

See also *Transfer of Land.*

Declarations. See *Oaths.*

Deeds, Acknowledgment of. See *Common Pleas.*

Denmark (Mutual Surrender of Criminals).

For giving effect to a Convention between Her Majesty and the King of Denmark for the mutual Surrender of Criminals.—25 & 26 Vict. c. 70. 756

Definition of Terms; Sect. 1.
Certain Offenders to be apprehended on Requisition of an Ambassador of the King of Denmark; 2.
Provision as to Colonies; 3.
Offenders to be delivered up; 4.
After Two Months the Persons apprehended may be discharged, if not conveyed out of Her Majesty's Dominions; 5.
Limits and Continuance of Act; 6, 7.
SCHEDULE: Convention with the King of Denmark.

Desertion. See *Mutiny.*

Designs, &c. See *Copyright of Designs. International Exhibition*, 1862.

Dice. See *Customs and Inland Revenue.*

Differential Dues, Abolition of. See *Harbours.*

Discharged Prisoners Aid.

To amend the Law relating to the giving of Aid to discharged Prisoners.—25 & 26 Vict. c. 44. 642

Recital of 4 G. 4. c. 64.
Power to Justices to grant Certificates of Approval of Prisoners Aid Societies; and to revoke or suspend the same; Sect. 1.
Relief may be afforded by "Certified Prisoners Aid Society"; 2.
Funds out of which Repayments provided; 3.

Disembodied Militia. See *Militia.*

Dividends, Payment of. See *Transfer of Stocks, &c.*

Divorce Court.

To make perpetual the Act 23 & 24 Vict. c. 144. "to amend "the Procedure and Powers of the Court for Divorce and "Matrimonial Causes."—25 & 26 Vict. c. 81. 780

Divorce (Scotland).

To amend the Law regarding Conjugal Rights in Scotland.—24 & 25 Vict. c. 86. 155

A Wife deserted by her Husband may apply for an Order to protect her Property; Sect. 1.
Husband or Creditor may apply by Petition for Recal of Order; 2.
Interlocutors may be reviewed; 3.
After Interlocutor of Protection is pronounced, Property of Wife to belong to her as if unmarried; 4.
Order of Protection to have Effect of Decree of Separation; 5.
In case of Separation the Property of the Wife to belong to her exclusively of the Jus mariti and Right of Administration; 6.
In Action of Divorce, Adulterer to be Co-Defender; 7.
Lord Advocate may enter Appearance in Actions for Nullity of Marriage and Divorce; 8.
In Action for Separation, Court may make Interim Orders with respect to Children; 9.
In every Consistorial Action the Summons to be served on Defender personally when not within Scotland; 10.
Not necessary to institute an Action of Adherence against Defender prior to Action for Divorce; 11.
Terce claimable from Burgage Property; 12.
Lord Ordinary to take Proofs in Consistorial Actions; 13.
Payment to certain Sheriffs; 14.
Actions of Aliment; 15.
When a married Woman succeeds to Property, &c., Husband or Creditor not entitled to claim the same; 16.
Court of Session empowered to make Acts of Sederunt; 17.
Repeal of Laws inconsistent with this Act; 18.
Interpretation of Terms, Short Title, and Commencement of Act; 19-21.

Docks at Leith. See *Leith Harbour and Docks.*

Dockyards. See *Fortifications.*

Dogs. See *Sheep (Ireland).*

Domicile of British Subjects abroad. See *Wills, &c.*

Dover, Harbour and Port of. See *Fortifications. Harbours.*

Drainage of Land.

To amend the Law relating to the Drainage of Land for Agricultural Purposes.—24 & 25 Vict. c. 133. 336

Preliminary.

Short Title, Application of Act, and Definition of Terms; Sects. 1-3.

PART I.—*Commissions of Sewers.*

Commissions of Sewers may be issued for new Areas on Recommendation of Inclosure Commissioners; 4.
Recommendation of Inclosure Commissioners to be obtained on Petition of Proprietors, &c.; 5.
Definition of Proprietors; 6.
Trustees to be deemed Proprietors in certain Cases; 7.
Provision as to Proprietorship by Corporations and Companies; 8.
Provision as to Joint Proprietors, and in case of no Proprietor; 9, 10.
Powers of Inspector; 11.
Expenses incurred in obtaining the Issue of a Commission of Sewers under this Act; 12.
Evidence of Issue of Commission; 13.
Duration of Commissions of Sewers; 14.
Quorum of Commissioners, and Declaration of Powers of Commissioners; 15, 16.
Provisions as to Obstructions; 17-20.
Restrictions as to Purchase of Land; 21.
Publication of Notices; 22.
Petition to Inclosure Commissioners; 23.
Inquiries by Inclosure Commissioners; 24, 25.
Provisional Order by Inclosure Commissioners to be confirmed by Parliament; 26.
Expenses of obtaining Provisional Order; 27.
Provisions of 8 & 9 Vict. c. 18., and 23 & 24 Vict. c. 106. incorporated with this Act; 28.
Notice to be given of certain Works; 29.
Correction of List of Proprietors; 30.
Dissent of Proprietors of One Half of Area conclusive against new Works; 31.
Provision in case of no Proprietor; 32.
Jury may be dispensed with under certain Conditions; 33.
Power to commute Liabilities to repair by reason of Tenure; 34.
Nature of Commutation; 35.
Deposit of Record of Commutation; 36.
Saving of existing Liabilities to repair; 37.
Regulations as to Rating; 38.
Overseers to allow Inspection of Poor Rates; 39.
Mortgage of Rates; 40.
Certain Clauses of 10 & 11 Vict. c. 16. incorporated with this Act; 41.
As to Notices by Commissioners; 42-46.
Appeal to Quarter Sessions; 47.
Power to refer Case to Arbitration; 48.
Common Law Procedure Act (17 & 18 Vict. c. 125.) incorporated with this Act; 49.
Decision of Questions by Justices or Arbitration; 50.
Recovery of Penalties; 51.
Costs of legal Proceedings on the Part of Commissioners; 52.
Tender of Amends; 53.
Saving Rights of Canal Owners and Wharfingers; 54.
Commissioners not to divert Rivers so as to injure Harbours; 55.
Power for Canal Commissioners to alter Sewers; 56.
Exemptions under Local Acts preserved; 57.
Penalty for draining into Sewers without Consent of Commissioners; 58, 59.
Powers of Act cumulative; 60.
Not to affect Contracts between Landlord and Tenant; 61.
Provision in case of Alteration of Local Boundaries; 62.

PART II.—*Elective Drainage Districts.*

Constitution of Elective Drainage Districts; 63-65.
Constitution, Powers, &c. of Drainage Boards; 66-68.
Rules to be observed with respect to Electors of Drainage Board; 69.
Mode of Election of Drainage Boards, and Proceedings thereof; 70.
Certain Provisions of 10 & 11 Vict. c. 16. incorporated with this Act; 71.

PART III.—*Power of Private Owners to procure Outfalls.*

Application for Outfall to adjoining Owner; 72, 73.
Assent of adjoining Owner; 74, 75.
Dissent of adjoining Owner; 76.
Application of Compensation in case of Owners under Disability; 77.
Duty of Arbitrators; 78.
Power of Applicant to clear Drains; 79.
Power of adjoining Owner to divert Drains; 80.
Penalty for obstructing or injuring Drains; 81.
Costs of Application; 82.
Provision in case of Change of natural Outfall; 83.
SCHEDULES.

Drunkenness (Ireland).

To enable Justices in Ireland to commit to local Bridewells Persons convicted of Drunkenness.—24 & 25 Vict. c. 49. 99

Short Title; Sect. 1.
Committal for Drunkenness for a Period not less than Forty-eight Hours, may be to a local although not a District or certified Bridewell; 2.

Dublin:

1.—*Borough of Dublin Improvement.*

To amend the Dublin Improvement Act, 1849.—24 & 25 Vict. c. 26. 45

Preamble recites 12 & 13 Vict. c. 97.
Short Title; Sect. 1.
Recited Act and the Acts incorporated therewith, and this Act, to form One Act; 2.
Interpretation of Terms and Limits of Act; 3, 4.
Council of the Borough to carry Act into execution; 5.
Owners, &c. to remove future Projections on Notice from Corporation; 6.
Corporation may remove existing Projections and make Compensation for same; 7.
Period within which Notice for Removal of Obstructions to be given; 8.
Rules as to Projections from new Buildings; 9.
Buildings not to be brought beyond Line of Street; 10.
Corporation in certain Cases may compel Owners, &c. of Houses to construct Drains into the Common Sewer; 11.
As to Orders to be made under this Act; 12.
Expenses of Act to be paid by Corporation of Dublin; 13.

2.—Dublin Revising Barristers.

To make Provision for Salaries for the Revising Barristers for the City of Dublin.—24 & 25 Vict. c. 56. 105

Dublin Revising Barristers to be paid an annual Salary in lieu of Remuneration authorized by recited Act; Sect. 1.
Barristers appointed to act for others during Illness to be paid out of their Salaries; 2.
The Act 20 & 21 Vict. c. 68. and this Act to be as One; 3.

See also *Gunpowder.*

Duchy of Cornwall.

To authorize the Completion, after His Royal Highness Albert Edward Prince of Wales shall attain the Age of Twenty-one Years, of Arrangements commenced during his Minority, under the Provisions of the Act 7 & 8 Vict. c. 65. " to enable the Council of His Royal Highness Albert Edward " Prince of Wales to sell and exchange Lands and enfranchise " Copyholds Parcel of the Possessions of the Duchy of Corn- " wall, to purchase other Lands; and for other Purposes." —25 & 26 Vict. c. 49. 647

The Prince of Wales, on attaining the Age of 21, may complete Contracts, &c. entered into by His Council; Sect. 1.
Provisions of recited Act continued by this Act; 2.
Persons claiming by Deeds made under this Act not bound to prove Deeds so made; 3.

See also *Crown Suits Limitation.*

Durham. See *Local Government.*

Durham University.

For making Provision for the good Government and Extension of the University of Durham.—24 & 25 Vict. c. 82. 142

Short Title; Sect. 1.
Appointment, Powers, &c. of Commissioners; 2–6.
Restrictions on Exercise of Powers by Commissioners; 7.
Ordinances to be laid before the Queen in Council; 8.
Statutes to be laid before Parliament, &c.; 9, 10.
Persons becoming Members not to possess vested Interests; 11.
Powers of University to continue in force, as altered by this Act; 12.
Interpretation of Terms; 13.

Duties, Rates, and Taxes. See *Coal and Wine Duties. County Cess. Customs. Edinburgh. Excise. Inland Revenue. Mortgage of Rates, &c. Parochial Assessments. Passing Tolls. Recovery of Poor Rates. Stamp Duties.*

Dwellings for the Labouring Poor.

To extend the Provisions of the Acts to facilitate the Improvement of Landed Property in Ireland, and to further provide for the Erection of Dwellings for the Labouring Poor in Ireland.—24 & 25 Vict. c. 34. 57

Preamble recites 23 Vict. c. 19., &c.
Loans may be made for the Erection of Dwellings for Labourers and their Families, notwithstanding previous Loans; Sect. 1.

E.

East Cowes. See *Local Government.*

East India:

1.—Army, &c.

To render lawful the Enlistment of Persons transferred from the Indian to the General Forces of Her Majesty, and to provide in certain respects for the Rights of such Persons.—24 & 25 Vict. c. 74. 133

Enlistment of Soldiers transferred from the Indian to the General Forces of Her Majesty to be valid for the unexpired Portions of the Service of such Soldiers; Sect. 1.
Persons so transferred to be accounted natural-born Subjects for Purposes of Military Service; 2.
Rights of Persons so transferred to Pensions for Service in Her Majesty's General Forces; 3.
No Enlistment in India invalid by reason of the Absence of a Warrant from the Secretary at War, or because made out of Her Majesty's Dominions; 4.
SCHEDULE.

To increase the Amount payable out of the Revenues of India in respect of the Retiring Pay, Pensions, and other Expenses of that Nature, of Her Majesty's British Forces serving in India,—24 & 25 Vict. c. 89. [*See* 25 & 26 Vict. c. 27., *infra.*] 159

4 Geo. 4. c. 71 partly repealed; Sect. 1.
Charge on Revenues of India for 1861–2; 2.

To authorize Payments for a further Period out of the Revenues of India in respect of the Retiring Pay, Pensions, and other Expenses of that Nature, of Her Majesty's British Forces serving in India.—25 & 26 Vict. c. 27. 602

Charge on Revenues of India continued until 31st March 1867; Sect. 1.

2.—Civil Service, &c.

To confirm certain Appointments in India, and to amend the Law concerning the Civil Service there.—24 & 25 Vict. c. 54. 102

Appointments not in accordance with 33 Geo. 3. c. 52. valid; Sect. 1.
Vacancies in Offices to be supplied by Covenanted Civil Servants; 2.
Persons not Covenanted Civil Servants may, under Special Circumstances, be appointed to such Offices, &c.; 3.
Such Appointment in each Case to be reported to the Secretary of State; 4.
Certain Offices may be filled up without regard to Restrictions prescribed by recited Act; 5.
Act not to apply to Office of Lieutenant Governor, &c.; 6.
So much of 33 Geo. 3. c. 52. as requires Seniority, &c. for Appointments repealed; 7.
SCHEDULE.

3.—Council, &c.

To make better Provision for the Constitution of the Council of the Governor General of India, and for the Local Government of the several Presidencies and Provinces of India, and for the temporary Government of India in the event of a Vacancy in the Office of Governor General.—24 & 25 Vict. c. 67. 116

Short Title; Sect. 1.
Sections 40, 43, 44, 50, 66, 70, and so much of Sections 61 and 64 as relates to Vacancies in the Office of ordinary Member of the Council of India, of 3 & 4 Vict. c. 85., and Sections 22, 23, 24, and 26 of 16 & 17 Vict. c. 95., and the Act 23 & 24 Vict. c. 87., repealed; 2.
Composition of the Council of the Governor General of India; 3, 4.
Power of making provisional Appointments of Members of Council by Secretary of State; 5.
Provision on Absence of Governor General; 6, 7.
Power of Governor General to make Rules for Conduct of Business; 8.
Power to Council to assemble at any Place in India; 9.
As to Appointment, &c. of additional Members; 10–13.
No Law to be invalid by reason of Number of non-official Members being incomplete; 14.
Senior ordinary Member of Council to preside at Meetings for making Laws and Regulations in Absence of Governor General, &c.; 15.
Governor General to appoint First Meeting for making Laws and Regulations; 16.
Power to appoint and adjourn Meetings for making Laws and Regulations; 17.
Governor General to make Rules for Conduct of Business at such Meetings; 18.
Business to be transacted at such Meetings; 19.
Assent of Governor General to Laws made at such Meetings; 20.
Power of the Crown to disallow Laws made at such Meetings; 21.
Extent of the Powers of the Governor General in Council to make Laws and Regulations at such Meetings; 22.
Governor General may make Ordinances having Force of Law in Cases of urgent Necessity; 23.
No Law, &c. invalid by reason of it affecting any Prerogative of the Crown; 24.
Laws made for the Non-Regulation Provinces declared valid; 25.
Provision for Leave of Absence to an ordinary Member of Council; 26.
Power of making temporary Appointments of Members of Council by Governor General or Governor of a Presidency; 27.

Power to Governors of Fort Saint George and Bombay to make Rules for the Conduct of Business; 28.
As to Appointment of additional Members to the Council of Fort Saint George and Bombay for the Purpose of making Laws and Regulations; 29-32.
No Law to be invalid by reason of Incompleteness of Number of non-official Members; 33.
Senior Civil ordinary Member of Council to preside in Absence of Governor of Presidency; 34.
Governor General to fix First Meeting of Councils of Presidencies for making Laws and Regulations; 35.
Governors of Presidencies to appoint subsequent Meetings, and adjourn them; 36.
Governors to make Rules and Orders for Conduct of Business at such Meetings; 37.
Business to be transacted at such Meetings; 38.
Governors to assent to Laws and Regulations of Presidencies; 39.
Governor General to assent to Laws and Regulations of Presidencies; 40.
Power of the Crown to disallow Laws and Regulations of Presidencies; 41.
Extent of Power of Governor of Presidency in Council to make Laws and Regulations; 42.
Governor of Presidency, except with Sanction of Governor General, not to make or take into consideration certain Laws or Regulations; 43.
Governor General may establish Councils for making Laws and Regulations in the Presidency of Fort William, &c.; 44, 45.
Power to constitute new Provinces, and appoint Lieutenant Governors; 46.
Power to alter Boundaries of Provinces; 47.
Former Provisions of this Act extended to future Councils; 48.
Previous Assent of the Crown necessary to give Validity to any such Proclamation; 49.
Provision for the Supply of the Office of Governor General in certain Circumstances; 50.
If it appears to Governor necessary to exercise Powers before taking his Seat in Council, he may make his appointment, &c. known by Proclamation; 51.
Nothing in this Act shall derogate from the Powers of the Crown or Secretary of State for India in Council; 52.
Meaning of Term "in Council;" 53.
Time when Act shall come into operation; 54.

4.—*High Courts of Judicature.*

For establishing High Courts of Judicature in India.—24 & 25 Vict. c. 104. 271
High Courts may be established in the several Presidencies of India; Sect. 1.
Constitution of High Courts; 2.
Certain existing Judges herein named to be the First Judges of the High Court; 3.
Tenure of Office of High Courts, and Precedence and Salaries, &c. of Judges; 4-6.
Provision for Vacancy of the Office of Chief Justice or other Judge; 7.
Abolition of Supreme Courts and Sudder Courts; 8.
Jurisdiction and Powers of High Courts; 9.
High Courts to exercise same Jurisdiction as Supreme Courts; 10.
Existing Provisions applicable to Supreme Courts to apply to High Courts; 11.
Provision as to pending Proceedings in abolished Courts; 12.
Power to High Courts to provide for Exercise of Jurisdiction by single Judges or Division Courts; 13.
Chief Justice to determine what Judges shall sit alone or in the Division Courts; 14.
High Court to superintend and to frame Rules of Practice for subordinate Courts; 15.
Her Majesty may establish a High Court in the North-western Provinces; 16.
Other or supplemental Charters may be granted within Three Years after Establishment of a Court; 17.
Territorial Limits of Jurisdiction of Courts may be altered by Order in Council; 18.
Interpretation of Terms; 19.

5.—*Loans.*

To enable the Secretary of State in Council of India to raise Money in the United Kingdom for the Service of the Government of India.—24 & 25 Vict. c. 25. 44
Power to the Secretary of State in Council of India to raise any Sum not exceeding Four Millions; Sect. 1.
Bonds may be issued under Hands of Members of Council, countersigned by Secretary or Under Secretary; 2.
Debentures may be issued; 3.
As to Payment of Principal and Interest on Debentures; 4.
Debentures transferable by Delivery or Deed; Coupons by Delivery; 5
Capital Stock and Annuities may be created and issued; 6.
Transfer Books of such Capital Stock and Annuities to be kept; 7.
Annuities Personal Estate; 8.
The whole Amount charged on Revenue of India not to exceed Four Millions; 9.
Power to raise Money for Payment of Principal Money; 10.
Securities, &c. to be charged on Revenues of India; 11.
Provisions as to Composition for Stamp Duties on India Bonds extended to Bonds and Debentures under this Act; 12.
Forgery of Debentures to be punishable as Forgery of East India Bonds; 13.
Returns to be annually prepared of Monies raised on Loan, &c., and presented to Parliament; 14.
Saving Powers of the Secretary of State in Council; 15.

To enable the Secretary of State in Council of India to raise Money in the United Kingdom for the Service of the Government of India.—24 & 25 Vict. c. 118. 314
Power to the Secretary of State in Council of India to raise any Sum not exceeding Five Millions; Sect. 1.
[*Sections 2 to 15 contain similar Provisions to those of preceding Act.*]

6.—*Red Sea and India Telegraph.*

For amending the Red Sea and India Telegraph Act, 1859.—24 & 25 Vict. c. 4. 4
Construction of Agreement of 18th Nov. 1858, between the Treasury and the Company; Sect. 1.
This Act and 22 & 23 Vict. c. iv. to be construed together; 2.

For enabling the Commissioners of Her Majesty's Treasury to make Arrangements with the Red Sea and India Telegraph Company.—25 & 26 Vict. c. 39. 625
Recital of 22 & 23 Vict. c. iv. and 24 Vict. c. 4.
Transfer of Property from the old Company to the new; Sect. 1.
List of Shareholders to be made; 2.
Charge upon Consolidated Fund of Terminable Annuities, and Rights of Shareholders thereto; 3, 4.
Delivery of Transfer Books to Bank of England; 5.
Redemption of Annuity; 6.
Contribution of Revenues of India; 7.
SCHEDULE.

East Retford. See *Polling Places.*

East Stonehouse. See *Plymouth Marine Barracks.*

Ecclesiastical Benefices. See *Leases, &c. by Incumbents Restriction.*

Ecclesiastical Commission:

1.—*Episcopal and Capitular Estates.*

To continue the Act 14 & 15 Vict. c. 104 concerning the Management of Episcopal and Capitular Estates in England, and further to amend certain Acts relating to the Ecclesiastical Commissioners for England.—24 & 25 Vict. c. 131. 330
Preamble recites 14 & 15 Vict. c. 104., 17 & 18 Vict. c. 116., 22 & 23 Vict. c. 46., and 23 & 24 Vict. c. 124.
Estates of the Archdeaconry of Rochester vested in the Commissioners; Sect. 1.
The Act 14 & 15 Vict. c. 104., as amended by subsequent Acts, continued until 1st January 1863; 2.

2.—*Windsor Suspended Canonries.*

For the Appropriation in favour of the Military Knights and the Churches of Windsor of Two of the Canonries suspended in the Chapel of Windsor, and for making certain Provisions respecting the Naval Knights of Windsor.—24 & 25 Vict. c. 116. 312
Appropriation of Profits of Seventh Canonry to Military Knights; Sect. 1.
Appropriation of Profits of Eighth Canonry to Incumbent of Churches; 2.

Mode of ascertaining Amount of Payments to be retained ; 3.
Lieutenants succeeding to Rank of Retired Commander shall continue Poor Knights ; 4.

Ecclesiastical Leases. See *Leases, &c. by Incumbents Restriction.*

Edinburgh Assessments (Annuity Tax).

To declare the Limits within which increased Assessments are authorized to be raised in the City of Edinburgh, under the Provisions of the Act 23 & 24 Vict. c. 50.—24 & 25 Vict. c. 27. 47

Edinburgh University.

To make Arrangements as to the Disposal and Management of Property belonging to the University of Edinburgh ; and to regulate the Appropriation and Application of the Annuity of Two thousand five hundred Pounds payable from the Revenues of the Harbour and Docks of Leith, under the Authority of the Act 1 & 2 Vict. c. 55.—24 & 25 Vict. c. 90. 159

Preamble recites 1 & 2 Vict. c. 55. and 21 & 22 Vict. c. 83.
Appropriation of Annuity of 2,500*l.* in first-recited Act mentioned; Sect. 1.
First Payments to be made at Martinmas 1861 ; 2.
Certain Properties and Revenues enumerated to be transferred to the Senatus ; 3.
Certain Properties and Revenues enumerated in Schedule to be held by the City for the Support of Schools ; 4.
Short Title ; 5.

Elections. See *Appropriation of Seats. Corrupt Practices. Polling Places. University Elections. Voters (Scotland).*

Elections (Ireland).

To amend the Law relating to the Duration of contested Elections for Counties in Ireland, and establishing additional Places for taking the Poll thereat.—25 & 26 Vict. c. 62. 717

Preamble recites 13 & 14 Vict. c. 68.
Commencement of Act, 1st Jan. 1863 ; Sect. 1.
This Act incorporated with recited Act ; 2.
Provisions of 13 & 14 Vict. c. 68. relating to Duration of Poll at contested Elections for Counties in Ireland, repealed ; 3.
Regulating Time for polling at Elections for Knights of the Shire in Ireland, &c. ; 4.
Duty of Poll Clerks at such Elections ; 5.
Poll may be closed in certain Cases as heretofore ; 6.
Proceedings in Cases of Riot ; 7.
Additional Polling Places may be appointed upon Petition from Justices in Quarter Sessions assembled to Lord Lieutenant ; 8.
Place in which the Court for Revision of Lists may be held ; 9.
Declaration or Order to be certified by Clerk of Privy Council, and published in Dublin Gazette ; 10.

To limit the Time for proceeding to Elections in Counties and Boroughs in Ireland.—25 & 26 Vict. c. 92. 844

Preamble recites 1 G. 4. c. 11. s. 5.
Elections in Counties in Ireland to be not later than Twelfth nor sooner than Sixth Day from Day of Proclamation ; Sect. 1.
Elections in Cities, &c. to be within Six Days after Receipt of Writ or Precept, giving Three clear Days Notice. Repealing 9 & 10 Vict. c. 30.;—2.
Sheriff to be Returning Officer in Boroughs where the Office of Returning Officer shall be vacant ; 3.
Writs, &c. to be conformable to this Act ; 4.

See also *Voters (Ireland).*

Embankment of the Thames. See *Thames Embankment.*

Employment of the Poor. See *Poor. Public Works.*

Employment of Women, &c. See *Bleachfields. Lace Factories.*

Employments, Qualifications for. See *Indemnity.*

Enfranchisement. See *Confirmation of Sales, &c.*

Enlistment in India. See *East India.*

Enrolments of Deeds, &c. See *Charitable Uses.*

Episcopal and Capitular Estates. See *Ecclesiastical Commission.*

Estates. See *Crown Private Estates. Declaration of Title. Incumbered Estates. Real Estates.*

Exchange, Bills of. See *Bills of Exchange.*

Exchanges of Land. See *Confirmation of Sales, &c. Sandhurst Military College.*

Exchequer Bills (Supply). See *Revenue, Public, &c.*

Excise Duties.

To continue the Duties of Excise on Sugar made in the United Kingdom, and to amend the Laws relating to the Duties of Excise.—25 & 26 Vict. c. 84. 785

Excise Duties on British Sugar continued until 1st July 1863 ; Sect. 1. 23 & 24 Vict. c. 114. not to affect any other Duties than the Excise Duties on Spirits ; 2.

See also *Customs and Inland Revenue. Inland Revenue.*

Exhibition of 1862. See *International Exhibition of* 1862.

Explosive Substances. See *Gunpowder.*

F.

Factories.

To place the Employment of Women, young Persons, Youths, and Children in Lace Factories under the Regulations of the Factories Acts.—24 & 25 Vict. c. 117. 313

Preamble recites 3 & 4 Will. 4. c. 103., 7 & 8 Vict. c. 15., 10 & 11 Vict. c. 29., 13 & 14 Vict., c. 54., 16 & 17 Vict. c. 104., and 19 & 20 Vict., c. 83.
Recited Acts to apply to Lace Factories, and to the Employment of Females, young Persons, &c., therein ; Sect. 1.
Youths between the Age of Sixteen and Eighteen may be employed between 4 a.m. and 10 p.m., but not more than Nine Hours between those Hours ; 2.
Agents or Workmen may be summoned for acting contrary to the Act without the Knowledge of the Owner ; 3.
Interpretation of Terms ; 4.
Provisions of recited Acts relating to Recovery of lost Time not to extend to Lace Factories ; and also those relating to fencing Machinery ; 5, 6.

Fellows, Election of. See *College of Physicians (Ireland).*

Fine Arts. See *Copyright.*

Fireworks. See *Gunpowder.*

Fisheries. See *British White Herring Fishery. Public Works. Salmon Fisheries.*

Foreign Countries, Law of. See *Ascertainment of the Law.*

Foreigners. See *Wills, &c.*

Forest of Dean. See *Dean Forest, &c.*

Forgery.

To consolidate and amend the Statute Law of England and Ireland relating to indictable Offences by Forgery.—24 & 25 Vict. c. 98. 212

As to forging the Great Seal, Privy Seal, &c.; Sect. 1.
Forging Transfer of certain Stock, and Power of Attorney relating thereto; 2.
Personating the Owner of certain Stock, and transferring or receiving or endeavouring to transfer or receive the Dividends; 3.
Forging Attestation to Power of Attorney for Transfer of Stock, &c.; 4.
Making false Entries in the Books of the Public Funds; 5.
Clerks of the Bank making out false Dividend Warrants; 6.
Forging an East India Bond; 7.
Forging Exchequer Bills, Bonds, and Debentures, &c.; or making Plates, &c., in imitation of those used for Exchequer Bills, &c.; or making Paper in imitation of that used for Exchequer Bills, &c.; or having in possession Paper, Plates, or Dies to be used for Exchequer Bills, &c.; 8–11.
Forging a Bank Note, &c.; 12.
Purchasing or receiving or having forged Bank Notes; 13.
Making or having Mould for making Paper with the Words "Bank of England," or "Bank of Ireland;" 14.
Proviso as to Paper used for Bills of Exchange, &c.; 15.
Engraving or having any Plate, &c., for making Notes of Bank of England or Ireland; 16.
Engraving on a Plate, &c., any Word, Number, or Device resembling Part of a Bank Note or Bill; 17.
Making or having Mould for making Paper with the Name of any Banker; 18.
Engraving Plates for Foreign Bills or Notes; 19.
Forging Deeds, Bonds, &c., Wills, Bills of Exchange or Promissory Notes, Orders, Receipts, &c. for Money, Goods, &c.; 20–23.
As to making or accepting any Bill, Note, &c. by Procuration, without lawful Authority; 24.
Obliterating Crossings on Cheques; 25.
Forging Debentures; 26.
Forging Proceedings of Courts of Record or Courts of Equity, or forging Copies or Certificates of Records, Process of Courts not of Record, &c.; 27, 28.
Forging Instruments made Evidence by any Act of Parliament; 29.
Forging Court Rolls; 30.
Forgery as to the Registry of Deeds; 31.
Forging Orders of Justices, Recognizances, Affidavits, &c.; 32.
Forging Name of Accountant General, &c. of Court of Chancery in England or Ireland, or of any Judge of the Landed Estates Court in Ireland; 33.
Acknowledging Recognizance, Bail, Cognovit, &c. in the Name of another; 34.
Forging or uttering Marriage Licence or Certificate, or Registers of Births, Baptisms, Marriages, Deaths, or Burials, or making false Entries in Copies of Register sent to Registrar; 35–37.
Demanding Property upon forged Instruments; 38.
Forging any Instrument, however designated, which is in Law a Will, Bill of Exchange, &c.; 39.
Forging, &c., in England or Ireland Documents purporting to be made, or actually made, out of England and Ireland, forging, &c. in England or Ireland Bills of Exchange, &c. purporting to be payable out of England or Ireland; 40.
Forgers, &c., may be tried in the County where they are apprehended or are in Custody; 41.
Description of Instrument in Indictments for Forgery; 42.
Description of Instrument in Indictments for Engraving, &c.; 43.
Intent to defraud particular Persons need not be alleged or proved; 44.
Interpretation as to criminal Possession; 45.
Search for Paper or Implements employed in any Forgery, and for forged Instruments; 46.
Other Punishments substituted for those of the 5 Eliz. c. 14., which have been adopted in other Acts; 47.
All Forgeries which were Capital before the 1 Will. 4. c. 66., and are not otherwise punishable under this Act, punishable with Penal Servitude for Life, &c.; 48.
Principals in the Second Degree and Accessories. Abettors in Misdemeanors; 49.
Offences committed within the Jurisdiction of the Admiralty; 50.
Fines and Sureties for keeping the Peace; in what Cases; 51.
Hard Labour and Solitary Confinement; 52, 53.
Costs of Prosecution of Misdemeanor against this Act may be allowed; 54.
Extent and Commencement of Act; 55, 56.

Fortifications.

For providing a further Sum towards defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of Dover and Portland, and of creating a Central Arsenal.—25 & 26 Vict. c. 78. 773

The Sum of 1,200,000*l.* to be issued out of the Consolidated Fund towards the Expenses after mentioned; Sect. 1.
Appropriation of the Money so issued to the Expenses of constructing Fortifications, and providing a Central Arsenal; 2.
Treasury to raise 1,200,000*l.* by creating Annuities for a Term not exceeding Thirty Years; 3–5.
Time at which Annuities may be transferred; 6.
Contributors may anticipate Payments; 7.
Annuities payable, &c. at the Bank; 8.
Money to be issued out of the Consolidated Fund for Payment of Annuities and Charges, &c.; 9.
Bank of England to appoint a Cashier and an Accountant General, &c.; 10–12.
A Book to be kept in the Accountant General's Office for entering Contributors Names, and a Duplicate to be transmitted to the Exchequer; 13.
Subscriptions paid in part, and not completed, forfeited; 14.
Annuities to be deemed Personal Estate; 15.
Accountant General to keep Books for entering Transfers; 16.
Power to Treasury to add Annuities created under this Act to Stock of existing terminable Annuities of like Duration; 17.
Allowance to Bank of England for the Expense of Management; 18.
Fortifications, &c. to be executed under the Direction of the Secretary for War; 19.
Accounts to be laid before Parliament; 20.
Persons counterfeiting Receipts for Contributions, &c. guilty of Felony; 21.
Bank to continue a Corporation till the Annuities hereby granted cease; 22.
SCHEDULE.

Friendly Societies. See *Industrial and Provident Societies.*

Frivolous Defences. See *Bills of Exchange.*

Furnaces, Smoke from. See *Smoke Nuisance (Scotland).*

G.

Game. See *Poaching.*

Game Licences. See *Inland Revenue.*

Gas (Metropolis).

To amend the Metropolis Gas Act (23 & 24 Vict. c. 146).—24 & 25 Vict. c. 79. 138

Powers conferred on Justices of the Peace by 22 & 23 Vict. c. 66., as amended by 23 & 24 Vict. c. 146., in so far as relates to the Metropolis, transferred to the Metropolitan Board of Works; Sect. 1.
So much of Sect. 1. of 23 & 24 Vict. c. 146. as respects the Metropolis repealed; 2.

General Council of Medical Education. See *Council of Medical Education.*

Government of the Navy.

For the Government of the Navy.—24 & 25 Vict. c. 115. 300

PART I.—Articles of War—Crimes, Offences, Punishments; Sect. 1–39.
PART II.—General Provisions; 40–44.
PART III.—Regulations as to Punishments; 45–49.
PART IV.—Courts-martial; 50–59.
PART V.—Penal Servitude and Prisons; 60–73.
PART VI.—Supplemental Provisions; 74–85.
PART VII.—Saving Clauses; 86–88.

Government of India. See *East India.*

Government (Local) of Towns. See *Local Government.*

Grand Juries. See *County Surveyors (Ireland).*

Grants by Copy of Court Roll. See *Leases, &c. by Incumbents.*

Gratuitous Trustees. See *Trustees (Scotland).*

Guildford Hospital.

For confirming a Scheme of the Charity Commissioners for "The Hospital of the Blessed Trinity," at Guildford in the County of Surrey, and its subsidiary Endowments, with certain Alterations.—24 & 25 Vict. c. 32. 50

Preamble recites 8th Report of Charity Commissioners, dated 26th February 1861.

Gunpowder.

For amending the Act 23 & 24 Vict. c. 139. to amend the Law concerning the making, keeping, and Carriage of Gunpowder and Compositions of an explosive Nature, and concerning the Manufacture, Sale, and Use of Fireworks.—24 & 25 Vict. c. 130. [*Amended by* 25 & 26 Vict. c. 98., *infra.*] 330

Transfer of licensing Powers; Sect. 1.
Table of Fees; 2.
Construction of Act with 23 & 24 Vict. c. 139; 3.
Section 18 of recited Act to apply to Manufacturers of Safety Fuzes; 4.

For the Amendment of Act 23 & 24 Vict. c. 139. to amend the Law concerning the making, keeping, and Carriage of Gunpowder and Compositions of an explosive Nature, and concerning the Manufacture, Sale, and Use of Fireworks, and of the Act 24 & 25 Vict. c. 130., amending the last-mentioned Act.—25 & 26 Vict. c. 98. 868

Extension of Sections 25 and 27 of Principal Act to other Explosive Compositions; Sect. 1.
Divisional Magistrates of Police to exercise licensing Powers within the Dublin Police District; 2.

H.

Habeas Corpus.

Respecting the Issue of Writs of Habeas Corpus out of England into Her Majesty's Possessions abroad.—25 & 26 Vict. c. 20. 583

Writ not to issue out of England into any Colony, &c. having a Court with Authority to grant such Writ; Sect. 1.
Act not to affect Right of Appeal to Her Majesty in Council; 2.

Halifax. See *Local Government.*

Hanley. See *Local Government.*

Harbours:

1.—*General Piers and Harbours.*

To facilitate the Formation, Management, and Maintenance of Piers and Harbours in Great Britain and Ireland.—24 & 25 Vict. c. 45. [*Amended by* 25 & 26 Vict. c. 19., *infra.*] 82

Short Title and Interpretation of Terms; Sects. 1, 2.
Persons may apply to Board of Trade to grant Provisional Orders; 3.
Subscribers to Memorial to be Promoters; 4.
Promoters to deposit Copies of Memorial and Plans at the Office of the Clerk of the Peace; 5.
Promoters to deposit Plans with the Admiralty; 6.
Application of 14 & 15 Vict. c. 49. to this Act; 7.
Power to Admiralty to remove Works not approved by them; 8.
Regulations as to levying of Rates upon Application to Board of Trade; 9.
Consent of Commissioners of Woods, &c. to be obtained; 10.
Saving Rights of the Crown, the Duchy of Cornwall, and of Conservators of the Rivers Thames and Mersey, &c.; 11–13.
Promoters not to do any Act which shall prejudice any Right acquired by Royal Charter, &c.; 14.
Board of Trade may grant Provisional Orders, subject to Provisions herein named; 15.
Order to be deposited with Clerk of the Peace. Notice of Deposit by Advertisement. Board of Trade to obtain Confirmation of Provisional Order by Parliament; 16.
Where Petition presented against an Order, Bill confirming same may be referred to Select Committee; 17.
Orders, &c. to be signed by One of the Secretaries, &c. of Board of Trade, or by the Secretary of the Admiralty; 18.
Board of Trade to Report to Parliament; 19.
Power to Secretary of State for War to take and hold Land, &c. for Batteries, &c.; 20.

To amend General Pier and Harbour Act, 1861.—25 & 26 Vict. c. 19. [*Amended by* 25 & 86 Vict. c. 69., *infra.*] 579

Construction of Act, and Short Title; Sect. 1.
Repeal of Parts of 24 & 25 Vict. c. 45.;—2.
Notices by Advertisement and Deposit of Documents; 3–5.
Approval of Works by Admiralty, &c.; 7–10.
Lights to be exhibited at Night during Construction of Works; 11.
Limitation of Time for Completion of Works; 12.
Pier, Harbour, &c. open to Public on Payment of Rates; Power to Board of Trade to revise Rates; 13, 14.
Company to send Copy of annual Account in abstract as to Rates, Vessels, &c., to Board of Trade; 15.
As to Audit of Accounts on Complaint to Board of Trade; 16.
As to Levy and Recovery of Rates; 17, 18.
Harbours Act, 1847, (10 & 11 Vict. c. 27.) incorporated with Provisional Order for Undertaking; 19.
Undertakers may grant Right of laying down Water Pipes, &c.; 20.
Application of Merchant Shipping Act, 1854; 21.
Costs of each Provisional Order to be paid by the Promoters; 22.
Proceedings under Section 9 of 24 & 25 Vict. c. 45. for fixing Schedule of Rates; 23.
Repealing Provisions of 24 & 25 Vict. c. 45. as to Application for Provisional Order; 24.
Order not to be made affecting Powers under Local Acts without Consent; 25.
Power to Board of Trade to impose Terms, &c.; 26.
Application of 7 W. 4. & 1 Vict. c. 83. to Act; 27.
SCHEDULES.

For confirming, with Amendments, certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861 (24 & 25 Vict. c. 45.), and The General Pier and Harbour Act, 1861, Amendment Act, (25 & 26 Vict. c. 19.) relating to Carrickfergus, Deal, Oban, Saint Ives, Tobermory, and Hastings.—25 & 26 Vict. c. 51. 649

2.—*Harbours and Passing Tolls, &c.*

To facilitate the Construction and Improvement of Harbours by authorizing Loans to Harbour Authorities; to abolish Passing Tolls; and for other Purposes.—24 & 25 Vict. c. 47. 87

Preliminary; Sects. 1, 2.
PART I.—Loans to Harbours; 3.
PART II.—Abolition of Passing Tolls; 4, 5.
PART III.—Abolition of Dues levied by Charitable Corporations; 6–9.
PART IV.—Abolition of Differential Dues, and Compensation therefor; 10–16.
PART V.—Power to Town Corporation, &c. to transfer Shipping Dues to Harbour Authorities; 17–20.
PART VI.—Abolition of Special Taxes at Dublin; 21.
PART VII.—Maintenance of Ramsgate, Dover, Whitby, and Bridlington Harbours; 22–63.
PART VIII.—Miscellaneous Provisions; 64–69.

3.—*Harbours Transfer.*

For transferring from the Admiralty to the Board of Trade certain Powers and Duties relative to Harbours and Navigation under Local and other Acts; and for other Purposes.—25 & 26 Vict. c. 69. 752

Short Title of Act, and Interpretation of Terms; Sects. 1, 2.
Board of Trade may exercise Powers under Preliminary Inquiries Act, 14 & 15 Vict. c. 49.;—3.
Board of Trade to inform Admiralty of pending Schemes; 4.
Consent, &c. of Board of Trade as to Harbour Works on Tidal Lands, Lifeboats, &c.; 5.
Consent and Approval of Board of Trade to Railway Works on Tidal Lands; 6.
Plans, &c. to be deposited with Board of Trade under 23 & 24 Vict. c. 152. s. 41.;—7.
Powers for Protection of Navigation, &c. under Local Acts for Harbours, Railways, and other Works on Tidal Lands, &c. to be exercised by Board of Trade; 8.
Power to Admiralty to retain Authority over Ports, &c. where Dockyards, &c. are situate; 9.
Acts 5 & 6 Vict. c. cx., and 20 & 21 Vict. c. exlvii. s. 3., relating to the Mersey and Thames not to be affected; 10.
Parts of 24 & 25 Vict. c. 45., relative to Admiralty repealed; 11.
Pier and Harbour Act Amendment Act (25 & 26 Vict. c. 19.) repealed as to Deposit at Admiralty Office; 12.
Board of Trade to furnish to Admiralty Information as to Applications for Provisional Orders; 13.
Certain Provisions of 25 & 26 Vict. c. 19. made applicable to Board of Trade; 14.
Public Harbours: 46 Geo. 3. c. 153. Notices of Piers, &c. to be given to Board of Trade; 15.
Ballast: 54 Geo. 3. c. 159. Provisions as to Ballast to be administered by Board of Trade; 16.
Transfer of Holyhead and Portpatrick Harbours; 17.
Saving Prerogative of Crown and general Conservancy Powers of Admiralty; 18.
Acts done, Contracts and Appointments made, &c. under Provisions of former Acts not to be prejudicially affected; 19.
Borrowing Powers of Harbour Authorities; 20, 21.
Repealing maximum Limit of Rates mentioned in 24 & 25 Vict. c. 47. s. 3.;—22.
SCHEDULE.

See also *Leith Harbour and Docks. Portpatrick Harbour. Public Works.*

Hastings. See *Harbours.*

Hawkers. See *Customs and Inland Revenue. Inland Revenue.*

Herring Fisheries. See *British White Herring Fishery (Scotland).*

High Court of Chancery. See *Chancery.*

High Court of Admiralty. See *Admiralty.*

High Court of Judicature in India. See *East India.*

Highland Roads and Bridges.

To transfer the Roads and Bridges under the Management of the Commissioners of Highland Roads and Bridges to the several Counties in which the same are situate, and to provide for other Matters relating thereto.—25 & 26 Vict. c. 105. 977

Preamble recites 43 Geo. 3. c. 80., 59 Geo. 3. c. 135., 4 Geo. 4. c. 56., 5 Geo. 4. c. 38., 3 & 4 W. 4. c. 33., 14 & 15 Vict. c. 66., 18 & 19 Vict. c. 118., 17 & 18 Vict. c. 94., 6 & 7 Vict. c. 97., and 23 & 24 Vict. c. 201.
Short Title of Act, and Interpretation of Terms; Sects. 1, 2.
Dissolution of the Commission; 3.
Transfer of Roads and other Property to Commissioners of Supply; 4, 5.
Sheriff may make Orders for Repair of Roads; 6.
Contracts enumerated in Schedule (A.) may be enforced; 7.
Actions not to abate; 8.
Power to abandon Portions of Roads; 9.
Persons aggrieved may appeal to the Sheriff; 10.
If dissatisfied with Decision of Sheriff, may appeal to the Lord Ordinary in the Court of Session; 11.
Assessment to be levied for the Purposes of this Act; 12.
Roads in the Counties of Argyll and Caithness to be maintained out of Assessments levied under existing Acts; 13.
Burghs to contribute to Repair of Roads within any Burgh; 14.
Boundaries of Burghs for the Purposes of this Act; 15.
Warrants and Proceedings for Recovery of Land and Assessed Taxes applicable to Assessments under this Act; 16.
Appointment of Committees and Officers; 17.
The Loans of 10,700*l.* and 3,000*l.* extinguished; 18.
Transfer of Piers and Harbours by Commissioners; 19.
Power to levy Rates and to borrow Money; 20.
Sheriff may make Orders for Repair of Piers, &c.; 21.
Continuance of Act for Twenty-one Years; 22.
SCHEDULES.

Highways.

For the better Management of Highways in England.—25 & 26 Vict. c. 61. 706

Limits of Act; Sect. 1.
Definition of Terms; 2-4.
Power to Justices, in General or Quarter Sessions assembled, to issue Provisional Orders for forming Highway Districts; 5.
Regulations as to the Making, &c. of Orders of Justices; 6.
Restrictions on Formation of Highway Districts; 7.
Rules as to Objections and Evidence; 8.
Constitution of Highway Board; 9.
Election of Waywardens; 10.
Consequences of Establishment of Highway Board; 11.
Power to Highway Board to appoint Officers; 12.
Two Offices not to be held by the same Person; 13.
Duties of Treasurer, Clerk, and District Surveyor; 14–16.
Board to maintain Highways; 17.
Proceedings where Roads are out of Repair; 18.
When Obligation to repair is disputed; 19.
Expenses how charged, and Mode of defraying Expenses; 20, 21.
Provision where Parish as defined by Act not co-extensive with Parish maintaining its own Poor; 22.
Power to Overseers, &c. to levy Rates for making Payments to Highway Board; 23.
Mode of enforcing Payments to Highway Boards; 24.
Accounts to be made up to 25th March, and Statement to be published; 25.
Power to appeal in respect of Account of Board; 26.
Clerk of Highway Board to transmit Statement to Secretary of State, and Abstract to be laid before Parliament; Secretary of State may cause Form of Statement to be prepared; 27–29.
Quarterly Account to be sent to Overseers; 30.
Officers appointed by Highway Board to account to them when required; 31.
Provisions as to Extra-parochial Places, and for outlying Part of Parishes; 32, 33.
Expenses of Repair of Highways may be recovered from Party liable to repair ratione tenuræ; 34.
Highways repairable ratione tenuræ may be made repairable by the Parish; 35.
Provision as to Roads laid out; 36.
Surveyor of Highway Board exempted from Turnpike Tolls; 37.
Limiting Jurisdiction of Justices; 38.
Power to alter Highway Districts; 39.
Provision in case of Failure of Board to hold First Meeting; 40.
Reservation of Right to adopt Local Government Act; 41.
Construction of Principal Act and this Act; 42.
Relative Duties of outgoing Surveyors and Highway Board; 43.
Provisions of Principal Act to be applicable to Highways under Local or Personal Acts; 44.
Enabling Councils of certain Boroughs to adopt Parish Roads and Highways, and to apply Rates for their Repair; 45.
District Highway Boards may permit Landowners to erect Fences without incurring Liability to repair Highways; 46.
Recovery of Penalties; 47.
SCHEDULE.

Holyhead Harbour. See *Harbours.*

Holyhead Road.

To relieve certain Trusts on the Holyhead Roads from Debts.—24 & 25 Vict. c. 28. 48

Short Title; Sect. 1.
As to Liquidation of Debt on St. Alban's and Barnet Trust, and of Debt of Highgate Archway Company; 2, 3.
Provisions as to Hockliffe and Stratford Trust, Shiffnal District of Watling Street Road Trust, Dunstable Road Trust, and Puddle Hill Road Trust; 4–8.
Payments to be made by Trustees of Trusts to be a First Charge on their Tolls; 9.
Penalty on default in Payment; 10.
Powers of Commissioners, and Entry into possession; 11.
Provisions in Acts inconsistent with this repealed; 12.

Homicides. See *Jurisdiction in Homicides.*

Hop Duty. See *Customs and Inland Revenue.*

Husband and Wife. See *Conjugal Rights (Scotland).*

I.

Ilfracombe. See *Local Government.*

Improvement of Landed Property. See *Landed Property Improvement.*

Improvement of Towns (Scotland). See *Police and Improvement (Scotland).*

Inclosure of Lands.

To authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales.—24 & 25 Vict. c. 1. 1

Similar Act.—25 & 26 Vict. c. 47. 645

To authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners.—24 & 25 Vict. c. 38. 59

Similar Act.—25 & 26 Vict. c. 94. 860

[*The Lands authorized to be inclosed are set out in the Schedules.*]

Inclosure Commission. See *Copyhold, &c. Commission.*

Income Tax. See *Customs and Inland Revenue. Inland Revenue.*

Incumbents, Leases by. See *Leases, &c. by Incumbents Restriction.*

Incumbered Estates. See *West Indies.*

Indemnity.

To indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively.—24 & 25 Vict. c. 77. 136

Similar Act.—25 & 26 Vict. c. 60. 706

India. See *East India.*

India Stocks. See *Transfer of Stocks.*

Indictable Offences. See *Criminal Law Consolidation.*

Industrial Schools.

For amending and consolidating the Law relating to Industrial Schools.—24 & 25 Vict. c. 113. [*See* 25 & 26 Vict. c. 10., *infra.*] 296

Short Title, and Extent of Act, and Interpretation of Terms; Sects. 1–3.
Mode of certifying Industrial School; 4.
Withdrawal of Certificate by Secretary of State; 5.
Notice of Withdrawal; 6.
Resignation of Certificate by Managers; 7.
Guardians may contract with Managers; 8.
Description of Children liable to be sent to School; 9.
Justices may send Child to School; 10.
Lodging Child at School; 11.
Settlement not acquired by Stay at School; 12.
Power to make Rules, &c.; 13.
Limitation of Stay at School; 14.
Discharge of Child from School; 15.
Power in certain Cases to discharge Child from School before Expiration of Period for which he has been sent there; 16.
Maintenance of Child at School; 17.
Order for Payment of Maintenance; 18.
Variation of Order; 19.
Penalty on Child absconding, and on inducing Child to abscond; 20, 21.
Mode of recovering Penalties; 22.
Evidence of School being certified, and of Order of Justices; 23, 24.
Evidence of Certificate of School, Identity of Child, and making of Orders; 25.
Use of Form in Schedule; 26.
Repeal of Acts 20 & 21 Vict. c. 48. and 23 & 24 Vict. c. 108.; 27.
Application of Act to existing certified Schools; 28.
Duration of Act, until 1st January 1864; 29.
SCHEDULE OF FORMS.

For consolidating and amending the Law relating to Industrial Schools in Scotland.—24 & 25 Vict. c. 132. [*See* 25 & 26 Vict. c. 10., *infra.*] 331

[*Provisions similar to those of preceding Act.*]

For continuing for a further limited Time, and for extending the Operation of Orders made under, "The Industrial Schools Act, 1861," and "The Industrial Schools (Scotland) Act, 1861."—25 & 26 Vict. c. 10. 575

Continuing 24 & 25 Vict. cc. 113. and 132. until 1st January 1867; Sect. 1.

Industrial and Provident Societies.

To consolidate and amend the Laws relating to Industrial and Provident Societies.—25 & 26 Vict. c. 87. 790

15 & 16 Vict. c. 31., 17 & 18 Vict. c. 25., and 19 & 20 Vict. c. 40., repealed; Sect. 1.
As to Societies registered under recited Acts; 2.
Constitution of Societies under this Act, their Rules, and Registration of Society; 3–5.
Certificate of Registration to vest all Property in Society now held in trust for Society; 6.
Copy of Rules to be delivered to Persons, on Demand; 7.
No Society to be registered by same Name as that of any existing Society; 8.
Member's Interests limited to 200*l.*; 9.
Publication of Name by a Society, and Penalties on Non-publication, &c.; 10, 11.
Every Society to have a registered Office, and Notice of Situation of such Office; 12, 13.
Signature and Effect of Rules; 14.
Application of Friendly Societies Acts to this Act; 15.
Power to Member to nominate Persons into whose Name his Interest may be transferred at his Death; 16.
As to the Winding-up of Societies; 17.
Dissolution of Society not to prevent winding up of its Affairs; 18.
Provisions of Joint Stock Companies Acts to apply; 19.
Liability of present and past Members; 20.
Society may be constituted under Companies Acts; 21.
Members may inspect Books; 22.
Sheriffs Jurisdiction in Scotland; 23.
Annual Returns to be prepared as Registrar may direct; 24.
Recovery of Penalties; 25.
Short Title; 26.
SCHEDULES.

Infirmary for Cork. See *Cork Infirmary.*

Injuries to Sheep. See *Sheep (Ireland).*

Injuries (Malicious). See *Malicious Injuries to Property.*

Inland Revenue.

To amend the Laws relating to the Inland Revenue.—24 & 25 Vict. c. 91. 161

Excise.

Methylated Spirit may be retailed under Licence for that Purpose; Sects. 1–2.
Conditions to be observed by Retailer of Methylated Spirit; 3.
Distillers who are Makers of Methylated Spirt may supply licensed Makers of such Spirit; 4.
Penalty for selling Methylated Spirit without Licence; 5.
Methylated Spirit not to be prepared or sold as a Beverage; 6.
New Rates of Drawback on Beer exported in lieu of former Rates; 7.
Persons not compellable to take out a Refreshment House Licence for a House not kept open after Ten o'Clock at Night; 8.
Lower Rate of Duty on Refreshment House Licences for Houses under 30*l.* annual Value; 9.
Persons licensed to retail Beer not precluded from taking out Wine Licences; 10.
Persons licensed to retail Wine not to be subject to Penalty under the Beer Acts, for having Wine or Sweets in possession; 11.
Penalty on Persons selling Beer by retail in Scotland without being duly authorized and licensed; 12.
Exemptions as to the Sale of Beer or Spirits at Fairs or Races not repealed by 23 & 24 Vict. cc. 113. and 114; 13.
All Licences granted under the Acts relating to the retailing of Beer to expire on the 10th October in each Year; 14.
Duty on Racehorses to be paid for the Year ending on 31st December in 1862, and in any subsequent Year; 15.
No Penalty for letting for Hire a Horse or Carriage to convey a Prisoner to Gaol; 16.
Persons dealing in Game without Excise Licence to be liable to Penalty whether licensed by the Justices or not; 17.
Section 31 of 1 & 2 Will. 4. c. 55., with respect to Penalties under the Illicit Distillation Acts in Ireland, not repealed by Sect. 6 of 20 & 21 Vict. c. 40.; 18.
Persons aggrieved by Judgment of Justices on Information under 1 & 2 Will. 4. c. 55., 17 & 18 Vict. c. 89., or 20 & 21 Vict. c. 40. may appeal; 19.
Justices in Ireland empowered to further mitigate the Penalty for Offences under Sect. 195 of 23 & 24 Vict. c. 114; 24.
Pending an Appeal against an Order of Justices refusing a Certificate to authorize the Renewal of an Excise Licence to sell Beer, &c. in Ireland, Appellant to deposit the Duties for an Excise Licence with the Collector; 21.
Powers given to Officers of Excise by 1 & 2 Will. 4. c. 55. as to Seizure of Private Stills, &c. in Ireland extended to Officers of Customs; 22.
Power to Officers of Excise to examine Stills or Retorts kept by Persons not being Distillers, Rectifiers, or Compounders of Spirits, or Vinegar Makers; 23.
Charging of Excise Duty on Sugar used in brewing deferred until 1st July 1862; 24.

Stamps.

Stamp Duties in lieu of those now payable on Protests and other Notarial Acts; 25.
Stamp Duty on certain Proxies reduced; 26.
Adhesive Stamps may be used for Proxies; 27.
Stamp Duties to be collected under the Laws in force; 28.
Section 8 of 23 & 24 Vict. c. 111., so far as it relates to Duty upon Renewals of certain Insurances, repealed; 29.
On Appointment of new Trustees where several Deeds are required, one only shall be charged with the full Stamp Duty, and the others as Duplicates; 30.
Duties on Duplicates and Counterparts, and progressive Duties in certain Cases; 31.
Adhesive Stamps may be affixed and cancelled by an authorized Officer of Inland Revenue; 32.
Mode of cancelling adhesive Stamps; 33.
Bills of Sale to be produced stamped on filing Copies, and Deeds to be stamped before registered; 34.
Licences to Joint Stock Banks not required to specify the Names of more than Six Persons; 35.
The Provision made for assessing the Income Tax on the Interest and Dividends payable in the United Kingdom arising out of Foreign Companies extended to Colonial Companies; 36.
Inspector or Surveyor to certify to Commissioners Cases in which Persons assessed are succeeded in their Trade or Business by other Persons; 37.
Commissioners Determination final; 38.

Land Tax.

All Surplus Land Tax collected in any Parish to be paid to the Receiver General of Inland Revenue; 39.
Surplus Land Tax to be applied in the Redemption of Land Tax chargeable on the Parish in which it has arisen; 40.
Commissioners of Inland Revenue to certify the Appropriation of Surplus Land Tax, and thereupon Parish to be exonerated from the Amount redeemed; 41.
So much of 6 Geo. 4. c. 32. as directs any other Appropriation repealed; 42.
Not to repeal 4 & 5 Will. 4. c. 60. s. 6. authorizing Remuneration to Assessors for making Assessments of Land Tax; 43.
Construction of the Term "Parish or Place;" 44.

Land, Assessed, and Income Taxes.

Duplicates of Assessments, &c., to be delivered to Commissioners by Collector upon clearing his Account; 45.
Persons in Prison against whom Informations are exhibited for Offences against the Inland Revenue to be brought up by Habeas Corpus; 46.

For granting to Her Majesty certain Duties of Excise and Stamps.—24 & 25 Vict. c. 21. 33

Grant of Duties specified in Schedules; Sect. 1.
Power to Licensed Dealers in Spirits taking out an additional Licence to retail and send out Foreign or British Spirits in less Quantities than Two Gallons; 2.
Licences may be granted for the Sale of Table Beer by Retail not to be drunk on the Premises, without Persons being rated, or producing Certificate; 3.
Provisions of former Acts to apply to this Act; 4.
Expiration of Licences granted under this Act, to Hawkers, Pedlars, &c.; 5.
A Licence may be granted to a Hawker on a Certificate of a Justice or an Officer of Police; 6.
Not to affect the Licences to Hawkers, &c. trading otherwise than as herein mentioned, nor the Provisions of the Act in force; 7.
Licensed Hawkers, &c., may carry and sell Tea and Coffee under an Excise Licence; 8.
Persons seeking Orders for Goods at other Men's Houses to be deemed Hawkers; 9.
Who shall be deemed House Agents, and required to be licensed as such; 10.
By whom Licences to House Agents shall be granted, and the Date and Continuance thereof; 11.
Penalty on House Agents acting without a Licence; 12, 13.
The Stamp on the Lease of a furnished House may be adhesive; the same to be cancelled at Time of signing the Instrument; 14.
Penalty for signing any such Agreement not stamped; 15.

See also *Customs and Inland Revenue. Stamp Duties, &c.*

Insolvency. See *Bankruptcy and Insolvency.*

International Exhibition of 1862:

1.—*Protection of Inventions, &c.*

For the Protection of Inventions and Designs exhibited at the International Exhibition of Industry and Art, 1862.—25 & 26 Vict. c. 12. 576

Exhibition of new Inventions or Designs not to prejudice Patent Rights or Provisional Registration; Sects. 2, 3.

2.—*Soane's Museum.*

To enable the Trustees of Sir John Soane's Museum to send Works of Art to the International Exhibition, 1862.—25 & 26 Vict. c. 9. 574

Preamble recites 3 & 4 W. 4. c. 4. (*Private.*)

Inventories, Duties on. See *Stamp Duties.*

Ipswich. See *Local Government.*

Ireland. For Acts relating specially to Ireland, see the following Heads:—

Attorneys and Solicitors.
Bills of Exchange.
Chancery, Court of.
College of Physicians.
Cork Infirmary.
County Cess.
County Surveyors.
Drunkenness.
Dublin.
Dwellings for Labouring Poor.
Elections.
Landed Estates Court.
Landed Property Improvement.
Landlord and Tenant.
Lunatic Asylums.
Poor.
Probate Court.
Public Works.
Revising Barristers.
Savings Banks.
Sheep.
Summary Jurisdiction.
Summary Procedure, &c.
Tramways.
Transfer of Stocks, &c.
Unlawful Oaths.
Voters.
Weights and Measures.

Irremoveable Poor.

To amend the Laws regarding the Removal of the Poor and the Contribution of Parishes to the Common Fund in Unions.—24 & 25 Vict. c. 55. 104

So much of Sect. 1 of 9 & 10 Vict. c. 66. as prescribes a Residence of Five Years to be altered to Three Years, &c.; Sect. 1.
Provision for Orphan Children under 16 Years of Age, and deserted Wives; 2, 3.
Chargeability of Wayfarers; and of Sick Persons; 4, 5.
Lunatics to be chargeable upon the Common Fund; 6.
Orders in Lunacy may be obtained by or appealed against by Boards of Guardians; 7.
Chargeability of Union Paupers on Common Fund made perpetual; 8.
Parishes comprised in any Union formed under 4 & 5 Vict. c. 76. to contribute to Common Fund according to the annual Value of rateable Property; 9.
Mode of ascertaining the annual rateable Value; 10.
No Order for Contribution to be deemed void by reason of Error in the Calculation; 11.
Interpretation of Terms, and Consolidation of 4 & 5 Will. 4. c. 76., &c.; 12.

Isle of Man (Crown Suits).

To extend to the Isle of Man the Provisions of 18 & 19 Vict. c. 90. as to the Payment of Costs to and by the Crown.—25 & 26 Vict. c. 14. 576

J.

Jamaica Loan.

For the Settlement of a Loan due from the Island of Jamaica to the Imperial Government.—25 & 26 Vict. c. 55. 700

Preamble recites 2 & 3 W. 4. c. 125. and 3 & 4 Vict. c. 40.
Commutation of Debt for a fixed Annuity; Sects. 1, 2.
Saving Clause; 3.
SCHEDULE.

Judicature, Courts of. See *East India.*

Juries.

To give greater Facilities for summoning Persons to serve on Juries, and for other Purposes.—25 & 26 Vict. c. 107. 986

Preamble recites 6 G. 4. c. 50.
Short Title of Act, &c.; Sect. 1.
Exemptions from serving on Juries; 2.
Provisions as to High Constables repealed; 3.
Clerk of the Peace to issue Precepts to Parish Officers by Post, and Precepts, &c. to be printed at the Expense of the County, &c.; 4, 5.
Duties and Liabilities of Parish Officers to continue; 6.
As to Notices of Special Petty Sessions; 7.
Justices to adjourn Petty Sessions for the Production of List; 8.
Justices Clerk to send Jury Lists to Clerk of the Peace, and Clerk of the Peace to deal with the Jury Lists as before; 9, 10.
All Jurors may be summoned by Post; 11.
Fines may be remitted upon Cause shown; 12.
Sheriffs to be allowed Costs of Summonses; 13.
Act not to extend to Scotland or Ireland, and Jury Lists to be made, &c. in the City of London as before; 14.
Commencement of Act; 15.

Jurisdiction in Homicides.

For the more speedy Trial of certain Homicides committed by Persons subject to the Mutiny Act.—25 & 26 Vict. c. 65. 739

The Queen's Bench or a Judge may order certain Prisoners to be indicted and tried under the Provisions of this Act; Sect. 1.
And upon such Order the Prisoner shall be removed to the Gaol of Newgate in London or the Richmond Bridewell in Dublin, &c.; 2.
A Prisoner removed may be indicted and tried in London or Dublin; 3.
A Certificate of his Removal under this Act and of the Cause of his Committal shall be endorsed on the Indictment; 4.
When Indictment is amended the Indorsement is to be also amended; 5.
Indictment need not follow the Commitment; 6.
No Objection to be taken to any Order, and no Proof to be required of the Subjection of any Person to the Mutiny Act; 7.
Any Person convicted may be sentenced to be punished either in the County where the Offence was committed, &c.; 8.
On Notice given by Prosecutor, Recognizances to bind Parties to give Evidence at the Inquiry and Trial; 9.
Attendance and Payment, &c. of Witnesses; 10–12.
No Proof to be required of due Removal of Prisoner; 13.
The Prisoner may be removed to and from the Central Criminal Court as often as necessary; 14.
Court before which Indictment found to have the same Authority as if the Offence had been committed within its Jurisdiction; 15.
Sections 21, 27, and 28 of 19 Vict. c. 16. extended to this Act; 16.
Prosecutor and Witnesses may be bound by Recognizances to appear again before the said Court; 17.
Her Majesty in Council may make Rules for Purposes of this Act; 18.
Act not to affect any Peer; 19.
Interpretation of Terms, and Short Title; 20, 21.
SCHEDULE OF FORMS.

Jurors. See *Annoyance Jurors (Westminster).*

Justice, Administration of. See

Accessories and Abettors.
Admiralty, Court of.
Ascertainment of the Law, &c.
Bankruptcy and Insolvency.
Bills of Exchange.
Chancery.
Coinage Offences.
Common Pleas.
Conjugal Rights.
Corrupt Practices Prevention.
Criminal Law Consolidation.
Criminal Proceedings.
Crown Suits.
Denmark (Surrender of Criminals).
Drunkenness.
East India.
Forgery.
Habeas Corpus.
Juries.
Jurisdiction in Homicides.
Juvenile Offenders.
Landlord and Tenant.
Larceny.
Malicious Injuries to Property.
Oaths.
Offences against the Person.
Peace Preservation.
Statute Law Consolidation.
Statute Law Revision.
Summary Jurisdiction.
Unlawful Oaths.
Whipping of Offenders.
Wills, &c.

Juvenile Offenders.

To amend the Law as to the whipping of Juvenile and other Offenders.—25 & 26 Vict. c. 18. 579

See also *Industrial Schools.*

L.

Labouring Poor. See *Dwellings for the Labouring Poor.*

Lace Factories.

To place the Employment of Women, Young Persons, Youths, and Children in Lace Factories under the Regulations of the Factories Acts.—24 & 25 Vict. c. 117. 313

Preamble recites 3 & 4 Will. 4. c. 103., 7 & 8 Vict. c. 15., 10 & 11 Vict. c. 29., 13 & 14 Vict. c. 54., 16 & 17 Vict. c. 104., and 19 & 20 Vict. c. 83.
Recited Acts to apply to Lace Factories, and to the Employment of Females, &c. therein; Sect. 1.
Youths between the Age of Sixteen and Eighteen may be employed between 4 a.m. and 10. p.m., but not more than Nine Hours between those Hours; 2.
Agents or Workmen may be summoned or acting contrary to the Act without knowledge of the Owner, &c.; 3.
Interpretation of Terms; 4.
Provisions of recited Acts relating to Recovery of lost Time, and also those relating to the fencing Machinery, not to extend to Lace Factories; 5, 6.
SCHEDULE.

Lancaster, County Palatine of. See *Chancery, Court of.*

Land. See *Charitable Uses. Declaration of Title. Drainage of Land. Inclosure of Land. Public Offices Extension. Transfer of Land.*

Land Tax. See *Inland Revenue.*

Landed Estates Court (Ireland).

To reduce and alter the Rate of Duty payable on Proceedings under the Statute of 21 & 22 Vict. c. 72. Section 88. and for other Purposes.—24 & 25 Vict. c. 123. 317

Duty payable on Proceedings in Landed Estate Court, Ireland; Sect. 1.
If Duties, &c. hereby authorized be insufficient to pay Half the Expense of maintaining Court, Rates may be raised of any of the said Duties; 2.
Indemnity to Lieutenant Colonel John Henry Keogh; 3.
Recited Act and this Act to be construed as One Act; 4.

Landed Property Improvement, &c. (Ireland).

To extend the Provisions of the Acts to facilitate the Improvement of Landed Property in Ireland, and to further provide for the Erection of Dwellings for the labouring Poor in Ireland.—24 & 25 Vict. c. 34. [*Amended by* 25 & 26 Vict. c. 29., *infra.*] 57

Loans may be made for the Erection of Dwellings for Labourers and their Families, notwithstanding previous Loans; Sect. 1.

To amend and enlarge the Acts for the Improvement of Landed Property in Ireland.—25 & 26 Vict. c. 29. 603

Recital of 10 & 11 Vict. c. 32., 12 & 13 Vict. c. 23., 13 & 14 Vict. c. 31., 13 & 14 Vict. c. 113., 15 & 16 Vict. c. 34., 23 & 24 Vict. c. 19., and 24 & 25 Vict. c. 34.
Power to Commissioners of Public Works to make additional Loans; Sect. 1.
Power of Commissioners to make Loans as authorized by 24 & 25 Vict. c. 34. not affected; 2.
Time for Completion of Works extended; 3.
Recited Acts and this Act to be as One; 4.
Powers of Commissioners to be in force until 1st Jan. 1864; 5.

Landlord and Tenant (Ireland).

To provide for the Costs of certain Proceedings to be taken under the Landlord and Tenant Law Amendment (Ireland) Act, 1860 (23 & 24 Vict. c. 154).—24 & 25 Vict. c. 48. 98

Five or more Chairmen of Quarter Sessions in Ireland to be appointed by the Lord Chancellor to fix a Scale of Fees, and to make Regulations as to Taxation of Costs; Sect. 1.
Fees, &c. so fixed shall alone be allowed to be taken in any Proceeding under the enlarged Jurisdiction given by the said recited Act; 2.
Acts 14 & 15 Vict. c. 57. and 21 & 22 Vict. c. 88. to be construed with this Act; 3.

Larceny, &c.

To consolidate and amend the Statute Law of England and Ireland relating to Larceny and other similar Offences.—24 & 25 Vict. c. 96. 182

Interpretation of Terms; Sect. 1.
All Larcenies to be of the same Nature; 2.
Bailees fraudulently converting Property guilty of Larceny; 3.
Punishment for simple Larceny; 4.
Three Larcenies within Six Months may be charged in One Indictment; 5.
Where a single Taking is charged, and several Takings at different Times are proved; 6.
Larceny Convictions for Felony, &c.; 7–9.
Stealing Horses, Cows, Sheep, &c.; 10.
Killing Animals with Intent to steal the Carcase, &c.; 11.
Stealing Deer; 12, 13.
Suspected Persons found in possession of Venison, &c.; 14.
Setting Engines for taking Deer or pulling down Park Fences; 15.
Deer Keepers, &c. may seize the Guns, &c. of Offenders who, on Demand, do not deliver up the same; 16.
Killing, &c. Hares or Rabbits in a Warren; 17.
Stealing, and possession of stolen Dogs, &c.; 18–20.
Stealing Beasts or Birds ordinarily kept in Confinement, &c.; 21, 22.
Killing Pigeons; 23.
Taking Fish in any Water situate in Land belonging to a Dwelling House; in a private Fishery elsewhere; 24.
Tackle of Fishers may be seized; 25.
Stealing or dredging for Oysters in Oyster Fisheries; 26.
Bonds, Bills, Notes, &c.; 27.
Deeds, &c. relating to Real Property; 28.
Stealing Wills or Codicils; 29.
Stealing Records or other legal Documents; 30.
Metal, Glass, Wood, &c. fixed to House or Land; 31.
Trees in Pleasure Grounds of the Value of 1*l.*, or elsewhere of the Value of 5*l.*; 32.
Stealing Trees, Shrubs, &c., wheresoever growing, and of any Value above 1*s.*; 33.
Stealing, &c. any live or dead Fence, wooden Fence, Stile, or Gate; 34.
Suspected Persons in possession of Wood, &c., not satisfactorily accounting for it; 35.
Stealing, &c. Fruit or Vegetable Productions, &c.; 36, 37.
Stealing Ore of Metal, Coal, &c.; 38.
Miners removing Ore with Intent to defraud; 39.
Robbery or stealing from the Person; 40.
Assaults with Intent to rob; 41–43.
Letter, demanding Money, &c. with Menaces; 44, 45.
Letter threatening to accuse of Crime, with Intent to extort; 46.
Accusing or threatening to accuse, with Intent to extort; 47.
Inducing a Person by Violence or Threats to execute Deeds, &c., with Intent to defraud; 48, 49.
Breaking and entering a Church or Chapel and committing any Felony; 50.
Burglary; 51, 52.
What Building within the Curtilage shall be deemed Part of the Dwelling House; 53.
Entering a Dwelling House in the Night with Intent to commit any Felony; 54.
Breaking into any Building within the Curtilage which is no Part of the Dwelling House and committing any Felony; 55.
Breaking into any House, Shop, Warehouse, &c., and committing any Felony; 56.
House breaking, &c. with Intent to commit any Felony; 57.
Being armed with Intent to break and enter any House in the Night; 58, 59.
Stealing in a Dwelling House; 60, 61.

Stealing Goods in Process of Manufacture ; 62.
Stealing from Ships, Docks, Wharfs, &c. ; 63, 64.
Persons in possession of shipwrecked Goods not giving a satisfactory Account ; 65, 66.
Larceny and Embezzlement by Clerks or Servants ; 67, 68.
Larceny and Embezzlement by Persons in the Queen's Service, or by the Police ; 69, 70.
Distinct Acts of Embezzlement may be charged in the same Indictment ; 71.
Person indicted for Embezzlement as a Clerk, &c. not to be acquitted if the Offence turn out to be Larceny ; and vice versâ ; 72,
Embezzlement by Officers of the Bank of England or Ireland ; 73.
Tenant or Lodger stealing Chattel or Fixture let to Hire with House or Lodgings ; 74.
Punishment of Agent, Banker, &c. embezzling Money or selling Securities, &c. intrusted to him ; 75.
Bankers, &c. fraudulently selling, &c. Property intrusted to their Care ; 76.
Persons under Powers of Attorney fraudulently selling Property ; 77.
Factors obtaining Advances on the Property of their Principals ; 78, 79.
Trustees fradulently disposing of Property, guilty of a Misdemeanor ; 80.
Directors, &c. of any Body Corporate or Public Company fraudulently appropriating Property, or keeping fraudulent Accounts, or wilfully destroying Books, &c., or publishing fraudulent Statements ; 81–84.
No Person to be exempt from answering Questions in any Court, but no Person making a Disclosure in any compulsory Proceeding to be liable to Prosecution ; 85.
No Remedy at Law or in Equity shall be affected ; 86.
Certain Misdemeanors not triable at Sessions ; 87.
As to obtaining Money, &c. by false Pretences ; 88.
Where any Money or Thing is caused to be paid or delivered to any Person other than the Person making a false Pretence ; 89.
Inducing Persons by Fraud to execute Deeds and other Instruments ; 90.
As to receiving stolen Goods where the Principal is guilty of Felony ; 91.
Indictment for stealing and receiving, and as to Receivers ; 92–97.
Principals in the Second Degree and Accessories. Abettors in Misdemeanors ; 98.
Abettors in Offences punishable on Summary Conviction ; 99.
The Owner of stolen Property prosecuting Thief or Receiver to Conviction shall have Restitution of his Property ; 100.
As to Rewards for helping to the Recovery of stolen Property ; 101, 102.
A Person in the Act of committing any Offence may be apprehended without a Warrant ; 103.
A Person loitering at Night and suspected of any Felony against this Act may be apprehended ; 104.
Mode of compelling the Appearance of Persons punishable on Summary Conviction ; 105.
Application of Forfeitures and Penalties on Summary Convictions ; 106.
If a Person summarily convicted shall not pay, &c., the Justice may commit him ; 107.
Procedure, Venue, &c. ; 108–113.
Stealers of Property in one Part of the United Kingdom who have the same in any other Part of the United Kingdom may be tried and punished in that Part where they have the Property ; 114.
Offences committed within the Jurisdiction of the Admiralty ; 115.
Form of Indictment for a subsequent Offence. When the previous Conviction is to be proved on Trial ; 116.
Fine, and Sureties for keeping the Peace ; in what Cases ; 117.
Hard Labour ; 118.
Solitary Confinement and Whipping ; 119.
Summary Proceedings in England may be under the 11 & 12 Vict. c. 43., and in Ireland under the 14 & 15 Vict. c. 93. ; except in London and the Metropolitan Police District ; 120.
Costs of the Prosecution of Misdemeanors against this Act may be allowed ; 121.
Act not to extend to Scotland ; 122.
Commencement of Act ; 123.

Law of Foreign Countries.

To afford Facilities for the better Ascertainment of the Law of Foreign Countries when pleaded in Courts within Her Majesty's Dominions.—24 & 25 Vict. c. 11. 22

Preamble recites 22 and 23 Vict. c. 63.
Superior Courts within Her Majesty's Dominions may remit a Case, with Queries, to a Court of any Foreign State with which Her Majesty may have made a Convention for that Purpose, for Ascertainment of Law of such State ; Sect. 1.
Court in which Action depends to apply such Opinion to the Facts set forth in Cases, &c. ; 2.
Courts in Her Majesty's Dominions may pronounce Opinion on Case remitted by a Foreign Court ; 3.
Interpretation of Terms ; 4.

Leases, &c. by Incumbents Restriction.

To prevent the future Grant by Copy of Court Roll and certain Leases of Lands and Hereditaments in England belonging to Ecclesiastical Benefices.—24 & 25 Vict. c. 105. [*Amended by* 25 & 26 Vict. c. 52., *infra.*] 273

No Grant by any future Prebendary, Rector, &c. to be valid unless made in conformity with the Provisions of Acts 5 & 6 Vict. c. 27., 5 & 6 Vict. c. 108., and 21 & 22 Vict. c. 57. ; Sect. 1.
Reserving Rights of present Incumbents and other Rights ; 2.
Rectors to have same Powers of Sale as are possessed by Ecclesiastical Corporations ; 3.

To amend the Act 24 & 25 Vict. c. 105., to prevent the future Grant by Copy of Court Roll and certain Leases of Lands and Hereditaments in England belonging to Ecclesiastical Benefices.—25 & 26 Vict. c. 52. 680

How far Prohibition in recited Act as to making of Grants, &c. is to extend ; Sect. 1.
Powers of Prebendaries as to Sale, Exchange, &c. ; 2.

Legacy Duty. See *Stamp Duties.*

Leith Harbour and Docks.

To make Arrangements as to the Disposal and Management of Property belonging to the University of Edinburgh ; and to regulate the Appropriation and Application of the Annuity of Two thousand five hundred Pounds payable from the Revenues of the Harbour and Docks of Leith, under the Act 1 & 2 Vict. c. 55.—24 & 25 Vict. c. 90. 159

Preamble recites 1 & 2 Vict. c. 55. and 21 & 22 Vict. c. 83.
Appropriation of Annuity of 2,500*l.* in first-recited Act mentioned ; Sect. 1.
First Payments to be made at Martinmas 1861 ; 2.
Certain Properties and Revenues enumerated to be transferred to the Senatus ; 3.
Certain Properties and Revenues enumerated in Schedule to be held by the City for the Support of Schools ; 4.
Short Title ; 5.

Letters of Administration. See *Probate, Court of (Ireland).*

Leveson's (Lady Katherine) Hospital. See *Temple Balsall Hospital.*

Limitation of Crown Suits.

To amend 9 Geo. 3. c. 16., for quieting Possessions and Titles against the Crown, and also certain Acts for the like Object relating to Suits by the Duke of Cornwall.—24 & 25 Vict. c. 62. 111

The Crown not to sue after Sixty Years by reason of Lands having been in charge, &c. ; Sect. 1.
Provisions of this Act to apply to Actions by the Duke of Cornwall, and to Provisions of 7 & 8 Vict. c. 105. and 23 & 24 Vict. c. 53 ; 2.
Provision as to the answering of Rent, &c. to the Crown ; 3.
Preserving Right to Reversionary Interests ; 4.
Act not to apply to existing Suits ; 5.

Lists and Ballots for the Militia. See *Militia.*

Lists of Voters. See *Voters.*

Llandilo. See *Local Government.*

Llanelly. See *Local Government.*

Loans. See *East India. Public Works.*

Local Government:

1.—*Amendment of General Act.*

To amend the Local Government Act 21 & 22 Vict. c. 104. —24 & 25 Vict. c. 61. 106

Provision as to Costs of Proceedings with a view to adopting the Local Government Act; Sect. 1.
Every Local Authority invested with Powers of Town Government may adopt any Part of Local Government Act; 2.
Accounts of Improvement Commissioners acquiring Borrowing Powers under Local Government Act to be subject to the Provisions of that Act relating to Audit; 3.
Local Board may exercise Powers of Section 45 of 11 & 12 Vict. c, 63. also without their District, if necessary, for Purposes of Outfall or Distribution of Sewage, on making Compensation; 4.
Previous Notices of the intended Works before Commencement; 5.
If Objection be made by any Party interested, the Work not to be proceeded with without Sanction of Secretary of State; 6.
An Inspector to be appointed to make Inquiry on the Spot, and report to the Secretary of State; 7.
Yearly Sum to be paid for Premises without District drained into Sewer within District; 8.
Provision for Repair of Highways in Parts of Parishes or Townships not included in Districts under Local Government Act; 9.
Enabling Local Boards to act instead of Inhabitants in Vestry of Townships in their Districts in all Matters arising under the Provisions of 5 & 6 Will. 4. c. 50.;—10.
Service of Notices and Repayment of Costs under Sections 69, 70, 71, 73, and 74 of 10 & 11 Vict. c. 34;—11.
Special District Rates leviable over same Area as General District Rates may be levied as Part, and under the Name, of such Rates; 12.
Debts due on Special District Rates may, with the Sanction of the Secretary of State, and of Mortgagees, and of Owners and Ratepayers, be repaid; 13.
Sanction of the Secretary of State substituted for the Sanction of the General Board of Health; 14.
Making up Accounts for Audit; 15.
Before giving Notice for paving, &c. of Streets not being Highways, Plans and Sections to be deposited with Local Board; 16, 17.
Interpretation of "Special Act" in construing 8 & 9 Vict. c. 18. as to Provisional Orders; 18.
Extension of Powers given by Section 78 of 21 & 22 Vict. c. 104. to Cases in which Local Boards incur Expenses for permanent Works, &c.; 19.
Local Boards may make Agreements for Terms of Water Supply in certain Cases; 20.
Local Boards of Health may repair Fences surrounding Burial Grounds; 21.
Powers of Local Boards with respect to Land purchased under 21 & 22 Vict. c. 104.;—22.
Provision for Recovery of Charges for Private Improvements; 23.
Demands below 20*l.* may be recovered in County Courts; 24.
Local Board may make Byelaws for licensing, &c. Horses, Boats, &c. for Hire; 25.
Section 69 of 5 & 6 Will. 4. c. 50. to apply to Encroachments on Highways managed by Local Authority; 26.
Repayment of Costs by Provisional Orders; 27.
No House to be brought forward without Consent of Local Board; 28.
Application of General Acts to Local Boards of Health; 29.
Incorporation, Construction of Acts, and Short Title; 30, 31.
SCHEDULE.

2.—*Supplemental Acts.*

To confirm certain Provisional Orders under the Local Government Act (1858), relating to the Districts of Brighton, East Cowes, Preston, Morpeth, Bromsgrove, and Durham; and for other Purposes in relation thereto.—24 & 25 Vict. c. 39. 60

To confirm certain Provisional Orders under the Local Government Act (1858), relating to the Districts of Plymouth, Weston-super-Mare, Llanelly, and Llandilo; and for other Purposes in relation thereto.—24 & 25 Vict. c. 128. 322

To confirm certain Provisional Orders under the Local Government Act (1858), relating to the Districts of Hanley, Stroud, Ilfracombe, Longton, Halifax, Ipswich, and Sandown. —25 & 26 Vict. c. 25. 595

Local Management of the Metropolis. See *Metropolis Local Management.*

Local Rates. See *Recovery of Poor Rates, &c.*

Locomotives.

For regulating the Use of Locomotives on Turnpike and other Roads, and the Tolls to be levied on such Locomotives and on the Waggons and Carriages drawn or propelled by the same.—24 & 25 Vict. c. 70. 127

Scale of Tolls to be taken after passing of this Act; Sect 1.
Repeal of former Enactments as to Tolls to be taken for Locomotives; 2.
As to the Size and Weight of Locomotives; 3, 4.
Power to Secretary of State to prohibit the Use of Locomotives destructive to Highways or dangerous to the Public; 5.
Use of Locomotives restricted over Suspension and other Bridges; 6.
Damage caused by Locomotives to Bridges to be made good by Owners; 7.
Locomotives propelled by Steam to consume their own Smoke; 8.
As to the Number of Persons in charge of Locomotive and Waggons. Lights to be used at Night; 9.
Exemption from Tolls of Waggons, &c. now exempt under any General or Local Act; 10.
Limit of Speed of Locomotives on public Highways, &c.; 11.
Provisions of General Acts relating to Turnpike Roads to apply to Locomotives; 12.
Right of Action in case of Nuisance; 13.
Short Title; 14.
Act to extend to Great Britain; 15.

London. See *Annoyance Juries, Westminster. Metropolis Gas. Metropolitan Buildings. Metropolitan Police. Metropolis Local Management. Thames Embankment.*

London Coal and Wine Duties.

To continue the Duties levied on Coal and Wine by the Corporation of London.—24 & 25 Vict. c. 42. 77

Preamble recites Orphans Fund Act, 5 & 6 Will. and Mary, c. 10., and the Coal Duties Acts, 1 & 2 Will. 4. c. 76., 1 & 2 Vict. c. 101., 8 & 9 Vict, c. 101., and 14 & 15 Vict. c. 146.
Continuation of Wine and Coal Duties; Sects. 1, 2.
Metropolitan Police District substituted for the London District; 3.
Commencement of Metropolitan Police District to be marked in Canals, Railways, and Roads; 4.
Duties to be carried to an Account to be intituled "The Thames Embankment and Metropolis Improvement Fund;" 5.
Application of the Duty of 4*d.* to the Payment of the Interest and Principal of Sums charged thereupon for Improvements; 6.
Drawback upon Coals to continue to be allowed; 7.
Duty to be laid out and form an accumulating Fund for Improvements till appropriated by Parliament; 8.
Consolidation of Improvement Funds; 9.
Continuance of recited Acts, except as altered; 10.

Longton. See *Local Government.*

Lord Clerk Register's Salary Abolition.

To repeal the Provisions in certain Statutes relative to the Salary of the Lord Clerk Register in Scotland.—24 & 25 Vict. c. 81. 141

Preamble recites 57 Geo. 3. c. 64. and 3 Geo. 4. c. 62.
So much of recited Acts as provides Payment of Salary or Fees to Lord Clerk Register repealed; Sect. 1.

Lunacy—Lunatics:

1.—*Lunacy Regulation.*

To amend the Law relating to Commissions of Lunacy and the Proceedings under the same, and to provide more effectually for the visiting of Lunatics; and for other Purposes. —25 & 26 Vict. c. 86. 787

Short Title; Sect. 1.
Act to be construed as Part of Lunacy Regulation Act, 1853 (16 & 17 Vict. c. 70.);—2.

Nature and Limit of Inquiry under Commissions of Lunacy; 3.
Inquiries before a Jury to be made by means of an Issue to One of the Superior Courts of Common Law; 4.
Reference in other Acts to Inquisition to apply to Verdict on Issue; 5.
Examination of alleged Lunatic on the holding of the Inquisition; 6.
No Traverse of an Inquisition made by One of the Judges of the Superior Courts and by a Jury to be granted, but new Trial may be ordered by the Lord Chancellor; 7.
Demand of Inquiry by Jury; 8, 9.
Commission may be superseded on Conditions; 10.
Lord Chancellor may order Costs; 11.
Power to Lord Chancellor, where Property of Lunatic does not exceed 1,000*l.* in Value, or 50*l.* per Annum, to apply it for his Benefit in a summary Manner, without Inquisition, 12.
Power to sell Land or other Property of Lunatic for his Benefit, and Power to make General Orders for that Purpose; 13, 14.
Power to apply Property of Persons acquitted on the Ground of Insanity for their Benefit; 15.
Extending Powers of charging Lunatic's Property for his Maintenance, Debts, and Costs; 16.
All Deeds, Transfers, Payments, &c. made in pursuance of this Act to be valid and binding; 17.
Power to Masters to summon Witnesses; 18.
Duties of Visitors; 19.
All Lunatics to be visited Four Times a Year; 20.
Visitors also to visit alleged Lunatics, and make a Report, &c. to the Lord Chancellor; 21.
Sections 104. and 105. (relating to visiting) of 16 & 17 Vict. c. 70. repealed; 22.
Power to the Lord Chancellor to allow Pensions to present Visitors, if desirous of retiring; 23.
Visitors to hold Office during good Behaviour, to receive Salaries, but not to practise in their Professions; 24.
Clerks to the Visitors to be appointed; 25.
Superannuation Allowances to Officers in Lunacy; 26.
Payment of Pensions and Salaries; 27.
Registrar to hold Office during good Behaviour; 28.
Office Copies of Orders to be acted upon by Accountant General and others; 29.

2.—*Lunatics Law Amendment.*

To amend the Law relating to Lunatics.—25 & 26 Vict. c. 111. 991
Interpretation of Terms, Construction of Act, and Short Title; Sects. 1–3.
Plans, &c. of Visitors, when not approved by the Quarter Sessions, to be submitted to Secretary of State; 4.
Estimates to accompany Plans; 5.
Excess of Payment may be paid to a Building and Repair Fund; 6.
Provision as to Contract for Reception of Lunatics; 7.
Provision for Care of chronic Lunatics; 8.
Lunatics in Asylum; 9.
Lands Clauses Act (8 & 9 Vict. c. 18.) incorporated; 10.
Taking on Lease additional Lands for Use of Asylum; 11.
Superannuation of Officers; 12, 13.
Inspection by Commissioners before Licence granted by Justices; 14.
Notice of Alterations to be given to the Commissioners; 15.
Provision as to non-resident Proprietors; 16.
Penalty on infringing Terms of Licence; 17.
Extension of Powers to take Boarders in Houses; 18.
Provision for sending Pauper Lunatics to Asylums; 19.
Lunatics proper to be sent to Asylums; 20.
Amendment of Form of List as respects Pauper Lunatics in Workhouses; 21.
Order for Reception and Medical Visitation of Persons found lunatic by Inquisition; 22.
Persons signing Orders for Admission to have seen Patient within One Month; 23.
Certain Persons prohibited from signing Orders for Admission; 24.
Relative of Pauper to be named in Order of Admission; 25.
Same Order and Certificates to justify Detention as Pauper of Private Patient; 26.
Provision as to defective Certificates; 27.
Transmission of Documents to Commissioners on Admission of Patient; 28.
Visits by Commissioners; 29, 30.
Power to remove Lunatic from Workhouse to Asylum; 31.
Removal of single Pauper Patients to Asylums; 32.
Effect of Order for Removal; 33.
Statement of Condition of Pauper Lunatics to be transmitted to Guardians; 34.
Amendment of Section 64. of 8 & 9 Vict. c. 100.;—35.
Copies of Entries of Commissioners and Visitors; 36.
Visiting Committee to enter Observations in a Book respecting Dietary, &c.; 37.
Patients may be permitted to be absent on Trial from Hospitals and Private Houses; 38.
Penalty on Officer conniving at the Escape of Lunatics; 39.
Correspondence of Private Patients; 40.
Statement as to Condition of single Patients; 41.
Commissioners empowered to prescribe Forms, &c. of Medical Visitation Book; 42.
Discharge of a Private Patient; 43.
Report to Coroner of Death of single Patient; 44.
Chargeability of Pauper Lunatics whose Settlements cannot be ascertained where found in certain Boroughs; 45.
Amendment of 8 & 9 Vict. c. 100. s. 100. as to Power of administering Oaths; 46.
Definition of Physician, Surgeon, or Apothecary; 47.
Part of Section 132. of 16 & 17 Vict. c. 97. repealed; 48.
SCHEDULES.

3.—*Lunacy (Scotland).*

To make further Provision respecting Lunacy in Scotland.—25 & 26 Vict. c. 54. 696
Preamble recites 20 & 21 Vict. c. 71. and 21 & 22 Vict. c. 89.
Interpretation of Terms; Sect. 1.
Provisions as to Appointment of Deputy Commissioners continued; 2.
Board may license Lunatic Wards of Poorhouses, and may sanction the Reception of Pauper Lunatics in Poorhouses; 3, 4.
Board may grant Special Licences for Reception in Houses of not more than Four Lunatics; 5.
Provision for allowing Persons to enter Asylum voluntarily; 6.
Board may grant Licences to charitable Institutions for imbecile Children without Fee; 7.
Care of Pauper Lunatics; 8.
Secretary of State may authorize the Board to apply to Court of Session; 9.
Counties or Parishes providing Asylum Accommodation to be relieved from Assessments; 10.
Additional Grounds to District Asylums; 11.
Where there is no Asylum District Board may dissolve itself; 12.
District Boards may make Provision for Payment of Interest on borrowed Monies by fixed annual Instalments; 13.
Lunatics to be admitted by Order of the Sheriff and on Medical Certificate; 14.
Sheriff may commit dangerous Lunatics; 15.
On Application of Person at whose Instance a Lunatic is detained, Board may authorize his Removal or Liberation on Probation without an Order of the Sheriff; 16.
Superintendent to give Intimation of Recovery of a Lunatic; 17.
If Parochial Board neglect to provide for Removal of a Pauper Lunatic, Board may take necessary Measures; 18.
Insane Prisoners may, on Expiry of Sentence, be detained in General Prison; 19.
Orders may be carried out in General Prison; 20.
Orders to be intimated to Managers of Prisons; 21.
Sentences for less than Nine Months may be carried out in General Prison; 22.
Insane Prisoners may be removed to an Asylum; 23.
Secretary of State may give Orders for Custody of Persons during Her Majesty's Pleasure; 24.
Certain Provisions of recited Acts repealed; General Board continued; 25.

4.—*Lunatic Asylums (Ireland).*

To continue the Act 5 & 6 Vict. c. 123. relating to private Lunatic Asylums in Ireland.—24 & 25 Vict. c. 57. 105

M.

Malicious Injuries to Property.

To consolidate and amend the Statute Law of England and Ireland relating to Malicious Injuries to Property.—24 & 25 Vict. c. 97. 200
Setting fire to a Church or Chapel, Dwelling House, Outhouse, Manufactory, Farm, &c., or to any Railway Station, or any Public Building, &c.; Sect. 1–6.

Setting fire to Goods in any Building the setting fire to which is Felony; 7.
Attempting to set fire to Buildings; 8.
Destroying or damaging a House with Gunpowder, any Person being therein; 9, 10.
Rioters demolishing Church, Building, &c.; 11, 12.
Tenants of Houses, &c. maliciously injuring them; 13.
Destroying Goods in Process of Manufacture, certain Machinery, &c.; 14.
Destroying Machines in other Manufactures, Threshing Machines, &c.; 15.
Setting fire to Crops of Corn, &c.; 16–18.
Destroying Hopbinds; 19.
Destroying or damaging Trees, Shrubs, &c.; 20–22.
Destroying any Fruit or Vegetable Production; 23, 24.
Destroying, &c. any Fence, Wall, Stile, or Gate; 25.
Setting fire or attempting to set fire to a Mine; 26, 27.
Conveying Water into a Mine, obstructing the Shaft, &c.; 28.
Damaging Steam Engines, Staiths, Waggonways, &c. for working Mines; 29.
Destroying any Sea Bank, or Wall on any Canal; 30.
Removing the Piles of any Sea Bank, &c., or doing any Damage to obstruct the Navigation of a River or Canal; 31.
Breaking down the Dam of a Fishery, &c. or Mill Dam, or poisoning Fish; 32.
Injury to a public Bridge; 33.
Destroying a Turnpike Gate, Toll House, &c.; 34.
Placing Wood, &c. on Railway with intent to obstruct or overthrow any Engine, &c.; 35, 36.
Injuries to Electric or Magnetic Telegraphs; 37, 38.
Destroying or damaging Works of Art in Museums, Churches, &c., or in Public Places; 39.
Killing or maiming Cattle, &c.; 40, 41.
Setting fire to a Ship; 42–44.
Placing Gunpowder near a Vessel with Intent to damage it; 45.
Damaging Ships otherwise than by Fire; 46.
Exhibiting false Signals, &c.; 47.
Removing or concealing Buoys and other Sea Marks; 48.
Destroying Wrecks or any Articles belonging thereto; 49.
Sending Letters threatening to burn or destroy Houses, Buildings, Ships, &c.; 50.
Persons committing malicious Injuries not before provided for exceeding the Amount of 5*l.*; 51.
Persons committing Damage to any Property, in any Case not previously provided for, may be committed or fined, and compelled by a Justice to pay Compensation not exceeding 5*l.*; 52, 53.
Making or having Gunpowder, &c. with intent to commit any Felony against this Act, and Justices may issue Warrants for searching Houses, &c. for such Gunpowder, &c.; 54, 55.
Principals in the Second Degree and Accessories. Abettors in Misdemeanors; 56.
A Person loitering at Night, and suspected of any Felony against this Act, may be apprehended; 57.
Malice against Owner of Property unnecessary; 58.
Provisions of this Act shall apply to Persons in possession of the Property injured; 59.
Intent to injure or defraud particular Persons need not be stated in any Indictment; 60.
Persons in the Act of committing any Offence may be apprehended without a Warrant; 61.
Mode of compelling the Appearance of Persons punishable on summary Conviction; 62.
Abettors in Offences punishable on summary Conviction; 63.
Application of Forfeitures and Penalties upon summary Convictions; 64.
If a Person summarily convicted shall not pay, &c. the Justice may commit him, or the Justice may discharge the Offender in certain Cases; 65, 66.
A summary Conviction shall be a Bar to any other Proceeding for the same Cause; 67.
Procedure, Venue, &c.; 68–71.
Offences committed within the Jurisdiction of the Admiralty; 72.
Fine and Sureties for keeping the Peace; in what Cases; 73.
Hard Labour, Solitary Confinement, and Whipping; 74, 75.
Summary Proceedings in England may be under the 11 & 12 Vict. c. 43., and in Ireland under the 14 & 15 Vict. c. 93.; except in London and the Metropolitan Police District; 76.
The Cost of the Prosecution of Misdemeanors against this Act may be allowed; 77.
Act not to extend to Scotland, 78.
Commencement of Act; 79.

Mallow. See *Cork Infirmary.*

Man, Isle of. See *Isle of Man.*

Manufacture of Fireworks. See *Gunpowder.*

Marine Barracks at Plymouth. See *Plymouth Marine Barracks.*

Marine Mutiny.

For the Regulation of Her Majesty's Royal Marine Forces while on shore.—24 & 25 Vict. c. 8. 13
Similar Act.—25 & 26 Vict. c. 6. 566

Marine Stores. See *Dealers in old Metals.*

Marking of Merchandise. See *Merchandise Marks.*

Marriages Validity.

To render valid Marriages heretofore solemnized in Trinity Church, Rainow, and in other Churches and Chapels.—24 & 25 Vict. c. 16. 26
Marriages heretofore solemnized in Trinity Church, Rainow, declared valid, and Ministers indemnified; Sects. 1, 2.
Registers of such Marriages or Copies thereof to be Evidence; 3.
The Validity of such Marriages in certain other Churches and Chapels not to be questioned; 4.

Married Women (Acknowledgment of Deeds). See *Common Pleas.*

Medical (Naval) Supplemental Fund Society. See *Naval Medical Supplemental Fund Society.*

Medical Education. See *Council of Medical Education.*

Medway. See *Chatham Dockyard.*

Merchandise Marks.

To amend the Law relating to the fraudulent marking of Merchandise.—25 & 26 Vict. c. 88. 793
Construction of Words; Sect. 1.
Forging a Trade Mark or falsely applying any Trade Mark with Intent to defraud, a Misdemeanor; 2.
Applying a forged Trade Mark to any Vessel, Case, Wrapper, &c. in or with which any Article is sold or intended to be sold, a Misdemeanor; 3.
Penalty on selling Articles with forged or false Trade Marks after 31st December 1863; 4.
Additions to and Alterations of Trade Marks made with Intent to defraud to be deemed Forgeries; 5.
Any Person after 31st December 1863, having sold an Article having a false Trade Mark, shall be bound to give Information where he procured it; 6.
Penalty on marking any false Indication of Quantity, &c. upon an Article with Intent to defraud; 7.
Penalty on selling or exposing for Sale after the 31st December 1863 Articles with false Statement of Quantities, &c.; 8, 9.
Description of Trade Marks and forged Trade Marks in Indictments, &c.; 10.
Conviction not to affect any Right or Civil Remedy; 11.
Intent to defraud, &c. any particular Person need not be alleged in an Indictment, &c. or proved; 12.
Persons who aid in the Commission of a Misdemeanor to be also guilty; 13.
Punishment for Misdemeanor under this Act; 14.
Recovery of Penalties; 15.
Summary Proceedings before Justices to be within 11 & 12 Vict. c. 43.; —16.
In Actions Penalties to be accounted for in like Manner as other Monies payable to the Crown, and Plaintiffs to recover full Costs of Suit; Limitations of Actions, &c.; 17, 18.
After 31st December 1863 Vendor of an Article with a Trade Mark to be deemed to contract that the Mark is genuine, and Description of its Quantity deemed to be true; 19, 20.

In Suits at Law or in Equity against Persons for using forged Trade Marks, Court may order Article to be destroyed, &c. ; 21.
Persons aggrieved by Forgeries may recover Damages against the guilty Parties ; 22.
Defendant obtaining a Verdict to have full Indemnity for Costs ; 23.
A Plaintiff suing for a Penalty may be compelled to give Security for Costs ; 24.
Act not to affect the Corporation of Cutlers of Hallamshire, nor to repeal 59 G. 3. c. 7. ;—25.
Short Title ; 26.

Merchant Service. See *Officers of Reserve (Royal Navy).*

Merchant Shipping.

To amend "The Merchant Shipping Act, 1854," (17 & 18 Vict. c. 104.), "The Merchant Shipping Act Amendment Act, 1855," (18 & 19 Vict. c. 91.), and "The Customs Consolidation Act, 1853," (16 & 17 Vict. c. 107.) 25 & 26 Vict. c. 63. 719

Short Title ; Sect. 1.
Repealing Section 51. of 8 & 9 Vict. c. 91., 16 & 17 Vict. c. 107. in part, 17 & 18 Vict. c. 104. in part, and Section 8. of 19 & 20 Vict. c. 75.

Registry and Measurement of Tonnage (Part II. of Merchant Shipping Act, 1854).

Equities not excluded ; 3.
Tonnage Rates under Local Acts may be levied on the registered Tonnage ; 4.

Certificates for Engineers (Part III. of Merchant Shipping Act, 1854).

Steam Ships to carry Certificated Engineers ; 5.
Examination for Certificates of Competency ; 6, 7.
Certificates of Competency to be granted to those who pass ; 8.
Engineers Certificates of Service to be delivered on Proof of certain Service ; 9.
Certain Provisions to apply to Engineers Certificates ; 10.
Power to investigate Conduct of Certificated Engineers ; 11.
Declaration of Engineer Surveyor to contain Statement concerning Certificate ; 12.

Masters and Seamen (Part III. of Merchant Shipping Act, 1854).

Application of, to Fishing Boats, Lighthouse Vessels, and Pleasure Yachts ; 13.
Local Marine Board may determine Number of Quorum ; 14.
Titles of Shipping Masters ; 15.
Punishment for Embezzlement in Shipping Offices ; 16.
Examination of Masters and Mates at Ports where there are no Local Marine Boards ; 17.
Construction concerning Salvage ; 18.
Payment of Wages to Seamen abroad ; 19.
Wages and Effects of deceased Seamen, &c. ; 20, 21.
Relief of distressed Seamen ; 22.
Power of cancelling Certificate ; 23, 24.

Safety (Part IV. of Merchant Shipping Act, 1854).

Regulations concerning Lights, Fog Signals, and Sailing Rules ; 25–27.
Breaches of Regulations to imply wilful Default ; 28.
If Collision ensues from Breach, Ship to be deemed in fault ; 29.
Inspection for enforcing Regulations ; 30.
Rules for Harbours and Rivers under Local Acts ; 31, 32.
In case of Collision one Ship shall assist the other ; 33.
Surveys of Steamers ; 34.
Penalties on drunken or disorderly Passengers, and on Persons molesting Passengers, &c. ; 35.
Penalty for injuring Steamer or molesting Crew ; 36.
Manner of apprehending Offenders ; 37.
Provisions as to carrying dangerous Goods ; 38.

Pilotage (Part V. of Merchant Shipping Act, 1854).

Recital of Power of Pilotage Authorities to exempt from compulsory Pilotage ; to alter and reduce Rates of Pilotage ; and to arrange the Limits of Pilotage Districts, &c. ; 39.
Regulations with respect to Provisional Orders ; 40.
Extension of Exemptions from compulsory Pilotage ; 41.
Arrangement of Pilot Funds for Bristol Channel Pilots ; 42.

Lighthouses (Part VI. of Merchant Shipping Act, 1854).

Lights, &c. under Local Authorities to be inspected, &c. by Trinity House, and other General Authorities ; 43.
Liability for and Recovery of Light Dues ; 44.
Powers of Consignees to retain Light Dues paid by them ; 45.
Dues may be levied for local Lights ; 46, 47.
Construction of Principal Act ; 48.

Wreck and Salvage (Part VIII. of Merchant Shipping Act, 1854).

Extension of summary Jurisdiction in small Salvage Cases ; 49.
Receiver may appoint a Valuer in Salvage Cases ; 50.
Jurisdiction of Court of Session in Salvage Cases ; 51.
Delivery of Wreck by Receiver not to prejudice Title ; 52.
Crown Rights to Wreck ; 53.

Liability of Shipowners (Part IX. of Merchant Shipping Act, 1854).

Shipowners Liability limited ; 54.
Limitation of Invalidity of Insurances ; 55.
Proof of Passengers on board lost Ship ; 56.

Arrangements concerning Lights, Sailing Rules, Salvage, and Measurement of Tonnage in the Case of Foreign Ships.

As to Regulations for Foreign Ships in British Jurisdiction, &c. ; 57, 58.
Provisions concerning Salvage of Life may, with the Consent of any Foreign Country, be applied to its Ships on the High Seas ; 59.
Ships of Foreign Countries adopting the Rules for Measurement of Tonnage need not be re-measured in this Country ; 60.
Effect of Order in Council ; 61.
Limitation, Revocation, and Publication of Orders in Council ; 62–64.

Legal Procedure.

20 & 21 Vict. c. 43. s. 3. not to apply to Proceedings under Board of Trade or this Act, &c. ; 65.

Delivery of Goods and Lien for Freight.

Interpretation of Terms ; 66.
Power to Shipowner to enter and land Goods in default of Entry and landing by Owner of Goods ; 67.
If, when Goods are landed, the Shipowner give Notice for that Purpose, the Lien for Freight is to continue ; 68.
Lien to be discharged on Proof of Payment or on Deposit with Warehouse Owner ; 69, 70.
Warehouse Owner may at the End of Fifteen Days, if no Notice is given, pay Deposit to Shipowner ; 71.
Course to be taken if Notice to retain is given ; 72.
After Ninety Days Warehouse Owner may sell Goods ; 73.
Notices of Sale to be given, and Monies arising from Sale, how to be applied ; 74, 75.
Warehouse Owners Rent and Expenses, &c. ; 76, 77.
Saving Powers under Local Acts ; 78.
SCHEDULE.

See also *Admiralty, Court of.*

Metals, old. See *Dealers in old Metals.*

Methylated Spirit. See *Inland Revenue.*

Metropolis Gas.

To amend the Metropolis Gas Act (23 & 24 Vict. c. 146.)—24 & 25 Vict. c. 79. 138

Powers conferred on Justices of the Peace by 22 & 23 Vict. c. 66. as amended by 23 & 24 Vict. c. 146., in so far as relates to the Metropolis, transferred to the Metropolitan Board of Works ; Sect. 1.
So much of Sect. 1 of 23 & 24 Vict. c. 146. as respects the Metropolis repealed ; 2.

Metropolis Local Management.

To amend the Metropolis Local Management Acts (18 & 19 Vict. c. 120., &c.).—25 & 26 Vict. c. 102. 940

Preamble recites 18 & 19 Vict. c. 120., 19 & 20 Vict. c. 112., and 21 & 22 Vict. c. 104.
Debt in respect of Counters Creek Works, and Part of Debt in respect of Ravensbourne Works, re-distributed, &c. ; Sect. 1.
Application of Part of Monies raised on Security of Metropolis Main Drainage Rate to Repayment of Sums expended on Victoria Street Sewer since 1st January 1856 ; 2.
Parishes, &c. on which Loan from the Clergy Mutual Assurance Society stands charged ; 3.
Saving Rights and Remedies of Persons holding Securities ; 4.
Sums to be assessed by Metropolitan Board ; 5.
Basis and Mode of Assessment, &c. ; 6–8.
Vestry, &c. may pay Precepts of Metropolitan Board out of any Money in their Possession, and reimburse themselves out of Sewer Rate ; 9.

Vestries may include in the Sewers Rate Precepts of Metropolitan Board ; 10.
As to certain Sums assessed and collected in Places in Schedule C. to the 18 & 19 Vict. c. 120. beyond Amount of Rate for Metropolis Main Drainage Rate and Expenses of Collection, &c., being placed to the Credit of such Places ; 11, 12.
Metropolitan Board may amend Assessments and Precepts ; 13.
Overseers to pay over and account for Monies ; 14.
Metropolitan Board, &c. may demand to be furnished with Copies of Poor Rate, &c. ; 15.
Expenses incurred by Vestries in Schedule B. in execution of Acts to be paid by District Boards ; 16.
Recovery of Monies assessed by Metropolitan Board on Extra-parochial Property for Payment of Debts ; 17.
One Summons only to issue for the Recovery of Rates ; 18.
Parties lending Money to Metropolitan Board, &c. not bound to inquire into Application, &c. ; 19.
Public Loans Commissioners authorized to lend Money ; 20.
Power to stop up Carriage or Foot Ways, &c. ; 21.
Metropolitan Board may take Lands for Roads, &c. ; 22.
Votes exceeding 20,000*l.* to be confirmed ; 23.
Maintenance of Bridges, Culverts, &c. ; 24, 25.
Time limited for Completion of certain Works specified ; 26.
Trapping of Gullies connected with Main Sewers ; 27.
Powers as to Sewerage not to be transferred to Metropolitan Board without Consent ; 28.
Orders to be made by Committee on Appeals against Acts of Vestries, &c. ; 29.
Committee empowered to make Improvement Rates, &c. ; 30.
Repeal of Section 58. of 18 & 19 Vict. c. 120. ;—31.
As to Communications between Sewers in different Parishes or Districts ; 32.
Regulations as to breaking up Turnpike Roads ; 33.
Plan, &c. of Works affecting Railways or Canals to be submitted to Companies ; 34.
Line of Railway not to be altered ; 35.
Inspectors of Votes to appoint Umpire ; 36.
Vestries, &c., may appoint their Days of Meeting ; 37.
Certiorari for Auditors Allowances or Disallowances ; 38.
Provision in case of a Vestryman being returned for more than One Ward ; 39.
Elections to be held annually for supplying Vacancies ; 40.
As to Division into Wards when Parish contains 2,000 Houses ; 41.
No Parish shall be annexed without previous Notice ; 42.
Annual Report of Officer of Health ; 43.
Owners and Occupiers of Land may execute Works of Drainage at their own Expense ; 44.
Vestries, &c. to submit Plans of new Sewers to Metropolitan Board ; 45.
Communications with Main Sewers ; 46.
Private Parties before branching Sewers into Main or District Sewers to apply for Sanction of Vestries, &c. ; 47.
And Vestries, &c., before sanctioning, to apply for Approval of Metropolitan Board ; 48.
Seven Days Notice must be given before Drains can be branched into Main Sewers ; 49.
Regulations as to Abandonment, Alteration, &c. of Designs for Sewers previously approved ; 50.
In case Sewer be not constructed within Twelve Months, fresh Application to be made ; 51.
Expense of constructing Sewers in new Streets and Streets laid out since 1st January 1856 ; 52.
Expense of constructing Sewers where there had before been only open Sewers ; 53.
Land may be charged in a less Proportion than House Property ; 54.
Provision where estimated Expenses exceed, or less than, actual Cost ; 55.
Vestry or District Board may defray Part of Expense out of Sewer Rates ; 56.
Appeal against Orders of Vestries, &c. as to Amount or Apportionment of Expenses ; 57.
Execution of Works of Sewerage by Vestries, &c. beyond the Limits of the Metropolis ; 58.
Contribution to Cost of Main Sewers, and Sewers built since 1st January 1856, or hereafter to be built ; 59.
Where Time is given for Payment of Contribution the Metropolitan Board shall keep a Register ; 60.
Regulations respecting Openings into Sewers ; 61.
Reports as to underground Rooms occupied as Dwellings ; 62.
Extension of Time under 18 & 19 Vict. c. 120. s. 76. for making Orders by Vestries and District Boards ; 63.
Provision where Parties neglect to carry out Works pursuant to Order of Vestry ; 64.
Penalties in 18 & 19 Vict. c. 120. extended to Persons causing Offences ; 65.
Temporary Provision for Drainage of Property where no proper Sewer within Two hundred Feet ; 66.
Vestries, &c. may compel Supply of Water for Houses ; 67.
Penalty on Persons placing Buildings or Encroachments on Sewers, &c. ; 68, 69.
Vestries, &c. empowered to provide and maintain Drinking Fountains ; 70.
Income of Estates, Property, &c. subject to Trusts for Repair of Highways to be paid over to Vestry, &c. ; 71.
Vestries, &c. may, with Consent of Metropolitan Board, effect Improvements ; 72.
Act as to paving and improving Parts of Metropolis to extend to Metropolis as defined by this Act ; 73.
Buildings projecting beyond general Line when taken down to be set back ; 74.
Mode of proceeding with regard to Buildings beyond Line of Street ; 75, 76.
Paving new Streets and flagging Footways ; 77, 78.
As to Sums paid by the Duke of Bedford to Parties making up Roads and Footways on Bedford Estate in the Parish of St. Pancras, &c. ; 79.
Repeal of Proviso to 106th Section of 18 & 19 Vict. c. 120. ; Notice of Intention to repair Street not being a Highway ; 80.
Where Owners of Courts, &c. omit to drain and pave, Vestry, &c. may perform Works in lieu of enforcing Penalty ; 81.
Reinstatement of Pavement broken up by Works of Companies, &c. ; 82.
Metropolitan Board may make Byelaws for Guidance of Vestries, &c. in Construction of Sewers ; 83.
Vestries, &c. may stop up Streets during Execution of Works ; 84.
Height of Buildings in certain Streets ; 85.
Metropolitan Board may place Roadway, Footpaths, &c. in different Parishes or Districts under Management of One Vestry or District Board ; 86.
As to affixing Names of Streets by Vestries, &c. ; 87.
Persons omitting to give Notice required by 76th Section of 18 & 19 Vict. c. 120. liable to Penalty ; 88.
Penalty on Persons wrongfully collecting Ashes, &c. ; 89.
Penalties for affixing Bills on Lamp Posts, Notice Boards, &c. ; 90.
Penalty for keeping Swine in improper Situations ; 91.
Repealing Section 131. of Metropolis Local Management Act, and Section 35. of 20 & 21 Vict. c. cxxxv. ;—92.
Licensing Cowhouses ; 93.
Month's Notice to be given of applying for Licence for keeping Slaughter-house ; 94.
Vestries, &c. to contract for Removal of Manure from Stables and Cowhouses ; 95.
Vestry, &c. may require Payment of Costs or Expenses from Owner or Occupier, and Occupier paying to deduct from Rent ; Agreements between Landlord and Tenant not to be affected ; 96.
Deduction by Owner paying Rent where Amount of Expenses deducted from Rent paid to him ; 97.
Roads, &c. laid out as Streets to be of full Width of Forty Feet for Carriage Traffic, and Twenty Feet for Foot Traffic ; 98.
Metropolitan Board may permit Formation of Streets of less Width, &c. ; 99.
Power to Vestries, &c. to borrow Monies for the Improvement of Streets ; 100.
Vestry, &c. may put an end to existing Powers of Appointment of Inspectors of Weights and Measures, &c. ; 101.
Penalties may be recovered in manner provided by 11 & 12 Vict. c. 43. ;—102.
As to Expenses of obtaining this Act ; 103.
Provisions as to Penalties ; 104, 105.
Notice of Action, &c. ; Limitation ; Venue ; General Issue ; Tender of Amends ; 106.
Penalties to be proceeded for within Six Months ; 107.
Act not to apply to Things done before its passing, except as specially provided ; 108.
No further Liability to attach to Places named in Schedule C. to Act of 1855 ; 109.
Construction, Short Title, and Interpretation of Terms in Act ; 110–112.
Finsbury Park Act continued till 1863 ; 113.
Amendment of 18 & 19 Vict. c. 120. s. 193. as to Payment of Auditor of Accounts ; 114.
Certain Powers under Local Act 10 G. 4. c. 68. respecting the Parish of Saint Paul, Covent Garden, transferred ; 115.
Saving Rights of the Crown and the Duchies of Cornwall and Lancaster ; 116, 117.
SCHEDULES.

Metropolitan Buildings.

To amend the Metropolitan Building Act, (1855).—24 & 25 Vict. c. 87. 158

Provisions of 18 & 19 Vict. c. 122. not to apply to Buildings of Commissioners for the Exhibition of 1851 ; Sect. 1.
Short Title ; 2.

Metropolitan Police :

1.—*Pensions.*

For granting Pensions to some Officers and Men in the Metropolitan Police Force ; and for other Purposes.—24 & 25 Vict. c. 51. 99

Preamble recites 23 & 24 Vict. c. 135.
Provision for Pensions to Officers and Men in Metropolitan Police Force who formerly acted as Police in Her Majesty's Yards ; Sect. 1.
Exemption from Deduction from Pay authorized by Sect. 22 of 2 & 3 Vict. c. 47. ;—2.
Penalty for assaulting, &c. Police when in execution of their Duty ; 3.

2.—*Receiver for the Metropolitan District.*

For amending the Law relating to the Receiver for the Metropolitan Police District ; and for other Purposes.—24 & 25 Vict. c. 124. 318

Preamble recites 10 Geo. 4. c. 44.
Receiver constituted a Corporation Sole ; Sect. 1.
Transfer of Property vested in previous Receivers ; 2.
Exoneration of Receiver ; 3.
Alteration of Name of Account at Bank of England ; 4.
Power of Receiver to purchase, &c. ; 5.
Power to grant Pensions and compassionate Allowances to Widows and Children of Constables killed in the Execution of their Duty ; 6.
Repeal of Part of Sect. 25 of 10 Geo. 4. c. 44. and Enactment of new Provisions in lieu thereof ; 7.
Payment of Monies into the Bank ; 8.
This and previous Acts to be construed as One ; 9.
Short Title ; 10.

Military Knights of Windsor. See *Windsor Suspended Canonries.*

Military College at Sandhurst. See *Sandhurst Military College.*

Militia :

1.—*Ballots Suspension.*

To suspend the making of Lists and the Ballots for the Militia of the United Kingdom.—24 & 25 Vict. c. 120. 316

Similar Act.—25 & 26 Vict. c. 77. 773

2.—*Pay.*

To defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland ; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia ; and to authorize the Employment of the Non-commissioned Officers.—24 & 25 Vict. c. 119. 316

Similar Act.—25 & 26 Vict. c. 80. 780

See also *Officers Commissions.*

Mines. See *Coal Mines.*

Morpeth. See *Local Government.*

Mortgage of Rates. See *Burial Boards.*

Mortgages and Bonds (Railway Companies).

For facilitating the Transfer of Mortgages and Bonds granted by Railway Companies in Scotland.—24 & 25 Vict. c. 50. 99

Preamble recites 16 & 17 Vict. c. 59.
Mortgages and Bonds by Railway Companies bearing a certain Stamp Duty may be transferred by Endorsement ; Sect. 1.
Endorsements to be exempt from Stamp Duty, and to have Effect of Assignments ; 2.
Interpretation and Short Title ; 3, 4.

Mortmain. See *Charitable Uses.*

Moveable Property (Scotland). See *Transmission of Moveable Property (Scotland).*

Municipal Boundaries. See *Burghs.*

Municipal Corporations.

For amending the Municipal Corporations Act, 5 & 6 Will. 4. c. 76.—24 & 25 Vict. c. 75. 134

Short Title ; Sect. 1.
Construction of Section 57 of 5 & 6 Will. 4. c. 76., as to Qualification of Mayors of Boroughs, &c. ; 2.
Amendment of Section 98 of 5 & 6 Will. 4. c. 76. as to Residence of Justices in Boroughs ; 3.
Boroughs having a separate Commission of the Peace to be deemed Towns Corporate for the Purposes of the Alehouse Licensing Act, 9 Geo. 4. c. 61. ;—4.
Repeal of Sect. 102 of 5 & 6 Will. 4. c. 76., and new Provisions enacted in lieu thereof, as to Appointment, &c. of Clerks to Justices of Boroughs ; 5.
Provisions of 22 & 23 Vict. c. 56., as to Appointment of Inspectors of Weights and Measures, extended to Boroughs having a separate Commission of the Peace ; 6.
Not to affect 17 & 18 Vict. c. 20, ("Manchester Division Stipendiary Act, 1854,") ; 7.
Construction of Act with 5 & 6 Will. 4. c. 76. ;—8.

Murray, Dr. See *Aberdeen University.*

Mutiny.

For punishing Mutiny and Desertion, and for better Payment of the Army and their Quarters.—24 & 25 Vict. c. 7. 8

Similar Act.—25 & 26 Vict. c. 5. 560

For the Regulation of Her Majesty's Royal Marine Forces while on shore.—24 & 25 Vict. c. 8. 13

Similar Act.—25 & 26 Vict. c. 6. 566

See also *Jurisdiction in Homicides.*

N.

Naval Discipline. See *Government of the Navy.*

Naval Knights of Windsor. See *Windsor Suspended Canonries.*

Naval Medical Supplemental Fund Society.

To provide for the winding up the Naval Medical Supplemental Fund Society.—24 & 25 Vict. c. 108. 280

Preamble recites Order in Council dated 13th August 1817, and 22 Vict. c. 28.
Short Title ; Sect. 1.
The Admiralty to superintend the winding up of the Society, and may appoint Persons to carry Act into execution ; 2.
Present Trustees of the Society to act, but Vacancies not to be filled up ; 3.
Persons now employed may be dismissed. Officers, &c. may be appointed ; 4.
One General Fund to be formed ; 5.
Salaries, &c. to be paid out of the General Fund ; 6.
No new Contributors to the Fund allowed ; 7.
As to purchase of Annuities out of the Fund ; 8-10.
When Act fully carried out, Notice to be inserted in the Gazette, and Order in Council and Act of 22 Vict. c. 28. to cease ; 11.

Naval and Victualling Stores.

For the better Protection of Her Majesty's Naval and Victualling Stores.—25 & 26 Vict. c. 64. 734

Short Title and Extent of Act ; Sects. 1, 2.
Interpretation of Terms ; 3.
Enactments in Schedule repealed, but not as to Scotland or Ireland ; 4.

Marks in Schedule appropriated for Her Majesty's Use in or on Naval and Victualling Stores; 5.
Obliteration of Marks Felony; 6.
Provisions as to receiving, &c. marked Stores; 7–10.
No unauthorized Person to creep, sweep, or dredge for Stores within 100 Yards of Dockyards, &c.; 11.
Policemen of Metropolitan Force may stop suspected Persons, &c.; 12.
Power of Justices at Petty Sessions in relation to Stores stolen or unlawfully obtained, &c.; 13.
Searches under Warrants; 14, 15.
Dealers in Marine Stores and in old Metals to account for Possession of Stores found on Search; 16.
Parts of 24 & 25 Vict. c. 96. (Larceny Act), incorporated; 17.
Defining Criminal Possession; 18.
Saving for Indictment; 19.
Admiralty alone to prosecute; 20.
Penalties, &c. to be applied under Orders of Admiralty; 21.
Effect of Conviction of Dealers in old Metals under this Act; 22.
Incorporation of Provisions of Metropolitan Police Force Acts; 23.
SCHEDULES.

Navigations. See *Harbours.*

Navy. See *Government of the Navy. Officers of Reserve (Royal Navy).*

Netley Hospital Estate.

For extinguishing certain Rights of Way through the Netley Hospital Estate in the Parish of Hound (Southampton).—25 & 26 Vict. c. 16. 577

New Shoreham. See *Polling Places.*

New Zealand.

To declare the Validity of an Act passed by the General Assembly of New Zealand, intituled "An Act to provide for the Establishment of new Provinces in New Zealand.—24 & 25 Vict. c. 30. [*Repealed by* 25 & 26 Vict. c. 48., *infra.*] 49

Respecting the Establishment and Government of Provinces in New Zealand, and to enable the Legislature of New Zealand to repeal the Seventy-third Section of the Act 15 & 16 Vict. c. 72., for granting a Representative Constitution to the Colony of New Zealand.—25 & 26 Vict. c. 48. 645

Recital of 15 & 16 Vict. c. 72., 20 & 21 Vict. c. 53., and 24 & 25 Vict. c. 30.
Repeal of 24 & 25 Vict. c. 30.;—Sect. 1.
Confirming "New Provinces Act, 1858;"—2.
General Assembly to provide for the Establishment of new Provinces in New Zealand; 3.
General Assembly not to make Laws inconsistent with certain Provisions; 4.
Limitation of Governor's Powers of Assent to Bills; 5.
Repeal of certain Parts of 15 & 16 Vict. c. 72., and 20 & 21 Vict. c. 53.;—6.
Application of Acts to future Provinces; 7.
Power to General Assembly to repeal or alter Section 73. of 15 & 16 Vict. c. 72.;—8.
Construction of Term "Governor;" 9.

Nuisances. See *Smoke Nuisance (Scotland).*

O.

Oaths.

To give Relief to Persons who may refuse or be unwilling, from alleged conscientious Motives, to be sworn in Criminal Proceedings.—24 & 25 Vict. c. 66. 115

Persons refusing from conscientious Motives to be sworn in Criminal Proceedings to be permitted to make a solemn Affirmation or Declaration; Sect. 1.
Punishment for making false Affirmation; 2.
Commencement of Act; 3.

See also *Unlawful Oaths (Ireland).*

Oban. See *Harbours.*

Offences against the Person.

To consolidate and amend the Statute Law of England and Ireland relating to Offences against the Person.—24 & 25 Vict. c. 100. 229

As to Murder; Sects. 1–3.
Conspiring or soliciting to commit Murder; 4.
Manslaughter, and Indictment for Murder or Manslaughter; 5, 6.
Excusable Homicide; 7.
Petit Treason; 8.
Murder or Manslaughter abroad; 9.
Provision for the Trial of Murder and Manslaughter where the Death or Cause of Death only happens in England or Ireland; 10.
Administering Poison, or wounding with Intent to murder; 11.
Destroying or damaging a Building with Gunpowder, with Intent to murder; 12.
Setting fire to or casting away a Ship with Intent to murder; 13.
Attempting to administer Poison, or shooting or attempting to shoot or attempting to drown, &c., Intent to murder; 14.
By any other Means attempting to commit Murder; 15.
Sending Letters threatening to murder; 16.
Impeding a Person endeavouring to save himself from Shipwreck; 17.
Shooting or attempting to shoot, or wounding with Intent to do grievous bodily Harm; 18.
What shall constitute loaded Arms; 19.
Inflicting bodily Injury, with or without Weapon; 20.
Attempting to choke, &c., in order to commit any indictable Offence; 21.
Using Chloroform, &c., to commit any indictable Offence; 22.
Maliciously administering Poison, &c.; 23, 24.
If the Jury be not satisfied that any Person charged is guilty of Felony, but guilty of Misdemeanor, they may find him guilty accordingly; 25.
Not providing Apprentices or Servants with Food, &c. whereby Life endangered; 26.
Exposing Children whereby Life endangered; 27.
As to Injuries by Gunpowder; 28–30.
Setting Spring Guns, &c., with Intent to inflict grievous bodily Harm; 31.
Placing Wood, &c. on a Railway; 32–34.
Drivers of Carriages injuring Persons by furious Driving; 35.
Obstructing or assaulting a Clergyman or other Minister in the Discharge of his Duties; 36.
Assaulting a Magistrate, &c. on account of his preserving Wreck; 37.
Assault with Intent to commit Felony, or on Peace Officers, &c.; 38.
Assaults with Intent to obstruct the Sale of Grain, or its free Passage; 39.
Assaults on Seamen, &c.; 40.
Assaults arising from Combination; 41.
Persons committing any Common Assault or Battery may be imprisoned or compelled by Two Magistrates to pay Fine and Costs not exceeding 5*l.*; 42.
Persons convicted of aggravated Assaults on Females and Boys under 14 Years of Age may be imprisoned or fined; 43.
If Magistrate dismiss Complaint, he shall make out a Certificate to that Effect; 44.
Certificate or Conviction shall be a Bar to any other Proceedings; 45.
These Provisions not to apply to certain Cases; 46.
Assault occasioning bodily Harm. Common Assault; 47.
Rape; 48.
Procuring the Defilement of Girl under Age; 49.
Carnally knowing a Girl under 10 Years of Age, or between the Ages of 10 and 12; 50–52.
Abduction of any Woman or Girl; 53–55.
Child-stealing; 56.
Bigamy; 57.
Abortion; 58, 59.
Concealing the Birth of a Child; 60.
Sodomy and Bestiality; 61.
Attempt to commit an infamous Crime; 62.
Carnal Knowledge defined; 63.
Making or having Gunpowder, &c., with Intent to commit any Felony against this Act; 64.
Justices may issue Warrants for searching Houses, &c. in which explosive Substances are suspected to be made for the Purpose of committing Felonies against this Act. 23 & 24 Vict. c. 139.; 65.
Person loitering at Night, and suspected of any Felony against this Act, may be apprehended; 66.
Punishment of Principals in the Second Degree, and Accessories; 67.
Offences committed within the Jurisdiction of the Admiralty; 68.

Hard Labour, Solitary Confinement, and Whipping; 69, 70.
Fine and Sureties for keeping the Peace; in what Cases; 71.
Procedure, Costs, Summary Proceedings, &c.; 72–76.
Costs of Prosecution of Misdemeanors against this Act may be allowed; 77.
Act not to extend to Scotland; 78.
Commencement of Act; 79.

Offences, Criminal. See *Criminal Law Consolidation.*

Offences in Territories near Sierra Leone.

For the Prevention and Punishment of Offences committed by Her Majesty's Subjects within certain Territories adjacent to the Colony of Sierra Leone.—24 & 25 Vict. c. 31. 50

Laws in force at Sierra Leone for Punishment of Crimes extended to British Subjects in adjacent Territories; Sect. 1.
Governors may address Commissions to Persons to act as Magistrates in such Territories; 2.
Commissions to be in force only during Her Majesty's Pleasure; 3.
Act not to extend constructively to Her Majesty's Dominions; 4.
Person lawfully administering the Government of Sierra Leone to be deemed the Governor thereof; 5.

Offenders, Whipping of. See *Whipping of Offenders.*

Officers Commissions.

To enable Her Majesty to issue Commissions to the Officers of Her Majesty's Land Forces and Royal Marines, and to Adjutants and Quartermasters of Her Militia and Volunteer Forces, without affixing Her Royal Sign Manual thereto.—25 & 26 Vict. c. 4. 560

Officers Commissions may be issued without Royal Sign Manual being affixed; Sect. 1.
Saving Her Majesty's Right to sign Commissions; 2.

Officers of Reserve (Royal Navy).

To enable Her Majesty to accept the Services of Officers of the Merchant Service as Officers of Reserve to the Royal Navy.—24 & 25 Vict. c. 129. 329

Power to Her Majesty to accept the Services of Masters, &c. of the Merchant Service; Sect. 1.
Power to Admiralty to enrol Officers of Reserve to the Royal Navy; 2.
Officers of Reserve, or their Widows entitled to the same Pay and Pensions as Officers and the Widows of Officers of the Royal Navy; 3.

Offices, Public. See *Public Offices.*

Offices, Qualifications for. See *Indemnity.*

Old Metals. See *Dealers in old Metals.*

Ordnance Survey Continuance.

To continue the Survey of Great Britain, Berwick-upon-Tweed, and the Isle of Man.—24 & 25 Vict. c. 65. 115

Act 4 & 5 Vict. c. 30., as amended by 19 & 20 Vict. c. 61. continued until 31st December 1866; Sect. 1.

Overseers of the Poor. See *Parochial Offices.*

Oxford University.

To extend the Power of making Statutes possessed by the University of Oxford, and to make further Provision for the Administration of Justice in the Court of the Chancellor of the said University.—25 & 26 Vict. c. 26. 601

Power to University to make Statutes for Regulation of Professorships, &c.; Sect. 1.
Power of University as to Professorships, and as to Suppression of certain Professorships; 2–4.
Conditions may be annexed to certain Professorships; 5.
Variation of the Trusts of certain Scholarships; 6.
Approbation of Statutes by Her Majesty in Council, and as to Alteration or Repeal of Statutes; 7–9.
Saving of Rights; 10.
Interpretation of Terms; 11.
Power to Vice Chancellor to make Rules for Regulation of his Court; repealing Section 45. of 17 & 18 Vict. c. 81.;—12.
SCHEDULE.

P.

Paper Duty. See *Customs and Inland Revenue.*

Parishes. See *Poor.*

Parliamentary Elections. See *Appropriation of Seats. Corrupt Practices. Elections (Ireland). Polling Places. University Elections. Voters (Ireland). Voters (Scotland).*

Parochial Assessments (Union Assessment Committee).

To amend the Law relating to Parochial Assessments in England.—25 & 26 Vict. c. 103. 969

Interpretation of Act; Sect. 1.
Appointment of the Assessment Committee by Board of Guardians; 2.
Where Union has the same Bounds as Borough, Names of Assessment Committee to be transmitted to Town Council, who may appoint additional Members; 3.
Provision for Neglect to appoint, and for Vacancies; 4–6.
Extent of Committee's Authority; 7.
First Meeting, when to be holden; and Quorum of Meetings; 8, 9.
Committee may employ and pay Clerk; 10.
Proceedings to be entered in Books and signed; and Books to be open to Inspection; 11.
Proceedings of Committees to be reported; 12.
Committee may require Returns from Overseers, &c. &c.; 13.
Overseers to prepare Valuation Lists; 14.
Definition of gross estimated Rental; 15.
Committee may enlarge the Time for making Valuation Lists, and may give Directions concerning Valuations and Valuation Lists; 16.
Valuation Lists to be deposited for Inspection, and afterwards transmitted to the Committee; 17.
Objections to Valuation List; 18, 19.
Board may direct further Valuation and correct Valuation Lists, and when corrected to approve the same; 20.
Valuation List when altered to be deposited, &c.; 21.
If on Appeal a Rate is amended the Valuation List to be altered; 22.
Custody, &c. of Valuation List after Approval; 23.
What shall be deemed Valuation Lists in force; 24.
Overseers to prepare supplemental Valuation Lists in case of Additions to or Alterations in the rateable Property of the Parish; 25.
Committee may from Time to Time direct new Valuation, and new or supplemental Valuation Lists; 26.
This Act as to Valuation Lists first directed to be made to apply to new and supplemental Valuation Lists; 27.
After a Valuation List is approved no Rate to be allowed unless made according to such List; 28.
Provision for Places under Local Acts; 29.
In computing Amount of Contributions to Common Fund the annual rateable Value to be taken from approved Valuation Lists; 30.
Copy of Valuation Lists to be deposited in Board Room; 31.
As to Appeals against Valuation List; 32–34.
Act not to prevent Composition for Rates; 35.
Saving of Exemptions and special Rules of rating; 36.
Board may allow Compensation for Returns, &c. and Expenses; 37.
Remuneration to Clerk and certain Expenses of Committee to be paid out of Common Fund; 38.
Expenses of Valuation, &c. to be paid out of Poor Rates; 39.
Penalty for Non-attendance, &c., in obedience to Order of the Committee. Injuring, &c. Rate Books a Misdemeanor; 40.
Authentication and Service of Orders and Notices of the Committee; 41.
Service of Notices, &c. on the Committee; 42.
Provision as to Form of Poor Rate; 43.

Provisions concerning the Assessment, &c. of Poor Rates to be applicable to Rates made according to this Act; 44.
Power for Unions under Gilbert's or Local Acts to be included in this Act; 45.
Act to extend only to England; 46.

Parochial Buildings (Scotland).

To make further Provision with respect to the raising of Money for erecting and improving Parochial Buildings in Scotland.—25 & 26 Vict. c. 58. 705

Interpretation of Terms; Sect. 1.
Heritors may resolve that Expense of Parochial Buildings may be raised by annual Assessments, and may borrow Money for the Purpose; 2, 3.
Procedure in Cases where there is only One Heritor in a Parish; 4.
Money borrowed to be repaid by annual Instalments; 5.

Parochial and Burgh Schools.

To alter and amend the Law relating to Parochial and Burgh Schools, and to the Test required to be taken by Schoolmasters in Scotland.—24 & 25 Vict. c. 107. 275

Preamble recites 43 Geo. 3. c. 54.
Interpretation of Terms; Sect. 1.
Salaries of Schoolmasters to be not less than 35*l.* nor more than 70*l.* per Annum; 2.
Salary to be fixed by the Heritors and Minister; 3.
Heritors may discontinue existing Side Schools; 4.
Heritors may establish a Female Teacher; 5.
Side School Teacher may be required to resign, on increasing Salaries, Provision being made for him during Life; 6.
Salaries where not fixed at the maximum Amount may be increased; 7.
Office of Schoolmaster may be declared vacant where retiring Salary has already been agreed upon between Heritors and Schoolmaster; 8.
Examination by Examiners appointed by the Universities to come in the Place of the Examination by the Presbytery. Repealing Sect. 16 of 43 Geo. 3. c. 54; 9.
Electors of Schoolmaster may choose more than One Candidate to be tried by Examiners; 10.
Commissioners of the Treasury to pay 21*s.* to each of the Examiners in respect of each Examination, and 15*s.* to their Secretary; 11.
Parochial Schoolmasters not to be required to sign Confession of Faith or Formula, &c.; 12.
Presbytery of the Bounds may present a Complaint to Secretary of State against Schoolmaster; 13.
Jurisdiction of the Presbytery in Cases of immoral Conduct or Cruelty transferred to the Sheriff; 14.
Expenses incurred by the Complainers to be repaid out of the Rogue Money; 15.
Repeal of Clauses of the recited Act requiring an Estimate of the Value of Grain to be made at successive Periods; 16.
Schoolmaster's House to consist of Four Apartments; 17.
Act not to interfere with Arrangements as to Retirement of Schoolmaster; 18.
Heritors and Ministers may permit or require Schoolmaster to resign, and may grant annual Allowance to Schoolmaster, in addition to retiring Allowance; 18, 19.
Repeal of 20 & 21 Vict. c. 59;—21.
Schoolmasters in Royal Burghs not to be required to sign Confession of Faith or Formula of Church of Scotland; 22.
Not to affect Provisions relating to Parochial Schools, &c.; 23.
Short Title; 24.
Schedule.—Division of Scotland into Four Districts in connexion with the Four Universities.

Parochial Offices.

To enable Overseers in populous Parishes to provide Offices for the proper Discharge of Parochial Business.—24 & 25 Vict. c. 125. 320

Power to Overseers and Vestries, with Consent of Poor Law Board, to purchase Offices for Use of Parish; Sect. 1.
The Overseers may provide Depositories for Parish Documents; 2.
Interpretation of Terms to be as in 4 & 5 Will. 4. c. 76.;—3.

Partitions. See *Confirmation of Sales, &c.*

Passengers (Australian Colonies).

To empower the Governors of the several Australian Colonies to regulate the Number of Passengers to be carried in Vessels plying between Ports in those Colonies.—24 & 25 Vict. c. 52. 100

Preamble recites 18 & 19 Vict. c. 119.
Power to Governors of the Australasian Colonies to proclaim Rules as to the Number of Passengers to be carried, &c. in Ships plying between the Australasian Ports; Sect. 1.
While Proclamation in force, Rules of the Imperial Passengers Act on the same Subject not to apply to such Intercolonial Voyages; 2.
Requirements of Proclamations to be enforced in all British Possessions as if they were Part of the Imperial Passengers Act; 3.
Interpretation of Terms; 4.

Passing Tolls. See *Harbours.*

Pauper Children. See *Poor.*

Pay. See *Army. Militia. Navy.*

Paymaster of Civil Services. See *Public Works.*

Peace Preservation (Ireland).

To continue the Peace Preservation (Ireland) Act, 1856, (19 & 20 Vict. c. 36.) as amended by 23 & 24 Vict. c. 138. —25 & 26 Vict. c. 24. 595

Act continued until 1st July 1864.

Pensions (British Forces, India).

To increase the Amount payable out of the Revenues of India in respect of the Retiring Pay, Pensions, and other Expenses of that Nature, of Her Majesty's British Forces serving in India.—24 & 25 Vict. c. 89. 159

Preamble recites 4 Geo. 4. c. 71.
Recited Act partly repealed; Sect. 1.
Charge on Revenues of India; 2.

Pensions (Police). See *Metropolitan Police.*

Personal Estate. See *Wills.*

Person, Offences against the. See *Offences against the Person.*

Petroleum.

For the Safe-keeping of Petroleum.—25 & 26 Vict. c. 66. 743

Definition of Terms; Sect. 1.
Regulations to be observed by a Ship carrying Petroleum; 2.
Regulations to be observed in storing Petroleum; 3.
Definition of Local Authority; 4.
Mode of granting Licences, and in case of Refusal of Licence, the Applicant may memorialize Secretary of State; 5, 6.
Recovery of Forfeitures and Penalties; 7, 8.
Search for Petroleum; 9.
Reservation of previous Powers with respect to inflammable Substances; 10.

Petty Sessions (Ireland). See *Drunkenness (Ireland).*

Pharmacopœia. See *Council of Medical Education.*

Physicians, College of. See *College of Physicians (Ireland).*

Piers and Harbours. See *Harbours.*

Plymouth. See *Local Government.*

Plymouth Marine Barracks.

To enable the Admiralty to acquire Property for the Enlargement of the Royal Marine Barracks in the Parish of East Stonehouse (Devon).—24 & 25 Vict. c. 13. 24

Interpretation of Terms; Sect. 1.
Certain Clauses of 8 & 9 Vict. c. 16. incorporated; 2.
Power to Admiralty to purchase Lands, and to stop up certain Ways, Sewers, &c., and to enter Lands for Survey, &c.; 3–6.
Lands purchased liable to Land Tax and Water Rates to continue so; 7, 8.
As to the Person to be rated under 14 & 15 Vict. c. cxi. (East Stonehouse Waterworks Act, 1851); 9.
Supply of Water to be continued in respect to purchased Lands; 10.
Services of Notices, &c.; 11.
Power to Admiralty to withdraw Notice for taking of Lands, but without Prejudice to Claims of Owners; 12.
Errors on Plan and in Book of Reference may be corrected by Two Justices, who shall certify the same; 13.
Power to Admiralty to give Undertaking in lieu of Bond; 14.
Power to the Admiralty to sell, &c. Lands not wanted; 15.
How Purchase Money to be paid; 16.
On Payment of Money Purchasers to stand seised of Lands purchased by them; 17.
Admiralty may sue and be sued, and pay and recover Costs; 18.
Purchase Money, &c. how to be provided; 19.
Provisions of this Act may apply to any of the said Lands already purchased; 20.
Nothing to lessen Powers of Admiralty; 21.
Protection to Commissioners; 22.
Any Two Commissioners may execute Powers; 23.
Lord High Admiral to have the same Powers as Commissioners of Admiralty; 24.
Powers for compulsory Purchases limited; 25.
Short Title; 26.

Poaching.

For the Prevention of Poaching.—25 & 26 Vict. c. 114. 1001

Interpretation of Terms; Sect. 1.
Power to Constables to search Persons without Warrant, in certain Cases; 2.
Recovery of Penalties; 3.
Provisions of 11 & 12 Vict. c. 43. extended to this Act; 4.
No Conviction shall be quashed for Want of Form or removed by Certiorari; 5.
Power of Appeal; 6.

Police. See *Metropolitan Police.*

Police and Improvement (Scotland).

To make more effectual Provision for regulating the Police of Towns and populous Places in Scotland, and for lighting, cleansing, paving, draining, supplying Water to and improving the same, and also for promoting the Public Health thereof.—25 & 26 Vict. c. 101. 871

Repeal of 13 & 14 Vict. c. 33. and 23 & 24 Vict. c. 96. and Sections 60. to 70. of 19 & 20 Vict. c. 103.;—Sect. 1.
Short Title and Interpretation Clause; 2, 3.

PART I.—*Adoption of Act.*

(1.) Boundaries of Burghs; 4–14.
(2.) Adoption of Act by Magistrates and Councils or Commissioners or Trustees of Police; 15–22.
(3.) Adoption of Act by Householders; 23–39.
(4.) Commissioners in Royal and Parliamentary Burghs and Burghs of Regality and Barony; 40–43.
(5.) Elected Commissioners in other Burghs; 44–57.
(6.) Meetings of Commissioners; 58–63.
(7.) Powers and Duties of Commissioners; 64–78.
(8.) Orders in Council; 79–83.

PART II.—*Assessments.*

(1.) For Police Purposes; 84–95.
(2.) For Sewers and Private Improvements; 96–108.

PART III.—*Appointment of Officers.*

(1.) Surveyor, Inspector, and Officer of Health; 109–113.
(2.) Appointment, Powers, Duties, &c. of Constables; 114–125.

PART IV.—*Ordinary Police Purposes.*

(1.) Lighting of Burghs; 126–131.
(2.) Cleansing Streets; 132–145.
(3.) Paving and maintaining Streets; 146–157.
(4.) Naming Streets and numbering Houses; 158, 159.
(5.) Improving Streets and removing Obstructions; 160–169.
(6.) Laying out new Streets; 170–181.
(7.) Public Sewers; 182–198.
(8.) Drainage of Houses; 199–209.
(9.) Soil Pipes and Waterclosets; 210–215.
(10.) Supply of Water; 216–227.
(11.) Surveys and Plans; 228–232.

PART V.—*General Police Regulations.*

(1.) Precautions during Repairs, and old and ruinous Tenements; 233–247.
(2.) Nuisances and Obstructions in the Streets; 248–258.
(3.) Prevention of Fraud; 259–277.
(4.) Hackney Carriages, Sedan Chairs, Carters, and Porters; 278–310.
(5.) Brokers and Pawnbrokers; 311–326.
(6.) Articles found or stolen, &c.; 327–330.
(7.) Suppression of Vagrants; 331–334.
(8.) Public Bathing; 335.
(9.) Places of public Resort and disorderly Houses; 336–342.
(10.) Clocks; 343.
(11.) Fires; 344–348.
(12.) Ventilation and Cleanliness; 349–357.
(13.) Slaughter-houses; 358–363.
(14.) Markets; 364.
(15.) Special Orders; 365–374.

PART VI.—*Powers and Remedies.*

(1.) Byelaws; 375–383.
(2.) Borrowing Money; 384–389.
(3.) Purchase and Acquisition of Lands; 390, 391.
(4.) Execution of Works by Commissioners; 392–397.
(5.) Execution of Works by Owners; 398–407.
(6.) Jurisdiction, and Recovery of Penalties; 408–438.
(7.) Municipal Establishments of Burghs and Billet Masters; 439, 440.

PART VII.—*Public Health.*

Amendment of Nuisances Removal Act; 441–449.
SCHEDULES.

Polling Places.

To amend the Law relating to Polling Places in the Boroughs of New Shoreham, Cricklade, Aylesbury, and East Retford.—25 & 26 Vict. c. 95. 861

Preamble recites 2 & 3 W. 4. c. 64., 6 & 7 W. 4. c. 102., and 16 & 17 Vict. c. 68.
Acts 6 & 7 W. 4. c. 102. and 16 & 17 Vict. c. 68. to apply to Boroughs of New Shoreham, Cricklade, Aylesbury, and East Retford; Sect. 1.

See also *Elections (Ireland).*

Poor:

1.—*Assessments (Scotland).*

To simplify the Mode of raising the Assessment for the Poor in Scotland.—24 & 25 Vict. c. 37. 59

So much of Sect. 34 of 8 & 9 Vict. c. 83. as to Means and Substance Mode of Assessment abolished; Sect. 1.

2.—*Combination of Parishes (Scotland) Dissolution.*

To make Provision for the Dissolution of Combinations of Parishes in Scotland as to the Management of the Poor.—24 & 25 Vict. c. 18. 27

Preamble recites 8 & 9 Vict. c. 83.
Parochial Board of Combination may appoint Special Meeting for Application for Dissolution; Sect. 1.
Intimation of Special Meeting; 2.
Special Meeting may authorize Application to Board of Supervision, who may thereupon dissolve Combination, and decide all Questions between the Parishes; 3–5.

After Dissolution, Management of Poor to proceed as if Parishes never combined; 6.
If Application refused, not to be renewed till after Lapse of Five Years; 7.

3.—*Irremoveable Poor.*

To amend the Laws regarding the Removal of the Poor and the Contribution of Parishes to the Common Fund in Unions.—24 & 25 Vict. c. 55. 104

So much of Sect. 1. of 9 & 10 Vict. c. 66. as prescribes a Residence of Five Years to be altered to Three Years, &c.; Sect. 1.
Provision for Orphan Children under 16 Years of Age; 2.
Provision for deserted Wives; 3.
Chargeability of Wayfarers, and of sick Persons; 4, 5.
Lunatics to be chargeable upon the Common Fund; 6.
Orders in Lunacy may be obtained by or appealed against by Boards of Guardians; 7.
Chargeability of Union Paupers on Common Fund made perpetual; 8.
Parishes comprised in any Union formed under 4 & 5 Vict. c. 76. to contribute to Common Fund according to the annual Value of rateable Property; 9.
Mode of ascertaining the annual rateable Value; 10.
No Order for Contribution to be deemed void by reason of Error in the Calculation; 11.
Interpretation of Terms, and Consolidation of 4 & 5 Will. 4. c. 76., &c.; 12.

4.—*Removal of Irish Poor.*

To amend the Law relating to the Removal of poor Persons to Ireland.—24 & 25 Vict. c. 76. 135

Preamble recites 8 & 9 Vict. c. 117.
Warrant of Removal to be signed in Petty Sessions, or by a Police Magistrate; Sect. 1.
Warrant to contain Name and Age of every Person to be removed, and other Particulars; 2.
Copy of the Warrant to be sent to Guardians of Place to which the Removal is to be made; 3.
Warrant shall order Poor Persons to be conveyed to the Place mentioned in the Warrant; 4.
The Guardians of the Poor of the Union at the Port may forward the Pauper to the Place of Destination, and recover the Costs from the Board of Guardians in England; 5.
Women and Children not to be removed as Deck Passengers during the Winter; 6.
Sect. 6. of 8 & 9 Vict. c. 117. repealed; 7.
This Act and recited Act to be construed together; 8.

5.—*Education of Pauper Children.*

To provide for the Education and Maintenance of Pauper Children in certain Schools, &c.—25 & 26 Vict. c. 43. 641

Power to Guardians to send poor Children to Schools; Sect. 1.
Poor Law Board to certify the School; 2.
Poor Law Board may order Children to be removed from School; 3.
School to be open to Inspection; 4.
Guardians to bring back Child to Parish or Union; 5.
Description of Child to be sent to School; 6.
Continuance in School not to be compulsory; 7.
Charge of Expenses how to be borne; 8.
Child not to be sent to certain Schools; 9.
Interpretation of "School;" 10.
Act not to extend to Scotland or Ireland; 11.

6.—*Poor Relief (Ireland).*

To amend the Laws in force for the Relief of the destitute Poor in Ireland, and to continue the Powers of the Commissioners.—25 & 26 Vict. c. 83. 781

As to charging Expense of Relief to Electoral Divisions; Sect. 1.
Repealing Section 10. of 10 Vict. c. 31., as to who shall be deemed a destitute poor Person; 2.
Power to Guardians to admit poor Persons requiring Medical or Surgical Aid into Hospitals; 3.
Poor Persons of sufficient Ability to pay the Cost of their Maintenance in Hospital, required to pay same; 4.
As to Admission of Constabulary Patients; 5.
Poor Persons claiming to pay Cost of their Maintenance not to be disfranchised; 6.
Guardians may send Inmates of Workhouse to Hospital or Infirmary; 7.
Guardians to have same Authority as Parents in Cases of Children under 15 Years of Age relieved without Parents; 8.
Relief to Orphans and deserted Children; 9.
Boards of Guardians to recover Costs of Maintenance of illegitimate Children in Poorhouses under Fourteen; 10.
As to Religious Education of Children the Religion of whose Parents is not known; 11.
As to rating of unoccupied Buildings; 12.
County Cess Collectors not to be entitled to collect Poor Rates in preference to other Persons. 1 & 2 Vict. c. 56.;—13.
Not to affect District comprised in Dublin Rates Act, 12 & 13 Vict. c. 91.;—14.
Non-occupying Ratepayers to give full Description of the Property in respect of which they claim to vote, &c.; 15.
Limitation of Property and Proxy Claims; 16.
Owners or immediate Lessors rated under Sections 1. & 4. of 6 & 7 Vict. c. 92., Section 63. of 12 & 13 Vict. c. 91., and Section 10. of 12 & 13 Vict. c. 104. may vote as Occupiers; 17.
No Person to vote for a greater Amount of Rent than the rateable Value of the Property; 18.
Occupiers and immediate Lessors who are rated not to vote unless all Rates Six Months due have been paid; 19.
Guardian elected for Two or more Divisions to notify for which he will act; 20.
Solicitors who are Members of Boards of Guardians not to act for or against such Boards; 21.
Paid Officers and others incapable of serving as Guardians; 22.
Burial Expenses of Persons dying unknown; 23.
Where no new Guardians nominated, old Guardians to remain in Office; 24.
After Division of Electoral Divisions into Wards, Ratepayers under the last Rate may vote for Guardians; 25.
Appointment of Commissioners administering Laws for Relief of Poor in Ireland acting under 10 & 11 Vict. c. 90., &c. further continued; 26.

7.—*Poor Removal.*

To amend the Law relating to the Removal of poor Persons from England to Scotland, and from Scotland to England and Ireland.—25 & 26 Vict. c. 113. 1000

Warrant of Removal to Scotland to be signed by Two Justices or a Magistrate, and to England or Ireland by the Sheriff or Two Justices; Sect. 1.
Warrant to contain Name and Age of every Person to be removed, and other Particulars; 2.
Copy of Warrant to be sent to Parochial Board, or Clerks of Guardians of Union or Parish to which Removal is to be made; 3.
Warrants shall order poor Persons to be conveyed to the Place mentioned in the Warrant; 4.
Relieving Officers and Inspectors of Poor to receive poor Persons named in Warrant under Penalty of 10*l.*; 5.
Parochial Boards and Guardians may forward the Pauper to the Place of Destination and recover the Costs; 6.
Women and Children not to be removed as Deck Passengers during the Winter; 7.
Part of Section 77. of 8 & 9 Vict. c. 83. repealed; 8.
Construction of this Act; 9.

See also *Parochial Offices. Public Works. Vaccination.*

Poor Knights of Windsor. See *Windsor Suspended Canonries.*

Poor Rates. See *Parochial Assessments. Recovery of Poor Rates, &c. Union Relief Aid.*

Portland. See *Fortifications.*

Portpatrick Harbour (Scotland).

To enable the Admiralty to close the Harbour of Portpatrick in Scotland during the Execution of certain Works in such Harbour sanctioned by Parliament.—24 & 25 Vict. c. 106. 274

Power for Admiralty to close Harbour; Sect. 1.
Penalty for navigating Ship, &c. in the Harbour when ordered to be closed; 2.

See also *Harbours.*

Portsdown Fair.

For the Discontinuance of Portsdown Fair in the County of Southampton.—25 & 26 Vict. c. 34. 606

Recites Charter dated 29th June 1716.
On passing of this Act Portsdown Fair, and the Right to receive Tolls, to cease; Sect. 1.
Notice of this Act to be given by Advertisement; 2.
Nothing to affect Right of Thomas Thistlethwayte to Compensation in respect of the said Fair; 3.

Post Office Savings Banks.

To grant additional Facilities for depositing small Savings at Interest, with the Security of the Government for due Repayment thereof.—24 & 25 Vict. c. 14. 24

Postmaster General may direct Officers in Post Office to receive Deposits; Sect. 1.
Legal Title of Depositor to Repayment; 2.
Depositors entitled to Repayments not later than Ten Days after Demand made; 3.
Names of Depositors, &c. not to be disclosed; 4.
Money to be paid to Commissioners for the Reduction of the National Debt, and repaid to Depositors through Post Office; 5.
Additional Security to Depositor; 6.
Interest payable to Depositors; 7, 8.
Investment of Funds received under this Act; 9.
Provision for Depositors desiring to transfer their Deposits to Savings Banks; 10.
Postmaster General, with Consent of Treasury, to make Regulations for carrying this Act into execution; 11.
Accounts to be laid before Parliament; 12.
Accounts to be examined by Commissioners of Audit; 13.
Provisions of Savings Bank Acts applicable to this Act; 14.
Expenses incurred in execution of Act how to be paid; 15.

Preston. See *Local Government.*

Princess Alice's Annuity.

To enable Her Majesty to settle an Annuity [of 6,000*l.*] on Her Royal Highness the Princess Alice Maud Mary.—24 & 25 Vict. c. 15. 26

Prisoners. See *Discharged Prisoners Aid. Queen's Prison.*

Private Estates of the Crown. See *Crown Private Estates.*

Private Lunatic Asylums. See *Lunacy, &c.*

Probate, Court of (Ireland).

To amend "The Probates and Letters of Administration Act (Ireland) 1857."—24 & 25 Vict. c. 111. 293

Preamble recites 7 & 8 Vict. c. 97. and 20 & 21 Vict. c. 79.
So much of 20 & 21 Vict. c. 79. as provides that Judge of Court of Probate shall be a Commissioner of Charitable Donations, &c. repealed, and a new Commissioner to be appointed in his Stead; Sect. 1.
No Decision made by Judge to be set aside by reason of such Judge being a Commissioner of Charitable Donations, &c.; 2.

Probate Duty. See *Stamp Duties.*

Promissory Notes. See *Bills of Exchange, &c.*

Property and Income Tax. See *Customs and Inland Revenue. Inland Revenue.*

Protection of Inventions, &c.

For the Protection of Inventions and Designs exhibited at the International Exhibition of Industry and Art for 1862.—25 & 26 Vict. c. 12. 576

Exhibition of new Inventions or Designs not to prejudice Patent Rights or Provisional Registration; Sects. 2, 3.

Provident Societies. See *Industrial and Provident Societies.*

Provisional Orders. See *Local Government. Harbours. Turnpike Roads, &c.*

Public Health. See *Police and Improvement (Scotland).*

Public Houses (Scotland).

To amend the Acts for the Regulation of Public Houses in Scotland.—25 & 26 Vict. c. 35. 607

Recital of 9 G. 4. c. 58. and 16 & 17 Vict. c. 67.
Regulating Period for granting Certificates; Sect. 1.
Forms of Certificates, and Penalties for Breaches of Certificate; 2.
Certificates for the Sale of Spirits and Wine to include Authority to sell Porter, Ale, Beer, &c.; 3.
Certificates granted contrary to this Act null and void; 4.
Licences to be granted without a Certificate obtained under this Act; 5.
Chief Magistrate or Justices on special Occasions may grant Permission to keep open during particular Times; 6.
Persons holding Licences for the Sale of Table Beer to be subject to the same Conditions as Persons holding Certificates; 7.
Form of Applications for Certificates; 8.
Certificate of Character, &c. not necessary on Application for Renewal; 9.
List of new Applications to be published; 10.
Certain Parties may object to the granting or Renewal of Certificates; 11.
Justices or Magistrates at General Meetings may hear Objections to granting Certificates; 12.
Power to Constables to enter Eating Houses, &c.; 13.
Police to report Persons licensed, from whose Premises Persons in a State of Intoxication have been seen frequently to issue, &c.; 14.
Permitting drinking Exciseable Liquors in a neighbouring House, Shed, &c., with Intent to evade the Provisions of the Act, to be deemed drinking on the Premises; 15.
Persons hawking Exciseable Liquors to be apprehended; 16.
Penalty on Persons trafficking in Exciseable Liquors without a Certificate; 17.
Sheriff, Magistrate, or Justice may grant Warrant to summon, and in the Case of Shebeens may grant Warrant to apprehend; 18.
Proof of trafficking in any Shebeen; 19.
Warrant may be granted to seize Spirits found in unlicensed Premises. Penalties; 20.
Penalty on disorderly Persons refusing to quit licensed Houses on Request; 21.
Persons falsely representing themselves to be Travellers liable in a Penalty; 22.
Persons found intoxicated and incapable of taking care of themselves guilty of an Offence; 23.
Penalty for harbouring Constables while on Duty; 24.
Procurator Fiscal or other Party appointed shall prosecute; 25.
Offences how to be tried; 26.
Power to Justices or Magistrates to summon Witnesses; 27.
Power to adjourn Trials and detain Offenders; 28.
Offences may be prosecuted at Common Law; 29.
Offences may be tried in Police Courts; 30.
Warrants, &c. may be enforced in other Counties, &c.; 31.
Clerk's Fees; 32.
Election, Powers, and Meetings of an Appeal Committee; 33–36.
Form of Review provided; 37.
Sentences and Judgments not subject to Review except as provided by this Act; 38.
Limitation of Actions; 39.
Partial Repeal of recited Acts; 40.
Interpretation of Terms, Commencement of Act, and Short Title; 41–43.
SCHEDULES.

Public Offices.

To enable the Commissioners of Her Majesty's Works to acquire additional Land for the Purposes of the Public Offices Extension Act of 1859.—24 & 25 Vict. c. 33. 53

Preamble recites 22 Vict. c. 19.
Recited Act to be construed as if the Lands in Schedule to this Act were comprised in that Act; Sect. 1.

Plan to be deposited at the Office of the Commissioners of Her Majesty's Works; 2.
Compulsory Powers to continue for Three Years; 3.
Commissioners of Works to pay 2,470*l.* to Commissioners of Woods for the Property of the Crown, and such Property thereupon to vest in the Commissioners of Works for the Purposes of this Act; 4.
Maximum Sum payable for making up Deficiency in Rates to be increased; 5.
If Defendant shall plead the General Issue in any Action, he may give the special Matter in Evidence; 6.
Short Title; 7.
SCHEDULES of Property to be taken.

To vest in the Commissioners of Her Majesty's Works and Public Buildings a Portion of Saint James's Park as a Site for Public Offices.—24 & 25 Vict. c. 88. 158

Preamble recites 22 Vict. c. 19.
Transfer of Premises herein named to Commissioners of Works; Sect. 1.
Compensation to be made for such Transfer; 2.

To enable the Commissioners of Her Majesty's Works to acquire additional Land for the Purposes of the "Public Offices Extension Act of 1859" (22 Vict. c. 19.) by way of Exchange for Land already acquired but not wanted for the Purposes of the said Act.—25 & 26 Vict. c. 74. 768

Plan to be deposited in Offices of Works, &c.; Sect. 1.
Certain Land, &c. vested in Her Majesty, and certain other Land, &c. vested in the Commissioners of Works, &c.; 2.
Provision as to Compensation provided by 24 & 25 Vict. c. 88. repealed as far as relates to Property herein named; 3.
Saving Rights as to Parishes of Saint Margaret and Saint John; 4.
Public Offices Extension Act and this Act to be construed as One; 5.
Limitation of Actions; 6.
General Saving; 7.
SCHEDULES.

Public Revenue. See *Revenue, Public, &c.*

Public Works:

1.—*Public Works and Harbours.*

To authorize Advances of Money out of the Consolidated Fund for carrying on Public Works and Fisheries for Employment of the Poor, and for facilitating the Construction and Improvement of Harbours; and for other Purposes.—24 & 25 Vict. c. 80.—[*Amended by* 25 & 26 Vict. c. 30., *infra.*] 139

Power to charge 360,000*l.* and 350,000*l.* per Annum upon the Consolidated Fund, by quarterly Issues, for Harbours, &c.; Sects. 1, 2.
Commissioners for Reduction of National Debt to be Trustees of Public Works Loan Fund; 3.
Bank to continue the Account already opened; 4.
Money paid into the Bank to the Account of Commissioners for executing this Act to be carried to and be made Part of the Consolidated Fund; 5.
Who to be Commissioners for executing this Act; 6.
Commissioners to sign Declaration before acting; 7.
Amount of Monies to be advanced under this Act to be certified to the Commissioners for the Reduction of the National Debt; 8.
Commissioners to lay annual Accounts before Parliament; 9.
Commissioners for Reduction of the National Debt to furnish annual Account of the Fund for Audit; 10.
Powers, &c. of recited Acts to have the same Force as if re-enacted in this Act; 11.

To amend the Act 24 & 25 Vict. c. 80., for authorizing Advances of Money out of the Consolidated Fund for carrying on Public Works and Fisheries for Employment of the Poor, and for facilitating the Construction and Improvement of Harbours, and for other Purposes.—25 & 26 Vict. c. 30. 604

Instalments may be issued when required for Purposes of Loans under recited Act, instead of quarterly; Sect. 1.

2.—*Public Works (Ireland).*

To authorize for a further Period the Application of Money for the Purposes of Loans for carrying on Public Works in Ireland.—24 & 25 Vict. c. 85. 153

Appointment of Commissioners for Execution of this Act; Sect. 1.
Treasury may out of 360,000*l.* per Annum granted by 24 & 25 Vict. c. 80. apply a Sum not exceeding 15,000*l.* per Quarter for Public Works in Ireland; 2.
Separate Account already opened to be continued at the Bank of England; 3.
When Treasury shall have sanctioned Loans, Commissioners of Public Works to certify Amount of Issue to National Debt Office; 4.
Order to be entered by the proper Officer, countersigned by the Actuary and addressed to the Cashiers of the Bank of England, who shall pay the same; 5.
Commissioners for Reduction of National Debt to furnish an annual Account for Audit; 6.
Appropriation and Entry of Repayments; 7.
All Sums paid into the Bank of Ireland to be carried to and made Part of the Consolidated Fund; 8.
Commissioners to lay annual Accounts before Parliament; 9.
Certain Powers as to Advances to have the same Force as if re-enacted in this Act; 10.

To provide for the Performance of Duties heretofore performed by the Paymaster of Civil Services in Ireland in relation to Advances and Repayments of Public Monies for Public Works.—24 & 25 Vict. c. 71. 130

Preamble recites 6 & 7 Vict. c. 44., 10 & 11 Vict. c. 32., 12 & 13 Vict. c. 60., and 16 & 17 Vict. c. 136.
The Commissioners of the Treasury to make Regulations in respect of Public Monies advanced. To make Orders for closing and balancing Accounts; Sects. 1, 2.
All Books belonging to the Office of Paymaster to be transferred as directed; 3.
Commissioners of Public Works, &c. may do Acts heretofore performed by Paymaster of Civil Services; 4.
Section 12. of 6 & 7 Vict. c. 44. and Section 8 of 19 & 20 Vict. c. 18. not applicable to Repayments of Loans by Rentcharge or Annuity; 5.

Q.

Qualifications for Offices, &c. See *Indemnity.*

Queen, The. See *Crown Private Estates.*

Queensland Government.

To remove Doubts respecting the Authority of the Legislature of Queensland, and to annex certain Territories to the Colony of South Australia, and for other Purposes.—24 & 25 Vict. c. 44. 80

Preamble recites 5 & 6 Vict. c. 76. and 18 & 19 Vict. c. 54.
Certain Territories detached from New South Wales and annexed to South Australia; Sect. 1.
Power to annex to existing Colonies Territories now Part of New South Wales; 2.
All Provisions of Letters Patent of 6th June 1859 and Proceedings thereunder of Government and Legislature of Queensland declared to be valid; 3.
Part of 18 & 19 Vict. c. 54. s. 7. repealed; 4.
Provision for determining Boundaries; 5.
Providing Mode of apportioning Public Debt in the event of any Territory being separated from any Australian Colony; 6.

Queen's Prison.

For the Abolition of Contributions by Counties for the Relief of Prisoners in the Queen's Prison, and for the Benefit of Bethlehem Hospital.—24 & 25 Vict. c. 12. 23

Preamble recites 53 Geo. 3. c. 113. and 5 & 6 Vict. c. 22.
Repeal of 53 Geo. 3. c. 113. and Section 8. of 5 & 6 Vict. c. 22; Sect. 1.

For the Discontinuance of the Queen's Prison, and Removal of the Prisoners to Whitecross Street Prison.—25 & 26 Vict. c. 104. 975

Short Title of Act; Sect. 1.
Prohibition of Committal to Queen's Prison; 2.
Prisoners to be removed by Warrant of Lord Chief Justice of Queen's Bench; 3.
Custody of Prisoners committed in pursuance of Act; 4.
Removal of Lunatic Prisoners; 5.
As to Maintenance of Prisoners; 6, 7.
Removal of Record; 8.
Discontinued Prison vested in the Crown; 9.
Appointment of Tipstaffs; 10.
Tipstaffs of Court of Chancery, &c. to give Security to Keeper for faithful Discharge of Duties; 11.
Power to build new Prison; 12.
Appropriation of Charitable Gifts; 13.

R.

Racehorses, Duty on. See *Inland Revenue.*

Railway Companies Mortgage Transfer (Scotland).

For facilitating the Transfer of Mortgages and Bonds granted by Railway Companies in Scotland.—24 & 25 Vict. c. 50. 99

Preamble recites 16 & 17 Vict. c. 59.
Mortgages and Bonds by Railway Companies bearing a certain Stamp Duty may be transferred by Endorsement; Sect. 1.
Endorsements to be exempt from Stamp Duty, and to have Effect of Assignments; 2.
Interpretation and Short Title; 3, 4.
SCHEDULE.

Rainow (Chester). See *Marriages Validity.*

Ramsgate Harbour. See *Harbours.*

Ranges, Artillery. See *Artillery Ranges.*

Rates, Duties, and Taxes. See *Coal and Wine Duties. County Cess. Customs. Edinburgh. Excise. Inland Revenue. Mortgage of Rates, &c. Parochial Assessments. Passing Tolls. Recovery of Poor Rates. Stamp Duties.*

Reading Charities.

For confirming a Scheme of the Charity Commissioners for certain Charities in the Borough of Reading.—24 & 25 Vict. c. 23. 38

Preamble recites 8th Report of Charity Commissioners dated 26th February 1861.

Real Estates. See *Declaration of Title. Transfer of Land.*

Receiver (Metropolitan Police District). See *Metropolitan Police.*

Recovery of Poor Rates, &c.

For the more economical Recovery of Poor Rates and other Local Rates and Taxes.—25 & 26 Vict. c. 82. 780

Consolidation of Proceedings for the Recovery of Rates; Sect. 1.

Red Sea and India Telegraph.

For amending the Red Sea and India Telegraph Act, 1859 (22 & 23 Vict. c. iv.).—24 & 25 Vict. c. 4. 4

Construction of Agreement of 18th November 1858 between the Treasury and the Company; Sect. 1.
This Act and 22 & 23 Vict. c. iv. to be construed together; 2.

For enabling the Commissioners of Her Majesty's Treasury to make Arrangements with the Red Sea and India Telegraph Company.—25 & 26 Vict. c. 39. 625

Recital of 22 & 23 Vict. c. iv. and 24 Vict. c. 4.
Transfer of Property from the old Company to the new; Sect. 1.
List of Shareholders to be made; 2.
Charge upon Consolidated Fund of Terminable Annuities, and Rights of Shareholders thereto; 3, 4.
Delivery of Transfer Books to Bank of England; 5.
Redemption of Annuity; 6.
Contribution of Revenues of India; 7.
SCHEDULE.

Refreshment Houses. See *Inland Revenue.*

Registration (Medical). See *Council of Medical Education.*

Registration and Transfer of Stock. See *Transfer of Stocks.*

Registration of Voters. See *Voters (Scotland).*

Relief of the Poor. See *Poor.*

Relief of Turnpike Trusts. See *Turnpike Roads, &c.*

Removal of Poor Persons. See *Poor.*

Removal of Prisoners. See *Queen's Prison.*

Repayment of Public Monies. See *Public Works.*

Repeal of Acts, &c. See *Criminal Statutes Repeal. Statute Law Revision.*

Resignation of Trustees. See *Trustees (Scotland).*

Retiring Pay (British Forces in India). See *East India.*

Revenue, Public (Supply, Appropriation, &c.)

1.—*Consolidated Fund.*

To apply the Sum of 4,000,000*l.* out of the Consolidated Fund to the Service of the Year 1861.—24 & 25 Vict. c. 2. 2

To apply the Sum of 3,000,000*l.* out of the Consolidated Fund to the Service of the Year 1861.—24 & 25 Vict. c. 6. 8

To apply the Sum of 10,000,000*l.* out of the Consolidated Fund to the Service of the Year 1861.—24 & 25 Vict. c. 19. 28

To apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year 1861, and to appropriate the Supplies granted in this Session of Parliament.—24 & 25 Vict. c. 103. 265

To apply the Sum of 973,747*l.* out of the Consolidated Fund to the Service of the Year ending 31st March 1862.—25 & 26 Vict. c. 1. 559

To apply the Sum of 18,000,000*l.* out of the Consolidated Fund to the Service of the Year 1862.—25 & 26 Vict. c. 2. 559

To apply the Sum of 10,000,000*l.* out of the Consolidated Fund to the Service of the Year 1862.—25 & 26 Vict. c. 31. 604

To apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year 1862, and to appropriate the Supplies granted in this Session of Parliament.—25 & 26 Vict. c. 71. 758

2.—*Revenue Departments Accounts.*

To provide for the Preparation, Audit, and Presentation to Parliament of annual Accounts of the Appropriation of the Monies voted for the Revenue Departments.—24 & 25 Vict. c. 93. 170

Preamble recites 9 & 10 Vict. c. 92.
Officers of Customs, Inland Revenue, and Post Office to furnish annual Accounts of Sums voted by Parliament for their several Departments; Sect. 1.
Certain Sections of recited Act to be applicable to Accounts prepared under this Act; 2.

3.—*Exchequer Bills, &c.*

For raising the Sum of 1,000,000*l.* by Exchequer Bonds for the Service of the Year 1862.—25 & 26 Vict. c. 13. 576

To amend the Law relating to Supply Exchequer Bills, and to charge the same on the Consolidated Fund.—24 & 25 Vict. c. 5. [*Amended by* 25 & 26 Vict. c. 3., *infra.*] 5

Mode of preparing and issuing Exchequer Bills after passing of this Act; Sect. 1.
Exchequer Bills to be charged on the Consolidated Fund; 2.
Rate of Interest on Exchequer Bills; 3.
Exchequer Bills to be advertised for Payment annually; 4.
Exchequer Bills to be current for Duties payable to Her Majesty; 5.
Power to Treasury to issue Bills in lieu of Bills paid off in Money or paid in for Duties; 6.
Power to Treasury to issue new Exchequer Bills to replace former Exchequer Bills to any Amount not exceeding 13,230,000*l.*; 7.
Interest on Exchequer Bills payable in part of Revenue to be paid; 8.
When such Bills are paid in, Parties to write their Names, &c. thereon; 9.
Treasury to direct Cheques, Indents, and Counterfoils; 10.
Two Counterfoils to be made; 11.
Exchequer Bills defaced to be exchanged for new ones; 12.
Penalty for forging or counterfeiting Exchequer Bills; 13.
Provision in case of Loss, &c. by Casualty or Mischance, of Exchequer Bills; 14.
Fractions of a Penny for Interest not payable; 15.
As to the Manufacture of Paper to be used for Exchequer Bills; 16.
As to present Contracts; 17.
Penalty on Persons manufacturing or using Paper, Plates, or Dies intended to imitate those used for Exchequer Bills; 18.
Persons unlawfully having in possession Paper to be used as Exchequer Bills guilty of a Misdemeanor; 19.
Bank of England may advance 13,230,000*l.* on the Credit of Bills, notwithstanding 5 & 6 Will. & Mary, c. 20.;—20.
To apply only to Bills issued under this Act; 21.

To amend the Act 24 & 25 Vict. c. 5., relating to Supply Exchequer Bills, and to repeal all Provisions by which Authority is given to the Commissioners of Her Majesty's Treasury to Fund Exchequer Bills.—25 & 26 Vict. c. 3. 559

Preamble recites 24 & 25 Vict. c. 5. and 9 Geo. 4. c. 92.
Limitation of Authority for Re-issue of Bills; Sect. 1.
Powers for Creation of Annuities and cancelling of Bills by 9 Geo. 4. c. 92., &c., repealed; 2.
Payment to the Bank of England for Management; 3.
Outstanding Exchequer Bills charged on Consolidated Fund; 4.

Revising Barristers.

To make Provision for Salaries for the Revising Barristers for the City of Dublin.—24 & 25 Vict. c. 56. 105

Dublin Revising Barristers to be paid an annual Salary in lieu of Remuneration authorized by recited Act; Sect. 1.
Barristers appointed to act for others during Illness to be paid out of their Salaries; 2.
Act 20 & 21 Vict. c. 68. and this Act to be as One; 3.

Rifle Volunteer Grounds.

For amending "The Rifle Volunteer Grounds Act, 1860," (23 & 24 Vict. c. 140.)—25 & 26 Vict. c. 41. 640

Definitions of "Corps of Volunteer Artillery" and of "Volunteer Grounds Acts"; Sects. 1, 2.
Provisions of recited Act extended to Volunteer Corps of Artillery; 3.
Lands, &c. held on Trust for any Corps, to pass and vest in Officer in Command for Time being; 4.
Penalty on wilful Injuries to Butts and Targets; 5.

Rights of Way, &c. See *Netley Hospital Estate.*
Roads. See *Highland Roads and Bridges. Turnpike Roads and Trusts.*
Royal Arsenals, &c. See *Fortifications.*
Royal Marines. See *Marine Mutiny. Officers Commissions. Plymouth Marine Barracks.*
Royal Military College. See *Sandhurst Military College.*
Royal Navy. See *Government of the Navy. Officers of Reserve, &c.*
Royal Sign Manual. See *Officers Commissions.*

S.

Saint Albans. See *Appropriation of Seats.*
Saint Briavels. See *Dean Forest, &c.*
Saint Ives. See *Harbours.*
Sale of Fireworks. See *Gunpowder.*
Sale of Spirits. See *Spirits, Sale of.*
Sales. See *Confirmation of Sales.*
Salmon Fisheries:

1.—*England.*

To amend the Laws relating to Fisheries of Salmon in England.—24 & 25 Vict. c. 109. 281

Short Title and Application of Act; Sects. 1, 2.
Commencement of Act and Definition of Terms; 3, 4.
Penalty on mixing poisonous Substances in Rivers; 5-7.
Penalties; viz.:—On fishing with Lights, Spears, &c.; on using Roe as a Bait; on using certain Nets; on placing or fixing fixed Engines; on using certain Dams for catching Salmon; on Company or Person not erecting Gratings to prevent the Descent of Salmon into Artificial Streams; on taking unclean Fish; on taking the Young of Salmon; and on disturbing Fish when spawning; 8-16.
Restrictions as to fishing in Close Time; 17.
Power of Home Office to extend or vary Close Season; 18.
Penalty on selling Fish during Close Time; 19.
Removal of fixed Engines during Close Time; 20.
Weekly Close Time; 21.
Free Passage to be left through Cribs, &c. during Weekly Close Time; 22.
Proprietor with Consent of Home Office may attach Fish Passes to existing Dams; 23, 24.
Fish Passes to be attached to future Dams; 25.
Supply of Water to Fish Passes; 26.
Construction of Free Gaps; 27.
Enforcing Free Gaps in Fishing Weirs; 28.
Construction of Boxes and Cribs in Fishing Weirs, &c.; 29.
Construction of Spur Walls in Fishing Weirs or Fishing Mill Dams; 30.
General Superintendence of Fisheries by Home Office; 31.
Annual Reports of Inspectors to be laid before Parliament; 32.
Justices at Sessions to appoint Conservators of Rivers; 33.
Justice may grant a Warrant to enter suspected Places; 34.
Recovery of Penalties, 11 & 12 Vict. c. 43.;—35.
Offences on Rivers may be tried in County on either Side; 36.
Offences committed on Sea Coast, where to be tried; 37.
Saving Clause for Dredging; 38.
Repeal of Acts; 39.
SCHEDULE of Acts repealed.

2.—*Scotland.*

To regulate and amend the Law respecting the Salmon Fisheries of Scotland.—25 & 26 Vict. c. 97. 862

Short Title, and Interpretation of Terms; Sects. 1, 2.
Commencement of Act, 1st Jan. 1863; 3.
Each River and Estuary, and the Seacoasts adjoining, to be a District; 4.

Commissioners to be appointed by Secretary of State; 5.
Duties of Commissioners; 6.
Annual and Weekly Close Time, and Application of Annual Close Time; 7, 8.
Present Annual Close Times to subsist until altered under this Act; 9.
Fishing illegal where prohibited by existing Acts; 10.
Penalties for Offences; 11.
Penalty for using or possessing Salmon Roe, and for causing or allowing poisonous Substances to flow into Rivers; 12, 13.
Byelaws of Commissioners to be approved and published; 14.
Commissioners to make Byelaws on certain Matters; 15, 16.
As to Evidence to be taken by Commissioners; 17.
As to the Election of District Boards; 18.
Constitution of the Board where Proprietors are less in Number than Three. Their Votes; 19.
Mandatories may be appointed; 20.
Payment to Sheriff Clerk in connexion with Elections; 21.
Powers and Duties of District Boards; 22, 23.
As to future Elections of District Boards; 24.
Penalties for Breach of Byelaws and Regulations; 25.
Forfeited Articles may be seized; 26.
Three or more Persons illegally fishing at Night to be guilty of a Criminal Offence; 27.
Prosecution for Offences under this Act, and Recovery of Penalties; 28.
Enforcement of Regulations and Byelaws; 29.
Expenses may be decerned for; 30.
Recovery and Application of Penalties; 31, 32.
Certain Provisions of Act 24 & 25 Vict. c. 109. applied to Solway Firth; 33.
This Act (except certain Sections) not to apply to the River Tweed; 34.

Salvage. See *Admiralty, Court of.*

Sandhurst Military College.

For vesting in Her Majesty's Principal Secretary of State for the War Department the Lands of the Royal Military College at Sandhurst, and for completing certain Exchanges of Lands of the said College.—25 & 26 Vict. c. 33. 605

Upon passing of this Act certain Lands of the Royal Military College to vest in Secretary for War, and certain other Lands to vest in the Crown; Sects. 1, 2.
Conveyances of certain Land to the Church Building Commissioners confirmed; 3.
Saving of Rights; 4.

Sandown. See *Local Government.*

Savings Banks. See *Post Office Savings Banks.*

Savings Banks (Ireland).

To revive and continue the Act 22 Vict. c. 17. for amending the Laws relating to Savings Banks in Ireland.—25 & 26 Vict. c. 75. 770

Schools. See *Industrial Schools. Parochial and Burgh Schools. Poor.*

Scotland. For Acts relating specially to Scotland, see the following Heads:

Aberdeen University.
Boundaries of Burghs.
British White Herring Fishery.
Combination of Parishes.
Conjugal Rights.
Edinburgh.
Highland Roads and Bridges.
Industrial Schools.
Leith Harbour, &c.
Lord Clerk Register.
Lunacy.
Mortgages.
Mortgages and Bonds.
Parochial Buildings.
Parochial and Burgh Schools.
Police and Improvement.
Poor.
Public Houses.
Portpatrick Harbour.
Railway Companies.
Salmon Fisheries.
Smoke Nuisance.
Tramways.
Transmission of Moveable Property.
Trustees.
Voters.

Scottish Herring Fisheries. See *British White Herring Fishery.*

Sheep (Ireland).

To render Owners of Dogs in Ireland liable for Injuries to Sheep.—25 & 26 Vict. c. 59. 706

Owner of Dog liable in Damages for Injury committed by Dog; Sect. 1.
Who shall be deemed the Owner of the Animal; 2.

Shipping. See *Merchant Shipping.*

Shoebury. See *Artillery Ranges.*

Sierra Leone. See *Offences near Sierra Leone Prevention.*

Site for Public Offices. See *Public Offices.*

Slave Trade. See *African Slave Trade.*

Smoke Nuisance (Scotland).

To amend the Act 20 & 21 Vict. c. 73. for the Abatement of the Nuisance arising from the Smoke of Furnaces in Scotland.—24 & 25 Vict. c. 17. 27

Complaints for Recovery of Penalties to be brought without the Concourse of the Lord Advocate; Sect. 1.
Certain Burghs to include Area within Parliamentary Boundaries; 2.

Soane's Museum.

To enable the Trustees of Sir John Soane's Museum to send Works of Art to the International Exhibition of 1862.—25 & 26 Vict. c. 9. 574

Preamble recites 3 & 4 Will. 4. c. 4. (*Private.*)

Soldiers. See *Army. Militia. Volunteers.*

Solicitors. See *Attorneys and Solicitors (Ireland).*

South Australia.

To remove Doubts respecting the Authority of the Legislature of Queensland, and to annex certain Territories to the Colony of South Australia, and for other Purposes.—24 & 25 Vict. c. 44. 80

Preamble recites 5 & 6 Vict. c. 76. and 18 & 19 Vict. c. 54.
Certain Territories detached from New South Wales and annexed to South Australia; Sect. 1.
Power to annex to existing Colonies Territories now Part of New South Wales; 2.
All Provisions of Letters Patent of 6th June 1859 and Proceedings thereunder of Government and Legislature of Queensland declared to be valid; 3.
Part of 18 & 19 Vict. c. 54. s. 7. repealed; 4.
Provision for determining Boundaries; 5.
Providing Mode of apportioning Public Debt in the event of any Territory being separated from any Australian Colony; 6.

Spirits, Duties on. See *Excise. Inland Revenue.*

Spirits, Sale of.

To amend the Laws relating to the Sale of Spirits.—25 & 26 Vict. c. 38. 625

Repeal of Sect. 12. of 24 Geo. 2. c. 40. enacting that no Action should be brought to recover any Debt for Spirituous Liquors unless contracted at One Time to the Amount of 20*s.*

Stamp Duties.

To amend the Law for the Collection of the Stamp Duties on Probates, Administrations, Inventories, Legacies, and Successions.—24 & 25 Vict. c. 92. 170

Proceedings for enforcing Payment of Succession and Legacy Duties; Sect. 1.

Certain Provisions in 22 & 23 Vict. c. 21. relating to summary Proceedings in England to extend to Ireland ; 2.
No Return of Probate Duty to be made for voluntary Debts ; 3.

To reduce and alter the Rate of Duty payable on Proceedings under the Statute 21 & 22 Vict. c. 72. s. 88., and for other Purposes.—24 & 25 Vict. c. 123. 317

Duty payable on Proceedings in Landed Estate Court (Ireland) ; Sect. 1.
If Duties, &c. hereby authorized be insufficient to pay Half the Expense of maintaining Court, how Rates may be raised ; 2.
Indemnity to Lieutenant Colonel John Henry Keogh ; 3.
Recited Act and this Act to be construed as One Act ; 4.

See also *Customs and Inland Revenue. Inland Revenue.*

Statute Labour Roads. See *Turnpike Roads, &c.*

Statute Law Consolidation. See *Criminal Statutes Repeal.* Also *Accessories and Abettors. Coinage Offences. Forgery. Larceny. Malicious Injuries to Property. Offences against the Person.*

Statute Law Revision.

For promoting the Revision of the Statute Law by repealing divers Acts and Parts of Acts which have ceased to be in force.—24 & 25 Vict. c. 101. 238

Acts or Parts of Acts specified in Schedule repealed ; Sect. 1.
Short Title ; 2.
Schedule of Acts repealed.

Stocks. See *Transfer of Stocks, &c.*

Stores. See *Naval and Victualling Stores.*

Stroud. See *Local Government.*

Succession Duty. See *Stamp Duties.*

Sudbury. See *Appropriation of Seats.*

Sugar. See *Excise Duties. Customs and Inland Revenue.*

Summary Jurisdiction (Ireland).

To amend certain Provisions of the Acts 24 & 25 Vict. cc. 96. 97. 99. and 100. respectively, relating to Summary Jurisdiction in Ireland.—25 & 26 Vict. c. 50. 647

Commencement of Act, 1st September 1862 ; Sect. 1.
As to Prosecution of Offences made punishable on Summary Conviction in Ireland ; 2.
Provisions in 24 & 25 Vict. cc. 96. and 97. relating to Mode of compelling Appearances not to extend to Ireland. All such Proceedings, &c. to be subject to Provisions of 14 & 15 Vict. c. 93. and 21 & 22 Vict. c. 100. ;—3.
Penalty on stealing Trees, Shrubs, &c. (under the Value of 5*l.*) growing anywhere ; 4.
Penalty on stealing Trees, Plants, Vegetables, &c. severed from the Soil, or Turf Fuel (not exceeding 40*s.* in Value) ; 5.
Penalty on Persons possessing Carcases of Sheep, &c. without accounting for the same ; 6.
Penalty on Workmen making away with Goods (not exceeding 5*l.* in Value) committed to his Care ; 7.
Penalty on stealing Poultry (not exceeding 5*s.* in Value) ; 8.
Assault Cases may be proceeded with although Party aggrieved declines to prosecute ; 9.
Summary Jurisdiction in Cases of Assault on Peace Officers and others ; 10.
Act to extend only to Ireland ; 11.

Summary Procedure. See *Bills of Exchange, &c.*

Superannuation Allowance. See *Copyhold, &c. Commission.*

Supply. See *Revenue, Public, &c.*

Surrender of Criminals. See *Denmark.*

Surveyors. See *County Surveyors (Ireland).*

Suspended Canonries. See *Windsor Suspended Canonries.*

Suspension of the Militia Ballots. See *Militia.*

T.

Taxes, Rates, and Duties. See *Coal and Wine Duties. County Cess. Customs. Edinburgh. Excise. Inland Revenue. Mortgage of Rates, &c. Parochial Assessments. Passing Tolls. Poor. Recovery of Poor Rates. Stamp Duties.*

Telegraph Company. See *Red Sea and India Telegraph Company.*

Temple Balsall Hospital.

For confirming a Scheme of the Charity Commissioners for the Hospital of Lady Katherine Leveson at Temple Balsall (Warwick).—24 & 25 Vict. c. 24. 41

Preamble recites 8th Report of Charity Commissioners, dated 26th February 1861.

Tenant and Landlord. See *Landlord and Tenant (Ireland).*

Thames Embankment.

For embanking the North Side of the River Thames from Westminster Bridge to Blackfriars Bridge, and for making new Streets in and near thereto.—25 & 26 Vict. c. 93. 845

Preamble recites 24 & 25 Vict. c. 42.
Lands Clauses Consolidation Acts incorporated ; Sect. 1.
Short Title, and Interpretation of Terms ; 2–4.
Plans to be deposited at the Offices of the Clerks of the Peace ; 5.
Power to make Works according to deposited Plans ; 6.
Board to appoint Committee to carry the Act into execution ; 7.
Works authorized ; 8.
Certain Land not to be taken without Consent ; 9.
Provision for further Works ; 10.
Power to set out Footways, &c. and to deviate ; 11, 12.
Period for compulsory Purchase of Land ; 13.
Power to inclose and fill up Bed and Shore of River, &c., and to purchase Lands and extinguish certain Rights, &c. ; 14, 15.
Soil may be raised from the River to form the Embankment by the Conservators ; 16.
Board empowered to take Places for depositing Materials ; 17.
Works, &c. to be approved of by the Admiralty, and certain Works to be first approved by the Conservators ; 18, 19.
Lights to be exhibited during Construction of Embankment ; 20.
Piers and Stairs to be provided in lieu of those taken away ; 21.
Embankment to be kept in repair ; 22.
Mode of ascertaining Value of Property to be taken ; 23.
Premises may be taken notwithstanding Errors in Book of Reference ; 24.
Ground laid into the Streets, &c. to be used by the Public ; reclaimed Land to be dedicated to Use of Public ; 25, 26.
Power to appropriate Land or Easements in respect of Loss of River Frontage ; 27.
No House to be erected in front of the Gardens of the Inner and Middle Temple, &c. ; 28, 29.
Board to erect Landing Stairs for the Temple ; 30.
Saving Rights of the Temples ; 31.
Board may grant Building Leases of Ground not wanted, &c. ; 32.
Board may sell Ground Rents and Reversions ; 33.
Board empowered to sell any Ground which may not be wanted, but superfluous Lands to be offered to Owners of Lands from which they were originally severed ; 34, 35.
Differences as to Price to be settled by Arbitration ; 36.
Application of Monies arising from Sale of Lands or from Rents ; 37.
Surplus to be applied in Reduction of Monies borrowed ; 38.
Incorporation of Metropolis Local Management Act ; 39.
Costs of Arbitrations ; 40.

Prohibition against Use of Locomotives along the Streets; 41.
Power of Board to borrow; 42.
Securities transferable by Delivery; 43.
Power to raise Money for the Repayment of Principal Money; 44.
Appropriation of Thames Embankment and Metropolis Improvement Fund; 45.
Monies received to be paid into the Bank of England; 46.
Annual Accounts to be laid before Parliament; 47.
Owners of Vessels liable for Damage done to the Embankment, &c.; 48.
Masters to recover from their Servants Damages paid for their Neglect, &c.; 49.
Penalties not appropriated; 50.
Plaintiff not to recover without Notice, or after Tender of Amends; 51.
Limitation of Actions; 52.
As to Lands of Duke of Northumberland; 53.
As to Appropriation of certain Land Southward of the Craven Estate; 54.
As to Street between Whitehall Place and Wellington Street; 55.
Certain Land of Charing Cross Railway Company not to be taken without Consent; 56.
As to Repair of Charing Cross Railway and Works; 57.
As to Construction of Landing Places; 58.
Savings Rights of Charing Cross Railway Company; 59.
As to Lands of Duke of Norfolk; 60.
As to Adelphi Estate; 61.
Buildings not to be erected between the Property of the Marquis of Salisbury and the River; 62.
Junction with Salisbury Street not to be constructed without Consent of Marquis of Salisbury; 63.
Nothing to prejudice Rights of the Corporation of London; 64.
Saving Rights of the Conservators of the River Thames, and of Metropolitan Police Commissioners; 65, 66.
As to Interference with Sewers; 67.
Saving Rights of Commissioners of Sewers, and of District Boards and Vestries; 68, 69.
Saving Rights of Charing Cross Bridge Company and others; 70.
No Deviation in Works opposite Crown Land without Consent; 71.
Works to be done before Roadway on Crown Lands opened to Public; 72.
Disposal of reclaimed Land in which Crown interested; 73.
No Building to be erected on Embankment opposite Land in which Crown interested without Consent; 74.
Mode of ascertaining Value of Interest of Crown and Thames Conservators in certain Lands; 75.
No Compensation to Crown in respect of Land above High-water Mark; 76.
New Landing Places to be provided where existing ones removed; 77.
Crown Lessees to have Option of taking Lease of reclaimed Land adjacent to their Properties for Terms of their Leases; 78.
Saving Rights of Crown and of Duchy of Lancaster; 79–81.
As to Viaducts within Savoy Precinct and in front of City Gasworks, and in front of Whitefriars Dock; 82–84.
Supplemental Plans to be deposited with Clerk of Peace; 85.
SCHEDULE.

See also *Coal and Wine Duties.*

Tithe Commission. See *Copyhold, &c. Commission.*

Title to Land, &c. See *Declaration of Title. Transfer of Land.*

Tobermory. See *Harbours.*

Tolls. See *Passing Tolls. Turnpike Roads and Trusts. Volunteer Tolls Exemption.*

Towns, Improvement of. See *Police and Improvement (Scotland).*

Trading Companies. See *Companies, &c.*

Tramways (Ireland).

To amend the Tramways (Ireland) Act, 1860.—24 & 25 Vict. c. 102. 264

The Act 23 & 24 Vict. c. 152. and this Act to be read together; Sect. 1.
One Approval by Grand Jury to be sufficient; 2.
Applications at Spring or Summer Assizes; 3.
Notices to be given for Spring Assizes; 4.
Approval of Grand Jury may be traversed; 5.
Inquiry by Board of Works in the first instance; 6.
To be confined to Engineering Questions; 7.
Existing Company may be empowered to execute Works; 8.
Orders in Council valid without Confirmation by Parliament; 9.
Grand Jury may give Permission for Tramway to cross a Highway; 10.
Short Title; 11.

Tramways (Scotland).

To provide for the Formation of Tramways on Turnpike and Statute Labour Roads in Scotland.—24 & 25 Vict. c. 69. 124

Short Title, and Interpretation of Terms; Sects. 1, 2.
Special Meeting of Trustees may be called to consider the Expediency of laying down Tramways; 3.
Trustees may remit to their Surveyor or to an Engineer to prepare Plans of Tramways and Estimate of Expense; 4.
Plans and Estimate to be laid before General or Special Meeting of Trustees; 5.
Tramways may be laid down according to Plans, and to form Part of Roads; 6, 7.
Expense of forming and maintaining Tramways, how to be defrayed; 8.
Tolls for Use of Tramways; 9, 10.
Trustees may make Regulations for Use of Tramways; 11.
Tramways may be formed on Statute Labour Roads; 12–14.
Tramways may be removed; 15.
Tramways not to be laid down in Burghs without Consent of Magistrates and Council, and to be kept in constant good Order, &c.; 16, 17.

Transfer of Harbours. See *Harbours.*

Transfer of Land.

To facilitate the Proof of Title to, and the Conveyance of, Real Estates.—25 & 26 Vict. c. 53. 681

Act to apply to England only; Sect. 1.

PART I.—*As to the Registration of Real Estates, and the Title thereto.*

Establishment of Registry; 2–4.
Proceedings to obtain Registration of Title as indefeasible; 5–15.
As to Record of Title; 16–19.
When an indefeasible Title shall arise; 20–24.
Proceedings for Registration without an indefeasible Title; 25.
Registration of Leasehold Estates; 26.
General Provisions as to Title; 27–34.
Caveat against Entry of Land on Register; 35–40.

PART II.—*Simplification of Title by Judical Sales.*

Sales by Court of Chancery; 41–62.

PART III.—*As to the Transfer of registered Land.*

Conveyance, &c. of registered Land, &c., 63–67.
As to Land Certificates; 68–88.

PART IV.—*General Provisions to facilitate Registration.*

Money Charge not ascertained, &c. may be referred to Judge at Chambers, and Judge may order Money not distributable, &c. to be paid into Court of Chancery, and Judge may decide Questions of Priority of Incumbrances, &c.; 89–92.
As to Restraint of Conveyance; 93–95.
Caution; 96–100.
Injunction; 101–104.
Penalty on Fraud, &c.; 105–107.
Office of Land Registry, Powers of Court of Chancery, and Miscellaneous; 108–113.
General Provisions; 114–126.
Fees; 127–133.
Proceedings in Court of Chancery; 134, 135.
Forms; 136.
Inspection of Register; 137.
Fraud; 138, 139.
Interpretation of Terms; 140.
SCHEDULE.

See also *Declaration of Title.*

Transfer of Mortgages, &c. See *Mortgages and Bonds.*

Transfer of Stocks and Annuities:

1.—*Transfer at Banks of England and Ireland.*

To make further Provision respecting certain Payments to and from the Bank of England, and to increase the Facilities for the Transfer of Stocks and Annuities, and for other Purposes.—24 & 25 Vict. c. 3. 2

Repealing 48 Geo. 3. c. 4. and 56 Geo. 3. c. 97.; Sect. 1.
As to future Payment to the Bank for Management of the Public Debt; 2.
Certain Charges for Management to cease; 3.
So much of 7 & 8 Vict. c. 32. as requires the Bank to deduct certain Sums from Charges for Management repealed, and other Provisions made; 4.
Regulation as to Balances on the Dividend Account at the Bank; 5.
Commissioners of National Debt to transmit to Treasury the Amount of Unredeemed Debt on 5th April 1861, &c.; 6.
Increase of Facilities for the Transfer of Stocks and Annuities; 7.
Extending Powers of 56 Geo. 3. c. 60. as to the Re-transfer of Unclaimed Dividends Stock; 8.
Accounts to be laid before Parliament by the Bank; 9.
Provision as to closing Books for Transfer of East India Stocks. [*See* 25 & 26 Vict. c. 7. *infra*]; 10.

To increase the Facilities for the Transfer of Stocks and Annuities transferable at the Bank of Ireland, and to make further Provision respecting the mutual Transfer of Capital in certain Public Stocks or Funds transferable at the Banks of England and Ireland respectively, and for other Purposes.—24 & 25 Vict. c. 35. [*Amended by* 25 & 26 Vict. c. 21. *infra.*] 57

Provision for Increase of Facilities for the Transfer of Stocks and Annuities; Sect. 1.
Provision for limiting Periods for closing the Books against mutual Transfers of Stocks, &c. in England and Ireland; 2.
Extending Powers of 56 Geo. 3. c. 60. as to the Re-transfer of Unclaimed Dividends and Stock; 3.
Sections 11. and 12. of 5 Geo. 4. c. 53. repealed; 4.

To amend the Law relating to the Transfer of Stocks and Annuities at the Bank of Ireland.—25 & 26 Vict. c. 21. 583

Repealing Section 1. of 24 & 25 Vict. c. 35., and making other Provision as to the Time of closing the Books for the Transfer of Stocks, &c. at the Bank of Ireland prior to the Payment of Dividends; Sect. 1.

2.—*India Stocks Transfer.*

To provide for the Registration and Transfer of India Stocks at the Bank of Ireland, and for the mutual Transfer of such Stocks from and to the Banks of England and Ireland respectively.—25 & 26 Vict. c. 7. 571

Preamble recites 23 & 24 Vict. c. 102.
Interpretation of Expression "India Stock;" Sect. 1.
Power to transfer India Stock from the Books of the Bank of England to the Books of the Bank of Ireland, and vice versâ; 2–4.
No Transfer to be made within a certain Period before closing Day; 5.
Application to be made to the Banks for Permission to transfer, and upon Transfers being made Certificates to be granted; 6.
Notices of Transfers to be sent to the Bank into which the Stock is to be transferred; 7.
Books to be provided for entering Transfers; 8.
On Production of Certificate from the Bank where the Transfer is made, the Bank to which the Transfer is made shall write the Amount into their Books; 9.
Banks of England and of Ireland to certify to Secretary of State in Council of India the Amount of Stock written in their Books prior to Dividend, and the Interest to be paid to them by such Secretary of State; 10.
Remuneration for Services under this Act to be paid to the Bank of Ireland; 11.
Duplicates may be granted of Certificates lost or destroyed; 12.
Power to Bank of Ireland to close Books for Transfer; 13.
Persons forging, &c. Certificates guilty of Felony; 14.
Penalty on taking Fee, &c. for receiving Certificates or paying Dividends, &c.; 15.

Transmission of Moveable Property (Scotland).

To facilitate the Transmission of Moveable Property in Scotland.—25 & 26 Vict. c. 85. 786

Personal Bond or Conveyance of Moveable Estate may be assigned in the Form set forth in Schedule; Sect. 1.
Certified Copy to be delivered to Person or Persons to whom Intimation may in any Case be requisite; 2.
As to Transmission of Personal Bond, &c. according to present Forms; 3.
Interpretation of Terms, and Short Title; 4, 5.
SCHEDULES.

Treasury Chest Fund.

For limiting and regulating the Treasury Chest Fund.—24 & 25 Vict. c. 127. 321

Available Balance of Treasury Chest Fund to be limited, and Surplus to form Part of Consolidated Fund; Sect. 1.
How Commissioners of Treasury are to employ the said Fund; 2.
Annual Abstract Account of said Fund to be made by Commissioners of Audit, and laid before Parliament by the Commissioners of the Treasury, &c.; 3.

Treaty with the United States. See *African Slave Trade.*

Trinity Church (Rainow). See *Marriages Validity.*

Trustees. See *Confirmation of Sales, &c.*

Trustees (Scotland).

To amend the Law in Scotland relative to the Resignation, Powers, and Liabilities of gratuitous Trustees.—24 & 25 Vict. c. 84. 152

What Trusts hereafter constituted shall be held to include; Sect. 1.
Not to affect Liabilities incurred by Trustees prior to Resignation, &c.; 2.
Construction of the Term "Gratuitous Trustee"; 3.

Trusts, Charitable. See *Charitable Uses.*

Trusts, Turnpike. See *Turnpike Roads and Trusts.*

Turnpike Roads and Trusts:

1.—*Acts Continuance.*

To continue certain Turnpike Acts in Great Britain.—24 & 25 Vict. c. 64. 113

Similar Act.—25 & 26 Vict. c. 72. 764

2.—*Arrangements for Relief of Trusts.*

To confirm certain Provisional Orders made under the Act 14 & 15 Vict. c. 38. to facilitate Arrangements for the Relief of Turnpike Trusts, and to extend the Provisions of the said Act.—24 & 25 Vict. c. 46. 86

Similar Act.—25 & 26 Vict. c. 56. 701

3.—*Holyhead Road.*

To relieve certain Trusts on the Holyhead Road from Debts.—24 & 25 Vict. c. 28. 48

Short Title; Sect. 1.
As to Liquidation of Debt on St. Alban's and Barnet Trust, and of Debts of Highgate Archway Company; 2, 3.
Provisions as to Hockliffe and Stratford Trust, the Shiffnal District of Watling Street Road Trust, the Dunstable Road Trust, and the Puddle Hill Road Trust; 4–7.
Liquidation of Debt on Stratford and Dunchurch Road Trust; 8.
Priority of Payments, and Penalty on default; 9, 10.
Powers of Commissioners, and Entry into possession; 11.
Provisions in Acts inconsistent with this repealed; 12.
SCHEDULE.

See also *Locomotives. Volunteers Tolls Exemption.*

U.

Unclaimed Dividends. See *Bank of England. Bank of Ireland.*

Union Relief Aid.

To enable Boards of Guardians of certain Unions to obtain temporary Aid to meet the extraordinary Demands for Relief therein.—25 & 26 Vict. c. 110. 990

Guardians may charge Cost of Relief in Parishes in excess of 3*s.* in the Pound on the other Parishes in Union; Sect. 1.
Guardians may make extraordinary Calls; 2.
If aggregate Expenditure of whole Union at Michaelmas or Christmas next shall exceed 3*s.* in the Pound on the rateable Value of the Property of the Union, Guardians may apply to Poor Law Board for Authority to borrow; 3.
Guardians of distressed Unions where the Expenditure shall have exceeded 5*s.* in the Pound may apply to the Poor Law Board, who may apportion such Excess of Expenditure over the Unions in the County; 4.
Power to the Poor Law Board to exclude the poorer Unions; 5.
Provision for the Cases of Unions in Two Counties; 6.
Where Parish contributes, the Guardians may elect Members to represent them at the Board of Guardians of Union aided; 7.
No Order of the Board to be issued after the 1st of March; 8.
How annual rateable Value of Property to be estimated; 9.
Interpretation Clause; 10.

Unions. See *Parochial Assessments. Poor.*

United States. See *African Slave Trade.*

Universities (Scotland).

To alter and amend the Universities (Scotland) Act, 21 & 22 Vict. c. 83., in so far as relates to the Bequest of the late Doctor Alexander Murray in the University of Aberdeen.—25 & 26 Vict. c. 28. 603

University Elections.

To provide that Votes at Elections for the Universities may be recorded by means of Voting Papers.—24 & 25 Vict. c. 53. 101

Electors for the Universities of Oxford, Cambridge, and Dublin to vote by means of Voting Papers; Sect. 1.
Voting Papers to be read, and Votes recorded; 2.
Voting Papers may be inspected by any Person now entitled to object to Votes; 3.
Voting Papers to be filed; 4.
Penalty for falsely signing Voting Papers; 5.
Voting Papers not liable to Stamp Duty; 6.
SCHEDULE.

University of Aberdeen. See *Aberdeen University.*

University of Durham. See *Durham University.*

University of Edinburgh. See *Edinburgh University.*

University of Oxford. See *Oxford University.*

Unlawful Oaths (Ireland).

To continue the Act 2 & 3 Vict. c. 74., for preventing the administering of unlawful Oaths in Ireland, as amended by the Act 11 & 12 Vict. c. 89.—25 & 26 Vict. c. 32. 605

Recital of 50 Geo. 3. c. 102., 4 Geo. 4. c. 87., 2 & 3 Vict. c. 74., 7 & 8 Vict. c. 78., 8 & 9 Vict. c. 55., 11 & 12 Vict. c. 89., 14 & 15 Vict. c. 48., and 19 & 20 Vict. c. 78.
2 & 3 Vict. c. 74. continued for Five Years from the passing of this Act, and until the End of the then next Session of Parliament.

V.

Vaccination.

To facilitate Proceedings before Justices under the Acts relating to Vaccination.—24 & 25 Vict. c. 59. 105

Preamble recites 3 & 4 Vict. c. 29., 4 & 5 Vict. c. 32., and 16 & 17 Vict. c. 100.
Short Title; Sect. 1.
As to Institution of legal Proceedings by Guardians or Overseers, and Payment of Expenses of the same; 2.

Validity of Marriages. See *Marriages Validity.*

Victualling Stores. See *Naval and Victualling Stores.*

Volunteers. See *Officers Commissions. Rifle Volunteer Grounds.*

Volunteers Tolls Exemption.

To exempt the Volunteer Forces of Great Britain from the Payment of Tolls.—24 & 25 Vict. c. 126. 320

Preamble recites 3 Geo. 4. c. 126. and 4 Geo. 4. c. 49.
Horses and Carriages, &c. of Volunteers exempted; Sect. 1.
Penalty for demanding Tolls from Volunteers, &c.; 2.
Penalty for personating Volunteers, &c.; 3.
Recovery and Application of Penalties; 4.
Act not to extend to Ireland; 5.

Voters (Ireland).

To amend the Act 13 & 14 Vict. c. 69., so far as relates to the Time thereby limited for the Publication of the Lists of Voters objected to in Ireland.—24 & 25 Vict. c. 60. 106

Clerk of the Peace and Town Clerk respectively shall publish Lists of Voters, &c. objected to on or before 24th August in each Year; Sect. 1.
Act incorporated with 13 & 14 Vict. c. 69.;—2.

Voters (Scotland).

To amend the Law regarding the Registration of County Voters in Scotland.—24 & 25 c. 83. 143

Preamble recites 2 & 3 Will. 4. c. 65. and 17 & 18 Vict. c. 91.
Short Title and Interpretation of Terms; Sects. 1, 2.
Provisions of first-recited Act as to forming Registers of Persons entitled to vote for Counties repealed; 3.
Provisions as to future Valuation Rolls of Counties or Burghs; 4, 5.
Sheriff Clerk to deliver annually to Assessors a Copy of the Register of Voters; 6.
Assessors to be nominated specially for this Act; 7.
Assessor to make up annually a List of Changes in Register; 8.
Persons omitted from Register may claim to be registered; 9.
Assessor to make up and publish List of Claims, and to correct Lists, and deliver Copy of Register to Sheriff Clerk; 10, 11.
Names may be omitted by Desire, 12.
Assessors disqualified from voting; 13.
Provision for filling up ad interim Offices on the Holders of which Duties are imposed by this Act; 14.
Provision as to Service of Notices; 15.
Lists put up to be maintained and Provision for replacing same; 16.
Penalty for injuring Lists put up; 17.
Lists not invalidated by deficient Publication; 18.
Errors of Officers not to affect Claims; 19.
Valuation Rolls to be open to Inspection for the Purposes of this Act; 20.
Objection to Persons on the Register, or claiming to be put on the Register; 21.
List of Objections made up by Assessor; 22.
Sheriff to hold Courts for Revisal and Correction of Register; 23.
Sheriff Clerk to produce Lists prepared by Assessor, and Notices of Claim and of Objection; 24.
Assessor to maintain Lists, and answer Objections thereto, and Claims and Objections to be disposed of; 25.
Claimants omitted in Lists may be enrolled by Sheriff; 26.
Claims omitted may be objected to; 27.

Sheriffs may grant Warrant to cite Parties, &c. and grant Diligence for Recovery of Writings; 28.
Sheriffs may adjourn Registration Courts; 29.
Sheriffs Clerks to enter and authenticate Register; 30.
Register, signed by Sheriff Clerk, to be the Register of Voters; 31.
Sheriff to cause printed Copies of Register to be entered in Books; 32.
Register of Voters to be in force till revised and altered; 33.
Persons dissatisfied with Judgment of Sheriff may appeal on Points of Law to Lords Ordinary; 34.
Dependence of Appeal not to affect Right of voting, and Decision on a depending Appeal not to affect Poll; 35.
Penalty on Persons not attending Registration Courts when required; 36.
Sheriff may award Costs, and Witnesses and Havers to be paid their Expenses; 37.
Penalties on Assessors and others for Neglect of Duty; 38.
Penalties to be applied for the Purposes of this Act; 39.
Accounts to be kept of Monies received under this Act; 40.
Expenses of annual Registrations, how to be defrayed, 20 & 21 Vict. c. 58.;—41.
Register to be conclusive Evidence of Qualification; 42.
County Voters may be transferred from one Polling District to another; 43.
Misnomer not to vitiate; 44.
Repeal of Part of Section 26. of 2 & 3 Will. 4. c. 55., and a Declaration as in Schedule substituted for Oath, &c.; 45.
Commencement of Act; 46.
SCHEDULE of Forms.

Voting Papers. See *University Elections.*

W.

Waggons. See *Locomotives.*

Wakering. See *Artillery Ranges.*

Wales, Prince of. See *Duchy of Cornwall.*

War Department. See *Army. Artillery Ranges. Sandhurst Military College.*

Water, Supply of. See *Police and Improvement (Scotland).*

Weights and Measures. See *Annoyance Jurors (Westminster).*

Weights and Measures (Ireland).

To amend "The Weights and Measures (Ireland) Act, 1860," (23 & 24 Vict. c. 119.); to abolish local and customary Denominations of Weight, and to regulate the Mode of weighing Articles sold in Ireland.—25 & 26 Vict. c. 76. 770

Commencement of Act, and Short Title; Sects. 1, 2.
Certain Sections of 23 & 24 Vict. c. 119. repealed and this Act incorporated therewith; 3, 4.
Certain Head and other Constables to be ex-officio Inspectors of Weights and Measures; 5.
Inspector General to appoint One Officer in each County or Borough to have Custody of Imperial Standards, &c.; 6.
Grand Jury and Town Council to provide One Set of Copies of Imperial Standards for each County or Borough, and also as many Sub-Standards as may be necessary; 7.
Ex-officio Inspectors of Weights and Measures may enter Shops, &c. to inspect Beams, &c.; 8.
Judge of Assize to order Copies of Standards, &c. in Counties in Ireland when it has not been done by Grand Juries; 9.
Chairman of Quarter Sessions to order Copies of Standard Weights and Measures in Boroughs within the County, in case it has not been done by Town Council; 10.
Extent of Part II. of Act; 11.
Contracts to be made by Denominations of Imperial Weight, otherwise to be void; 12.
Mode of weighing; 13.
Penalty on counterfeiting of Brand; 14.
Penalty for fraudulently increasing Weight of Butter in Casks; 15.
Penalty for fraudulently increasing Weight of Fleeces; 16.
Penalties how recoverable, 14 & 15 Vict. c. 93.;—17.
Limitation of Proceedings for Penalties; 18.
Nothing to prevent Persons being indicted for Offences; 19.

West Indies.

To amend "The West Indian Incumbered Estates Acts, 1854 and 1858," (17 & 18 Vict. c. 117., 21 & 22 Vict. c. 96.) —25 & 26 Vict. c. 45. 643

Short Title of Act, &c.; Sects. 1, 2.
Power to appoint Receivers of Lands after absolute Order for Sale; 3.
Security by and Remuneration of Receivers; 4.
Fees and Commissions; 5.
Provision as to Acts coming into operation; 6.

See also *Jamaica Loan.*

Westminster. See *Annoyance Jurors (Westminster).*

Westminster Bridge. See *Thames Embankment.*

Weston-super-Mare. See *Local Government.*

Whipping of Offenders.

To amend the Law as to the Whipping of Juvenile and other Offenders.—25 & 26 Vict. c. 18. 579

Regulation as to the whipping of Juvenile Offenders; Sect. 1.
Restriction as to Whippings in Scotland, &c.; 2.

Whitby Harbour. See *Harbours.*

White Herring Fishery (Scotland).

To make further Provisions for the Regulation of the British White Herring Fishery in Scotland.—24 & 25 Vict. c. 72. 131

Preamble recites 24 & 25 Vict. c. 92. s. 1.
Penalty for selling, &c. Herrings during Close Time, or for selling, &c. Herrings taken contrary to Provisions of 14 & 15 Vict. c. 26. s. 6.; Sects. 1, 2.
Penalty for defacing Marks or Numbers on Boats, or Sails, &c.; 3.
Herrings, &c. seized to be forfeited; 4.
Regulations may be made suspending Provisions of Act, to admit of Sprat Fishing within Part of Firth of Forth; 5.
Declaring Import of 13th Section of recited Act as applying to certain Nets; 6.
Constables acting under Orders of Sheriffs, &c. may exercise Powers of Act; 7.
Powers of recited Acts extended to this Act; 8.

Whitecross Street Prison. See *Queen's Prison.*

Wills of Personalty by British Subjects.

To amend the Law with respect to Wills of Personal Estate made by British Subjects.—24 & 25 Vict. c. 114. 300

Wills made out of the Kingdom to be admitted if made according to the Law of the Place where made; Sect. 1.
Wills made in the Kingdom to be admitted if made according to local Usage; 2.
Change of Domicile not to invalidate Will; 3.
Nothing in this Act to invalidate Wills otherwise made; 4.
Act to extend only to Wills, &c. of Persons who die after passing of this Act; 5.

Wills and Domicile of British Subjects abroad, &c.

To amend the Law in relation to the Wills and Domicile of British Subjects dying whilst resident abroad, and of Foreign Subjects dying whilst resident within Her Majesty's Dominions.—24 & 25 Vict. c. 121. 316

No British Subject dying in a Foreign Country to be deemed to have acquired a Domicile unless resident there for One Year immediately preceding his or her Death, &c., &c.; Sect. 1.
No Foreign Subject dying in Great Britain or Ireland to be deemed to have acquired a Domicile unless resident therein for One Year immediately preceding his or her death, &c.; 2.

Who this Act shall not apply to; 3.
When Subjects of Foreign States shall die in Her Majesty's Dominions, and there shall be no Persons to administer to their Estates, the Consuls of such Foreign States may administer; 4.

Windsor Castle Bakehouse.

To authorize the Sale of Her Majesty's Bakehouse in Peascod Street, Windsor, and the Application of the Proceeds in the Purchase of Land or Buildings to be held with Windsor Castle.—25 & 26 Vict. c. 57. 704

Land and Hereditaments in Schedule to be sold; Sect. 1.
Proceeds to be applied in the Purchase of other Lands to be annexed to Windsor Castle; 2.
Commissioner of Woods, &c. managing Crown Lands in Berks may act; 3.
General Saving; 4.
SCHEDULE.

Windsor Suspended Canonries.

For the Appropriation in favour of the Military Knights and the Churches of Windsor of Two of the Canonries suspended in the Chapel of Windsor, and for making certain Provisions respecting the Naval Knights of Windsor.—24 & 25 Vict. c. 116. 312

Appropriation of Profits of Seventh Canonry to Military Knights; Sect. 1.
Appropriation of Profits of Eighth Canonry to Incumbent of Churches; 2.
Mode of ascertaining Amount of Payments to be retained; 3.
Lieutenants succeeding to Rank of Retired Commander shall continue Poor Knights; 4.

Wine Duties. See *Coal and Wine Duties (Port of London).*

Wine Licences. See *Inland Revenue.*

Women and Children, Employment of. See *Bleachfields. Lace Factories.*

Works, Public. See *Public Offices. Public Works.*

Works of Art. See *Copyright.*

Writs of Habeas Corpus. See *Habeas Corpus.*

Y.

Young Persons, Employment of. See *Bleachfields. Lace Factories.*

A List of the Local and Private Acts passed during the Sessions 24 & 25 Vict. (1861) and 25 & 26 Vict. (1862).

☞ In this List the Local and Private Acts are subdivided into Classes according to the Arrangement adopted in the Index to the Statutes compiled by Order of the Committee of the Library of the House of Lords, the Parliamentary Short Title of each Act being generally adopted. The Local Acts are denoted by Roman Numerals, and the Private Acts by Arabic Figures.

Class 1.—Bridges and Ferries.

	Page
Burntisland and Granton Ferry.—24 & 25 Vict. c. ccxiv.	520
Clifton Suspension Bridge.—24 and 25 Vict. c. cxii.	455
Hull South Bridge.—25 & 26 Vict. c. lxxvii.	1046
Lambeth Bridge.—24 & 25 Vict. c. cxvii.	459
Newcastle-upon-Tyne Bridge.—24 & 25 Vict. c. xci.	443
Rhyl Bridge.—24 & 25 Vict. c. lxxxii.	439
Seacombe Ferry.—24 & 25 Vict. c. iv.	383
Shard Bridge.—25 & 26 Vict. c. lxi.	1036
Tyne General Ferry.—25 & 26 Vict. c. lxxvi.	1045
Wilford Bridge.—25 & 26 Vict. c. cxvi.	1066

Class 2.—Canals, Rivers, and Navigations.

Birmingham Canal Navigations.—24 & 25 Vict. c. lxxiv.	430
East India Irrigation and Canal Company.—24 & 25 Vict. c. cviii.	453
Mersey, Irwell, &c. Protection.—25 & 26 Vict. c. ccxxii.	1183
Monmouthshire Railway and Canal.—24 & 25 Vict. c. ccxviii.	526
Nene Navigation.—25 & 26 Vict. c. clxxxviii.	1140
Nene Valley Drainage and Navigation.—25 & 26 Vict. c. clxiv.	1107
South Yorkshire Railway and River Dun.—24 & 25 Vict. c. clxix.	492
Tyne River.—24 & 25 Vict. c. xci.	443
Ulverstone Canal Navigation.—25 & 26 Vict. c. lxxxix.	1055

Class 3.—Charitable Foundations and Institutions.

Asylum for the Education of Deaf and Dumb Children.—25 & 26 Vict. c. l.	1030
Atkinson's Trust.—24 & 25 Vict. c. 1.	557
Mackintosh Farr Fund.—25 & 26 Vict. c. 2.	1199
Saint Thomas's Hospital.—25 & 26 Vict. c. 4.	1199
Simpson's Hospital.—24 & 25 Vict. c. 6.	557

Class 4.—County Affairs.

Dublin Grand Jury.—24 & 25 Vict. c. cxviii.	459
Kent County Gaol, &c.—25 & 26 Vict. c. cxxv.	1069

Class 5.—Drainage and Embankments.

Airedale Drainage.—24 & 25 Vict. c. clx.	484
Baggymoor Drainage.—24 & 25 Vict. c. xlviii.	410
Dovey Reclamation.—25 & 26 Vict. c. ccxii.	1180
Greetwell Drainage.—24 & 25 Vict. c. cxlix.	479
Hatfield Chase Warping and Improvement.—24 & 25 Vict. c. clxxxv.	501
Hatfield Chase Level Drainage.—25 & 26 Vict. c. cxl.	1088
Middle Level Drainage and Navigation.—25 & 26 Vict. c. clxxxviii.	1140
Nene Valley Drainage and Navigation.—25 & 26 Vict. c. clxiv.	1107
Poulnasherry Reclamation.—24 & 25 Vict. c. xxix.	396
Thorne Moor Improvement and Embankment.—24 & 25 Vict. c. lxxviii.	434

Class 6.—Ecclesiastical Affairs.

Saint Giles-in-the-Fields Glebe.—25 & 26 Vict. c. lxx.	1043
Shireoaks District Church (Notts).—24 & 25 Vict. c. cxv.	458

Class 7.—Estates.

Atkinson's Trust.—24 & 25 Vict. c. 1.	557
Corbet's.—25 & 26 Vict. c. 6.	1199
Egremont's (Earl of).—24 & 25 Vict. c. 9.	557
Hemsworth's.—24 & 25 Vict. c. 10.	557
Mackintosh Farr Fund Trust.—25 & 26 Vict. c. 2.	1199
Middleton's.—24 & 25 Vict. c. 5.	557
M'Mahon's.—24 & 25 Vict. c. 3.	557
Phillimore's.—25 & 26 Vict. c. 1.	1199
Saint Thomas's Hospital.—25 & 26 Vict. c. 4.	1199
Savile (late Earl of Scarborough's).—24 & 25 Vict. c. 2.	557
Shrewsbury's (Earl of).—25 & 26 Vict. c. 5.	1199
Simeon's (Sir John) Leasing.—24 & 25 Vict. c. 7.	557
Simpson's Hospital.—24 & 25 Vict. c. 6.	557
Sutherland's (Duke and Duchess of).—24 & 25 Vict. c. 4.	557
Tufnell's.—25 & 26 Vict. c. 3.	1199
Vane Tempest.—24 & 25 Vict. c. 8.	557

Class 8.—Fisheries.

Nil.

Class 9.—Gaslight Companies.

Clitheroe.—24 & 25 Vict. c. xxiv.	394
Dewsbury and Batley.—24 & 25 Vict. c. xciv.	446
Elland-cum-Greetland.—24 & 25 Vict. c. lxviii.	427
Haslingden Union.—24 & 25 Vict. c. xxxix.	406
Heckmondwike.—25 & 26 Vict. c. xix.	1010
Huddersfield Registered.—24 & 25 Vict. c. lvi.	416
Leeds New Gas.—25 & 26 Vict. c. xxviii.	1015
Leigh District.—24 & 25 Vict. c. cix.	454
Middleton.—24 & 25 Vict. c. c.	448
Portsea Island.—24 & 25 Vict. c. cxxi.	460
Reading.—25 & 26 Vict. c. lxxxiv.	1052
Sowerby Bridge.—24 & 25 Vict. c. lxxx.	437
Stretford.—25 & 26 Vict. c. lxxii.	1044
Swansea.—24 & 25 Vict. c. xli.	407
Uxbridge and Hillingdon.—24 & 25 Vict. c. liii.	415
Victoria Docks.—24 & 25 Vict. c. ccxvi.	524
Weston-super-Mare.—24 & 25 Vict. c. cxvi.	459
Whitworth Vale.—24 & 25 Vict. c. xcvii.	447
Wigan.—24 & 25 Vict. c. clxx.	493
Windermere.—25 & 26 Vict. c. lxxiii.	1044
Woolwich, Plumstead, and Charlton.—25 & 26 Vict. c. ii.	1003

Class 10.—Harbours, Docks, Ports, Piers, Quays, &c.

Aberdovey Port.—25 & 26 Vict. c. 6.	1199
Berwick-upon-Tweed Harbour.—25 & 26 Vict. c. xxxi.	1017
Brean Down Pier and Harbour.—25 & 26 Vict. c. xxix.	1015
Bristol Channel (Pilotage).—24 & 25 Vict. c. ccxxxvi.	541
Bristol Port Railway and Pier.—25 & 26 Vict. c. clix.	1104
Briton Ferry Dock and Railway.—25 & 26 Vict. c. clxxviii.	1127
Carlisle and Silloth Bay Railway and Dock.—25 & 26 Vict. cc. xlv. xlvii.	1028, 1029
Charlestown Railway and Harbour.—24 & 25 Vict. c. ccxxvi.	532
Dagenham (Thames) Dock.—25 & 26 Vict. c. ccxiii.	1181
Kilrush Harbour.—24 & 25 Vict. c. xxix.	396
Kingston-upon-Hull Docks.—24 & 25 Vict. c. lxxix.	434
Llanelly Railway and Dock.—24 & 25 Vict. c. ccxvii.	524
Llanelly Railway and Dock (new Lines).—25 & 26 Vict. c. clxi.	1104
Mersey Docks and Harbour (Extension, for completing Works at Birkenhead).—24 & 25 Vict. c. clxxxviii.	502
New Ross Port and Harbour.—24 & 25 Vict. c. cxl.	474
Penarth Harbour, Dock, and Railway.—24 & 25 Vict. c. cxxiv.	461
Port Carlisle Dock and Railway.—25 & 26 Vict. c. xlviii.	1029
Pulteney Harbour.—25 & 26 Vict. c. clxxx.	1128
Saint George's Harbour.—24 & 25 Vict. c. ccxix.	527
Sidmouth Railway and Harbour.—25 & 26 Vict. c. ccxxvii.	1198
South Shields (Quay, &c.)—24 & 25 Vict. c. xxiii.	392
Swansea Harbour.—24 & 25 Vict. c. ccxxii.	530
Swansea Harbour (Capital, &c.)—25 & 26 Vict. c. clxvii.	1118
Thames Haven Dock.—24 & 25 Vict. c. cxxv.	462

	Page
Tyne Docks, &c.—24 & 25 Vict. c. xci.	443
Ventnor Harbour, &c.—25 & 26 Vict. c. lxxxii.	1052
West of Fife Railway and Harbour.—25 & 26 Vict. c. clxxxix.	1158
Weston-super-Mare Pier.—25 & 26 Vict. c. clxix.	1120
West Hartlepool Harbour and Railway.—24 & 25 Vict. cc. ccxliv. ccxlix.	552 555
Wexford Harbour.—25 & 26 Vict. c. cxxii.	1069
Workington Dock.—24 & 25 Vict. c. lxxxiii.	440

CLASS 11.—IMPROVEMENTS IN TOWNS.

Aberdeen Police, &c.—25 & 26 Vict. c. cciii.	1171
Bardsley.—25 & 26 Vict. c. xxxii.	1018
Birmingham Improvement.—24 & 25 Vict. c. ccvi.	515
Bollington (Prestbury) Improvement, &c.—25 & 26 Vict. c. xxxvii.	1020
Bolton.—24 & 25 Vict. c. clxxiii.	496
Cardiff.—25 & 26 Vict. c. cxxiii.	1069
Clifton and Durham Downs.—24 & 25 Vict. c. xiv.	389
Darlington Improvement.—24 & 25 Vict. c. lxxvii.	432
Dewsbury, Batley, and Heckmondwike.—24 & 25 Vict. c. xxxiii.	397
Dublin (Borough) Fire Brigade, &c.—25 & 26 Vict. c. xxxviii.	1020
Edinburgh (City).—25 & 26 Vict. c. liii.	1032
Glasgow Police.—25 & 26 Vict. c. cciv.	1174
Halifax.—25 & 26 Vict. c. xli.	1022
Hawick.—24 & 25 Vict. c. clxxvi.	497
Kilkenny.—24 & 25 Vict. c. xlix.	412
Kingstown Improvement, &c.—24 & 25 Vict. c. cxviii.	459
Liverpool (Cemetery).—24 & 25 Vict. c. civ.	451
Liverpool (new Streets, &c.)—24 & 25 Vict. c. xlii.	407
Liverpool (Fire).—25 & 26 Vict. c. cxxvi.	1071
Middleton and Tonge.—24 & 25 Vict. c. c.	448
Preston (new Streets, &c.)—24 & 25 Vict. c. vii.	384
Queenstown.—25 & 26 Vict. c. xx.	1010
Rathmines and Rathgar.—25 & 26 Vict. c. xxv.	1012
Salford.—25 & 26 Vict. c. ccv.	1175
South Molton.—25 & 26 Vict. c. xxvii.	1014
Sowerby Bridge.—24 & 25 Vict. c. lxxx.	437
Tranmere.—25 & 26 Vict. c. xxvi.	1013
Wallasey.—24 & 25 Vict. c. iv.	383
Westminster Improvement.—24 & 25 Vict. c. cxxvi.	462

CLASS 12.—INCLOSURES AND ALLOTMENTS.

Clifton and Durdham Downs.—24 & 25 Vict. c. xiv.	389
Dollow and Kilmore Commons.—25 & 26 Vict. c. 7. (*not printed.*)	
Kendal Fell.—24 & 25 Vict. c. xxvi.	394
Newcastle-under-Lyme Marsh Lands.—24 & 25 Vict. c. xliii.	408

CLASS 13.—MARKETS AND FAIRS.

Brecon.—25 & 26 Vict. c. clxxxvi.	1136
Darlington.—24 & 25 Vict. c. lxxvii.	432
Dublin.—24 & 25 Vict. c. ccxxxviii.	544
Dublin (Cattle).—25 & 26 Vict. c. clv.	1102
Kilkenny.—24 & 25 Vict. c. xlix.	412
Limerick.—25 & 26 Vict. c. xxiii.	1012
Metropolitan (Approaches).—25 & 26 Vict. c. clxxiv.	1123
Metropolitan Meat Market.—24 & 25 Vict. c. cxxxiii.	470
Newgate Market Abolition.—24 & 25 Vict. c. lii.	413
Norwich.—25 & 26 Vict. c. iii.	1003
Preston.—24 & 25 Vict. c. vii.	384
South Molton.—25 & 26 Vict. c. xxvii.	1014

CLASS 14.—PARISH AFFAIRS.

Coventry.—25 & 26 Vict. c. xi.	1007
Glasgow.—25 & 26 Vict. c. clvii.	1103

CLASS 15.—PERSONAL AFFAIRS.

Munbee's Divorce.—25 & 26 Vict. c. 8. (*not printed.*)	
Webb and Craig's Patent.—25 & 26 Vict. c. xvii.	1009

CLASS 16.—RAILWAYS.

Aberystwith and Welsh Coast (making).—24 & 25 Vict. c. clxxxi.	500
Aberystwith and Welsh Coast (additional Lines).—25 & 26 Vict. c. clxxvi.	1127
Abingdon (Capital).—25 & 26 Vict. c. ccxvi.	1181
Alford Valley (further Powers).—25 & 26 Vict. c. lxxxvii.	1054
Alton, Alresford, and Winchester (making).—24 & 25 Vict. c. cxi.	455
Alva (making).—24 & 25 Vict. c. cxcv.	510
Andover and Red Bridge (further Powers).—25 & 26 Vict. c. clxxvii.	1127
Bala and Dolgelly (making).—25 & 26 Vict. c. cix.	1064
Banbridge Extension (making).—24 & 25 Vict. c. lxxxix.	443
Banstead and Epsom Downs (making).—25 & 26 Vict. c. clviii.	1103
Barnsley Coal (making).—24 & 25 Vict. c. clxv.	487
Belfast and County Down (Branch).—24 & 25 Vict. c. lxiv.	423
Berwickshire (making).—25 & 26 Vict. c. cxlii.	1094
Birkenhead (vesting in London and North-western, and Great Western).—24 & 25 Vict. c. cxxxiv.	470
Birkenhead (Hooton to Parkgate).—25 & 26 Vict. c. clviii.	1100
Bishop's Castle (making).—24 & 25 Vict. c. ciii.	450
Bishop's Waltham (making).—25 & 26 Vict. c. cxliii.	1094
Bishop Stortford, Dunmow, and Braintree (making).—24 & 25 Vict. c. clxxii.	500
Blackpool and Lytham (making).—24 & 25 Vict. c. ix.	387
Blane Valley (making).—24 & 25 Vict. c. ccxlviii.	554
Blyth and Tyne (Branch).—24 & 25 Vict. c. xcviii.	447
Bognor (making).—24 & 25 Vict. c. cxx.	460
Bradford, Wakefield, and Leeds (Branch to Batley).—24 & 25 Vict. c. xxviii.	395
Bradford, Wakefield, and Leeds (further Provisions).—25 & 26 Vict. c. lxiii.	1038
Brecon and Merthyr Tydfil Junction (new Lines).—24 & 25 Vict. c. ccxxxv.	541
Brecon and Merthyr Tydfil Junction (additional Money).—24 & 25 Vict. c. x.	387
Brecon and Merthyr Tydfil Junction (new Lines).—25 & 26 Vict. c. clxxxiv.	1133
Bridge of Weir (making).—25 & 26 Vict. c. cxxi.	1059
Brighton, Uckfield, and Tunbridge Wells (making).—24 & 25 Vict. c. clxxiv.	496
Bristol Port Railway and Pier (making).—25 & 26 Vict. c. clix.	1104
Bristol and Exeter (Chard and Taunton).—25 & 26 Vict. c. xx.	1011
Bristol and South Wales Union (further Powers, &c.)—24 & 25 Vict. c. ii.	383
Bristol and South Wales Union (Branch).—25 & 26 Vict. c. clix.	1101
Briton Ferry Dock and Railway (authorizing Agreements).—25 & 26 Vict. c. clxxviii.	1127
Burton-upon-Trent (making).—25 & 26 Vict. c. xciv.	1058
Caledonian and Symington, Biggar, and Broughton Amalgamation.—24 & 25 Vict. c. cci.	512
Caledonian (Cleland Branches, &c.).—24 & 25 Vict. c. ccxxix.	534
Caledonian (Rutherglen and Coatbridge Branches).—24 & 25 Vict. c. ccii.	513
Caledonian (Stonehouse Branch).—24 & 25 Vict. c. ccxxviii.	533
Caledonian (Deviations, &c.)—25 & 26 Vict. c. cxxxvi.	1085
Caledonian (Leith Branches).—25 & 26 Vict. c. cxxxvii.	1086
Cannock Chase (Extension).—25 & 26 Vict. c. cxciv.	1167
Carlisle and Silloth Bay Railway and Dock (additional Capital).—25 & 26 Vict. c. xlv.	1028
Carmarthen and Cardigan (Extension).—25 & 26 Vict. c. clxxii.	1123
Carnarvonshire (making).—25 & 26 Vict. c. ccii.	1171
Ceylon (Dissolution).—25 & 26 Vict. c. ci.	1060
Chard and Taunton (making).—24 & 25 Vict. c. ccxliii.	551
Charing Cross (City Terminus).—24 & 25 Vict. c. xciii.	445
Charing Cross (City Terminus Bridge).—25 & 26 Vict. c. ccxx.	1182
Cheshire Midland (Deviation, &c.)—24 & 25 Vict. c. cxiii.	456
Cleveland (Extension, Branches, and Deviations, &c.)—24 & 25 Vict. c. clxxxiii.	500
Cockermouth, Keswick, and Penrith (making).—24 & 25 Vict. c. cciii.	513
Coleford, Monmouth, Usk, and Pontypool (Leasing, &c.)—24 & 25 Vict. c. cxcvii.	511
Colne Valley and Halstead (Capital).—24 & 25 Vict. c. ccxxxvii.	544
Conway and Llanrwst (Deviation, &c.)—24 & 25 Vict. c. clxxix.	499
Cork and Macroom (making).—24 & 25 Vict. c. ccvii.	516
Cork and Youghal (Extension, &c.)—24 & 25 Vict. c. cvii.	452
Cornwall (Deviation, Extension, &c.)—24 & 25 Vict. c. ccxv.	520
Corwen and Bala (making).—25 & 26 Vict. c. cx.	1064
Cowbridge (making).—25 & 26 Vict. c. clxxix.	1128
Cromford and High Peak (Lease, &c.)—25 & 26 Vict. c. lxvi.	1040
Crystal Palace and South London Junction.—25 & 26 Vict. c. cxli.	1094
Dartmouth and Torbay (Capital).—24 & 25 Vict. c. xlvi.	409
Dartmouth and Torbay (Extension of Time).—25 & 26 Vict. c. cxxxii.	1083
Daventry (making).—25 & 26 Vict. c. lv.	1034
Deeside (Capital).—25 & 26 Vict. c. lxxxviii.	1054
Denbigh, Ruthin, and Corwen (Capital).—25 & 26 Vict. c. lx.	1036
Devon Valley (further Powers).—24 & 25 Vict. c. cc.	512
Downpatrick and Newry (making).—24 & 25 Vict. c. cxxix.	468
Dublin and Antrim Junction (making).—24 & 25 Vict. c. cxxii.	460
Dublin and Meath (Capital).—25 & 26 Vict. c. xxxix.	1022

	Page
Dublin, Wicklow, and Wexford (Deviation).—24 & 25 Vict. c. xi.	388
Dulas Valley Mineral (making).—25 & 26 Vict. c. cxciii.	1167
Dumfries, Lochmaben, and Lockerby Junction (Diversion).—24 & 25 Vict. c. clxiii.	486
Dunblane, Doune, and Callander (Capital).—24 & 25 Vict. c. xcvi.	447
Dundalk and Enniskillen (changing Name, &c.)—25 & 26 Vict. c. cxxxix.	1087
Dundee and Perth and Aberdeen Junction, &c. (Capital).—25 & 26 Vict. c. xxxv.	1019
East Gloucestershire (making).—25 & 26 Vict. c. ccvi.	1177
East Grinstead, Groombridge, and Tunbridge Wells (making).—25 & 26 Vict. c. ccvii.	1177
East Suffolk (further Powers).—24 & 25 Vict. c. clxxx.	499
Eastern Counties (new Lines).—24 & 25 Vict. c. ccxxxi.	534
Eastern Counties and Saffron Walden (making).—24 & 25 Vict. c. clxxv. ii.	498
Eastern Counties (Epping Lines).—25 & 26 Vict. c. clxxxvii.	1140
Eastern Counties and other Companies (Amalgamation).—25 & 26 Vict. c. ccxxiii.	1184
Eastern Union (Capital, &c.)—25 & 26 Vict. c. cxcv.	1167
Eden Valley (Extension, &c.)—25 & 26 Vict. c. cxviii.	1067
Edgware, Highgate, and London (making).—25 & 26 Vict. c. xlvi.	1028
Edinburgh and Glasgow (Capital).—24 & 25 Vict. c. lxxxiv.	441
Edinburgh and Glasgow, and Caledonian and Dumbartonshire Junction (Amalgamation).—25 & 26 Vict. c. cxxxv.	1084
Edinburgh and Glasgow, and Glasgow, Dumbarton, and Helensburgh (Amalgamation).—25 & 26 Vict. c. cxxxviii.	1086
Edinburgh, Perth, and Dundee (Byelaws).—24 & 25 Vict. c. ccxiv.	520
Edinburgh, Perth, and Dundee, and Fife and Kinross (Amalgamation).—25 & 26 Vict. c. clxxxi.	1129
Ellesmere and Wem (Oswestry, Ellesmere, and Whitchurch).—25 & 26 Vict. c. ccxviii.	1181
Enniskillen and Bundoran (making).—24 & 25 Vict. c. cxxxviii.	473
Enniskillen and Bundoran (Extension and Change of Name, &c.)—25 & 26 Vict. c. cxiv.	1066
Exeter and Exmouth (Capital, &c.)—24 & 25 Vict. c. xv.	390
Faringdon (Capital).—25 & 26 Vict. c. x.	1007
Fife and Kinross (Capital).—24 & 25 Vict. c. cxxxi.	469
Forest of Dean Central (further Works).—24 & 25 Vict. c. clxxxiv.	501
Forth and Clyde Junction (Branch, &c.)—24 & 25 Vict. c. cxxx.	469
Frosterly and Stanhope (making).—24 & 25 Vict. c. lxxii.	429
Frosterly and Stanhope (Deviation, &c.)—25 & 26 Vict. c. xl.	1022
Furness (Branch to Hawcoat Quarry, &c.)—25 & 26 Vict. c. lxxxix.	1055
Furness and Coniston (Amalgamation).—25 & 26 Vict. c. cxxxiii.	1083
Galashiels and Peebles (making).—24 & 25 Vict. c. cii.	450
Garston and Liverpool (making).—24 & 25 Vict. c. xxxv.	398
Garston and Liverpool (Abandonment).—25 & 26 Vict. c. cxxiv.	1069
Glasgow and Milngavie Junction (making).—24 & 25 Vict. c. cxcviii.	511
Great Eastern (Eastern Counties, &c.)—25 & 26 Vict. c. ccxxiii.	1184
Great Northern (Purchase of Hertford, Luton, and Dunstable Railway).—24 & 25 Vict. c. lxx.	428
Great Northern (additional Land near Doncaster).—25 & 26 Vict. c. l.	1003
Great Northern and Western of Ireland (Extension).—24 & 25 Vict. c. lxvii.	426
Great Northern and Western of Ireland (Railway to Ballina).—25 & 26 Vict. c. cci.	1171
Great North of Scotland (Enlargement of Stations, &c.)—24 & 25 Vict. c. cliii.	480
Great North of Scotland (further Powers).—25 & 26 Vict. c. lxii.	1037
Great Southern and Western (Extension to Birdhill, &c.)—24 & 25 Vict. c. cxlvii.	478
Great Southern and Western (Capital, &c.)—24 & 25 Vict. c. cxlviii.	478
Great Western (Extension).—24 & 25 Vict. c. cciv.	513
Great Western (Capital).—24 & 25 Vict. c. xxxvi.	402
Great Western (additional Powers).—25 & 26 Vict. c. cxxvii.	1072
Great Western (Hereford, Ross, and Gloucester and Ely Valley Transfer).—25 & 26 Vict. c. cxcvi.	1168
Greenock and Wemyss Bay (making).—25 & 26 Vict. c. clx.	1104
Hammersmith and City (making).—24 & 25 Vict. c. clxiv.	486
Hatfield and St. Albans (making).—25 & 26 Vict. c. lxxxvi.	1054
Henley-in-Arden (making).—24 & 25 Vict. c. lxxvi.	432
Hereford, Hay, and Brecon (Deviations).—25 & 26 Vict. c. xcv.	1058
Hertford, Luton, and Dunstable (vesting in the Great Northern Company).—24 & 25 Vict. c. lxx.	428
Horsham, Dorking, and Leatherhead (making).—25 & 26 Vict. c. cli.	1101
Hull and Hornsea (making).—25 & 26 Vict. c. c.	1060
Hull and Selby (Alteration, &c.)—24 & 25 Vict. c. lxxix.	434
Inverness and Aberdeen Junction.—24 & 25 Vict. c. xviii.	391
Inverness and Aberdeen Junction and Inverness and Nairn Companies Amalgamation.—24 & 25 Vict. c. viii.	385
Inverness and Aberdeen Junction and Inverness and Ross-shire (Amalgamation).—25 & 26 Vict. c. cxiii.	1065
Inverness and Perth Junction (making, &c.)—24 & 25 Vict. c. clxxxvi.	501
Irish North-western (additional Line, &c.)—25 & 26 Vict. c. cxxxix.	1087
Keighley and Worth Valley (making).—25 & 26 Vict. c. xc.	1056
Kensington Station of North and South London Junction.—25 & 26 Vict. c. ccxv.	1181
Kent Coast.—24 & 25 Vict. c. ccxli.	550
Kent Coast (Railways at Ramsgate, &c.)—25 & 26 Vict. c. cxcvii.	1169
Kettering and Thrapston (making).—25 & 26 Vict. c. clxxiii.	1123
Kilkenny Junction (new Lines, &c.)—24 & 25 Vict. c. ccxxxii.	538
Kilrush and Kilkee (Diversion).—24 & 25 Vict. c. xxix.	396
Kington and Eardisley (making).—25 & 26 Vict. c. lxvii.	1041
Kinross-shire (Branch, &c.)—24 & 25 Vict. c. clxxvii.	498
Kinross-shire (Amalgamation).—24 & 25 Vict. c. ccxiv.	520
Kirkcudbright (making).—24 & 25 Vict. c. ccv.	514
Lancashire and Yorkshire (Branches to Shawforth, &c.)—24 & 25 Vict. c. l.	413
Lancashire and Yorkshire (Bootle Branch, &c.)—24 & 25 Vict. c. xxxiv.	397
Lancashire and Yorkshire (Extension to Settle).—24 & 25 Vict. c. xxxvii.	405
Lancashire and Yorkshire (new Line, &c.)—24 & 25 Vict. c. ci.	449
Lancashire and Yorkshire (additional Powers).—25 & 26 Vict. c. xcvii.	1058
Launceston and South Devon (making).—25 & 26 Vict. c. cxi.	1065
Leadburn, Linton, and Dolphinton (making).—25 & 26 Vict. c. li.	1031
Leeds, Bradford, and Halifax Junction (Branch).—24 & 25 Vict. c. lx.	421
Leeds, Bradford, and Halifax Junction (Deviation, &c.)—25 & 26 Vict. c. xcii.	1057
Leven and East of Fife (Amalgamation).—24 & 25 Vict. c. clviii.	483
Leven and East of Fife (Extension, &c.)—24 & 25 Vict. c. clix.	484
Limerick and Foynes (Capital).—24 & 25 Vict. c. xcix.	448
Llanelly Railway and Dock (new Lines).—24 & 25 Vict. c. ccxvii.	524
Llanelly Railway and Dock (new Lines, &c.)—25 & 26 Vict. c. clxi.	1104
Llanidloes and Newtown (Revival of Powers, &c.)—24 & 25 Vict. c. xc.	443
Llanidloes and Newtown, Mid Wales, and Manchester and Milford (new Line, &c.)—25 & 26 Vict. c. clxii.	1106
Llantrissant and Taff Vale Junction (making).—24 & 25 Vict. c. li.	413
Llynvi Valley (Capital).—25 & 26 Vict. c. cxv.	1066
London and Blackwall (additional Works, &c.)—25 & 26 Vict. c. vii.	1005
London and North-western (Lease or Sale of the Railway of the Saint George's Harbour Company).—24 & 25 Vict. c. ccxix.	527
London and North-western (additional Powers).—24 & 25 Vict. c. ccviii.	517
London and North-western (Chester and Holyhead Railway).—24 & 25 Vict. c. cxxiii.	461
London and North-western (Cheshire Lines).—24 & 25 Vict. c. cx.	454
London and North-western (Branches to Wigan, &c.)—24 & 25 Vict. c. cxxx.	469
London and North-western, Lancaster and Carlisle, and Caledonian (Citadel Station at Carlisle).—24 & 25 Vict. c. clxvi.	487
London and North-western (Nantwich to Market Drayton).—24 & 25 Vict. c. xliv.	409
London and North-western (Liverpool Lines).—24 & 25 Vict. c. cxxviii.	467
London and North-western and Manchester, Sheffield, and Lincolnshire (Manchester London Road Station, &c.)—24 & 25 Vict. c. lxvi.	424
London and North-western (additional Powers).—25 & 26 Vict. c. ccviii.	1178
London and South-western (additional Powers).—25 & 26 Vict. c. xlii.	1023
London, Brighton, and South Coast (Enlargement of Stations, &c.)—25 & 26 Vict. c. lxviii.	1042
London, Brighton, and South Coast (new Lines).—25 & 26 Vict. c. lxxviii.	1047
London, Chatham, and Dover (Deviations, &c.)—24 & 25 Vict. c. ccxl.	548
London, Chatham, and Dover (Lease of Margate Line).—24 & 25 Vict. c. ccxxxix.	545

List of Local and Private Acts—*continued.*

	Page
London, Chatham, and Dover (Extension to Walmer and Deal).—25 & 26 Vict. c. clxiii.	1107
London, Chatham, and Dover (Bromley to St. Mary's Cray).—25 & 26 Vict. c. ccxxiv.	1196
London, Chatham, and Dover (Junction at Battersea, &c.)—25 & 26 Vict. c. cxcii.	1161
London, Tilbury, and Southend (Incorporation, &c.)—25 & 26 Vict. c. viii.	1006
London Railway Depôt and Storehouses (Relinquishment).—25 & 26 Vict. c. lvii.	1035
London and North-western and Chester and Holyhead (Capital).—25 & 26 Vict. c. civ.	1061
Londonderry and Coleraine (Arrangements with Creditors).—25 & 26 Vict. c. clxx.	1120
Londonderry and Lough Swilly (Extension to Buncrana).—24 & 25 Vict. c. clxi.	485
Lostwithiel and Fowey (making).—25 & 26 Vict. c. lxix.	1043
Ludlow and Clee Hill (making).—24 & 25 Vict. c. clxxxvii.	502
Lynn and Hunstanton (making).—24 & 25 Vict. c. cxcix.	512
Lynn and Sutton Bridge (making).—24 & 25 Vict. c. ccxlv.	554
Manchester and Milford (Aberystwith Branch).—24 & 25 Vict. c. cl.	479
Manchester London Road Station.—24 & 25 Vict. c. lxvi.	424
Manchester, Sheffield, and Lincolnshire (additional Works).—24 & 25 Vict. c. lxxxvi.	441
Manchester, Sheffield, and Lincolnshire (additional Powers).—25 & 26 Vict. c. cxii.	1065
Margate (Lease to London, Chatham, and Dover).—24 & 25 Vict. c. ccxxxix.	545
Margate (Ramsgate Extension, &c.)—24 & 25 Vict. c. ccxli.	550
Marlborough (making).—24 & 25 Vict. c. clxvii.	492
Maryport and Carlisle (Branches to Bolton and Wigton).—25 & 26 Vict. c. lxxx.	1051
Merthyr, Tredegar, and Abergavenny (Leasing).—25 & 26 Vict. c. ccix.	1179
Metropolitan (Improvements).—24 & 25 Vict. c. cxxxiii.	470
Metropolitan (Extension to Finsbury Circus).—24 & 25 Vict. c. ccxxxiii.	538
Metropolitan (additional Lands, &c.)—25 & 26 Vict. c. lviii.	1035
Midland Counties and Shannon Junction (making).—24 & 25 Vict. c. ccxlvi.	554
Midland (additional Powers).—24 & 25 Vict. c. cvi.	451
Midland (new Lines).—24 & 25 Vict. c. lvii.	418
Midland (Otley and Ilkley Extension).—24 & 25 Vict. c. cxxxix.	473
Midland (additional Powers).—25 & 26 Vict. c. lxxxi.	1051
Midland (Rowsley and Buxton Extension).—25 & 26 Vict. c. xci.	1056
Mid-Kent and Addiscombe (making).—25 & 26 Vict. c. cliii.	1102
Mid-Sussex and Midhurst Junction (Extension of Time, &c.)—25 & 26 Vict. c. ccx.	1179
Mid-Wales (Deviation).—24 & 25 Vict. c. lxv.	423
Mid-Wales (Deviations, &c.)—25 & 26 Vict. c. clvi.	1103
Mold and Denbigh Junction (making).—24 & 25 Vict. c. ccxlvii.	554
Monmouthshire Railway and Canal (new Lines, &c.)—24 & 25 Vict. c. ccxviii.	526
Morayshire (Extension).—24 & 25 Vict. c. xxx.	396
Moretonhampstead and South Devon (making).—25 & 26 Vict. c. cxxviii.	1072
Much Wenlock, &c. (Branches, &c.)—24 & 25 Vict. c. clxxxix.	507
Much Wenlock and Severn Junction (Capital, &c.)—25 & 26 Vict. c. xiv.	1008
Nantwich and Market Drayton (making).—24 & 25 Vict. c. xliv.	409
Newcastle, County Down (making).—25 & 26 Vict. c. ccxix.	1182
Newry and Armagh (further Powers).—25 & 26 Vict. c. lxxv.	1045
North British (Peebles leasing).—24 & 25 Vict. c. cxiv.	457
North British (Carlisle and Silloth Bay leasing, &c.)—25 & 26 Vict. c. xlvii.	1029
North British (Edinburgh, Perth, and Dundee, and West of Fife Amalgamations).—25 & 26 Vict. c. clxxxix.	1158
North British (Monkton Hall and Ormiston and Dalkeith Branches).—25 & 26 Vict. c. xlix.	1030
North British (Port Carlisle Dock and Railway leasing).—25 & 26 Vict. c. xlviii.	1029
North Devon Railway and Dock.—25 & 26 Vict. c. xxiv.	1012
North Devon and Okehampton (making).—25 & 26 Vict. c. clxv.	1116
North Kent (widening).—25 & 26 Vict. c. xcvi.	1058
North-eastern (Extension to Otley).—24 & 25 Vict. c. cxli.	474
North-eastern (Grosmont and Whitby Branches).—24 & 25 Vict. c. cxxxv.	472
North-eastern (Blaydon to Conside).—25 & 26 Vict. c. cxlvi.	1100
North-eastern and Hull and Holderness Amalgamation.—25 & 26 Vict. c. cxx.	1067
North-eastern and Newcastle-upon-Tyne and Carlisle.—25 & 26 Vict. c. cxlv.	1095
North-eastern (Market Weighton and Beverley Extension, &c.)—25 & 26 Vict. c. lxxxv.	1053
North-eastern (Team Valley Extension).—25 & 26 Vict. c. cliv.	1102
North London (Branch to the City).—24 & 25 Vict. c. cxevi.	510
North London (Widening).—24 & 25 Vict. c. cxxxii.	469
Oldham, Ashton-under-Lyne, and Guide Bridge Junction (vesting in Manchester, Sheffield, and Lincolnshire).—25 & 26 Vict. c. xcviii.	1058
Oswestry and Newtown (Branches).—24 & 25 Vict. c. xvii.	391
Oswestry, Ellesmere, and Whitchurch (making).—24 & 25 Vict. c. ccxxiii.	531
Parsonstown and Portumna Bridge (making).—24 & 25 Vict. c. cxlii.	475
Peebles (leasing to the North British).—24 & 25 Vict. c. cxiv.	457
Penarth Harbour, Dock, and Railway (Capital, &c.)—24 & 25 Vict. c. cxxiv.	461
Petersfield (Deviation).—24 & 25 Vict. c. ccxxiv.	531
Portadown, Dungannon, and Omagh Junction (Branch to Aughnacloy, &c.)—24 & 25 Vict. c. lxix.	427
Ramsey (making).—24 & 25 Vict. c. cxciv.	510
Rathkeale and Newcastle Junction (making).—24 & 25 Vict. c. clxviii.	492
Redditch (Capital).—25 & 26 Vict. c. ccxiv.	1181
Rhymney (Capital).—24 & 25 Vict. c. cxliv.	475
Rickmansworth, Amersham, and Chesham (making).—25 & 26 Vict. c. clxxi.	1123
Rumney (altering Lines and Levels, &c.)—24 & 25 Vict. c. ccxxvii.	532
Salisbury and Dorset Junction (making).—24 & 25 Vict. c. cxc.	508
Scottish North-eastern (additional Capital, &c.)—25 & 26 Vict. c. lxiv.	1038
Scottish Northern Junction (making).—25 & 26 Vict. c. lxxix.	1050
Sevenoaks (making).—25 & 26 Vict. c. clxvi.	1116
Shrewsbury and Hereford (leasing).—25 & 26 Vict. c. cxcviii.	1170
Shrewsbury and Welchpool (Minsterley Branch).—24 & 25 Vict. c. xiii.	389
Sidmouth Railway and Harbour (making).—25 & 26 Vict. c. ccxxvii.	1198
Sittingbourne and Sheerness (Capital).—24 & 25 Vict. c. cxxvii.	467
Sneyd's Branch (Construction of Bridges, Arches, &c.)—24 & 25 Vict. c. lxxi.	429
Somerset Central (Extension of Time, &c.)—24 & 25 Vict. c. ccix.	518
Somerset Central and Dorset Central Amalgamation.—25 & 26 Vict. c. ccxxv.	1197
Southampton and Netley (making).—24 & 25 Vict. c. ccxx.	529
South-eastern (Folkestone Harbour, &c.)—24 & 25 Vict. c. cxci.	508
South-eastern (Capital).—24 & 25 Vict. c. xii.	388
South-eastern (Tunbridge and Dartford).—25 & 26 Vict. c. xcvi.	1058
South Staffordshire (Capital).—24 & 25 Vict. c. cxxxvi.	472
South Wales Mineral (Extension to Briton Ferry Docks).—24 & 25 Vict. c. ccx.	518
South Yorkshire (Keadby Extension).—24 & 25 Vict. c. clxix.	492
South Yorkshire (Sheffield and Thorne).—25 & 26 Vict. c. cxli.	1094
Spalding and Bourn (making).—25 & 26 Vict. c. cxcix.	1170
Stafford and Uttoxeter (making).—25 & 26 Vict. c. clxxv.	1126
Stockport, Timperley, and Altrincham Junction (making).—24 & 25 Vict. c. clxxv.	496
Stockton and Darlington (new Branch Railway at Marske and Skelton, &c.)—24 & 25 Vict. c. lxiii.	422
Stockton and Darlington (Capital).—24 & 25 Vict. c. clvii.	482
Stockton and Darlington (Towlaw and Crook).—25 & 26 Vict. c. liv.	1034
Stockton and Darlington (South Durham and Lancashire Union, &c. Amalgamation).—25 & 26 Vict. c. cvi.	1063
Stourbridge (Extension to Smethwick, &c.)—24 & 25 Vict. c. ccxxi.	529
Stratford-upon-Avon (Capital).—24 & 25 Vict. c. xxxi.	397
Strathspey (making).—24 & 25 Vict. c. xvi.	390
Swansea and Neath Railway (making).—24 & 25 Vict. c. ccxlii.	551
Swansea Vale (new Lines).—24 & 25 Vict. c. clxii.	485
Tendring Hundred (Extension to Colchester).—25 & 26 Vict. c. xxxiv.	1019
Tewkesbury and Malvern (further Powers).—25 & 26 Vict. c. lvi.	1034
Thames Valley (making).—25 & 26 Vict. c. clii.	1102
Tottenham and Hampstead Junction (making).—25 & 26 Vict. c. cc.	1171
Trent, Ancholme, and Grimsby (making).—24 & 25 Vict. c. clvi.	482
Trent, Ancholme, and Grimsby (Contributions of Funds by other Companies).—25 & 26 Vict. c. cxxix.	1073
Ulster (Banbridge, Lisburn, and Belfast leasing).—25 & 26 Vict. c. cviii.	1064

	Page
Uxbridge and Rickmansworth (making).—24 & 25 Vict. c. lxxiii.	430
Uxbridge and Rickmansworth (Deviation).—25 & 26 Vict. c. xxxvi.	1020
Vale of Clwyd (Capital).—24 & 25 Vict. c. excii.	509
Vale of Clwyd (Extension).—25 & 26 Vict. c. xciii.	1057
Vale of Neath (laying down Rails for both Gauges).—25 & 26 Vict. c. clxxxii.	1131
Vale of Neath (Swansea Harbour).—25 & 26 Vict. c. clxviii.	1119
Victoria Station and Pimlico (Capital, &c.)—24 & 25 Vict. c. lxxxi.	438
Ware, Hadham, and Buntingford (Deviation).—24 & 25 Vict. c. cxciii.	509
Waterford and Limerick (Limerick and Ennis leasing, &c.)—25 & 26 Vict. c. cxci.	1161
Waterford and Passage (making).—25 & 26 Vict. c. ccxvii.	1181
Waveney Valley (Capital).—24 & 25 Vict. c. clxxi.	494
Wellington and Drayton (making).—25 & 26 Vict. c. ccxxvi.	1198
West Cheshire (incorporating Company, &c.)—24 & 25 Vict. c. cxliii.	475
West Cheshire (additional Lines, &c.)—25 & 26 Vict. c. cxc.	1160
West Cornwall (Capital, &c.)—24 & 25 Vict. c. liv.	416
West Hartlepool Harbour and Railway (Capital, &c.)—24 & 25 Vict. c. ccxlix.	555
West Hartlepool Harbour and Railway (Traffic, &c.)—24 & 25 Vict. c. ccxliv.	552
West London Extension (Capital, &c.)—24 & 25 Vict. c. ccxxxiv.	540
West Midland (additional Works).—25 & 26 Vict. c. clxviii.	1119
West Midland and Severn Valley (Construction of Railways from the Severn Valley, &c.)—24 & 25 Vict. c. ccxii.	519
West Midland (Severn Valley leasing).—25 & 26 Vict. c. clxxxiii.	1132
West Riding and Grimsby (making).—25 & 26 Vict. c. ccxi.	1180
West Shropshire Mineral Railway (making).—25 & 26 Vict. c. clxxxv.	1136
Weymouth and Portland (and Extension of West Somerset and Weymouth Railway to the Harbour).—25 & 26 Vict. c. lxxi.	1044
West of Fife Mineral Railway and Charleston Railway and Harbour (Amalgamation).—24 & 25 Vict. c. ccxxvi.	532
Whitehaven, Cleator, and Egremont (Extension).—24 & 25 Vict. c. lxii.	422
Witney (making a Road to Station at Witney).—24 & 25 Vict. c. xxii.	392
Wivenhoe and Brightlingsea (making).—24 & 25 Vict. c. cxix.	460
Worcester, Bromyard, and Leominster (making).—24 & 25 Vict. c. cxiii.	519
Workington Tidal Basin and Railway (making).—24 & 25 Vict. c. lxxxiii.	440
Wrexham and Minera (making).—24 & 25 Vict. c. xxxii.	397
Wrexham, Mold, and Connah's Quay (making).—25 & 26 Vict. c. ccxxi.	1183
Wycombe (Extensions).—24 & 25 Vict. c. lxxxvii.	442
Wycombe (further Powers).—25 & 26 Vict. c. v.	1003

CLASS 17.—SMALL DEBTS COURTS AND COURTS OF CONSCIENCE.

Nil.

CLASS 18.—TITHES.

Nil.

CLASS 19.—TRADING AND OTHER COMPANIES.

[*The Acts relating to Canals, Harbours, Docks, Piers, &c., Gasworks, Railways, and Waterworks, will be found under their respective Classes.*]

	Page
Bonelli's Electric Telegraph Company (Limited).—24 & 25 Vict. c. xcii.	445
Brecon Markets.—25 & 26 Vict. c. clxxxvi.	1136
British Fisheries Society.—25 & 26 Vict. c. clxxx.	1128
British Plate Glass Company.—25 & 26 Vict. c. xvi.	1009
Dovey Reclamation.—25 & 26 Vict. c. cexii.	1180
Dublin Cattle Market.—25 & 26 Vict. c. clv.	1102
Dublin (City of) Steam Packet Company.—24 & 25 Vict. c. iii.	383
East India Irrigation and Canal Company.—24 & 25 Vict. c. cviii.	453
Glasgow (City of) Life Assurance Company.—24 & 25 Vict. c. cxlv.	476
Great Britain Mutual Life Assurance.—25 & 26 Vict. c. lxxiv.	1044
Guardian Fire and Life Assurance Company.—24 & 25 Vict. c. ccxxv.	531
Hatfield Chase Warping and Improvement Company.—24 & 25 Vict. c. clxxxv.	501
North British and Mercantile Insurance.—25 & 26 Vict. c. cii.	1060
Northern Assurance Company.—24 & 25 Vict. c. xl.	406
Price's Patent Candle Company (Limited).—24 & 25 Vict. c. xxxviii.	406
Scottish Widows Fund and Life Assurance Society.—24 & 25 Vict. c. lxxxv.	441
Shard Bridge.—25 & 26 Vict. c. lxi.	1036
Thorne Moor Improvement Company.—24 & 25 Vict. c. lxxviii.	434
United Kingdom Electric Telegraph.—25 & 26 Vict. c. cxxxi.	1074
Universal Private Telegraph Company.—24 & 25 Vict. c. lxi.	421
Westminster Society for Insurance of Lives and Survivorships, &c.—24 & 25 Vict. c. ccxxv.	531

CLASS 20.—TURNPIKE AND OTHER ROADS.

	Page
Ashborne and Belper.—25 & 26 Vict. c. ciii.	1061
Berwick, Norham, and Islandshires.—24 & 25 Vict. c. lix.	421
Biddenden.—24 & 25 Vict. c. v.	384
Bolton and Blackburn.—25 & 26 Vict. c. lxv.	1040
Bridport (Second District).—25 & 26 Vict. c. xv.	1008
Cheadle.—25 & 26 Vict. c. cl.	1101
Cirencester.—25 & 26 Vict. c. xiii.	1007
Edenfield Chapel and Little Bolton.—24 & 25 Vict. c. i.	383
Edinburgh (City).—25 & 26 Vict. c. liii.	1032
Elton and Blackburn.—24 & 25 Vict. c. xx.	392
Folkestone to Barham Downs.—25 & 26 Vict. c. vi.	1005
Gainsburgh Bridge to East Retford.—24 & 25 Vict. c. vi.	384
Kingston-upon-Thames and Leatherhead.—24 & 25 Vict. c. xxvii.	395
Leeds and Birstal.—25 & 26 Vict. c. cxvii.	1067
Leeds and Ealand.—24 & 25 Vict. c. lxxxviii.	443
Manchester and Wilmslow.—24 & 25 Vict. c. lxxv.	432
New Chappel, Lindfield, and Brighton, &c.—25 & 26 Vict. c. lix.	1036
Oldham and Ripponden.—24 & 25 Vict. c. xxv.	394
Red House and Weeland.—25 & 26 Vict. c. cv.	1062
Ross.—25 & 26 Vict. c. iv.	1003
Rotherham and Wortley.—25 & 26 Vict. c. cxix.	1067
Sheffield and Chapel-en-le-Frith.—25 & 26 Vict. c. cxxxiv.	1084
Tiverton.—24 & 25 Vict. c. xix.	391
Tupton and Ashover and Birkin Lane.—25 & 26 Vict. c. clxvii.	1100
Wareham.—25 & 26 Vict. c. ix.	1006
Wem and Bronygarth.—25 & 26 Vict. c. cxxx.	1073
Winchester.—25 & 26 Vict. c. xii.	1007

CLASS 21.—WATERWORKS.

	Page
Aberdeen.—25 & 26 Vict. c. cciii.	1171
Barnsley.—25 & 26 Vict. c. xxxii.	1018
Blackburn.—24 & 25 Vict. c. clv.	481
Bradford Corporation.—25 & 26 Vict. c. xviii.	1009
Bristol.—25 & 26 Vict. c. xxx.	1016
Burton-upon-Trent.—24 & 25 Vict. c. xcv.	446
Caterham.—25 & 26 Vict. c. lxxxiii.	1052
Darlington.—24 & 25 Vict. c. lxxvii.	432
Dewsbury, Batley, and Heckmondwike.—24 & 25 Vict. c. xxxiii.	397
Dublin Corporation.—24 & 25 Vict. c. clxxii.	494
Dundee.—25 & 26 Vict. c. xliii.	1027
East London.—25 & 26 Vict. c. xxii.	1011
Falmouth.—25 & 26 Vict. c. xxxiii.	1018
Fylde Waterworks.—24 & 25 Vict. c. cliv.	480
Grand Junction.—24 & 25 Vict. c. cli.	480
Isle of Wight.—24 & 25 Vict. c. lv.	416
Kent.—25 & 26 Vict. c. xliv.	1027
Kingstown.—24 & 25 Vict. c. cv.	451
Leeds Corporation.—25 & 26 Vict. c. lii.	1032
Liverpool Corporation.—25 & 26 Vict. c. cvii.	1064
Neath.—24 & 25 Vict. c. xlv.	409
Northampton.—24 & 25 Vict. c. xlvii.	409
Portsmouth.—24 & 25 Vict. c. xxi.	392
Ryde.—24 & 25 Vict. c. lviii.	419
South Essex.—24 & 25 Vict. c. cxxxvii.	473
Staffordshire Potteries.—24 & 25 Vict. c. cxlvi.	476
Stockport District.—24 & 25 Vict. c. ccxi.	519
Wakefield.—25 & 26 Vict. c. xcix.	1059
Wolverhampton New Waterworks.—24 & 25 Vict. c. clii.	480

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